with work done under the relief program, etc.; to the Committee on Appropriations.

5849. By Mr. MARTIN of Colorado: Petition of divers citizens of Pueblo, Colo., favoring the enactment of the Costigan-Wagner antilynching bill; to the Committee on the Judiciary.

5850. Also, House Joint Memorial No. 8, of the General Assembly of the State of Colorado, favoring the Hayden highway amendment to House Joint Resolution No. 117; to the Committee on Appropriations.

5851. Also, House Joint Memorial No. 10 of the General Assembly of the State of Colorado, favoring payment to the producers of silver the monetary value thereof; to the Committee on Coinage, Weights, and Measures.

5852. By Mr. O'CONNELL: Resolution passed by the General Assembly of Rhode Island, relative to the retention of the old frigate *Constellation* in Newport; to the Committee on Naval Affairs.

5853. By Mr. PFEIFER: Petition of the National Association of Cotton Manufacturers, Boston, Mass., urging continuation of the National Industrial Recovery Act; to the Committee on Appropriations.

5854. Also, petition of O. W. Thomas & Co., Inc., New York City, favoring continuation of the National Recovery Administration Coffee Code; to the Committee on Appropriations.

5855. Also, petition of Association of Employees, Long Lines Department, American Telephone & Telegraph Co., New York, concerning the National Labor Relations Act (S. 1958); to the Committee on Interstate and Foreign Commerce.

5856. Also, petition of the United Spanish War Veterans, Washington, D. C., favoring the passage of House bill 6995, to restore the rights of Spanish War veterans; to the Committee on Pensions.

5857. Also, petition of the Jacobs Bros. Co., Inc., Brooklyn, N. Y., concerning the Connery 30-hour-week bill; to the Committee on Labor.

5858. Also, petition of the Velvet Textile Corporation, West Haven, Conn., favoring continuation of the National Industrial Recovery Act; to the Committee on Appropriations.

5859. By Mr. TARVER: Petition of James Garnett and 13 other citizens of Whitfield County, Ga., favoring the old-age pension; to the Committee on Ways and Means.

5860. By Mr. THOMASON: Petition of residents of Upton County, Tex., opposing the Rayburn public-utility bill; to the Committee on Interstate and Foreign Commerce.

5861. By Mr. TRUAX: Petition of Local No. 504 of the United Brick and Clay Workers of America, by their secretary, Henry Hawkins, Strasburg, Ohio, urging support of the Wagner labor-disputes bill; to the Committee on Labor.

5862. Also, petition of the Springfield Township Relief Association, Inc., by their secretary, Ralph R. Milhoan, Sawyerwood, Ohio, going on record as favoring the Duffy old-age pension bill and urging Congressmen to do all in their power to bring about its passage; to the Committee on Ways and Means.

5863. Also, petition of Local No. 225 of the I. A. of M., Dayton, Ohio, by their recording secretary, David J. Walters, urging support of House bill 6288, known as the "Connery disputes bill"; to the Committee on Labor.

5864. Also, petition of Local No. 473 of the United Brick and Clay Workers of America, Dover, Ohio, by their secretary, David Reiger, urging their Congressmen to vote for the Wagner-Connery labor-disputes bill now pending in Congress; to the Committee on Labor.

5865. Also, petition of the Cleveland Association of Commercial Lawyers, Cleveland, Ohio, by their secretary, R. C. Renane, resolving that House bill 5356, providing for the placing of referees in bankruptcy upon a salary and the appointment of referees in bankruptcy by the President of the United States, be, and the same hereby is, disapproved and condemned upon the ground that the effect of the adoption of the said bill will be the removal of this branch of the judiciary from its position of independence and the creation of the office of referee in bankruptcy as a political office; to the Committee on the Judiciary.

5866. By the SPEAKER: Petition of Frank Charles Thomas; to the Committee on the Judiciary.

5867. Also, petition of the city of Los Angeles, Calif.; to the Committee on Labor.

SENATE

MONDAY, APRIL 1, 1935

(Legislative day of Wednesday, Mar. 13, 1935)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Friday, March 29, 1935, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 488. An act for the relief of Michael Ilitz;

S. 747. An act for the relief of Joe G. Baker; and

S. 1856. An act for the relief of Arthur Smith.

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

H. R. 231. An act for the relief of Thomas M. Bardin;

H. R. 373. An act for the relief of the American Surety Co. of New York;

H. R. 419. An act for the relief of Ruth Relyea;

H. R. 607. An act for the relief of Florence Overly;

H. R. 617. An act to correct the military record of Lake B. Morrison;

H. R. 760. An act for the relief of John L. Hoffman;

H. R. 805. An act for the relief of Luther M. Turpin and Amanda Turpin;

H. R. 923. An act for the relief of Theresa M. Shea;

H. R. 972. An act for the relief of John Costigan;

H. R. 1442. An act for the relief of Clifford N. Raymond;

H. R. 1637. An act for the relief of Harrison Brainard, alias Harry White;

H. R. 1846. An act for the relief of Daniel W. Seal;

H. R. 2431. An act for the relief of James R. Davis, Jr.;

H. R. 3533. An act for the relief of Joseph J. McMahon;

H. R. 3547. An act for the relief of Thomas Lee Mitchum;

H. R. 3787. An act for the relief of Robert D. Hutchinson; and

H. R. 5133. An act for the relief of Nellie Oliver.

REPORT OF THE BOY SCOUTS OF AMERICA

The VICE PRESIDENT laid before the Senate a letter from the chief scout executive of the Boy Scouts of America, submitting, pursuant to law, the Twenty-fifth Annual Report of the Boy Scouts of America, which, with the accompanying report, was referred to the Committee on Education and Labor.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following resolution of the House of Representatives of the State of Oklahoma, which was ordered to lie on the table:

A resolution memorializing the Congress of the United States to appropriate a sufficient fund to enable the public schools of the Nation to maintain a normal term in the present general emergency

Be it resolved by the House of Representatives of the Fifteenth Legislature of the State of Oklahoma:

Whereas the public schools in many of the States are in a serious plight due to lack of funds whereby they may be kept open and in operation for the remainder of the current school year; and

Whereas local and State revenues are in many cases completely exhausted and schools are being closed, thereby seriously disturbing the educational program and endangering the welfare of the Nation; and

Whereas many sources of revenue hitherto reserved for use by the several States or their subdivisions are now being used by the Government of the United States, thereby decreasing the abilities

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of said States and subdivisions to finance education adequately; and

Whereas education should be recognized as an exceedingly important function of government, and one that can be neglected only at the Nation's peril; and

Whereas there is now up for consideration by the Congress of the United States an amendment to the general relief measure providing that the sum of $40,000,000 be allocated to the several States for the purpose of maintaining a normal length of school term throughout the Nation: Therefore be it

Resolved by the House of Representatives of the fifteenth session of the Oklahoma Legislature, That the Congress of the United States be, and it is memorialized to allocate said sum of $40,000,000 to maintain a full and normal term of school in the several States of the Nation that are unable to finance their educational programs for the remainder of the current school year.

Resolved further, That engrossed copy of this resolution be immediately forwarded to the Speaker of the House of Representatives of the United States Congress, and a copy to each of our United States Senators and Representatives in Congress.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of California, which was referred to the Committee on Finance:

Assembly Joint Resolution 39. relating to memorializing Congress to incorporate in a national old-age-pension plan the principles and objectives of the Townsend plan

Whereas various proposals for the establishment of old-age pensions are now under consideration by the Congress of the United States; and

Whereas the revolving old-age-pension plan originated by Dr. F. E. Townsend, of California, has been presented to the United States Senate and the National House of Representatives; and

Whereas the program contemplates both relief for the aged and wide-spread adjustments in our economic system certain to result in improved working conditions and in extensive reduction of unemployment among thousands of men and women under the age of 60 years; and

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States is respectfully urged to enact H. R. 3977, introduced in the House of Representatives January 16, 1935, and cited as the "Townsend Old-Age Revolving Pension Act", which is as follows:

"SEC. 2. That every citizen of the United States 60 years of age and over, or who shall attain the age of 60 years after the passage of this act, while actually residing in the United States, shall be entitled to receive, upon application and qualification, a pension in the sum of $200 per month during the life of the pensioner: *Provided*, That (a) the pensioner shall discontinue and refrain from all gainful competitive pursuits or salaried positions of any kind; (b) the pensioner shall covenant and agree that he or she will within 30 days of receipt of said pension expend all of the same for goods, commodities, or services within the jurisdiction of the United States; (c) proof of age and citizenship shall be according to the law and procedure of the State of residence of the pensioner; and (d) this pension shall be wholly exempt from attachment, garnishment, or execution.

"SEC. 3. There is hereby levied a tax of 2 percent on the gross dollar value of each business, commercial, and/or financial transaction done within the United States. The President of the United States is hereby empowered by Executive order to increase or decrease the 2 percent tax by not more than 50 percent, when in his discretion he deems it advisable, in order to adequately finance the said pension roll. This tax shall be levied in addition to any other Federal tax on goods or commodities. This tax so levied shall be paid by the seller once each calendar month, calculated on the seller's aggregate gross sales, in accordance with rules and regulations to be promulgated by the Secretary of the Treasury of the United States.

"(a) It is hereby provided, in order to facilitate the collection of this tax, that all sellers of goods, commodities, and commercial things of value shall obtain a license upon payment of a fee, the amount thereof to be fixed by the Secretary of the Treasury, who is empowered with full authority to use his discretion as to methods and means of collecting this tax.

"SEC. 4. Any qualified pensioner who, for any justifiable reason, has failed to legally receive and disburse said pension, may, upon proper proof, be reinstated and thereafter receive the pension.

"(a) All pensioners under this act shall be permitted to expend not more than 15 percent of each monthly pension for charity, church, and fraternal organizations.

"(b) Pensioners under this act shall receive no other pension from the United States nor from any State nor any political subdivision thereof, except all disabled war veterans now receiving or who may receive disability allowance, compensation, or pension from the United States Government.

"(c) The benefits of this act shall not accrue to any person while an inmate of an insane asylum, eleemosynary institution, or while under penal sentence in any jail or penitentiary.

"SEC. 5. Immediately after the passage of this act, the Secretary of the Treasury shall authorize all National and State banks, members of the Federal Insurance Deposit Corporation, to credit each properly identified pensioner the first day of each calendar month in the sum of $200, and said banks shall be reimbursed by the United States Treasury for the amounts so credited to pensioner or pensioners.

"SEC. 6. All salaries for individual services are hereby exempted from the tax provisions of this act.

"SEC. 7. Pensions under this act shall be forfeited or discontinued for the following reasons:

"(a) Any person who has been duly convicted of a felony shall be ineligible for this pension for a period of 10 years following the completion of his sentence.

"(b) Any pensioner under this act who is convicted of a felony shall immediately forfeit his said pension.

"(c) Any pensioner who violates the conditions imposed by (a) and (b) of section 2 of this act may be deprived of the said pension.

"SEC. 8. The Secretary of the Treasury shall appoint pension boards of three members, who shall constitute a district pension board. No two members of this board may belong to the same political party. Such boards may appoint deputies within their districts. All members of the board shall serve without compensation other than their pensions. Such boards shall have supervision of the administration of this act in their respective districts and shall be governed by rules and regulations promulgated by the Secretary of the Treasury. A pension board shall be so set up for each county in the United States other than the areas of metropolitan cities, wherein boards shall be created in each ward or similar political subdivision.

"SEC. 9. Any and all oaths or affirmations required under the provisions of this act may be administered by any officer authorized by the law of any State to take acknowledgments for the conveyance of real property or by any member of a duly constituted pension board as herein provided.

"SEC. 10. It shall be a felony and punishable as such for any pensioner or seller as herein described to misrepresent or make a false statement with regard to any provisions of this act with intent to defraud the Government of the United States, under penalty of a fine of not more than $1,000 or imprisonment for not more than 2 years, or both."

Resolved, That the Governor of the State of California is hereby requested to forward a copy of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California in the Congress of the United States.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of Minnesota, which was referred to the Committee on Military Affairs:

A joint resolution memorializing Congress to enact a universal service act which will take profits out of war

Whereas disclosures made by the Senate Munitions Investigating Committee and information secured by independent agencies indicate that munition and armament firms not only made excessive profits during the World War but are engaged in times of peace in disseminating propaganda tending to insite fear among nations, to increase their armaments, thereby encouraging and eventually leading to declaration of war; and

Whereas there is now pending before Congress measures which provide for the adoption of a universal service act which provides for the conscription of capital and industry, as well as man power, in time of war and the use of each in the service of the Nation, without special preference or profit; and

Whereas by taking profits out of war it would automatically destroy one of the greatest incentives for war: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota (the senate concurring), That we earnestly urge the Congress of the United States to adopt a universal service act which will take profits out of war and provide for the conscription of capital and industry as well as man power in time of war; be it further

Resolved, That the secretary of state of Minnesota be instructed to send copies of this resolution to the President of the United States, to both Houses of Congress, and to each Member in Congress from the State of Minnesota.

The VICE PRESIDENT also laid before the Senate a resolution adopted by Local Union No. 23, International Jewelry Workers, of Los Angeles, Calif., favoring the passage of the so-called "Wagner-Connery bill" and the Black 30-hour work-week bill, which was referred to the Committee on Education and Labor.

He also laid before the Senate petitions of sundry citizens of the United States, praying for the passage of old-age-pension legislation, which were referred to the Committee on Finance.

He also laid before the Senate resolutions adopted by Townsend Club, No. 14, and the Executive Council of Townsend Clubs, both of San Diego, Calif., favoring the adoption of the so-called "Townsend old-age-pension plan", which were referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the ninth annual council of the National Society United States Daughters of 1812 in the State of Pennsylvania, favoring the

enactment of House bill 2897, to make communism and the dissemination of Communist literature a crime punishable by imprisonment or fine, or both, which was referred to the Committee on Immigration.

He also laid before the Senate a petition of members of Western Illinois State Teachers College and sundry citizens of Macomb, Ill., praying for the prompt enactment of legislation to eradicate all subversive movements aimed at the destruction of the Government by force or violence, which, with the accompanying papers, was referred to the Committee on Immigration.

He also laid before the Senate resolutions adopted by the New York City I. C. O. R. Committee, Unemployment Councils, of New York; the New Theatre League; the American Union Against Reaction; Carpenters Local Union No. 2090; the Tremont Workers Center; the A. F. L. Trade Union Committee for Unemployment Insurance and Relief, all of New York City; and the New Group of Brooklyn, all in the State of New York, protesting against the enactment of alien and sedition legislation, which were referred to the Committee on Immigration.

He also laid before the Senate petitions of sundry citizens of the United States praying for an investigation of charges filed by the Women's Committee of Louisiana relative to the qualifications of the Senators from Louisiana (Mr. LONG and Mr. OVERTON), which were referred to the Committee on Privileges and Elections.

Mr. GUFFEY presented a resolution adopted by the Council of the Borough of Derry, Pa., favoring the prompt passage of legislation providing for the cash payment of adjusted-service certificates of World War veterans, which was referred to the Committee on Finance.

Mr. MALONEY presented resolutions of the Common Council of the City of Middletown and the Polish Central Council, of New Haven, both in the State of Connecticut, favoring the enactment of pending legislation proclaiming October 11 in each year as General Pulaski's Memorial Day, which were ordered to lie on the table.

Mr. CAPPER presented a petition of the Service Men's Civil League of Kansas City, Kans., praying for the passage of the so-called "Patman bill", providing for immediate cash payment of adjusted-service certificates of World War veterans, which was referred to the Committee on Finance.

He also presented a letter in the nature of a petition from the Shawnee Chapter, International Society of Master Painters and Decorators, of Topeka, Kans., praying for the enactment of legislation extending the National Industrial Recovery Act, which was referred to the Committee on Finance.

Mr. McCARRAN presented the following joint resolution of the Legislature of the State of Nevada, which was referred to the Committee on Education and Labor:

Assembly joint resolution memorializing Congress to create a department of education and providing a secretary of education therefor, to sit in the President's Cabinet and to preside over said department

Resolved by the Assembly and the Senate of the State of Nevada, That Congress be memorialized to create a bureau of education at Washington, D. C., and provide for the selection of a secretary of education to sit in the President's Cabinet and to preside over said department; be it further

Resolved, That upon the adoption of this resolution a certified copy thereof be dispatched by the Secretary of State to the President of the United States, and to each of our Senators in the United States Senate, and to our Representatives in Congress.

Mr. GERRY presented the following resolution of the Senate of the State of Rhode Island, which was referred to the Committee on Finance:

Senate resolution urging the Congress of the United States to secure the repeal at once of the cotton processing tax (passed Mar. 29, 1935)

Whereas the increased cost of manufactured products due to this tax falls most heavily on those who can least afford to pay it, the laboring people of this country; and

Whereas it affords little relief to cotton growers as with mills unable to continue operating under this tax, and closing all over the country, less cotton is consumed; and

Whereas it adds an enormous burden amounting to at least 40 percent of mill pay rolls on the mills who cannot pass the tax along to the consumer; it adds 8 to 15 percent to the cost of inventories in times of great financial stress; it is unjust and indefensible in that it is in fact a sales tax without the virtue of universal application: Now, therefore, be it

Resolved, That the Senate of the State of Rhode Island, in regular session, urges the Congress of the United States to secure the repeal at once of the cotton processing tax for these reasons; and be it further

Resolved, That copies of this resolution be transmitted by the secretary of state to the President of the United States, the Secretary of Agriculture, and to the Rhode Island Senators and Representatives in Congress.

Mr. TYDINGS presented the following resolution of the Senate of the State of Maryland, which was referred to the Committee on Patents:

Senate resolution requesting that the Congress of the United States cause an investigation into the activities of the American Society of Composers, Authors, and Publishers of New York and its Subsidiaries

Whereas unless certain abuses now being pursued by the American Society of Composers, Authors, and Publishers of New York and its Subsidiaries upon hundreds of corporations, firms, and persons conducting establishments wherein music is played within the State of Maryland is abated, grave consequences therefrom may follow to the injury, through loss of employment, by many now employed within these business organizations; by reason of unreasonable demands by the American Society of Composers, Authors, and Publishers of New York and its Subsidiaries that are bias and unjust; and

Whereas there is no adequate relief at law until this matter is brought before the Congress of the United States for adjudication and adjustment; and

Whereas, under certain rulings of the Supreme Court of the United States, the American Society of Composers, Authors, and Publishers of New York and its Subsidiaries are exercising dictatorial powers, developing "a racket" that could never have been intended, or the purpose, to endow upon any organization by any court: Therefore be it

Resolved by the Senate of Maryland, That the Congress of the United States shall cause an investigation into the activities of the American Society of Composers, Authors, and Publishers of New York and its Subsidiaries as speedily as possible; and be it further

Resolved, That a copy of this resolution, duly authenticated, be sent to Senator MILLARD E. TYDINGS, Senator GEORGE L. RADCLIFFE, and each of the six Representatives in Congress, and they are hereby directed to introduce such resolution as may be necessary, into the Congress of the United States, to bring about an investigation of the activities of the American Society of Composers, Authors, and Publishers of New York and its Subsidiaries for the purpose of remedial action that will afford relief to the oppressed.

Mr. GEORGE presented the following resolution of the Senate of the State of Georgia, which was referred to the Committee on Immigration:

Whereas it appears from the CONGRESSIONAL RECORD that more than 3,000,000 undesirable aliens are in our country; and

Whereas they are receiving aid and employment from our country, when their principles breed communism, which are debauching the very life of our democracy, and thus are depriving real American citizens from employment; and

Whereas in order to protect the social order of our great country and perpetuate our democracy rigid enforcement of existing immigration laws must be maintained and deportation of these alien enemies must be enforced: Therefore be it

Resolved, That the Senate of the General Assembly of Georgia go on record as condemning communism and urge that immediate deportation of the alien enemies for the welfare and best interests of the country be effected; be it further

Resolved, That a copy of these resolutions be sent the two Georgia Senators and each Congressman from Georgia; be it further

Resolved, That a copy of these resolutions be given the press for publication.

Mr. GEORGE also presented the following resolution of the General Assembly of the State of Georgia, which was referred to the Committee on Commerce:

Whereas McIntosh County, Ga., is the center of the coastal fisheries district of Georgia; and

Whereas the fisheries resources of the coastal section of Georgia are in serious need of development, both sports and commercial fishing being available here in all seasons, to meet the growing demand for the products of the Georgia coastal waters; and

Whereas the residents of said coastal region of Georgia are anxious to improve conditions in said fisheries: Therefore be it hereby

Resolved, That the General Assembly of the State of Georgia respectfully requests the Seventy-fourth Congress of the United States to look with favor upon this request for the establishment of a fish hatchery in McIntosh County, Ga., and to transmit with recommendation for favorable action this request to the United States Bureau of Fisheries; be it further

Resolved, That copy of this resolution be forwarded to each member of the Georgia delegation in the Seventy-fourth Congress.

Mr. GEORGE also presented the following concurrent resolution of the Legislature of the State of Georgia, which was referred to the Committee on Commerce:

Whereas the Chattahoochee River flows through a large number of the counties of this State; and

Whereas the development of this river as a navigable stream, will result in untold benefits to the citizens of the Chattahoochee Valley, and to all of the people of Georgia and Alabama; and

Whereas said developments will also result in—

1. The prevention of soil erosion over a vast area of both Georgia and Alabama;
2. Reforestation;
3. Flood control;
4. The providing of large fresh-water lakes and hydroelectric power sites, a feature which squares with the President's idea about publicly owned hydroelectric water powers;
5. The employment of a large number of people now on relief rolls or unemployed;
6. A downward revision of transportation rates through competition between water and rail transportation;
7. The making of Fort Benning, the largest infantry school in the world, a port military camp with untold advantage in a military way in case of war;

Whereas the Chattahoochee Gulf Association, in cooperation with the chamber of commerce and other civic organizations of Atlanta and Columbus, and other towns in the section, have been actively working in behalf of this development for a number of years; and

Whereas this general assembly is informed through the press that the development of this project has now been approved by the United States Army engineers: Now, therefore, be it

Resolved, That it is the sense of your memorialists, the members of the Georgia Legislative Assembly (the Senate and the House concurring), that this proposed development be now approved under the President's relief program, and that work be commenced at once in order that the many untold benefits as enumerated in this resolution be no longer withheld from the people of Georgia and Alabama, and that the sense of this body is that the Senators and Representatives in Congress from Georgia and Alabama lend their immediate cooperation and their assistance in urging the immediate completion of this project; be it further

Resolved, That a copy of this memorial be sent to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States, and to each Senator and Representative in Congress from the State of Georgia and the State of Alabama, and to the Committee of the National Rivers and Harbors Congress.

REPORTS OF COMMITTEES

Mr. AUSTIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 2128) for the relief of Rosetta Laws, reported it without amendment and submitted a report (No. 396) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 1469) to transfer certain lands from the Veterans' Administration to the Department of the Interior for the benefit of Yavapai Indians, Arizona, reported it without amendment and submitted a report (No. 397) thereon.

Mr. BARBOUR, from the Committee on Military Affairs, to which was referred the bill (H. R. 3105) for the relief of Samuel Kaufman, reported it with an amendment and submitted a report (No. 398) thereon.

Mr. FLETCHER, from the Committee on Military Affairs, to which was referred the bill (S. 1789) to retire Walter L. Rosasco with the rank of second lieutenant, Air Corps, United States Army, reported it with amendments and submitted a report (No. 899) thereon.

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which was referred the bill (S. 2045) for the relief of Stephen Sowinski, reported it with an amendment and submitted a report (No. 401) thereon.

Mr. PITTMAN, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 1305) to further extend the operation of the act entitled "An act to further extend the operation of the act entitled 'An act for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law', approved April 1, 1932", approved March 27, 1934, reported it with an amendment.

Mr. AUSTIN, from the Committee on the Judiciary, to which was referred the bill (S. 993) directing the Comptroller General to adjust the account between the United States and the State of Connecticut, reported it without amendment.

MUNITIONS INVESTIGATION

Mr. NYE. Mr. President, I submit a preliminary report of the Select Committee on Investigation of the Munitions Industry, which I desire to have printed. The report is brief, and I ask that it be read at the desk.

The VICE PRESIDENT. Is there objection to the request of the Senator from North Dakota that the report be read? The Chair hears none, and the clerk will read.

The Chief Clerk read the report (No. 400), as follows:

[Report No. 400 (No. 1)]

APRIL 1, 1935.

The United States Senate Special Committee Investigating the Munitions Industry, pursuant to Senate Resolution No. 8 (74th Cong., 1st sess.), wishes to make the following preliminary report:

I. The committee has examined 116 witnesses, taken 3,502 pages of testimony and exhibits, and has spent 62 days in the discussion of that testimony. It has consulted with a considerable number of Government departments in executive session.

II. The committee is in substantial agreement on a very thorough plan to take the profits out of war and to equalize the economic burden of war, and expects to report on this subject to the Senate legislation on the matter in the immediate future and for action in the present session of Congress. This relates to the actual period of war only. The presentation of this report and the legislation covers one of the three major obligations imposed upon the committee.

III. The committee is emphatically convinced that no bill which contains only general authorizations to the President to fix prices or to commandeer industry or to arrange for priorities and licensing is at all adequate "to equalize the burdens and take the profits out of war."

IV. The committee is in substantial agreement on a principle to govern the export of munitions and contraband in case of a major war and expects to make certain recommendations to the Senate on this subject in the immediate future and for action in the present session of Congress. This is the only phase of the neutrality problem which the committee considers to be within its jurisdiction.

V. The committee has investigated in detail the foreign sales activities of certain munitions companies and the significance of the methods used in the industry. This study is not yet completed. When it is completed, the committee will have definite recommendations to make for the control of the industry in peace time.

VI. At the moment the committee looks with interest and sympathy on the efforts of the American Government to secure agreement on more rigorous international control of the arms traffic and believes that the United States Senate should be glad to consider cordially an international convention based on the general broad outlines of control now known as the "American draft convention."

VII. The committee also expresses its interest in and support of a constitutional amendment to eliminate tax-exempt bonds, because it finds this exemption to be an inevitable and unjustified loophole in respect to the conclusive control of war profits.

VIII. The committee has taken considerable testimony on the increased costs and profits of the industry engaged in naval shipbuilding for the Government. The committee expects to close its hearings on this subject in April and to report as promptly as possible thereafter. Hundreds of millions of dollars are involved in the present system of naval building, and evidence of collusion is under consideration.

IX. The committee has heard a great amount of testimony covering Government aid in support of the private munitions makers in their domestic and foreign business. It requests ample time to continue this investigation and to make its findings constructive and conclusive.

X. The committee has heard sufficient evidence concerning the interchange of military information to begin its report on this subject.

XI. The committee has heard a considerable amount of evidence on the part taken by munition makers in embargoes and international conferences and international policy. It requests ample time to complete its studies of this subject.

XII. In addition to subjects already listed as in preparation, the committee has yet to finish its study of the profits and interest of the banking group in the munitions business during and since the war. The committee earnestly desires to progress with this study.

XIII. The committee has not yet finished its study of the influence of certain other large groups on the Nation's munitions policy and foreign policy, including the chemical warfare companies, the steel companies, and the airplane and machine-gun companies. No munitions investigation can be considered reasonably adequate and complete unless this field is conclusively studied with a view to adequate protection of the public interest.

XIV. The committee has also heard and analyzed a great mass of evidence on the industrial conduct and control during the World War and has had referred to it certain Army bills intended to mobilize industry and man power effectively in any future war. The committee believes it should continue hearings on the subject matter of these bills before reporting on them.

XV. The committee has been unable so far to engage in a thorough study of one obligation laid upon it by the Senate,

that of the practicability of the Government's purchasing and owning munitions plants. A study of the number and cost of plants necessary for peace-time production is a feasible study, although involving a very considerable engineering personnel which the committee is now in no position to obtain.

XVI. The matter of these further studies will be discussed in the Senate later at a time when the committee will have presented the first of its legislative recommendations, and the Senate must then determine whether an additional and final appropriation shall be made available to implement these final investigations.

Mr. NYE. Mr. President, in explanation I wish to say that this particular report is presented pursuant to Senate Resolution 206, Seventy-third Congress, second session, and in response to the language of Senate Resolution No. 8, of the present session, adopted by the Senate on the 17th of January this year asking for a preliminary report at this time.

ENROLLED BILLS PRESENTED

Mr. LONERGAN (for Mrs. CARAWAY), from the Committee on Enrolled Bills, reported that on March 29, 1935, that committee presented to the President of the United States the following enrolled bills:

S. 403. An act to amend the act of Congress approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous and unsafe buildings and parts thereof, and for other purposes", and to further amend said act by adding at the end thereof new sections numbered 5 and 6;

S. 406. An act to amend an act approved May 1, 1906, entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes"; and

S. 935. An act to authorize the Secretary of War and the Secretary of the Navy to lend Army and Navy equipment for use at the national jamboree of the Boy Scouts of America.

BILLS INTRODUCED

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

By Mr. McADOO:

A bill (S. 2458) for the relief of Mary M. Wade; to the Committee on Claims.

By Mr. BURKE:

A bill (S. 2459) authorizing adjustment of the claim of Francis B. Kennedy; to the Committee on Claims.

By Mr. TRAMMELL:

A bill (S. 2460) to amend the act of June 6, 1924, entitled "An act to amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes"; to the Committee on Naval Affairs.

By Mr. BORAH:

A bill (S. 2461) to amend the Securities Act of 1933; to the Committee on Banking and Currency.

A bill (S. 2462) to provide funds for cooperation with the school board at Worley, Idaho, in the construction of a public-school building to be available to Indian children in the town of Worley and county of Kootenai, Idaho; to the Committee on Indian Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 2463) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claim which the Kiowa, Comanche, and Apache Tribes of Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 2464) for the relief of the Bell Oil & Gas Co.; to the Committee on Claims.

By Mr. DUFFY:

A bill (S. 2465) to amend the act entitled "An act to amend and consolidate the acts respecting copyright", approved March 4, 1909, as amended, and for other purposes; to the Committee on Patents.

By Mr. BANKHEAD:

A bill (S. 2466) to require the manager of the cotton pool and the Secretary of Agriculture to immediately replace the spot cotton sold by them from the pool cotton and for which future contracts are held; to the Committee on Agriculture and Forestry.

By Mr. THOMAS of Utah:

A bill (S. 2467) for the retirement of William J. Stannard, leader of the United States Army Band; to the Committee on Military Affairs.

By Mr. SHIPSTEAD:

A bill (S. 2468) for the relief of Arthur O. Anderson; to the Committee on Finance.

By Mr. BLACK:

A bill (S. 2469) for the relief of E. L. Hice and Lucy Hice; to the Committee on Claims.

HOUSE BILLS REFERRED

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

H. R. 373. An act for the relief of the American Surety Co., of New York;

H. R. 419. An act for the relief of Ruth Relyea;

H. R. 607. An act for the relief of Florence Overly;

H. R. 760. An act for the relief of John L. Hoffman;

H. R. 805. An act for the relief of Luther M. Turpin and Amanda Turpin; and

H. R. 923. An act for the relief of Theresa M. Shea; to the Committee on Claims.

H. R. 231. An act for the relief of Thomas M. Bardin;

H. R. 617. An act to correct the military record of Lake B. Morrison;

H. R. 972. An act for the relief of John Costigan;

H. R. 1442. An act for the relief of Clifford N. Raymond;

H. R. 1637. An act for the relief of Harrison Brainard, alias Harry White;

H. R. 1846. An act for the relief of Daniel W. Seal;

H. R. 2431. An act for the relief of James R. Davis, Jr.;

H. R. 3533. An act for the relief of Joseph J. McMahon;

H. R. 3547. An act for the relief of Thomas Lee Mitchum;

H. R. 3787. An act for the relief of Robert D. Hutchinson; and

H. R. 5133. An act for the relief of Nellie Oliver; to the Committee on Military Affairs.

REGULATION OF TRAFFIC IN FOOD, DRUGS, AND COSMETICS—AMENDMENTS

Mr. McNARY (for Mr. JOHNSON) submitted two amendments intended to be proposed by Mr. JOHNSON to Senate bill 5, known as the "pure food and drugs bill", which were ordered to lie on the table and to be printed.

AMENDMENT TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. HAYDEN submitted an amendment intended to be proposed by him to House bill 6223, the Interior Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 84, after line 22, to insert the following:

"Big Dry Wash Battlefield: For erection by the National Park Service, in cooperation with the United States Forest Service, of a marker to commemorate the battle at Big Dry Wash, Ariz., during the Indian wars on ground owned by the United States, $500, to be immediately available."

GOVERNMENT OF THE VIRGIN ISLANDS

Mr. TYDINGS. Mr. President, there is on the calendar Order of Business No. 400, Senate Resolution 98, which provides for an investigation of the administration of the government of the Virgin Islands. The resolution was reported unanimously from the Committee on Territories and Insular Affairs and then sent to the Committee to Audit and Control the Contingent Expenses of the Senate, which has likewise reported it unanimously with an amendment.

It will be necessary, if the investigation is to be held, for certain machinery to be set up, and I ask unanimous consent that the resolution may be considered and acted upon. If it brings on any debate I shall not, of course, press my motion, but, inasmuch as it is necessary to have the machinery established in order to conduct the investigation, and all the committees which have dealt with it have passed on it unanimously, I should be very much obliged to the Senate if it would allow the resolution to be adopted, so that work may be started on the investigation.

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

There being no objection, the Senate proceeded to consider the resolution (S. Res. 98) providing for an investigation of the administration of the government of the Virgin Islands, which had been reported from the Committee on Territories and Insular Affairs on March 8 without amendment, and from the Committee to Audit and Control the Contingent Expenses of the Senate on March 29 with an amendment, on page 2, line 8, after the word "exceed", to strike out "$25,000" and to insert in lieu thereof "$12,000", so as to make the resolution read:

Resolved, That a special committee of five Senators to be appointed by the President of the Senate, is authorized and directed to make a full and complete investigation of the administration of the government of the Virgin Islands. The committee shall report to the Senate, as soon as practicable, the results of its investigations, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-fourth and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee which shall not exceed $12,000, shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman.

The amendment was agreed to.

The resolution, as amended, was agreed to.

INCREASE OF BATTLESHIP STRENGTH—ARTICLE BY SENATOR GERRY

Mr. TRAMMELL. Mr. President, I ask unanimous consent to have printed in the RECORD an article written by the Senator from Rhode Island [Mr. GERRY], which appeared in yesterday's Washington Herald. The article discusses in a most interesting and illuminating way the important part played by battleships in naval warfare, a subject with which the Senator from Rhode Island is especially well qualified to deal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Herald, Mar. 31, 1935]

SENATOR GERRY MAKES PLEA FOR MORE BATTLESHIPS AS BACKBONE OF OUR NAVY—AIRPLANES AND SUBMARINES SUPPLEMENT BUT CANNOT SUPPLANT CAPITAL SHIPS, HE SAYS

(By Peter G. Gerry, United States Senator from Rhode Island and for 12 years a member of the United States Senate Naval Affairs Committee)

The denouncing of the Washington Treaty by Japan and the demand that she be given naval parity with Great Britain and the United States have again brought to the attention of the people the question of the importance of our fleet.

The discussion that is now in progress will make anyone realize who has made a study of naval strategy that the general public has not a good conception of what constitutes a well-rounded fleet and why the Navy is so insistent on certain types of vessels.

The development of the submarine by Germany, with its large size and great efficiency, its success in commerce destroying, the sinking of the Lusitania, and the near starving of England emphasized especially the value of that vessel in naval warfare.

ENGLISH AND ALLIES LOSING HEAVILY

The Zeppelin raids and the development of the airplanes, with their gallant engagements, naturally impressed the imagination, so to this day a not properly balanced importance has been given to the work done by other factors.

The essential part the capital ships played in the winning of the war has been lost sight of.

The Germans learned as time went on that by increasing the surface speed of submarines and putting guns on them in addition to torpedoes, they were able to catch and sink more and more merchantmen.

Where there was concentration of shipping, the submarines were able to do greatly increased damage. The English and the Allies were losing heavily.

By 1916 ships were being sunk faster than England could replace them. The German campaign was nearly successful because England was unable to feed or supply herself with many necessities. If it had gone on, it would have starved her into submission.

CONVOY SYSTEM MET THE PROBLEM

But there began to be methods of meeting the menace. The most important was the convoy system, which collected merchantmen into groups and protected them by armed vessels. From then on the submarine campaign began to diminish in effectiveness.

The success of the convoy system is a good example of the submarine's limitations.

A submarine cannot make better than 8 knots when submerged, and she cannot continue this speed for more than a few hours, because to do so uses up her batteries.

On the surface the big German submarines were fast, and therefore had little difficulty in catching up with anything except very fast liners. When used as surface fighting ships they were effective and had the advantage of being able to submerge and escape.

With destroyers looking for them on the surface, attempting to ram them when they came up, the submarine was anything but comfortable. If they submerged below 250 feet the hydrostatic pressure caused them to leak, and if they went down much farther it would crush them like an eggshell.

Not only did the destroyer attack the submarine by ramming and by gunfire but it also dropped depth bombs, which if they exploded near the submarine meant certain destruction.

NAVY CONVOYS GREAT SUCCESS

The submarine's best chance of getting her prey in numbers was by lying in wait in a lane where ships were approaching port. In this manner the *Lusitania* was sunk after she had slowed down off the Irish coast.

Of the 2,000,000 soldiers the United States sent to Europe not one was lost under convoy by the American Navy.

The final blow to the German submarine campaign was a mine barrage placed in the North Sea. When submarines tried to pass north they hit the mines and were destroyed. This broke the morale of their crews and forced the mutiny at Wilhelmshaven.

In a fleet engagement, with screens of cruisers and destroyers and airplanes covering miles and protecting the battleships, there is little chance for the submarine. She dare not come to the surface, because to do so means to be sunk.

The Battle of Jutland was fought at about 20 knots. What chance had a submarine to reach, let alone attack, battleships in a fleet like that?

You never find any nation basing its fleet supremacy on anything but the capital ship. And today, when Japan is demanding equality with Great Britain and the United States, it is based primarily on parity in capital ships.

The theory of the battleship is a preponderance of heavy guns and armament, which produces a broadside of enormous weight that can outrange any smaller vessel and destroy it before the latter is able to fight back with broadsides of lesser range and weight.

GERMAN FLEET BOTTLED UP

Besides, the big ships have heavy armor that can withstand terrific blows, both from big guns and torpedoes.

The capital ships at Scapa Flow bottled up the German fleet and took away the command of the sea from Germany.

There were a few cruisers like the *Emden* and the fleet under Von Spee at sea, but they did not last long. Von Spee's cruisers obtained a victory over Craddock's because their guns carried farther and their ships were faster.

On the other hand, when Von Spee's fleet met Sturdee's, with its battle cruisers, of greater range and speed, Von Spee was easily defeated.

JUTLAND SOLVED SEA SUPREMACY

The supremacy of the Allied fleet meant that trans-Atlantic steamers, tramps, etc., were able to carry on allied commerce, bringing in war material and food at will.

If Germany had been able to destroy the British Fleet at the Battle of Jutland, she would have had command of the sea. Her fleet would have pursued and sunk the lighter ships of the Allies, just as Sturdee's cruisers sank Von Spee's cruisers, and Von Spee's cruisers had sunk Craddock's. In such event there would not have been any need for her submarine campaign.

Another question much discussed is the control of the air, and whether or not airplane protection alone makes battleships obsolete.

There is not a high naval officer today who does not attach great importance to the command of the air and believes in the absolute necessity of the airplane as part of the naval force.

We have special airplane carriers which take airplanes with the fleet. We also carry airplanes aboard other warships. They are needed not only for scouting and fighting but also to enable the ships to get the range of the enemy.

With the 14- and 16-inch guns naval battles are fought at such great range that often the enemy cannot be seen. If your airplane is able to get over the enemy it enables your ship to obtain the range. But in order to do this it will be obliged to fight off enemy planes.

Added to its use in range finding, airplanes are of first importance in scouting, most valuable in attacking and harassing the enemy fleet by bombs and gunfire, and are effective against submarines. But to say it has made the capital ships obsolete is not borne out by the facts.

BATTLESHIPS NOT EASY TARGET

To sink a battleship by a bomb dropped from an airplane is very difficult. Battleships, having only a 100-foot beam, when moving fast and zigzagging, are not an easy target to hit by a plane going at a much greater speed and contending with anti-aircraft gunfire.

A hit by a bomb might do considerable damage, but modern battleships have horizontal armor protecting their decks. A bomb has little chance of penetrating into vital parts of the ship sufficiently to sink her. Cruisers and destroyers are much more vulnerable.

During the World War the German warships *Bresleau* and *Goeben* came out of the Dardanelles on a raid and went aground. They were bombed by allied planes for 4 or 5 days. After that bombing they finally got themselves off and went back to Constantinople.

So, with these experiences and experiments that have been conducted, you will find that naval strategists, while strongly for the use of airplanes as a valuable adjunct to the fleet, are insistent that they have not replaced the capital ship but have simply added another weapon that must be used with her, for unless the capital ships are defeated there can be no victory.

THERE IS NO DEFENSIVE NAVY

For America, with the ocean on both sides, our Navy means a protection that nothing else can give. It affords us an opportunity to keep the horrors of war as far away from our coasts as possible.

There is no such thing as a defensive navy. If we were to have only a so-called "defensive navy", it would mean that our fleet would be bottled up in port, as the German Navy was bottled up, and the loss of our commerce on the seas.

The enemy could attack our shores and interfere with our commerce at will.

Superiority in naval force means the direct opposite. It means protection to our shores and confidence to our people. In all great wars it has been generally found to be the determining factor, as it was in the World War, between victory and defeat.

ACHIEVEMENTS OF THE ADMINISTRATION—ADDRESS BY SENATOR BYRNES

Mr. CLARK. Mr. President, I ask unanimous consent to insert in the RECORD an address delivered by the Senator from South Carolina [Mr. BYRNES] at Charleston, S. C., on March 22, on the achievements of the Democratic administration.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

On March 4 of this year the Democratic Party had been in control of the Government of the United States for 2 years. The occasion inspired a recital of the achievements of the administration by its friends. It aroused the severe criticism of those who are opposed to the administration and who have in mind the fact that in November 1936 the Democratic Party must seek an endorsement at the hands of the people.

Criticism has come not only from Republicans but from some Democrats. I believe in free speech. Constructive criticism is helpful. Destructive criticism should be exposed. There can be no intelligent appraisal of the actions of this administration unless there is an appreciation of the condition of the Government and of the people when the Democratic Party came into power. Only by recalling this condition can you pass judgment upon the necessity for the legislation that has been enacted.

During the war we speeded up production in factories and upon the farms. The Government loaned billions of dollars to foreign governments, which enabled them to purchase our surplus products. After the war there was a decrease in our foreign trade. Then the New York bankers and importers embarked upon the policy of encouraging individuals in this country to lend money in other countries. They began purchasing the bonds of foreign governments and foreign corporations and unloaded those bonds upon the so-called "country banks" and upon private individuals. The money thus transferred to foreigners enabled them to purchase our surplus products and maintained the volume of our foreign trade. Of course, there had to be an end to this artificial stimulant, and also an end to the speculative era which brought suffering to the people of this Nation. The figures tell the story better than I can.

For the 5 years preceding 1929 the total agricultural income of the Nation ranged between ten and twelve billion dollars. It is a coincidence that during the same period the total pay rolls of the factories of the Nation likewise ranged from ten to twelve billion dollars. In 1932 our agricultural income dropped to $5,000,000,000. The total amount of the pay rolls of our factories dropped to approximately $5,000,000,000. To bring the problem home to you: In 1929 the value of all South Carolina crops, livestock and livestock products, was $157,935,000. In 1932 the value dropped to $68,513,000.

Cotton was then selling for 5 cents per pound and wheat for 30 cents per bushel. Estimates as to the number of unemployed ranged from twelve to fifteen million persons.

All the banks of the Nation were closed. The railroads faced bankruptcy, and serious consideration was given to the question of the Government having to operate the railroads. The securities of the railroads were held in great part by the life-insurance companies. As these securities decreased in value, the assets of the insurance companies dwindled, and men doubted the value of their policies; mortgages upon the farms of the Nation and mortgages upon the homes of the cities were being foreclosed. In the West, as judges signed foreclosure decrees, they were threatened with death. The people had lost confidence in the courts and in government, and finally lost confidence in themselves.

As these conditions developed the Government did nothing. Those in control believed that because government under such circumstances had never done anything, it should never do anything. They talked of rugged individualism, and declared that nature would have to take its course. Well, it developed that the individuals were not very rugged, and the course that many of them took was the road to bankruptcy, to insane asylums, and to the grave.

When the Democratic Party came into power, the President of the United States and his party took a different view. They determined they would not sit idly by while the people of this Nation, fighting as individuals, were overcome by economic forces beyond their control. The banks of the Nation were opened, but only after an examination that justified the belief that they could remain open. The money deposited in the banks was insured so that the people could go to sleep at night without the fear that the next morning they would read that their savings had been swept away.

Government then undertook to adjust production to consumption and stated as its goal the raising of commodity prices to such an extent that those who borrowed money would be able to repay it in the same kind of dollars they had borrowed. As a result of the various legislative acts, cotton increased from 5 cents per pound to more than 12 cents per pound, and even today, after the inexplicable break of the last week, is still selling for twice as much as it sold for in the closing days of the previous administration. Wheat, instead of selling for 30 cents per bushel, has sold for more than $1 per bushel. Tobacco has been selling at the highest prices it has brought in years. The number of the unemployed has been reduced and is being reduced month by month. The owners of homes in the cities and upon farms have had their mortgages refinanced for long periods and at low rates of interest.

The railroads remain under private control. The people no longer doubt the value of their insurance policies. The merchants of the Nation admit that their sales have vastly increased. Labor is receiving more money for a shorter day's work. I care not what your business may be, I know that, unless yours is a most unusual case, you are in better financial condition today than you were on March 1, 1933.

Notwithstanding that this is true, the administration is the target of criticism. Ultraconservatives assert that the President and his associates are entirely too liberal in their view. They charge that while the President has good intentions he is influenced by men who are socialistic in their views. They seldom name them. Sometimes they name Harry Hopkins as one of them. I am glad that you have today had the opportunity to meet him. I think you will conclude there is no justification for calling him a Socialist.

The conservative critic says that there is too much interference with business. There has never been a time when big business has not made that charge against Government. They have absolutely no objection to Government interfering to help big business. What they object to is Government interfering to protect the man who cannot help himself. In the enactment of the Esch-Cummins Act the railroads of this country succeeded in inducing the Government to interfere; and under that act, no matter how much money you have, you cannot build a railroad unless you first receive a certificate showing that it is in the interest of the public, is a necessity, and will not seriously injure an existing railroad.

The captains of industry have never hesitated to ask Government to interfere and levy tariff duties in order to require the consumers of the Nation to pay more for their commodities. They have never hesitated to ask the Government to interfere and pay subsidies to develop a merchant marine upon the sea or to develop the construction and operation of aircraft. Most reforms have been inaugurated over the objection of conservative business men. As a rule they are opposed to change.

In 1913 the bankers of this country were opposed to the Federal Reserve Act. Today not one of them would repeal this act.

As a rule, the bankers were likewise opposed to the insurance of deposits. It was declared to be paternalistic and unsound. Today they are almost unanimously in favor of its continuance.

A year ago the brokers and members of the stock exchange were opposed to the bill regulating many practices of the exchange. Today the majority of them believe that the regulation was essential and that the results are beneficial.

Severe criticism is directed toward the activities authorized by the Agricultural Adjustment Act. Our critics denounce the control of the production of crops. They have never questioned the wisdom of the United States Steel Corporation in reducing production when there is a decreased demand for the products of that corporation. They expect curtailment of every other industry, but when it comes to agriculture their argument is that the farmer should be encouraged to continue to grow all the cotton he can, even though there is no market for it and the only result must be to reduce the price to 4 or 5 cents per pound.

The manufacturers of the East complain that the benefits paid to farmers for withdrawal of lands from production are a subsidy. Well, they may as well realize that the Government intends to stand by the cotton farmer in the effort to adjust production to consumption and thereby secure for him a reasonable price for his product. Critics complain that it encroaches upon the right of a farmer to cultivate his lands. Well, as far as cotton is concerned, when the question was submitted to the cotton farmers of the South more than 80 percent of them voted for the continuance of compulsory control.

Those interested in cotton can rely upon the Government continuing to make loans upon the next crop. This can be done only if control continues. The probabilities are that the allotment will be reduced to the same figure as last year—10,000,000. In addition,

there are outstanding certificates for 700,000 bales, which certificates were issued for the last crop and are good for the next crop. While the total allotment is not definitely settled, it is settled that loans will be made to a farmer only upon cotton within his allotment. This is essential to prevent farmers in some sections where cotton is produced cheaply from making more than their allotments with the expectation of borrowing from the Government.

But our critics—Democratic and Republican—say whatever justification there is for other activities, there is no excuse for the expenditures for relief. Well, in considering this controversial matter we should be fair. Not one dollar was appropriated by the United States Government for relief until the State of South Carolina, and every other State, through its Governor, certified in writing that the State, counties, municipalities, and charitable organizations of the State were unable to care for their needy and destitute. Then, and then only, was the credit of the Government used to prevent suffering among human beings.

But, they say, some persons who are not in need have received assistance. Undoubtedly this is true in every community of the United States. No church organization ever attempted to spend money for the relief of the needy that a certain percentage of the money did not go to the undeserving. That is inevitable in the disbursement of relief funds by the Federal Government because this money must be handled by human beings who never have been and never will be perfect. In every community there are a few plausible persons who will borrow money they never expect to repay and will get you to cash a check when they have no funds in banks. These persons will deceive the relief administrators. But we cannot permit deserving and needy persons to starve because some plausible but undeserving person deceives the relief administrators. The State administrators are appointed upon the recommendation of the Governors of the respective States who, in turn, appoint the county administrators. If mistakes are made, they are made by our own people, not the people of other States. We should realize, too, that while of the total amount spent for relief in Connecticut 85 percent comes from that State, its counties, and cities; in South Carolina 99 percent comes from the Federal Government and 1 percent from the State. In expenditures for relief by States Connecticut stands at the top of the list and South Carolina at the bottom.

I take occasion here to make a personal statement. During the administration of relief in South Carolina, while the office was under the control of Malcolm Miller and Mr. Baker, I have no recollection of ever filing a letter of recommendation for the employment of any employee at the administration headquarters. No county administrator was ever appointed upon my recommendation. When Miller Foster was appointed State administrator upon the recommendation of Governor Johnston, I told him that I would make only one recommendation to him and that was that he kept politics out of the F. E. R. A. and that he kept the F. E. R. A. out of politics. Thereafter I refused to communicate with him as to any appointments. A few days ago I made the same statement to Colonel Fulp, the new administrator. I would like to help persons seeking appointments, but this is an organization established for the purpose of relieving human suffering. It is one organization that should be kept free of politics, and the man in charge of it should have the knowledge that his power to appoint or to dismiss is not to be influenced by a Senator, Congressman, or any other man holding a political office.

When the civilian conservation camps were first proposed, I was one of those who doubted the wisdom of the proposal. They have been in operation for almost 2 years. I have changed my mind. I believe they have accomplished great good. Think for a moment of the young men who during the last few years graduated from school. They were induced to remain in school because of the assurance that thereby they would be able to achieve success in life. When they graduated they walked the streets of the cities, but were unable to secure employment of any kind. They were disappointed and disillusioned. They were at the crossroads of life. I dislike to think what would have become of these splendid young Americans had it not been for the establishment of these camps. They have received physical training; they have received military training, and gradually they are finding employment in private industries. If the camps had done nothing other than to save these young men, they would have justified every dollar spent for their maintenance.

It is said, however, that while some good has been accomplished by the administration, the public debt has gradually increased. Attention should be called to the fact that a considerable portion of the money which has been appropriated has been loaned and will be repaid. The Chairman of the Reconstruction Finance Corporation advises the Congress that he is now collecting more money than he is lending. He states that he will not lose 5 percent of the amount which has been loaned since Mr. Roosevelt became President. Money loaned by the Public Works Administration will likewise be repaid.

Large sums have been loaned through the Federal Land Bank upon the farms of the Nation, and through the Home Owners' Loan Corporation upon city homes. These sums will be repaid unless the homes of the cities and the farms of the Nation become worthless. If that ever occurs, there will be no hope for any of us.

But it is said that, so far as South Carolina is concerned, while we have paid taxes to the Government, we have not received anything except "crumbs from the table." Well, let us see. We have received in loans:

Through the Public Works Administration	$7,182,712
Farm Credit Administration	25,260,920
Reconstruction Finance Corporation	22,260,920
Total loans in State	54,704,552

I do not have the figure showing the amount loaned through the Home Owners' Loan Corporation but know it is a substantial amount. In addition to this money which has been loaned and which must be repaid, we have received in grants and gifts the following amounts:

Public works grants	$2,305,880
General projects on Federal property	17,496,730
Civil Works Administration	9,127,881
Relief Administration	27,401,684
Department of Commerce	356,000
Department of Agriculture	21,147,888
Total gifts and grants	77,836,063

Pretty good crumbs!

Three years ago neither the State of South Carolina nor any county in the State could sell its securities. No city in South Carolina could sell its securities. The city of Charleston was using scrip to pay its employees. Today the situation is entirely changed. Taxes, not only for the current year but for past years, have been paid. The credit of the State, counties, and cities is restored. This is due to the fact that when loans have been made by the Federal land bank or the Home Owners' Loan Corporation, sufficient money has been loaned to make possible the payment of all taxes due. The Home Owners' Loan Corporation has paid taxes amounting to $701,388 to the State, county, and city governments. I have not the figures from the Federal land bank and the farm-loan commissioner, but know that in refinancing the farmers throughout the State, a large amount of money has been paid in taxes due upon farms.

Our critics, however, are not confined entirely to the ultraconservatives who view with alarm the activities of the administration on the ground that things are being done that were never done before. There is another group of critics who charge that the administration is dominated by Wall Street. These critics cannot be ignored. We must remember that there are approximately 5,000,000 people on the relief rolls. One and one-half million are, because of their age or infirmity, unemployable; three and one-half million are capable of working. The man who has never been out of a job cannot understand the mental attitude of these people. Many of them think that there is something wrong in an economic system that makes it impossible for them to secure employment. There are other millions who are not out of employment, but who have lost the savings of a lifetime.

They are sore and disgruntled. Men in this mental condition are easily misled by plausible talkers, who place personal ambition above the public welfare. These critics charge that the social-security program of the administration is entirely inadequate. Of course, nothing that was proposed would please them. The Congress must consider the interests of all the people. A sane plan will be worked out that will in any ordinary period of depression save us from having to resort to the dole, which is so objectionable to our people.

That is true of old-age pensions. Many States have such laws. The pending proposal is to aid the States. It must be done in a sane way. We must bear in mind that the money must come out of the pockets of the people. Consideration must be given to those who pay the bills, as well as to those who are the beneficiaries of such legislation. I will not attempt to discuss at this time the proposal of the extremists. I have an abiding confidence in the common sense of the people. They may be misled for a short while, but they realize that in the history of the Government no President has shown as much interest in relieving the suffering of unfortunate people; and no man who has ever occupied the White House has done more to promote the cause of the wage earners of this Nation than has Franklin D. Roosevelt.

The wreckage wrought during 12 years of Republican misrule could not be repaired in 2 years. We have made progress, but we are still confronted with many serious problems. For the first year and a half the President had the cooperation not only of his own party but of a considerable portion of the Republican Party. If this condition existed today, we would entertain greater hope for the recovery program. Unfortunately we approach an election. Because of the attitude of some Democrats the Republicans for the first time have some hope of success. Their strategy is to encourage disgruntled Democrats to lead the fight against the administration. As a result of these tactics the recovery program is being retarded.

I do not believe that everything done by the Democratic administration is necessarily right. Mistakes have been made and will be made. The President has said that he would be happy if in blazing a new trail to lead us out of our difficulties he could be right 75 percent of the time.

There isn't a Democrat in Congress who doesn't know that if he desires publicity, he need only to desert his party and declare that his conscience will not permit him to vote with his party associates. He will receive the applause of every enemy of his party and receive the headlines in the newspapers. I am not that kind of a Democrat.

When in the House, during the administration of Woodrow Wilson, I supported that administration. In 1932 the people of this

country elected Franklin D. Roosevelt as President. We cannot all be generals. Every army must have its colonels, captains, and privates. An army that spends its time and strength fighting among themselves can never win a war. If I do not agree with the proposals of the President, I do not hesitate to tell him that I disagree with him. He has shown a willingness, not only to discuss every proposal, but to compromise in order to have the Democratic Party present a united front.

All legislation is enacted as the result of compromises. When I have presented my views, if the President and my Democratic associates disagree with me, I am not going to sulk. Unless the question involves a sacrifice of a principle affecting the people of this State, I am going to stand by the President of the United States and the leader of my party. My hope is that he will continue to diseregard the advice of the whining tories on the one hand and of the crackpots on the other hand, and stay in the middle of the road, continuing his fight for the return of prosperity to the people of this Nation.

DELAYING SUPREME COURT ACTION—EDITORIAL FROM ST. LOUIS GLOBE-DEMOCRAT

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the St. Louis Globe-Democrat entitled "Delaying Supreme Court Action."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Globe-Democrat]

DELAYING SUPREME COURT ACTION

Consideration of the constitutionality of the National Industrial Recovery Act by the Supreme Court has been indefinitely deferred by the action of the Department of Justice in dismissing without hearing its appeal in the Belcher case. This is the case affecting the provisions of the lumber code which it was expected would bring before the Court for its decision the main constitutional questions involved in the application of the act through the N. R. A. While the Department of Justice explains its action in a statement to the effect that the lumber code contains provisions peculiar to itself that are in process of revision, it is obvious that it has withdrawn the appeal because of the fear of an adverse ruling.

The plain inference is that the administration does not want to take the risks incurred in a Supreme Court hearing at a time when it is endeavoring to obtain legislation to extend the N. R. A. in a modified form for 2 years more. And yet it seems to us that a Supreme Court decision on the constitutionality of the N. R. A. is urgently needed right now. It is either unconstitutional in its main features or it is not. If it is unconstitutional, then the entire experiment must be terminated, and any effort to extend the act would be useless. The recent decisions of the lower courts present conclusions showing that it is fundamentally in conflict with the basic law in its control of industrial operations and management not construable as functions of interstate commerce, and it is difficult to see how the Supreme Court, when confronted with these questions, could fail to concur in the primary opinions of the lower courts. These decisions at least throw a very grave doubt upon the constitutionality of the N. R. A. system. Yet in the face of that doubt Congress is proceeding with the consideration of legislation, such as the Wagner labor bill and the 30-hour-week bill, in addition to the extension of the N. I. R. A., that if the Supreme Court should decide in harmony with the Neilds decision at Wilmington, for example, would be automatically invalidated.

It seems to us of the utmost importance that these questions of constitutionality should be definitely decided as soon as possible. Nothing can be gained by delay. Decision by the Supreme Court would clear the air of much that works to the suffocation and blindness of industry. If the Court should sustain the Government's position the country at any rate would be assured that the administration is acting within constitutional limitations, whatever the view of the wisdom of its undertakings. On the other hand, adverse decision would show what are the limitations of Federal legislative or executive action within the field of industry, and Congress would be enabled to deal intelligently with the problems before it in conformity with the Supreme Court's rulings. What is the use of proceeding with experiments of such revolutionary nature as those in operation or now proposed when their constitutionality has been made so doubtful by court decisions and when opportunity to obtain definite rulings by the Supreme Court are immediately at hand? It was suggested sometime ago that the Department of Justice might unite the N. R. A. cases that it has appealed and endeavor to obtain an immediate settlement of the constitutional questions involved in them. That program seems to have been set aside, if, indeed, it were ever seriously contemplated, and the policy of deferring such settlement as long as possible adopted.

Meanwhile Congress is being urged to go ahead with legislation that is clearly unconstitutional unless lower Federal courts are gravely at fault in their reasonings and their citations. To what end? If these courts are correct, such legislation will be declared invalid, and the difficulties of readjustment necessitated by such decisions will be greatly increased by the operation of the new laws now proposed. All of which adds to the uncertainties which confront industry and further confuse the economic situation. We have said time and time again that what the country needs above all else is a reasonable measure of certainty as to the future that will enable business to plan ahead, that will permit and encourage capital investment, and that will stimulate initiative and enterprise. That, it seems, is something that is persistently denied us, and uncertainties are increasing rather than diminishing. Some Supreme Court decisions on fundamental questions of the moment would, we believe, be a great help to confidence and security.

THE BURDEN OF TAXATION

Mr. BARBOUR. Mr. President, I ask unanimous consent to have printed in full in the RECORD an article which appeared in the March 15 edition of Forbes Magazine, by Mr. J. W. Oliver.

I have ascertained from the Joint Committee on Printing that it is within the rule as far as the space it will consume in the RECORD is concerned.

I am not unmindful that the author, Mr. J. W. Oliver, Treasurer of the American Management Association, is also secretary of the Linen Thread Co., of which company I was at one time the president, but my request to insert this article in the RECORD is solely because of the value and importance, particularly in these times, of the message conveyed therein.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MR. UNITED STATES CITIZEN, WORLD'S CHAMPION TAXPAYER

(B. J. W. Oliver, secretary the Linen Thread Co., treasurer American Management Association)

When the average American looks at the tax problem he receives a distorted picture like the reflection of a trick mirror in a sideshow.

The harassed property owner examines his books and concludes rightfully that his taxes are excessive. The poor man compares his cost of living with his income and declares he is unable to pay anything toward governmental upkeep. The rich man claims that he is already taxed within an inch of his life. Briefly, everyone believes that he is overburdened and this gives rise to a national theory of revenue raising which, summed up, merely amounts to: "Soak the other fellow."

In a land bristling with political expediency, this is an invitation which cannot be ignored. Therefore, taxes are sugar-coated to please the voter's palate. This unfortunate practice has resulted in certain definite misconceptions which must be dispelled before Americans will realize that we are all adrift in the same boat; that taxes are mounting without relieving anybody; that the cost of doing business is increasing daily; and that the Nation at present is taxed at a higher rate than any other world power.

DON'T BE AN OSTRICH

There is only one real question involved in the problem, and that is: "How much does our Government cost us?" At the mere mention of this hobgoblin most people stick their heads in the sand, shrug their shoulders in sublime disregard, and reply: "Well, we don't know exactly, but, thank Heaven, it is not as high as that of Great Britain, when you consider the income ratio." No? Let us consider the facts.

The latest authentic figures available in connection with British tax collections apply to the fiscal period 1931–32, in which the national income was £3,842,000,000. The ratio of all costs is set forth in the following table:

Item	Taxes	Percent of taxes to income
Imperial Government	£733,000,000	19.08
Local authorities	167,984,000	4.37
Employers' contributions to unemployment, health, and social insurance	42,500,000	1.11
Total	943,484,000	24.56

Complete figures for later periods are not at hand, but the indications are that the cost of government has decreased, whereas the national income has increased. We may safely assume that the cost of British government is less than 25 percent of the national income.

LET'S LOOK AT THE FIGURES

Now, let us look at the figures for our own country in the past year. The national income for 1934 is estimated at approximately $45,000,000,000. It is also estimated that governmental expenditures for the fiscal year will be as follows:

Federal	$7,000,000,000
State	2,000,000,000
Local	8,000,000,000
Total	17,000,000,000

Since approximately half of the Federal expenditure item represents loans which will eventually be recovered, it would be unfair to say that the actual cost of our Government is 38 percent of the national income; but if we make allowance for that and record the Federal item as $3,500,000,000, we still find ourselves with a tax load of $13,500,000,000, which is 30 percent of the national income. Therefore, the common notion that our British cousins pay propor-

tionately more for their government than we do for ours is exploded beyond peradventure of doubt.

This misconception is due in large part to the fact that American business men make no attempt to ascertain their total revenue expenses. Although corporation heads maintain a close check upon the costs of labor, operations, and materials, few of them could give an accurate answer to the question: "What is the total tax in your cost of operations?" And it is my belief that if every corporation's annual report contained an isolated item showing all governmental charges, the public would soon learn where its money goes and would soon demand that some order be brought out of chaos.

UNBELIEVABLE—BUT A FACT!

In my own organization we have computed our total tax bill for last year and have found that it comes to approximately 12 percent of our total gross sales. This figure sounds unbelievable until it is considered that most of our taxes are concealed in the prices of materials, and so forth. It is only when you grapple with the hydra of taxation that its many heads—processing taxes, excise taxes, sales taxes, income taxes, license taxes, and what not—come into view.

Before plunging further into this morass of governmental costs let us consider briefly the various imposts to which a company operating in New York City is subject today. First, there is a property tax; then there is a gross-receipts tax; then there is a Federal income tax, import duties, processing and compensatory taxes, and special excise taxes; then there is a State income and franchise tax; then there is a city levy of 15 percent of the Federal income tax; and last but not least there is a 2-percent sales tax.

This brings into the spotlight another huge item in the actual cost of our revenue scheme, an item which we shall call the "invisible tax." This is the cost of determining liability, of complying with thousands of statutory requirements, of preparing documents, and so on. It is merely the cost of paying taxes. And it is this item, amounting to 10 percent of all governmental expenditures, which is sheer economic waste and which is obstructing the business road. Manufacturing corporations which operate on a national scale are required to file literally hundreds of reports and to comply with literally thousands of overlapping tax statutes throughout the country. In most cases the tax itself does not equal one-half the cost of preparing the return and of meeting the requirements of the law.

For example, in 1932 the State of Massachusetts received an average of $55 for each corporate report. The cost of preparing the average report was estimated at $200, a ratio of almost 4 to 1. In the same year New York State received an average of $175 per industrial corporate report. There were about 90,000 of such reports and, of these, 60,000 paid only the minimum tax of $25. We may wager that very few cost merely $25 to prepare and file.

As an example of the wildly unrelated system of revenue collecting prevailing in this country, consider the fact that in 1933 alone more than a thousand different revenue statutes were passed. Today there are pending some 1,400 or 1,500 different items of tax legislation in the legislatures now in session. This may give some inkling as to why it costs so infinitely much more to comply with complex State and local tax schemes than with the Federal.

What is the total cost of all this to the Nation? Practically, it is inestimable. In my own company over half of the accounting expenses (to say nothing of the cost of professional services) are due to tax ramifications, and the sum of these indirect expenses may not even be guessed at. But we can estimate the direct costs, and this total is amazing enough.

In 1930 a high authority placed the costs to taxpayers of complying with Federal taxation—legal fees, accountants' fees, traveling expenses, etc.—at $400,000,000. At that time we were operating under the Revenue Act of 1928, the simplest of all Federal revenue measures since the war. We may assume that in today's increased confusion the total has risen to at least $600,000,000. Although State and local costs would probably run higher, let us be safe and place it at $400,000,000. We have now a total of a billion dollars a year as the cost of paying taxes.

But we have not yet considered governmental administration. The cost of this whole item may not be quite as high, so let us fix it at $500,000,000. That brings our total up to one and one-half billions of dollars. Thus, even a distinctly conservative estimate shows that we are burdened with a charge for preparing to pay taxes which is 10 percent of the cost of running the Government.

SUGAR-COATING COSTS MONEY

Unfortunately, there has never been an actual survey of all taxation expenses, but the American Management Association is now making such a study, which will reveal to the Nation what is taking place.

There is no question that political expediency is the chief cause of this revenue situation. The simple truth is that there are too many taxing bodies. In one important sense, we are living under an archaic form of government. There is no earthly reason why this country should maintain 183,000 individual political units, except that most of these divisions have their staff of officials who are unwilling to relinquish their sinecures and who are politically potent enough to prevent common-sense consolidation.

Furthermore the sugar-coating on tax measures is expensive. For instance, the present administration has said, in effect: "We must not have a sales tax. We must not tax the poor man's necessities of life." So the legislators have adopted a plan of processing and compensatory taxes as well as selective excises which is the most complicated system obtainable. And it is important to note that discriminations and complications are what make taxes costly. The more you rule, the narrower you define, the more involved the whole plan becomes.

The consumer must be made to understand that he bears the brunt of all taxation, anyway. For example, my company is satisfied with a profit of 1 cent on a pound of twine. But the processing tax on that pound of twine is 5 cents. Obviously, there is no way in which the company can absorb that 5 cents if it is to stay in business. Therefore, the consumer pays it, and if he prefers to be kept unaware of that fact, he must expect to pay more for a ball of twine than he would if the taxing method had a more equitable application. The consumer, be he rich or poor, can well assume that he is paying a high tax on everything, including basic commodities. Nothing illustrates this quite so well as the fact that processing taxes and other commodity imposts yield about two dollars to the Government for every one yielded by income taxes.

While over half the population of the United States is under some form of sales tax today, there are, unquestionably, a number of things wrong with such a method of revenue collection in addition to the demagogue's claim that it is a tax on an inability to pay. In the first place, the sales tax as we have it is confined within local boundaries, whereas business itself is not so confined. Moreover, it is very complex and very difficult to collect. And since the small man knows full well that his business cannot be audited, it places a burden upon honesty and upon those companies which must pay the evader's share.

The chief fault, however, is that any tax based upon the ultimate sale is subject to all sorts of rulings, and the further it is defined, the more complicated it becomes. For example, the question of interstate commerce always causes trouble. One railroad recently had to apply for a ruling upon meals eaten in dining cars while crossing a State line. At what point in the meal did the tax apply? Upon ordering, after the soup, the entree, or the dessert?

FALSE TEETH VERSUS GLASS EYES

There is also the problem of resale. Twine bought by a department store for binding packages is not taxable because it is bought for resale. Twine bought for use by a wholesaler is taxable.

Under the present New York City sales tax the seller must pass the tax on to the buyer; if he absorbs it, he is liable to heavy penalties. Now, let us assume that the seller is a branch of an establishment selling goods at nationally advertised prices and meeting competitive prices, and that a substantial number of his customers live outside New York City. Since these customers have no credit rating, it is their habit to sell produce or other goods in the city, then to go to this store to buy the things they need to carry on their business. What is the result of the sales-tax law? Simply, that these buyers no longer are going to patronize New York City establishments.

There is the further question of whether or not a dentist who makes false teeth is subject to tax. A recent ruling was that he is a repair man and that his charge, being a service fee, is not taxable. But a manufacturer of glass eyes sought a similar ruling, which was denied on the ground that his goods are not true repairs, since you cannot see with a glass eye but you can chew with false teeth.

All these complications would be humorous if they were not, at the same time, so tragic. The spectacle of American business and American courts enmeshed in such nonsense is not an edifying one to the discerning taxpayer.

Clearly there is a crying need for public education in this whole matter. As long as people do not know they are paying outrageous taxes under the present set-up, there will be no change. But as soon as they learn that the various measures adopted under the guise of social reforms are not actually redistributing wealth but are merely multiplying the industrial overhead, there will be some chance, at least, for remedying this expensive situation.

But is there any simple, inexpensive method of raising revenue? A few figures provide us with the answer. In 1929 there were 211,000 companies in the country which were accountable for 99 percent of the total manufactured output. At the same time there were 1,500,000 retailers. Therefore, it is obvious that the ideal business tax would not be a levy upon sales or processing, but would be a manufacturers' excise tax, leviable at the source of all finished goods, to take the place of the existing Federal processing taxes, selective Federal sales and nuisance taxes, as well as all forms of sales and business taxes imposed by State and local governments. It would not be discriminatory in any way and it would make no fine distinctions. It would be collected by the Federal Government and allocated to the various States on a basis involving population, individual consumption, and assessed valuations of property.

It would be one broad business tax, easily collectible, which would reduce the costs of complying with Federal statutes by at least 50 percent, and which would eliminate the costs of State and local compliance altogether. The Federal Government would also be the only agency empowered to levy taxes upon motor fuel, tobacco, and liquor, and would be the only collecting agency for all taxes, excepting those levied upon property.

Even then the taxpayer would not be freed from unnecessary costs until the expense of maintaining the Nation's 183,000 political units was reduced by the consolidation of local divisions. However, we should be on our way toward some semblance of a coordinated revenue system.

That our present course of confusion and complication is a sure way to bankruptcy and ruin is inescapable. If we continue along the same path, our governmental expenses are certain to rise and

this promises nothing but danger. It can mean one of only two things: First, that the Federal Government will start the printing press and State and local governments will be forced to repudiate; or, second, that we will attempt to carry an even more staggering burden of taxation which might reach or exceed 50 percent of the national income. One needs only to look at Europe to realize what either outcome will do to our standards of living.

ARMY DAY—ARTICLE FROM NATIONAL BULLETIN

Mr. SHEPPARD. Mr. President, I present for publication in the RECORD an excerpt from the Military Order of the World War National Bulletin for February 1935 giving the history of Army Day, together with letters from President Roosevelt, Secretary of War Dern, and Chief of Staff Gen. Douglas MacArthur in reference to Army Day.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Military Order of the World War National Bulletin, February 1935]

ARMY DAY—APRIL 6, 1935

HISTORICAL

April 6, 1935, marks the eighth annual celebration of Army Day, which commemorates America's entrance into the Great War 18 years ago. The day was established with a very modest beginning by the Military Order of the World War in 1928, and has ever since been sponsored by our order.

At a meeting of our general staff, held in New York City in January 1928 the Army Day idea was launched. At that meeting "the commander in chief was directed to call upon all chapters to organize patriotic celebrations on May 1, to bring to the attention of the public our Army—what it stands for and what it needs, all to aid in the great problem of national defense." He was further "authorized to obtain endorsements from other veteran and patriotic organizations, as well as from State and city officials." The date of May 1 was selected at that time to offset the then prevailing communistic activities and youth-movement parades that had been scheduled throughout the United States for May Day. Modest celebrations were held by various chapters throughout the country.

FIRST ENDORSEMENT

It is believed that the first endorsement that was received at our national headquarters came from the Reserve Officers' Association in March 1928. The first official proclamation that we have record of was issued by the mayor of Philadelphia. He was followed closely by the mayor of New York. The Military Order of Foreign Wars, American Legion, Veterans of Foreign Wars, and others quickly followed with their endorsements.

One of the most interesting ceremonies, held on the first Army Day in 1928, was under the auspices of the District of Columbia Chapter, of which Admiral T. J. Cowie was the commander. The ceremonies were held before the Tomb of the Unknown Soldier in Arlington National Cemetery.

The photograph appearing in the Military Order of the World War National Bulletin, published shortly after this ceremony in 1928 depicts this historical beginning with Past Commander in Chief Admiral T. J. Cowie delivering the principal address to a distinguished group, in the front row of which stood Gen. Charles P. Summerall, the Chief of Staff, United States Army; Admiral Charles F. Hughes, the Chief of Naval Operations; and Maj. Gen. John A. Lejeune, Commandant United States Marine Corps.

APRIL 6 SELECTED

During 1928 it became evident that it would be advisable to hold Army Day celebrations on some day other than the 1st of May. The concensus of opinion seemed to favor April 6, the anniversary of America's entrance into the World War as the most appropriate day.

Accordingly, at the 1928 national convention of the Military Order of the World War, a resolution was adopted naming April 6 as Army Day. By virtue of such action, our then commander in chief, Col. Thatcher T. P. Luquer, made public proclamation announcing the establishment of Army Day and its sponsorship by the Military Order of the World War.

Since that modest beginning, Presidents of the United States, Governors of States, mayors of cities and towns, cabinet officers, military authorities, public officials, and patriotic, veteran, and civic groups have annually added their official proclamations and endorsements.

THIS YEAR

The celebrations this year throughout the country and insular possessions are expected to surpass all previous occasions.

THE WHITE HOUSE,
Washington, March 16, 1935.

Lt. Col. GEORGE E. IJAMS,
Commander in Chief, Military Order of the World War,
Washington, D. C.

MY DEAR COLONEL IJAMS: The general observance of Army Day on April 6 should bring back to our mind the efforts and sacrifices of our soldiers which have been so decisive in the creation, preservation, and development of this great Nation. It should be an occasion for the Army to rededicate itself to its glorious heritage of service to our country, both in times of peace and in times of war.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

WAR DEPARTMENT,
Washington.

Commemorating, as it does, our entry into the World War, Army Day serves to keep fresh in the public mind the value of preparedness for national defense. To the Military Order of the World War, whose leadership is largely responsible for this annual observance, I extend hearty greetings and assurance of appreciation of its patriotic endeavors.

GEO. H. DERN,
Secretary of War.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, D. C.

Maj. EDWIN S. BETTELHEIM, Jr.,
Adjutant General, Military Order of the World War,
Washington, D. C.

MY DEAR MAJOR BETTELHEIM: Army Day brings to me once again the opportunity of testifying to the high regard that the Army holds for the Military Order of the World War.

The members of your organization displayed, in the greatest war of history, qualities of leadership that brought them into positions of responsibility and distinction. During succeeding years they have continued to exhibit an unflagging interest in our country's welfare, which has earned for the order an enviable reputation and made of it a distinct national asset.

It is a privilege to extend, through the national bulletin of the order, Army Day greetings and best wishes to each of your members.

Sincerely,

DOUGLAS MACARTHUR,
General, Chief of Staff.

NEW RECORD FOR PEACE-TIME SPENDING—ARTICLE FROM UNITED STATES NEWS

Mr. DICKINSON. Mr. President, I ask unanimous consent that an article from the United States News of April 1, 1935, entitled "New Record for Peace-Time Spending", together with the detailed spending record of the Federal Government from 1789 to 1936 be inserted in the Appendix of the RECORD.

There being no objection, the article and table were ordered printed in the RECORD, as follows:

[From the United States News, Apr. 1, 1935]

NEW RECORD FOR PEACE-TIME SPENDING—THE 3-YEAR BUDGET OF THE NEW DEAL IS EQUAL TO THAT OF ALL ADMINISTRATIONS FROM GEORGE WASHINGTON TO WOODROW WILSON

Congress is giving the President $4,880,000,000 in one lump sum to spend on jobs.

No such vast grant is recorded in the previous peace-time history of the Nation. Added to other appropriations, and plans for appropriations, this action calls attention to the following fact:

TWENTY-FOUR BILLION IN 124 YEARS

From the first term of George Washington to the first term of Woodrow Wilson—124 years—the United States Government spent $24,521,845,000.

From the first Budget of President Roosevelt to his latest Budget—covering 3 years—the United States Government outlines spending of $24,206,533,000.

That raises the question: Just how much is $24,000,000,000?

It is $12 each for every man, woman, and child on the face of the earth. It represents nearly $1,000 for each family in the United States.

It was enough to finance the National Government through 31 Presidential terms of 4 years each.

During that time were fought four wars. The Nation grew from 13 sparsely populated Atlantic Seaboard States to a vast expanse of 48 highly developed, immensely rich States, comprising the wealthiest area in all the world.

Four years of the War between the States were fought by President Lincoln with less than three and one-half billions of dollars.

The War of 1812, the War with Mexico, and the War with Spain could have been thrown in for good measure and still the expenditure would have been less than the $4,880,000,000 being appropriated by Congress for 1 year of present-day unemployment relief.

THE COST PER CAPITA

Only during the World War was there a comparable rate of spending. Then, in 2 years, the United States poured out $32,000,000.

But during the first 124 years of the Nation's existence the average annual cost of the central Government was just $195,085,000, or about $5.26 for each person.

During the next 20 years, from 1914 to 1933, including the World War years, this average annual cost rose to $4,767,160,000, or $42.16 per capita.

Now, through the fiscal years 1934, 1935, and 1936, the average annual cost of the Federal Government has risen to $8,068,800,000, or $64.55 for each person in the country.

SPENDING $13,000 A MINUTE

Broken down into more understandable terms, as done by Senator BYRD (Democrat), of Virginia, these figures show that the Federal Government is spending nearly $13,000 every minute of the day and night. Of that $13,000, he estimates that about

$7,000 is being added to the public debt to be paid by future generations.

In those figures, officials see the story of the shift in importance of the Federal Government from a mere central agent for the sovereign States to a centralized government dominating economic as well as political affairs of the country.

UNCLE SAM'S SPENDING RECORD: 1789 TO 1936

From the time George Washington took his first oath of office on Wall Street until the last dollar of President Taft's last budget was spent on June 30, 1913, the total cost of running Uncle Sam's Government was $24,521,845,000.

Compared with this figure for 124 years are the estimated expenses of the first 3 years of President Roosevelt's administration, $24,206,533,000. Figures used were obtained from the latest annual report of the Secretary of the Treasury.

TABLE I.—*Federal total annual expenditures from 1789 to June 30, 1913*

	Total expenditures
1789 to 1791	$4,269,000
1792	5,080,000
1793	4,482,000
1794	6,991,000
1795	7,540,000
1796	5,727,000
1797	6,134,000
1798	7,677,000
1799	9,666,000
1800	10,786,000
1801	9,395,000
1802	7,862,000
1803	7,852,000
1804	8,719,000
1805	10,506,000
1806	9,804,000
1807	8,354,000
1808	9,932,000
1809	10,281,000
1810	8,157,000
1811	8,058,000
1812	20,281,000
1813	31,682,000
1814	34,721,000
1815	32,708,000
1816	30,587,000
1817	21,844,000
1818	19,825,000
1819	21,464,000
1820	18,261,000
1821	15,811,000
1822	15,000,000
1823	14,707,000
1824	20,327,000
1825	15,857,000
1826	17,636,000
1827	16,139,000
1828	16,395,000
1829	15,203,000
1830	15,143,000
1831	15,248,000
1832	17,289,000
1833	23,018,000
1834	18,628,000
1835	17,573,000
1836	30,868,000
1837	37,243,000
1838	33,865,000
1839	26,899,000
1840	24,318,000
1841	26,566,000
1842	25,206,000
1843 [1]	11,858,000
1844	22,338,000
1845	22,937,000
1846	27,767,000
1847	57,281,000
1848	45,377,000
1849	45,052,000
1850	39,543,000
1851	47,709,000
1852	44,195,000
1853	48,184,000
1854	58,045,000
1855	59,743,000
1856	69,571,000
1857	67,796,000
1858	74,185,000
1859	69,071,000
1860	63,131,000
1861	66,547,000
1862	474,762,000
1863	714,741,000
1864	865,323,000

[1] From 1789 to 1842 the fiscal year ended Dec. 31; from 1844 to date on June 30. Figures for 1843 are for a half year, Jan. 1 to June 30.

TABLE I.—*Federal total annual expenditures from 1789 to June 30, 1913*—Continued.

	Total expenditures
1865	$1,297,555,000
1866	520,809,000
1867	357,543,000
1868	377,340,000
1869	322,865,000
1870	309,654,000
1871	292,177,000
1872	277,518,000
1873	290,345,000
1874	302,634,000
1875	274,623,000
1876	265,101,000
1877	241,334,000
1878	236,964,000
1879	266,948,000
1880	267,643,000
1881	260,713,000
1882	257,981,000
1883	265,408,000
1884	244,126,000
1885	260,827,000
1886	242,483,000
1887	267,932,000
1888	267,925,000
1889	299,289,000
1890	318,041,000
1891	365,774,000
1892	345,023,000
1893	383,478,000
1894	367,525,000
1895	356,195,000
1896	352,179,000
1897	365,774,000
1898	443,369,000
1899	605,072,000
1900	520,861,000
1901	524,617,000
1902	485,234,000
1903	517,006,000
1904	583,660,000
1905	567,279,000
1906	570,202,000
1907	579,129,000
1908	659,196,000
1909	693,744,000
1910	693,617,000
1911	691,202,000
1912	689,881,000
1913	724,512,000
Total	24,521,845,000

TABLE II.—*Estimated Federal expenditures, 1934 to 1936*

1934 (actual)	$7,105,050,000
1935 (estimated)	8,581,069,000
1936 (estimated)	8,520,414,000
Total	24,206,533,000

REGULATION OF TRAFFIC IN FOOD, DRUGS, AND COSMETICS

Mr. ROBINSON obtained the floor.

Mr. COPELAND. Mr. President——

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

Mr. ROBINSON. I yield.

Mr. COPELAND. I move that the Senate proceed to the consideration of the bill (S. 5) to prevent the manufacture, shipment, and sale of adulterated, or misbranded foods, drink, drugs, and cosmetics, and to regulate traffic therein; to prevent the false advertisement of food, drink, drugs, and cosmetics, and for other purposes.

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

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

Mr. ROBINSON. I yield.

Mr. CLARK. Did the Senator from Arkansas yield to the Senator from New York for the purpose of making the motion?

Mr. ROBINSON. Yes; I yielded to the Senator for that purpose, but I will now suggest the absence of a quorum.

The VICE PRESIDENT. The Clerk will call the roll.

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

Adams	Barbour	Borah	Byrd
Ashurst	Barkley	Brown	Byrnes
Austin	Bilbo	Bulkley	Capper
Bachman	Black	Bulow	Clark
Bankhead	Bone	Burke	Connally

Coolidge	Hale	Metcalf	Schwellenbach
Copeland	Harrison	Minton	Sheppard
Costigan	Hastings	Moore	Shipstead
Couzens	Hatch	Murphy	Steiwer
Cutting	Hayden	Murray	Thomas, Okla.
Dickinson	King	Neely	Thomas, Utah
Dieterich	Lewis	Norbeck	Trammell
Donahey	Logan	Norris	Truman
Duffy	Lonergan	Nye	Tydings
Fletcher	Long	O'Mahoney	Vandenberg
Frazier	McAdoo	Pittman	Van Nuys
George	McCarran	Pope	Wagner
Gerry	McGill	Radcliffe	Walsh
Glass	McKellar	Reynolds	Wheeler
Gore	McNary	Robinson	White
Guffey	Maloney	Russell	

Mr. McNARY. I wish to announce that the Senator from California [Mr. JOHNSON] is absent on account of illness.

Mr. DUFFY. I have been requested to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent today, due to illness. I ask that this announcement may stand for the day.

Mr. LEWIS. I announce that the Senator from Arkansas [Mrs. CARAWAY] and the Senator from Louisiana [Mr. OVERTON] are absent because of illness, and that the Senator from North Carolina [Mr. BAILEY] and the Senator from South Carolina [Mr. SMITH] are necessarily detained from the Senate.

Mr. AUSTIN. I announce that the Senator from Pennsylvania [Mr. DAVIS] is absent on account of illness; that the Senator from Minnesota [Mr. SCHALL] is absent on account of a death in his family; that the Senator from Wyoming [Mr. CAREY] is absent on official business; and that the Senator from Delaware [Mr. TOWNSEND], the Senator from New Hampshire [Mr. KEYES], and the Senator from Vermont [Mr. GIBSON] are necessarily absent. I will let this announcement stand for the day.

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

The question is on agreeing to the motion of the Senator from New York [Mr. COPELAND] to proceed with the consideration of Senate bill 5.

Mr. CLARK. Mr. President, I desire to address myself to that motion, but, pending that, will the Senator from New York yield to me for the purpose of presenting a unanimous-consent request?

Mr. COPELAND. I yield.

SUPREME COURT TEST OF CONSTITUTIONALITY OF N. I. R. A.

Mr. CLARK. I send to the desk a resolution and ask that it be read, and I also ask unanimous consent for its present consideration. I offer this resolution on behalf of the Senator from Delaware [Mr. HASTINGS] and myself.

The VICE PRESIDENT. The Senator from Missouri, for himself and the Senator from Delaware [Mr. HASTINGS], submit a resolution, which will be read.

The Chief Clerk read the resolution (S. Res. 113), as follows:

Whereas there is pending in the Supreme Court of the United States, October term, 1934, no. 628, entitled "*United States of America, appellant,* v. *William Elbert Belcher, alias W. E. Belcher,* being an appeal from the United States District Court for the Northern District of Alabama"; and

Whereas the following information appears from an examination of the papers in said case, to wit:

Belcher was indicated for violation of the National Industrial Recovery Act, the indictment being filed on August 24, 1934. In the said indictment he was charged with the violation of the said act and the violation of the terms and provisions of the Code of Fair Competition for the Lumber and Timber Products Industries.

Among other things, Belcher was charged with violating the code in transactions affecting interstate and foreign commerce by permitting certain persons employed by him to work more hours than the code prescribed and for less wages than the code prescribed. Belcher is alleged to have been engaged in interstate commerce in that he was shipping lumber out of Alabama and into other States.

On October 13, 1934, a demurrer was filed on behalf of Belcher. The substance of said demurrer is hereinafter set forth in the Solicitor General's assignments of error.

On October 31, 1934, the demurrer was sustained, and the indictment dismissed.

On November 26, 1934, the district attorney for the northern district of Alabama filed his assignment of errors, and on November 28, 1934, served notice of appeal.

On January 4, 1935, the Solicitor General and the United States attorney for the northern district of Alabama filed a statement, showing the basis of the jurisdiction of the Supreme Court to entertain the appeal.

On January 9, 1935, the Solicitor General, pursuant to rule 13 of the Supreme Court, stated that he intended to rely on all of the points set out in the assignment of errors. These points, he states, may be summarized and grouped as follows:

"1. The district court erred in holding that the National Industrial Recovery Act is invalid and unconstitutional—

"(a) Because it is not within the powers conferred upon Congress to regulate interstate and foreign commerce;

"(b) Because it delegates legislative power in violation of section 1 of article I of the Constitution;

"(c) Because it encroaches upon powers reserved to the States, in violation of the tenth amendment;

"(d) Because the provisions of the act authorizing the President to regulate minimum wages paid to and maximum hours worked by persons employed in the production of lumber are invalid under the fifth amendment;

"(e) Because section 3 (f) of the act is invalid under the sixth and eighth amendments;

"(f) Because it delegates judicial power to the President, contrary to the Constitution;

"(g) Because the act, as applied to the defendant under the facts charged in each count of the indictment, is not within the powers conferred upon Congress to regulate interstate and foreign commerce.

"2. The district court erred in holding that the Code of Fair Competition for the Lumber and Timber Products Industry is invalid and unconstitutional—

"(a) Because the code provisions which the defendant is charged with having violated are not within the powers conferred upon Congress to regulate interstate and foreign commerce.

"(b) Because the code contains an invalid delegation of legislative power, in violation of section 1 of article I of the Constitution.

"(c) Because the code provisions which the defendant is charged with having violated encroach upon powers reserved to the States, in violation of the tenth amendment.

"(d) Because the code provisions which the defendant is charged with having violated are in conflict with the fifth amendment.

"(e) Because the code, as applied to the defendant under the facts charged in each count of the indictment, is not within the powers conferred upon Congress to regulate interstate and foreign commerce.

"(f) Because the code, as applied to the defendant under the facts charged in each count of the indictment, deprives the defendant of his property without due process of law, in violation of the fifth amendment.

"3. The district court erred in holding that the indictment, and each count thereof, does not charge an offense under the laws of the United States.

"The appellant deems the entire record, as filed in the above-entitled cause, necessary for the consideration of the above points."

The time fixed for the argument of the said case in the Supreme Court is Monday, the 8th day of April 1935; and

Whereas it has been announced through the public press during the past few days that the Government will not prosecute the said appeal, but will ask that the case be dismissed; and

Whereas the questions involved in said case are the constitutionality of the National Industrial Recovery Act and the codes made in accordance with the provisions of said act; and

Whereas the Congress has been urged by the President to extend the said act for another period of 2 years; and

Whereas the Finance Committee of the Senate is now conducting hearings for the purpose of ascertaining whether the said act should be extended and, if so, what changes should be made in it; and

Whereas a decision by the Supreme Court on the questions involved in the case above referred to would be of great assistance to the Senate in determining what changes are necessary, or whether a constitutional act could be passed to accomplish the purposes desired: Now, therefore, be it

Resolved, That the Attorney General of the United States be, and he is hereby, respectfully requested and urged to prosecute the said appeal and to oppose any delay in the argument, with the hope that the Supreme Court will render a decision in time to be of service to the Senate in its consideration of the extension of the National Industrial Recovery Act.

The VICE PRESIDENT. Is there objection to the request of the Senator from Missouri?

Mr. ROBINSON. Mr. President, I shall not object to the resolution being submitted, but I do object to its present consideration. I suggest that it be referred to the Committee on Finance.

Mr. LONG. Mr. President, does it not involve a judicial question? I suggest to the Senator that it would be better to refer it to the Committee on the Judiciary.

Mr. ROBINSON. No; I think the Finance Committee has jurisdiction of the matter. The resolution raises no judicial question. It is a proposal to instruct the Attorney General or to request the Attorney General. It does not raise any question of law, as the Senator must well know. It merely seeks to advise the Attorney General. If the Senator from

Missouri is willing that it shall go to the Committee on Finance of which he is a member, I suggest that reference.

Mr. CLARK. It was my purpose to request that the resolution go over under the rule. I am primarily interested in getting action on the resolution. Since undoubtedly a motion to refer would be made tomorrow if it did go over under the rule, I am entirely willing to accede to the suggestion of the Senator from Arkansas.

Mr. ROBINSON. I move that the resolution be referred to the Committee on Finance.

Mr. LONG. Did I understand the Senator from Missouri to be willing that the resolution be referred to that committee?

Mr. CLARK. Yes; I think it will expedite action.

The VICE PRESIDENT. The question is on the motion of the Senator from Arkansas to refer the resolution to the Committee on Finance.

The motion was agreed to.

REGULATION OF TRAFFIC IN FOOD, DRUGS, AND COSMETICS

The VICE PRESIDENT. The question recurs on the motion of the Senator from New York [Mr. COPELAND] that the Senate proceed to the consideration of Senate bill no. 5.

Mr. CLARK. Mr. President, before the motion is voted on, if the Senator from New York does not desire to address himself to it, I should like to do so.

The VICE PRESIDENT. Does the Senator from New York desire the floor?

Mr. CLARK. If the Senator from New York does not desire to discuss the motion I should like to take the floor in my own right.

Mr. COPELAND. Very well.

The VICE PRESIDENT. The Senator from Missouri is recognized.

Mr. CLARK. Mr. President, I hope very much the Senator from New York will not press his motion at this time. The bill involves a matter of very great importance; a matter regarding which the President of the United States has lately sent to Congress a message. There has been no meeting of the Commerce Committee since the message of the President was received.

The subject matter of the bill is an extremely complex one, upon which meetings have been held for many days in the last Congress and in the present one. There have been many differences of opinion in the committee and in the Senate, which have to some extent been ironed out by conferences and by amendments.

I particularly urge that the motion be not pressed at this time by reason of the fact that the leading member of the Committee on Commerce opposed to the bill, the Senator from North Carolina [Mr. BAILEY], has been unavoidably detained from the Senate by a personal injury, a sprained ankle, for the past 10 days. I am advised that he will return to the Senate tomorrow morning.

In addition to that, when the bill, after many redrafts and many changes, was ready to be reported from the Commerce Committee the statement was distinctly made in the committee that there would be no haste and no lack of notice in relation to taking up the bill for consideration. There has been no notice to the Senate that the bill would be taken up today. As I said, the leading member of the committee opposed to the bill is unavoidably detained, but will be here tomorrow, I am informed; and I think, as a matter of fair play, the bill should go over at least until tomorrow.

So far as I am concerned I have never, since I have been a Member of this body, opposed due consideration of a bill or its expeditious consideration. I have no desire to oppose the expeditious consideration of this bill. I think none of the members of the committee who agree with my views have any such desire. As a matter of fact, the changes which have been made in the bill are such that I am very much inclined to favor its provisions. While there are some to which I still object, yet there will be no disposition on the part of myself or other members of the committee who share my views to unduly delay consideration. However, as a matter of common fairness to the Senator from North Carolina and other Senators who may desire to be heard, I believe the bill should go over until tomorrow at least.

Mr. McKELLAR. Mr. President, is there a minority report on the bill, or was the committee unanimous?

Mr. CLARK. I will state to the Senator from Tennessee that at the time the bill was reported, about 10 days ago, I reserved the right to file a minority report. The Senator from North Carolina [Mr. BAILEY], the ranking member of the committee, opposed to the bill, desired to participate in the preparation of that minority report. Owing to the unavoidable absence of the Senator from North Carolina it has been impossible to present the minority report. I may say that I stated to the Senator from North Carolina last week, through his secretary, on what I believed to be the authority of the Senator from New York [Mr. COPELAND]—I am informed this morning that I misunderstood his remarks—that he might have time in North Carolina to recover from his injury and return here in time to prepare the minority report. I make that statement in fairness to the Senator from North Carolina.

Mr. COPELAND. Mr. President, I merely desire to say that this bill in one form or another has been before the Senate since a year ago last June. The bill which we now have before us is the ninth reprint of the bill. Extensive hearings have been held upon it. Everybody who had an interest should have been heard, and I hold in my hand three large volumes indicating that everybody has been heard. More than that, I have had private conferences, I think, with every industry concerned almost every day since a year ago last June.

In reply to what the Senator from Missouri has said, I will state that he came to me at the end of week before last and said that our colleague, the Senator from North Carolina [Mr. BAILEY], had been injured, for which I am extremely sorry. I am sorry he is not present. He asked me not to bring up the bill last week. I readily agreed to that suggestion, although, of course, it could not have been brought up, anyhow, as it happened; but I did not make any promise beyond that.

I can see no reason why we should not proceed at once with the consideration of the bill, and, with all respects to my friend from Missouri, I should like to have action taken by the Senate to consider the bill.

Mr. VANDENBERG. Mr. President, I wish to testify to the loyal attention the Senator from New York has given to this proposed legislation for 2 years.

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

Mr. VANDENBERG. I yield.

Mr. CLARK. On that point I should like to join very heartily in the testimony borne by the Senator from Michigan. I have been a member of the subcommittee with the Senator from New York, and I may say that no Senator or Representative in my observation and experience has ever worked harder to perfect a very complicated measure and bring it to consideration than has the Senator from New York.

Mr. VANDENBERG. I think all the Senator from Missouri says is true. When the Senator from New York pressed the bill for final consideration at the last meeting of the Commerce Committee I voted with him in favor of reporting the measure. I am in general sympathy with the bill. I am particularly in sympathy with the attitude of the Senator from New York toward the proposed legislation, because from the beginning it has been an attitude that has been utterly fair, and he has demonstrated a complete anxiety to meet opposition views wherever feasible and possible.

But, Mr. President, I share the opinion of the Senator from Missouri that we shall not make any progress by attempting to proceed with the bill at the present time. The first notice I had that there was any remote contemplation of bringing the measure to immediate consideration was when I entered the Senate at noon today. I understood from the Senator from New York, when I addressed a query to him upon the subject last week, that it would be some time before the Senate would be asked to take up the problem textually.

I repeat that I am in favor of the general proposition, but there are numerous technical problems embedded in the bill. They are problems which seriously concern legitimate business. I am not interested in attempting to protect the illegitimate business which the Senator from New York wishes to attack, and which I join him in wishing to attack, but surely we are not going to burn down the barn in order to kill the rats. Surely reasonable notice should be given to those of us who wish to present amendments in behalf of legitimate business in order that we may have that opportunity.

I am not prepared to proceed today. The Senator from North Carolina [Mr. BAILEY] is not here, and he is the chief opponent of the bill. Under the circumstances, it seems to me the bill should at least go over until tomorrow, so that those of us who have followed the proposed legislation with some intimacy during the past 2 years may at least have our files in order, and may proceed with some degree of pertinency in the consideration of the bill.

Mr. ROBINSON. Mr. President, there is little legislative business that is ready for consideration. The Calendar was sounded a day or two ago for unobjected bills, and such bills were disposed of.

Senate bill 5 has been pending on the Senate Calendar for some 2 weeks. It was not expected that the measure should be disposed of today, but I do not see why we should not proceed with its consideration at this time. I myself am not so familiar with the bill as I should like to be, but unless we shall proceed with it we will have little other legislative business that is ready. I think the Senate should take up the bill and hear an analysis of it from the Senator from New York. I assume he is ready to make such a statement. Then, if Senators are not ready to proceed with the measure, we may make other arrangements; but, in view of all the circumstances, I believe it should be taken up.

Mr. McNARY. Mr. President, I must frankly confess that I have been disturbed by the slow manner in which we have been proceeding during the present session of Congress. If the program which has been detailed to us and given by the press is to come before the Senate, we shall not adjourn until midsummer. I hope there will be a great curtailment of that program; but we have done scarcely anything since we have been here.

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

Mr. McNARY. I yield.

Mr. ROBINSON. I agree with the Senator that the progress of legislation during this session has been slow. That has been due to the fact that the committees which have the bills under consideration for the most part have been unable to reach conclusions and to make reports. This bill, as was stated by some Senators, has been before the Senate in one form or another for a very long time.

Mr. McNARY. Mr. President, I do not care to go into the reasons why progress has been almost negligible. I desire to speak for only a moment on the pending motion.

I was appointed about a year ago as a member of the subcommittee on the so-called "pure food and drug bill." That subcommittee made a report to the Committee on Commerce, to which the bill was referred. The committee considered the measure again at the present session, and I am anxious to proceed to enact some legislation on the subject if we are to have any brought before us this year; but a peculiar situation confronts us this morning.

Our colleague the Senator from Michigan [Mr. VANDENBERG] has stated—and, as a member of the committee, I know his statement to be correct—that the Senator from North Carolina [Mr. BAILEY] is very much opposed to this measure. The Senator from Missouri [Mr. CLARK] is much opposed to some parts of it. I favor the proposed legislation. I favor action on some measure of this kind; but, in view of the absence of the Senator from North Carolina, caused by the injury which he has sustained, and in view of the want of notice generally to the members of the committee and the Senate, I appeal to the Senator from New York to postpone for 1 day consideration of this measure. I think it will help its progress in the Senate to be considerate of those who are absent and of those who have not had time to read the report and study the bill.

I speak as one who is anxious to go forward; but under the existing peculiar situation I think it would be tactful, it would be the right thing to do, to let the bill go over today and take it up tomorrow, when the Senator from North Carolina can be here, and the Senator from Michigan and the Senator from Missouri and others may have an opportunity to consider the very complicated provisions of the bill.

Mr. COPELAND. Mr. President, when we shall proceed with this bill depends wholly upon the attitude of the majority leader. As I understand, the way is now clear, and we ought to be working; we ought to proceed with legislation.

If my motion shall prevail, and the bill shall be placed before us, if it shall be the desire of the Senate to have me explain it and then let it go over until tomorrow for action, I shall have no objection at all to that course. I do think, however, we ought to be making progress. The Congress has been in session for a long time, and the country is demanding that we proceed with our work. This is one of the several bills which have been before us for an extended period. It ought to be, if I may say so in all good spirit, well understood by this time by every Member of the Senate; but if, after we shall have made some progress with the bill today in the way of explanation, and so forth, it shall be desired to have it go over until tomorrow, I shall have no personal objection to taking that course.

I am anxious to have the Senator from North Carolina [Mr. BAILEY] express his views. I always find his views to be sane and sensible and well founded. I have no desire in the world to deprive him of an opportunity to participate in the debate; but I think we might well make some progress with the bill today, because the particular matters in which the Senator from North Carolina is interested are fundamental matters which really come at the end of the bill. The question which presents itself most strongly to his mind is as to where the supervision of advertising shall be administered—whether in the Food and Drug Administration, as the bill provides, or in the Federal Trade Commission.

In other words, if we were to proceed well along with the bill today, the fundamental matter to which the Senator from North Carolina most vigorously objects would still be before us. I think we ought to go forward at least reasonably today; and then, as I say, so far as I am concerned, I should not resist any effort to put the further consideration of the bill over until tomorrow.

Mr. VANDENBERG. Mr. President, will the Senator from Oregon permit me to ask a question of the Senator from New York?

Mr. McNARY. I yield.

Mr. VANDENBERG. The Senator recognizes the fact that my position is one of entire friendliness to the proposed legislation?

Mr. COPELAND. Oh, yes; entirely so.

Mr. VANDENBERG. I simply wish to say to the Senator that if the bill may go over until tomorrow, and the Senator from New York and I may have a chance to confer this afternoon upon a series of technical amendments which cannot possibly be fought out on the floor of the Senate in advance, I am sure it will substantially promote the ultimate passage of the bill.

Mr. ROBINSON. Mr. President, may I make a suggestion to the Senator from Oregon?

Mr. McNARY. I yield.

Mr. ROBINSON. Or, rather, may I repeat the suggestion which I made a few moments ago? Many Senators are not familiar with the general provisions of this bill. There is not any reason why the chairman of the committee, the Senator from New York, should not have the opportunity now to make a statement concerning it and explain it. There is no disposition to crowd amendments or the bill itself to a vote today. Ample opportunity will be afforded the Senator from New York and the Senator from Michigan to have the conference which has been suggested.

Mr. McNARY. Mr. President, I do not think I should complain of an arrangement whereby the Senator from New York [Mr. COPELAND], the Chairman of the Committee on Commerce, and the author of the bill, would make a statement today, at the conclusion of which, and after the consideration of such questions as might be propounded, we should take a recess until tomorrow.

Mr. ROBINSON. There are some matters to be taken up in executive session.

Mr. McNARY. I mean so far as the unfinished business is concerned.

Mr. ROBINSON. I do not wish to enter into any agreement at this time with reference to the business to be transacted today.

Mr. McNARY. In making the suggestion I am speaking only of the unfinished business. I am assuming the Senator from New York desires to make a statement, and then let us defer the matter until tomorrow. I think that would be a very happy solution of the problem.

Mr. CLARK. Mr. President, I should like to ask the Senator from Arkansas whether he proposes that the bill be not proceeded with other than have a statement regarding it by the Senator from New York?

Mr. ROBINSON. I have stated twice that it is not my thought that controversial matters should be taken up during the consideration of the bill today, in view of the statements which have been made by the Senator from Missouri, the Senator from Michigan, and the Senator from Oregon; but it does seem to me, having in mind the situation, which has been made clear, that there is no occasion to postpone discussion of the bill by the Senator from New York. That much time at least could be utilized. I have no disposition to suggest that a vote be taken on any controversial matter during the day.

Mr. CLARK. The purpose of my inquiry was to find out whether the consideration of the bill was to be limited to a statement by the Senator from New York. Many changes have been made in the draft of the bill, and I think some changes have been made since the committee reported the bill. I do not think those matters ought to be considered today, even if the Senator from New York is to address the Senate upon the bill.

Mr. ROBINSON. We do not wish to take up controversial matters.

Mr. CLARK. The Senator says "controversial matters." The point I make is that if the Senator from New York is content to make his statement, and confine the consideration of the bill to his statement, I shall not oppose the motion for consideration. If, on the other hand, it is the purpose to move the bill along by the consideration of amendments, then I propose to oppose the motion for consideration.

Mr. LONG. Mr. President, as I understand, the idea is simply to allow the Senator from New York to explain the bill and not have a vote today. Is not that the suggestion?

The VICE PRESIDENT. The question is on the motion of the Senator from New York [Mr. COPELAND] that the Senate proceed to the consideration of Senate bill 5. [Putting the question.] The ayes seems to have it.

Mr. CLARK. I ask for the yeas and nays, unless we can reach an agreement that the consideration be limited to the statement of the Senator from New York.

The VICE PRESIDENT. The Senator from Missouri demands the yeas and nays. Is the demand seconded?

The yeas and nays were ordered, the Chief Clerk proceeded to call the roll, and Mr. ADAMS voted "yea" when his name was called.

Mr. McNARY. Mr. President, I think it is unnecessary to have a yea-and-nay vote. I think there is agreement on all sides that we should proceed no further with the bill today than to have the statement of the Senator from New York.

Mr. ROBINSON. Mr. President, if some other Senator should desire to make a statement concerning the bill, why should he be precluded from doing so? I cannot understand the attitude of the Senator from Missouri. I have stated that, so far as I am concerned—and I think the Senator from New York concurs—there is no disposition to have a vote today. If that is not satisfactory, I am unable to say anything that would be satisfactory.

Mr. CLARK. Mr. President, if the Senator will yield, he has finally made himself clear.

The VICE PRESIDENT. The Senator from Oregon has the floor, and when he ceases to claim the floor the Senator from Nebraska [Mr. NORRIS] will be recognized, since he has given notice that he desires the floor in his own right.

Mr. McNARY. Mr. President, I think the whole situation is understood, and that the matter is composed; that there will be no vote on the bill. Therefore I ask unanimous consent that the order for the yeas and nays be rescinded.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the order for the yeas and nays is rescinded.

The question is on agreeing to the motion of the Senator from New York.

Mr. BORAH. Mr. President, when the Senator from Oregon says there is to be no vote on the bill, does he mean no vote on the bill or any amendments?

Mr. McNARY. Yes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New York.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 5) to prevent the manufacture, shipment, and sale of adulterated or misbranded food, drink, drugs, and cosmetics, and to regulate traffic therein; to prevent the false advertisement of food, drink, drugs, and cosmetics; and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. COPELAND obtained the floor.

WORK-RELIEF PROGRAM

Mr. ROBINSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Arkansas?

Mr. COPELAND. I yield.

Mr. ROBINSON. I wish to make a brief statement which seems to me of some importance.

A situation has arisen respecting the work-relief joint resolution under which I believe it may be necessary that the bill be further considered by the conferees. There was inserted in the tentative conference report a provision which limits the application of the $900,000,000 portion of the work-relief fund to projects upon which at least one-third of the expenditures shall be made for direct relief. There is perhaps another amendment which may require further action. It is the amendment relating to the confirmation of administrators.

The work-relief provision appears to be new legislation. It was not in the joint resolution either as it was passed by the House bill or by the Senate. It was inserted in conference apparently in violation of the rule of the Senate. The effect of the provision is to make impossible or impracticable the loaning of any part of the $900,000,000 portion of the fund for housing, rural electrification, and perhaps some other projects. Experience has shown that customarily slightly less than 33⅓ percent of the expenditure is made for direct work on these classes of projects.

When the bill was sent to conference, pursuing the custom which had prevailed in the Senate of naming the senior members of the committee, it happened that four of the five Senate conferees were opposed to the legislation. It is not intended as any reflection on the conferees to make this statement; they had a perfect right to oppose the legislation; but, under those circumstances, the bill having passed the Senate by a vote of 68 to 16, it does not seem to me that the representatives of the Senate should stand in the way of prompt enactment of the legislation under a conference agreement which will fairly reflect the views of the Senate.

The bill involved many controversies, as we all know. Numerous amendments were inserted in the Senate. The matter would not be of pressing importance if it were not for the fact that the relief fund has been practically ex-

hausted, and there is need for immediate action. If the bill is recommitted to conference by the body at the other end of the Capitol, I express the hope that it may be found practicable on the part of the Senate conferees to reach an agreement which will eliminate the provisions to which I have referred, and enable the Congress speedily to pass the legislation. If that cannot be done, it will be necessary for the Senate to take such action as it may and can to speed up the legislation.

I make no complaint at the delay which has occurred with regard to the enactment of the legislation, and I think the conference committee acted promptly and diligently in its efforts to reach a conclusion. I think it is regrettable that the custom prevails in the Senate, or has prevailed, of too frequently committing a measure to its enemies in conference. It is recalled that just a few days ago two Senators rose on this floor and refused to serve on a conference committee because they were opposed to legislation carried in the bill which had been passed over their objection.

I think we all realize that in a measure of so great importance, a measure that carries so many amendments, it is not possible for anyone to secure exact provisions he desires; but I do feel that it is practicable that the legislation should be confined to the differences actually in conference and that it is practicable to work out a quick conclusion of this matter.

I thank the Senator from New York for yielding.

Mr. GLASS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Virginia?

Mr. COPELAND. I yield.

Mr. GLASS. The Senator from Arkansas, with his accustomed civility, has mildly rebuked the senior Senators of the Appropriations Committee for accepting service on the conference committee in the effort to reconcile the disagreeing votes of the two Houses. It is true that some of the conferees, including myself, voted against a major provision of the joint resolution appropriating approximately $5,000,000,000 for use for relief and work relief. The Senate, I am sure, will recall that the chairman of the committee, being instructed by the committee to report the joint resolution, justified every amendment which the Appropriations Committee put upon the measure. He voted against the large amount, and has no apology to make to anyone because he did vote against it; and the Senate having refused to reduce the amount, he voted against the joint resolution on that account. In the conference committee that question did not arise at all, however, and could not arise, because the stated amount appeared in both the House and the Senate measures.

We discussed very earnestly for more than a day other proposed amendments to the joint resolution. I now send to the desk, and ask unanimous consent that it be read, a letter addressed by me last night to the Secretary of the Interior, upon which I shall comment after it shall have been read.

The PRESIDENT pro tempore. Without objection, the letter will be read.

The legislative clerk read as follows:

SUNDAY, MARCH 31, 1935.

Hon. HAROLD L. ICKES,
Secretary of the Interior, Washington, D. C.

MY DEAR MR. SECRETARY: Last night I received by messenger your letter having reference to a certain provision of the conference report on House Joint Resolution 117, and have managed, after much delay, to reach one of my office stenographers today in order that I may promptly respond to your communication.

The provision of the conference report to which you object is classification of projects (g), Senate amendment (3) as amended in conference, as follows:

"(g) Loans or grants, or both, for projects of States, Territories, possessions, including subdivisions and agencies thereof, and self-liquidating projects of public bodies thereof, municipalities, and the District of Columbia, where not less than one-third of the loan or the grant or the aggregate thereof is for expenditures for direct work, $900,000,000."

Your objection seems founded (1) upon the theory that by restricting loans and grants to projects where not less than one-third of the loan or grant, or the aggregate thereof, is for expenditure for "direct work", only work "at the site of the project" may be credited as "direct work" within the meaning of the provision; and (2) because "the more desirable the project from a social and economic point of view, the less chance will there be of its qualifying under the language" of the amendment as agreed to in conference.

The President, in his message to Congress, assured us that there are many millions of unfortunate persons out of employment, some of whom are in serious circumstances; and, accordingly, the clear legislative purpose of the conference report on House Joint Resolution 117 is to make available nearly $5,000,000,000 of public money to "provide relief, work relief, and to increase employment by providing for useful projects."

Apparently you do not agree with this clear legislative purpose, but feel that the public moneys involved should be made available, first, for any social revision or upheaval determined upon by those selected to administer the legislation, and, second, for such employment as their "social and economic" program may permit.

In my view, shared by my colleagues, any plan for accomplishing a marked change in our social structure, especially through Federal direction and uses of public moneys, should be considered by the Congress as such and not under the guise of merely providing work for millions of persons out of employment.

As to your objection (1), you mistakenly read into the amendment language not appearing therein by adding the words "at the site of the project." These words, specifically rejected in conference, nowhere appear in the report. Hence, "direct work" as used in the amendment means actual work on the loan project, and not necessarily "at the site of the project."

Such was the understanding of every member of the conference. For instance, in a loan project for construction of a municipal water system or electric-lighting plant or gas plant or other public utility there would be for crediting as "direct work" not only the work of constructing the plant, installing the machinery, laying the mains, etc. (all of which would be, of course, at the site of the project), but the work involved in the construction of pumps, motors, other machinery, etc., if actually constructed for the particular plant, even if constructed far from the site of the project; also the work actually involved in the transporting, trucking, and unloading thereof, etc. There is nothing in the amendment limiting "direct work" to "labor directly employed at the site of the project." To be sure of this, the conferees called in the Comptroller General and by him were assured he would so hold in any matter submitted to him for decision.

The public moneys, as we understand, are being provided in the joint resolution to "increase employment" and a project that does not involve direct work to the extent of at least one-third of the expenditures involved, may not fairly be considered one designed to materially increase employment. It is not difficult to think of projects for which money might be loaned, if there be no reasonable restriction, which would not involve the employment of a single one of the 3,500,000 employable persons now on relief.

As to objection (2), that under the amendment "the more desirable the project from a social and economic point of view the less chance will there be of its qualifying", I respectfully submit that there is a distinctive conflict between this and the expressed legislative purpose of the joint resolution. Apparently you think the purpose of the joint resolution is to accomplish revision of the social structure, whereas the legislative purpose, it seems clear to me, is to increase employment in the interest of the millions of persons out of work.

The amendment is designed to prevent loans for purchase of existing plants with no appreciable amount of new and direct work involved and merely or largely to effect a change in ownership or management.

As to the possibility of courts holding that the required amount of direct work is not shown to be involved in a loan project and, if such be the fact, enjoining prosecution of the project, it would seem that the courts might feel it their duty to so give effect to the law; and why not, if there should be attempted an evasion of the law?

In this connection I venture to suggest that should the Congress state no minimum requirement for direct work in connection with loans-and-grants projects the courts might feel it their duty to enjoin in all cases where the direct work shown to be involved fails to bring the project, in the judgment of the court, within the basic purposes of the enactment—to "provide relief, work relief, and to increase employment by providing for useful projects."

Stating in the joint resolution a minimum requirement of one-third for direct work discloses the legislative purpose to raise no question for the courts in cases fully meeting such statutory requirement.

With respect to any administrative duty to "certify" that a loan project will provide "direct work" to the extent of one-third of the expenditures, it may be pointed out that under the amendment any such project may not be the subject of a loan until the amount of direct work involved is established as a fact.

But aside from these matters, Mr. Secretary, the measure has reached such legislative stage that it would be impracticable, if not quite impossible, to make major changes therein and secure action thereon in the near future. Apparently there are now open but two courses: to send the measure back to conference, which might mean further protracted consideration of all the disagreeing provisions of the joint resolution by both the Senate and the House, and long delay, or to approve the conference report and then, by means of further legislation, make any amendments or changes determined by the Congress to be appropriate or necessary. Frankly, the Senate conferees are all opposed to sending the measure back to conference.

Of course, I completely understand that you have no personal interest in the matter and can readily comprehend that you have not greatly enjoyed the disagreeable duty of making P. W. A. allotments. I certainly could not suppose that you would covet the task of further doing this critical work. But I would not have you imagine that any action taken in conference involved any criticism of your official activities or of you. Personally, I have omitted no proper occasion to commend you and, frankly, I should regret to see your functions turned over to any other person attached to the Washington administration. I am always glad to oblige you; but in this particular instance, I think you are clearly wrong and the conference report clearly right.

With very genuine respect, sincerely yours,

CARTER GLASS.

Mr. GLASS. Mr. President, section 3 of the joint resolution, as it went to conference, was wholly an insertion by the Senate itself; no word of it was in the joint resolution as passed by the House; but the House conferees undertook to alter that provision of the joint resolution in various respects, and, with the assent of the Senate conferees, succeeded in doing so.

At the last, having their attention drawn to the fact that under the section as it stood the entire amount of $900,000,000, with such addition as the President might please to make to the amount, in his discretion, under the 20-percent permission, might be expended without employing a single human being in addition to those already now employed, the Senate conferees undertook to write into the provision a requirement that this money should not be loaned to States, municipalities, and subdivisions of States or the District of Columbia unless the project for which the money was loaned involved the expenditure of one-third of the amount for labor.

As I stated in my letter to the Secretary, he has fallen into the error, which has been spread broadcast in the Washington newspapers, of asserting that the measure requires that one-third of the labor shall be done on the site of the project. There is not a word or sentence in the report of the conferees which justifies any such assumption. On the contrary, the conferees took the view that any work entering into a given project for which any part of the $900,000,000 should be loaned should be counted in estimating the one-third required to be expended on direct labor.

In order to make sure that that was a correct interpretation of the provision, the conferees asked the Comptroller General to come before them, to examine the provision, and to give his interpretation of it. He told us that the interpretation of the Senate conferees was his interpretation and that he should feel obliged so to rule in any matter that might come before him for decision.

Mr. COPELAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from New York?

Mr. GLASS. Certainly.

Mr. COPELAND. The Senator from Virginia might state also that, while it was proposed by someone in the conference that the language should be further restricted to require one-third of the work to be done at the site, the proposal was overwhelmingly "thrown out of the window."

Mr. GLASS. Yes. To show that the Senate conferees had not in mind in the text of their report or in the spirit of it to require that the one-third of the direct work should apply to the site of the project, that proposal was made and almost unanimously rejected by the conferees. The purpose of the conferees was to require that when any part of the $900,000,000, plus whatever might be added to it, should be loaned to a State or community or subdivision of a State for a project, the project must involve enough work to consume one-third of the loan.

As I stated in my letter to the Secretary, for example, if a waterworks plant should be erected out of money loaned from the $900,000,000, not only must the work on the site make up a part of the one-third expenditure, but all the work on a motor be manufactured a thousand miles away or on other machinery manufactured far away, and all work involved in the transportation and the handling of the machinery that related itself to the particular project for which the amount should be loaned, would be counted.

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

Mr. GLASS. I yield.

Mr. COUZENS. I should like to ask the Senator how the conferees arrived at one-third? It seems to me that is the minimum amount which should be used for labor.

Mr. GLASS. The first proposal was "a major part", which might mean 50 or 51 percent. In the very earnest discussion which ensued there were various proposals reducing the amount, one proposal to make it 45 percent, another 40 percent, another 35 percent, until finally we reached, as we thought, the exceedingly reasonable amount of 33⅓ percent.

Mr. O'MAHONEY. Mr. President——

Mr. GLASS. If the joint resolution is a measure for work relief and for the employment of persons so as to take them off of the relief roll, the conferees came to the conclusion that this was a very reasonable provision.

I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Do I understand the Senator to say that the limitation respecting the one-third for direct work applies to the entire $900,000,000?

Mr. GLASS. Yes, and only to the $900,000,000.

Mr. O'MAHONEY. Only to the $900,000,000?

Mr. GLASS. Yes.

Mr. O'MAHONEY. Has the Senator's attention been directed to the thought that, as the provision has been changed and now reads, it seems to include two different kinds of projects, and that it is susceptible of the interpretation that the new limitation applies only to self-liquidating projects of public bodies, and not to loans or grants, or both, for projects of States, Territories, or possessions? There is that possibility of interpretation which the conferees might well desire to take into consideration.

Mr. GLASS. Any interpretation or any contention is possible to a lawyer. [Laughter.] The provision "self-liquidating public bodies" was put into the measure by the House conferees.

Mr. ROBINSON. Mr. President, may I ask the Senator from Virginia a question?

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. GLASS. Certainly.

Mr. ROBINSON. The interpretation which the Senator places on the words "direct work" seems to me of doubtful correctness. What does the word "direct" mean if it is not intended to eliminate work done at the factories in the manufacturing of material, and work of similar character? What application can it have unless it is intended to restrict the expenditure to work on the particular project?

I cannot give to the language the meaning which the Senator states the Senate conferees gave to it. If they had used simply the word "work", or the words "work direct and indirect", it would seem to me their interpretation would be correct; but having restricted it to direct work, it certainly means something different from "work" or "indirect work." If it does mean something different, what does it mean? It cannot mean anything else in law or in reason, according to my interpretation, than that the term will restrict the expenditure to those projects where the actual work done by employees on the project must cost 33⅓ percent of the amount expended.

In the same connection let me say that the limitation has added significance when we refer to the report pertaining to emergency relief appropriations, where it is shown, with respect to slum clearance, non-Federal projects of a character financed by the P. W. A., rural housing and rural electrification, that every class just mentioned the direct work as reported by the Emergency Relief Administration falls below the limitation provided in the amendment.

I have reached a conclusion directly in conflict with that which the able Senator from Virginia has stated, namely, that the effect of the limitation is to exclude loans from the $900,000,000 for any of the four purposes to which I have referred. If that limitation be retained, the President could then make grants for the purpose of rural electrification,

housing, and slum clearance, and certain P. W. A. projects, but he could not make loans. He would be denied the opportunity and privilege of making the expenditure under such conditions that the Government could get the money back.

Laying aside any question of law connected with the insertion by the conference committee of a provision which was not in either measure, I say that the effect of the limitation is to undo what the Senate plainly intended should be done.

I know it may be said that it is desirable to spend as much money out of this fund as may be spent for work, for employment; but it happens that, with respect to the particular classes of projects to which I have referred—slum clearance, rural housing, rural electrification, and non-Federal projects of a character financed by P. W. A.—we already have a report showing that in every instance the direct work falls below the limitation found in this conference amendment.

There is another thought which is well worthy of consideration. Perhaps I should not take the time of the Senator from Virginia; but I will finish my statement now, with his permission. That is, it gives the Comptroller General virtually the power to veto projects which do not meet his approval.

If the administrator, the President, should certify that the expenditure was 33⅓ percent or above for direct work, the Comptroller General even then could go into the question as to whether actually that amount had been expended for direct work. If "direct work" does not mean work on the project itself, I wish to know what it means, and where the term originated; why it was necessary to insert in this amendment the unusual, the peculiar expression "direct work" unless it was intended to mean that the expenditure on every project for which loans may be made from the $900,000,000 fund must be 33⅓ percent for the purpose of employing persons on the project. I cannot conceive of any other interpretation which could be given it.

I apologize to my friend the Senator from Virginia for taking so much of his time.

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

Mr. GLASS. Certainly; I yield.

Mr. COUZENS. Cannot the Senator from Arkansas conceive of a project which would need a great deal of machinery and motors and equipment on which this money could be spent and still be spent directly for the project?

Mr. ROBINSON. The Senator makes an issue which I am glad to meet. Does the Senator maintain that the expenditure of funds for machinery would be for direct work?

Mr. COUZENS. Absolutely.

Mr. ROBINSON. I do not agree with that.

Mr. COUZENS. It is direct work upon the project.

Mr. ROBINSON. I do not believe anyone would employ the term "direct work" if he meant to use the fund for the purchase of machinery. "Direct work" does not mean purchasing machinery. It does not mean it in law, and it does not mean it in reason. "Direct work", whatever it may mean, certainly cannot mean the purchase of equipment, for that is not work. "Direct work" means labor, if you please, not equipment, and it does not mean machinery.

I apologize to the Senator from Virginia for taking so much of his time.

Mr. COUZENS. Mr. President, will the Senator from Virginia yield to me?

Mr. GLASS. Yes; I yield to the Senator from Michigan.

Mr. COUZENS. The expenditure of this money to put men to work to build a turbine engine or a power plant is obviously direct work for the project. Of course the Senator from Arkansas has had much more experience than some others in manufacturing production. He dogmatically states that the expenditure of money for labor on machinery and equipment is not direct expenditure for the completion of a project.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Kentucky?

Mr. GLASS. I do.

Mr. BARKLEY. According to that interpretation, there might be so much machinery on the site of any project that one man operating the machinery could do all the work; and I suppose, according to that theory, all that was spent on the machinery would be regarded as money spent for direct work.

Mr. ROBINSON. There need not be any expenditure at all for labor. The money could all be spent for machinery, which everybody knows, notwithstanding the statement of the Senator from Michigan, is not a sound construction.

Mr. COUZENS. The Senator from Arkansas may have his opinion about that, but I submit that it is not correct.

Mr. GLASS. The Senator from Arkansas suggests that this language gives the Comptroller General veto power.

Mr. NORRIS. Mr. President, may I interrupt the Senator there?

Mr. GLASS. Yes.

Mr. NORRIS. I think this very discussion illustrates what I tried to point out when the joint resolution was before the Senate—the unwisdom of the attempt to limit by legislation the discretion of those who are going to be compelled to spend the money. I call the attention of the Senate to the fact that, regardless of what one person may think or what another one may think, we have already seen distinguished scholars right here in the Senate differ on the meaning of this language. There are several hundred Federal judges in this country, and on this question of "work" and "direct work" they might have as many different opinions as we find in the Senate. If we should have any limitation at all there, I fear those who might carry out or try to carry out the intent of Congress, however honestly and fairly they might undertake to do it, would be met with injunction after injunction all over the land.

Mr. ROBINSON. Mr. President, will the Senator from Virginia permit me to ask the Senator from Nebraska a question?

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. GLASS. Yes.

Mr. ROBINSON. Does the Senator believe that the purchase of machinery is an expenditure for direct work?

Mr. NORRIS. The expression "direct work" in this proposed legislation is rather new to me. If the question were put up to me, and that language were put in, I should say, offhand, that it meant work on the site. I do not think striking out the word "site" affected the real intent; but I concede that others may have a different opinion. They may be right; but does not that illustrate the difficulty of carrying out the purpose of a measure of this kind when too many limitations are imposed?

Suppose the President should undertake to provide for some rural electrification, or those carrying out his orders should undertake to do so, I think that when there is any possibility of doubt, especially since we are really governed by courts more than we are governed by legislatures, the work would be held up all over the United States. So long as we put in anything we will leave a doubt. As the Senator from Virginia well said, lawyers can disagree on everything, and all judges are lawyers.

Mr. GLASS. Mr. President, I do not know how good a lawyer the Comptroller General is. We have had him there for nearly 15 years upon the assumption that he is a good lawyer and knows his business. I think he has saved the Government many, many millions of dollars by his attention to his business.

Mr. NORRIS. Mr. President, if the Senator will permit me, I agree fully with that statement. I have great faith and confidence in the Comptroller General.

Mr. GLASS. The other conferees all agreed with that statement, and we had the Comptroller General come before us to scrutinize this language; and, as I stated in my letter to the Secretary of the Interior, the Comptroller General held that any work involving labor done on any given

project for which any part of the $900,000,000 should be loaned would be accounted by him, should the matter be brought to his attention, as direct work on that project, and within the meaning of the proposed enactment.

Mr. NORRIS. Mr. President, I should like to ask the Senator a question. I should like to get his idea of this matter, and I am asking for information. What function has the word "direct" in the proposed legislation? What is the use of it if we are to construe it as the Senator does?

Mr. GLASS. The use of it is that the work shall be direct; and the interpretation of the Comptroller General is that it is direct if the laborer manufactures anything or assists in any way on a given project for which money may be loaned.

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

Mr. GLASS. Will not Senators please let me get somewhere?

Mr. BARKLEY. Certainly.

Mr. GLASS. Go ahead, however, I yield to the Senator.

Mr. BARKLEY. I do not interpret the expression in that way, but I should like to have the Senator finish his sentence.

Mr. GLASS. Go ahead.

Mr. BARKLEY. What I desired to ask was whether labor performed in the manufacture of a piece of machinery in Detroit or Philadelphia which is bought in Arizona for the purpose of being used in the construction of a project in Arizona would be regarded as direct labor.

Mr. GLASS. If the machinery were manufactured for any given project in Arizona, it would be regarded as direct labor on that project.

Mr. BARKLEY. Suppose it were machinery manufactured and kept in stock.

Mr. GLASS. Then it would not be regarded as direct labor; and that is the reason for using the word "direct." In other words, this is a work-relief measure.

Mr. BARKLEY. Would the profit by the factory in the manufacture of a piece of machinery made specifically for use in some one project figure in any way?

Mr. GLASS. The profit would not figure.

Mr. BARKLEY. While I am on my feet, I should like to ask the Senator another question.

Regardless of the merits of this new provision, it seems to me it clearly violates the rules of both Senate and House, which provide that new matter shall not be inserted by conferees in a bill, and that matter in a bill, upon which both Houses have agreed prior to its being sent to the conference, shall not be eliminated by the conferees. The Senator, of course, may not agree with my interpretation of the rules, but did the Senator or any of the conferees in the insertion of this language consider whether it violated that injunction of the rules of both Houses of Congress?

Mr. GLASS. Of course, we discussed it, and I have stated here on the floor that there was not a word in amendment no. 3 in the joint resolution as it originally passed the House, and, therefore, we were advised by competent parliamentarians that that provision of the measure was subject to any alteration to which the conferees might agree. Not only that but I pointed out here, when the Senator was not in the Chamber, that the conferees made half a dozen alterations in that provision of the joint resolution before we reached this particular alteration.

Mr. BARKLEY. Of course, each one of those alterations would have to stand on its own bottom as to whether or not it complied with the rules of both Houses. But it seems to me that it must be admitted that the $4,000,000,000 appropriated in the joint resolution as passed by the House was without limitation.

Mr. GLASS. For what was it appropriated?

Mr. BARKLEY. For work and work relief, to be administered by the President.

Mr. GLASS. For work and work relief, and an increase of employment.

Mr. BARKLEY. I understand, but there was no language in the joint resolution which limited the President to any proportion which should be expended for labor or material. The Senate amendment changed that only in the particular that it allocated a certain number of millions of dollars to certain types of work, still without any limitation as to the proportion which might be expended for labor and the proportion which might be expended for materials or other purposes. So that neither House inserted in the measure as it passed the respective Houses any language attempting to set up any standard by which the President or anybody else should be governed in deciding the proportion.

Mr. GLASS. The Senator is discussing a point of order. I respectfully represent to him that the conference report is not as yet before the Senate. The Senator will be at liberty to make his point of order for decision by the Chair when the conference report shall come before the Senate, if it shall come before the Senate. We discussed that matter in the committee, and the conferees came to the conclusion that the amendment was not subject to a point of order, and were so advised by what we regarded as very competent parliamentary authority.

Something has been said about not making loans for housing and slum clearance. The joint resolution appropriates $450,000,000 for housing, which does not involve the lending of money, and it appropriates other amounts for slum clearance, which does not involve the lending of money. This restriction relates only to the $900,000,000 to be loaned to States and subdivisions thereof, and under the joint resolution as it went to conference, the administrators of the measure could lend every dollar of the $900,000,000 without employing a single, solitary man of the 3,500,000 on relief rolls. Does anyone want that done? Is this a work-relief measure?

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. MURPHY in the chair). Does the Senator from Virginia yield to the Senator from Tennessee?

Mr. GLASS. I yield.

Mr. McKELLAR. And is it not true that the argument in favor of the House proposal to incorporate this provision in the joint resolution, was that under the terms of the joint resolution as it stood every dollar of the money could be used by the States or the subdivisions borrowing it without having any work done at all with it? That argument was advanced, and that was the argument which had its weight with me, that the whole $900,000,000 could be used for such loans without having a dollar's worth of work done, or any relief granted.

Mr. ROBINSON. Mr. President, will the Senator from Virginia permit me to ask the Senator from Tennessee a question?

Mr. GLASS. Certainly.

Mr. ROBINSON. Was the question discussed in the conference that the effect of this amendment might be to prevent loans for slum clearance, rural housing, rural electrification, and non-Federal projects of the character financed by the P. W. A.?

Mr. McKELLAR. Yes; those questions were before us. We had the figures, it is true; but there was a separate provision for housing, which would seem to take care of both the slum clearance and the housing.

Mr. ROBINSON. That is the very point—the separate provision for housing and the separate provision for rural electrification and for other purposes all contemplate grants, or the use of the funds, by the Federal Government; they do not contemplate loans. The $900,000,000 item constitutes a fund which could be loaned for these very purposes. So that with the insertion of the limitation, it is left in such form that the President could make grants for the various purposes which I have just named, but he could not make loans for them. In other words, he would not have the opportunity of making loans so that the Government could get the money back.

Mr. GLASS. Let me ask the Senator from Arkansas how slums are cleared—by magic, or by labor? How are houses built—by magic, or by labor?

Mr. ROBINSON. Mr. President, if the Senator will permit me to answer, I have just pointed out, and do so again,

that for slum clearance the cost of the direct labor on a given project is 28 percent.

Mr. GLASS. That is under the interpretation of the Secretary of the Interior as to what we mean by "direct labor." He undertakes to put words into the joint resolution which are not there.

Mr. ROBINSON. Oh, no; the Senator uses the same language in the joint resolution, and the interpretation which has been given throughout the relief administration is to the effect that direct labor does not mean the purchase of materials, it does not mean the purchase of machinery, but means what it says; it means work on the project.

Mr. GLASS. It means work on the project, but not necessarily on the site. It was so held by the conferees, and confirmed by the Comptroller General.

Mr. ROBINSON. Conceivably it might not be on the site if something is made for use on the project, of course, but direct work does not mean the purchase of materials.

Mr. GLASS. It means the purchase of any material that is to go into a given project, whether it is slum clearing, or housing, or something else.

Mr. ROBINSON. The word "direct" has no particular application to work, but it has a very well-defined meaning. It means "straight", "without deviation", "without going in a circuit." Then, when you go in a circuit to make it mean the purchase of material, you are giving it an interpretation which I do not think any court would apply to it.

Mr. WAGNER. Mr. President, will the Senator from Virginia yield to me?

Mr. GLASS. I yield.

Mr. WAGNER. The words "direct workers" have become generally known as meaning those working directly on a particular project being constructed.

Mr. ROBINSON. They are laborers, are they not?

Mr. WAGNER. Yes, and the words "indirect workers" mean those who are employed upon the material which is manufactured or produced somewhere else, and usually the direct employment is only one-third of the indirect employment upon any project.

Mr. GLASS. Well, we require that it be only one-third. Does the Senator want to give away this $900,000,000 without employing a single, solitary one of the 3,500,000 people who are on relief?

Mr. WAGNER. Of course not.

Mr. GLASS. Does the Senator think the Senate wants to do that? That is what would have been the effect before we amended the joint resolution, and that is what some people want to do.

Mr. WAGNER. Oh, no——

Mr. GLASS. Yes; that is what they want to do. They want to go around this country and buy established power plants—electric-light plants, gas plants, and other utilities—and lend money to communities to take them over; and there is not one lick of labor involved in that sort of expenditure of money.

Mr. ROBINSON. That is no more work relief than the purchase of machinery and equipment is direct work.

Mr. GLASS. It is not work relief at all. It may involve the discharge of many people, rather than the employment of people.

Mr. McKELLAR. Mr. President, if the Senator will yield for an observation, the Comptroller General told the committee that without this limitation the administrator could buy such plants as have been mentioned and not use one dollar of the money for work or work relief.

Mr. GLASS. The fact is that there are some executive officials in Washington who not only want to perform the duties committed to them but they want to legislate for the Congress of the United States. This whole tempest was raised by one of these officials, who threatens not to administer the law unless we write it as he wants it written. If Congress is willing to take that humiliating position, it is up to Congress to do it.

After all, however, the conferees, after long and earnest discussion and consideration, agreed upon the conference report. It has been reported to the other branch of Congress and is there for action. If there is anything in the joint resolution, as reported from the conferees, which needs correction, the orderly procedure is to introduce another joint resolution and make the correction, and let Congress act upon the proposed correction, if there need be any correction; but that is not the way we are proposing to do.

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

Mr. GLASS. I yield.

Mr. ROBINSON. Why should that be done before this proposed legislation is passed? Of course, what the Senator from Virginia suggests is one remedy; but here we have a situation where the conference report has never been submitted to the Senate, and it may never be submitted to the Senate.

Mr. GLASS. I think it will never be submitted to the Senate; and the reason why it is held up is that a public official desires to legislate for us.

Mr. ROBINSON. Oh, no; I do not think that is true.

Mr. GLASS. I think it is. That is my very definite conclusion.

Mr. ROBINSON. I do not think the Senator can stand on that statement.

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

Mr. GLASS. I yield.

Mr. WAGNER. I do not think I made quite clear to the Senator what I had in mind as to the danger of the use of the words "direct labor." I think what the Senator ought to include is "direct or indirect labor", so long as it is labor. That would include labor upon materials which are supplied for the particular work-relief project, and I think that is what the Senator intends.

Mr. GLASS. This particular provision relates only to one feature of the joint resolution—that providing for loans to States and communities. There is not such an all-fired haste to make loans of the taxpayers' money to people, particularly if the projects which are in mind involve no additional labor. So why can we not amend the joint resolution in an orderly way, or correct it in the orderly way, if there need to be any correction, which I deny? Why hold up the conference report? I venture to say it never before happened in the history of the Congress of the United States that an executive official came up to the Capitol and held up a conference report which had already been agreed upon and submitted to one House for conference.

Mr. WAGNER. I may say to the Senator that I had no intention of holding up a report. I tried to explain to the Senator what the words "direct labor" represent in the construction of a particular project.

Mr. GLASS. I have given the Senate the Comptroller General's considered opinion as to what it means. It not only means the project on the site but it means every ounce of labor used in the machinery, whatever it be or wherever made, for that particular project.

Mr. WAGNER. Generally, however, when we speak of "direct labor" we speak of labor upon the site of the project, and when we speak of "indirect labor" we refer to the labor upon the material which is supplied for the project. I did not wish to have those words confused in our consideration of the subject matter.

Mr. GLASS. But the Comptroller General told the conferees that in any matter submitted for his decision he would hold that any work done, wherever done, for a given project would come within this language.

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

Mr. GLASS. I yield.

Mr. ROBINSON. The interpretation of any language must be within the limitations of the language itself. The words "direct work" never have, in any court or in any tribunal, meant machinery. Expenditure for direct work never has meant expenditure for the purchase of material; and "relief and work relief", the primary purposes of all the appropriations proposed to be provided by the joint resolution, do not embrace expenditures for the mere purchase of going plants.

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

Mr. GLASS. I will yield in a moment, as soon as I say one more word. I merely wish to say that the Senator from Virginia is at a complete disadvantage when he engages with learned lawyers here in the interpretation of language, being nothing in the world but a practical printer and newspaperman.

Mr. ROBINSON. Oh, the Senator is a great deal more than that. Do not tell us that.

Mr. GLASS. I have tried to learn something about the English language and its meaning; but when it comes to discussing it with the learned attorneys here, I confess myself at a total disadvantage.

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

Mr. GLASS. I yield.

Mr. GEORGE. If the Senator from Virginia will permit me, I am not one of the learned attorneys, but I agree thoroughly with him.

Mr. GLASS. The Senator from Georgia is one of the "learnedest" attorneys. [Laughter.]

Mr. GEORGE. Money advanced on any grant or loan for direct labor means money for any labor performed in consequence of the loan; and I do not see how that conclusion can be escaped, whether the labor is performed at the plant or elsewhere.

Mr. ROBINSON. That is entirely true; but the term does not mean expenditures for the purchase of material. That is an entirely different matter, which has no relationship to direct work.

Mr. GEORGE. It does mean expenditures for any material which has not been already constructed into a completed project.

Mr. GLASS. Exactly.

Mr. GEORGE. And it must necessarily mean any labor performed in consequence of that loan in order to carry out that project.

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

Mr. GLASS. I yield.

Mr. WAGNER. I am quite content to have the RECORD show that that is our intent in using the words "direct labor"; but I should like to call the Senator's attention to the fact that in the collection of statistics on the subject of unemployment or any related subject a distinction is always made between the words "direct labor" and "indirect labor." it has been variously estimated that direct labor represents only about one-third of the actual labor used upon a particular project; that for every one employed upon the project, two or more are employed off the project in the manufacture of material.

Mr. GEORGE. I understand that; but I still contend that it is a sound construction in every case of a loan of money or advance of money which restricts that money, or a portion of it, to direct labor. It means that if labor is done in consequence of the loan, the language is fully satisfied.

Mr. GLASS. In confirmation of what the Senator from Georgia says, the Comptroller General was so explicit on the subject that I embodied his statements as mine in my letter to the Secretary of the Interior. Here is what he said:

> There would be for crediting as "direct work" not only the work of constructing the plant, installing the machinery, laying the mains, etc. (all of which would be, of course, at the site of the project), but the work involved in the construction of pumps, motors, other machinery, etc., if actually constructed for the particular plant—

Upon which the loan is made.

Mr. GEORGE. I think that is clear.

Mr. GLASS. He continues:

> Even if constructed far from the site of the project.

And listen—

> Also, the work actually involved in the transporting, trucking, and unloading thereof.

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

Mr. GLASS. I yield.

Mr. WAGNER. That answers my question. If the words "direct labor" are to be interpreted as including what we both say is ordinarily considered to be direct and indirect labor, that answers the question I raised.

Mr. GLASS. That was the construction of the Comptroller General, and that was the construction of the conference committee.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. GLASS. Yes; I always have yielded.

Mr. O'MAHONEY. On every occasion. The interpretation which the Senator has read, and which he himself has asserted here, excludes all manner of commissions and profits; does it not?

Mr. GLASS. Yes; it does, and it ought to.

Mr. O'MAHONEY. It ought to, of course. So any profit which a manufacturer of machinery may make in the manufacture or sale of machinery must be excluded. Any profit which the transporting agency makes must be excluded.

Mr. GLASS. Yes; but any work done in connection therewith must be included.

Mr. O'MAHONEY. That is perfectly true. All sorts of commissions and extra charges must be excluded.

Mr. ROBINSON. Transportation would not be direct labor.

Mr. O'MAHONEY. Not at all.

Mr. ROBINSON. Certainly not.

Mr. O'MAHONEY. It must be excluded. Therefore, Mr. President, I am leading to the conclusion, which must be perfectly apparent, that in determining what the one-third is it will be necessary for the Comptroller General to analyze and make an audit of every penny which is expended; and it seems to me the inescapable result would be to make it almost impossible for the Government to make any loan or any grant to the agencies which it is desired to serve.

Mr. GLASS. I would rather the Government should not make any loan than to spend $900,000,000 of the taxpayers' money without employing a single human being.

Mr. O'MAHONEY. I think there is no possibility of that.

Mr. GLASS. There was such authorization in the form in which the joint resolution went to conference.

Mr. O'MAHONEY. It seems to me that as the conferees bring back their report there is positively no authorization for it, because the very first amendment limits the appropriation to "relief, work relief and to increase employment by providing for useful projects." So the appropriation is tied down absolutely to work; and it seems to me there is no possibility of making any such loan for the purchase of plants as the Senator fears.

Mr. GLASS. It is not tied down at all. The $900,000,000, plus $800,000,000 more, if the President sees fit, may be applied to the purchase of plants and not be used to employ anybody.

Mr. President, I am not in the habit of uselessly taking up the time of the Senate. I understand that the other branch of Congress has yielded to the dictation of the executive department and sent the report back to conference and that is where the matter stands.

MESSAGE FROM THE HOUSE—WORK-RELIEF PROGRAM

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, informed the Senate that the House had recommitted to the committee of conference the report of that committee on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 117) making appropriations for relief purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 404. An act to provide for the acquisition of land in the District of Columbia in excess of that required for public projects and improvements, and for other purposes;

S. 488. An act for the relief of Michael Ilitz;

S. 747. An act for the relief of Joe G. Baker;

S. 1856. An act for the relief of Arthur Smith;

H. R. 83. An act to provide for the conservation and settlement of estates of absentees and absconders in the District of Columbia, and for other purposes;

H. R. 340. An act for the relief of Louis Zagata;

H. R. 816. An act for the relief of Logan Mulvaney;

H. R. 829. An act granting 6 months' pay to Hester Hamilton;

H. R. 2117. An act for the relief of Cora A. Snyder;

H. R. 2569. An act for the relief of the estate of R. A. Wallace Treat;

H. R. 2678. An act for the relief of Carl L. Bernau;

H. R. 3477. An act relating to the incorporation of Trinity College of Washington, D. C., organized under and by virtue of a certificate of incorporation pursuant to the incorporation laws of the District of Columbia, as provided in subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia;

H. R. 4538. An act to change the designation of Leffler Place to Second Place;

H. R. 5032. An act for the relief of the dependents of Carl Lindow, known also as Carl Lindo; and

H. R. 5913. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes.

WORK-RELIEF PROGRAM

Mr. COPELAND. Mr. President, before I proceed with my discussion of the food and drug bill, I wish to make reference to a statement made by the Senator from Arkansas [Mr. ROBINSON]. In the statement which he made he said:

> When the bill was sent to conference, pursuing the custom which had prevailed in the Senate of naming the senior members of the committee, it happened that 4 of the 5 Senate conferees were opposed to the legislation. It is not intended as any reflection on the conferees to make this statement; they had a perfect right to oppose the legislation; but, under those circumstances, the bill having passed the Senate by a vote of 68 to 16, it does not seem to me that the representatives of the Senate should stand in the way of the prompt enactment of the legislation under a conference agreement which will fairly reflect the views of the Senate.

The Senator from Arkansas said further:

> I think it is regrettable that the custom prevails in the Senate, or has prevailed, of too frequently committing a measure to its enemies in conference.

Mr. President, I wish to say that I never have known a conference committee which was freer and fairer in its discussion of matters presented to it than the conference committee on the work-relief joint resolution. So far as I am personally concerned, I voted for the Byrd amendment, and I voted for the Adams amendment, but I voted finally for the joint resolution. I did this because I come from a community that needs relief, that needs employment more than any other community in America. So certainly I am not an "enemy" to the legislation, and I did not see evidence on the part of any conferee that he was an enemy to the legislation.

I do not think the Senator from Arkansas intended to reflect upon the members of the conference committee, but certainly the language he used, if I may say so, in all good feeling, was unfortunate, because the members of the conference committee on the part of the Senate, regardless of how they voted on the matter that was before us in the Senate, were honest and liberal in their interpretation of the spirit of the Senate. I do not think there were any more on our side at the conference table who originally opposed the legislation than on the other side; but, be that as it may, I want to say for the conferees that it was a full and free and honest conference. Whether the Senators who served as conferees might be termed "enemies" of the legislation or not, they, at least, were not enemies to the desire to have the conference report properly and honestly prepared and presented.

Mr. President, I have taken pains to read the section of our manual about conferences. I read there that—

> Conferees may not strike out in conference anything in a bill agreed to and passed by both Houses.

We did not do that.

> Conferees may include in their report matters which are germane modifications of subjects in disagreement between the Houses and committed to the conference.

That is exactly what we did do. The amendment which was adopted in the conference was certainly germane to the matter under consideration. Further, so far as I am concerned, I favor the particular provision we have been discussing this morning, because this is a relief measure; it is intended to provide work. If, in the case of a given project, one-third of the amount allocated to it cannot be used directly to pay the workmen engaged on it, the project is not worthy of our consideration. That is what the joint resolution is for.

As the Senator from Virginia has pointed out, there was an effort made in the conference on our side to have that direct work apply to the "site of the project." That effort was defeated almost unanimously.

The Comptroller General explained to us that "direct" work means not alone work on the site, but also work on any materials which are to be used on the site, provided that work is actually done after the project is adopted. If $900,000,000 were used to buy materials now manufactured and now in existence, we would not be giving a dollar for work relief. The intention of the conferees was not to destroy the joint resolution, but to make certain that it would be administered in such a way as to serve the purposes for which it was designed, which were to afford work and to relieve unemployment.

I wanted to say that much in justice to myself and in justice to my colleagues on the conference committee. Certainly there was no man on that conference, so far as I could see, on either side of the table, who could be counted an enemy to the legislation which has to do with the relief of unemployment.

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

Mr. COPELAND. Yes.

Mr. CLARK. Did the Senator ever before, in his legislative experience, hear the contention advanced that a bill would be expedited in passage or that funds designed for emergency relief in a great national crisis, when existing funds had been exhausted, or for any other purpose, could be made more quickly available by sending the bill back to conference in a servile yielding to the man who was the administrative official?

Mr. COPELAND. I agree with the Senator.

Mr. ROBINSON. Mr. President——

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

Mr. ROBINSON. I thought the Senator from New York had concluded his remarks.

Mr. COPELAND. I had concluded my statement. I was going to proceed to discuss the bill which is before the Senate.

Mr. ROBINSON. I will take the floor for just a moment to discuss further the question which has been under consideration.

It is true that the Senator from New York [Mr. COPELAND] voted for the joint resolution, and that the Senator from Tennessee [Mr. MCKELLAR] voted for it and heartily supported it; but all the other conferees, according to my recollection, voted against it. Senators will recall that the Senator from New York spent most of his time while discussing the joint resolution in opposing its provisions. I said a while ago that he had a perfect right to do so; every Senator has the right to vote against any measure; but the theory of a conference, according to general parliamentary law, is that when a measure has been fought through the legislative assembly the friends of the legislation shall go on the conference.

I repeat, we have not always seen that done in the Senate, but it is rather remarkable that legislation so seriously and gravely contested as was this should pass into conference with four of the five representatives of the Senate really against the proposed legislation.

As I said at first, I think the Senators who were on the conference committee did conscientious work; they acted promptly and diligently; but that does not obviate the fact that they were unfriendly to the legislation; if any Senator

here who heard my friend the Senator from New York speak on the joint resolution, eloquently and forcefully, can conclude that he was within the class of those who could be called "cordial supporters" of the legislation, such Senator is able to reach a conclusion at variance.

The Senator from New York had a perfect right to oppose the joint resolution, but I say that it is not good parliamentary practice after a measure has been fought out and passed to intrust it to conferees who were against it. I stand on that proposition; I think it is sound.

Mr. GLASS. Mr. President, if I may interrupt for a moment, so far as I am concerned, the Senate is at liberty to select other conferees.

Mr. ROBINSON. We understand that. We hope the issue may be disposed of without resort to such action; but the Senate is entitled to have its conferees reflect its views. The conferees inserted a provision that was not in the joint resolution as it passed either body, a provision which eliminates the possibility of carrying on projects which the majority of the Senate wish to see carried on.

Mr. HALE. What are they?

Mr. ROBINSON. I will name them again: Slum clearance, rural electrification, rural housing, non-Federal P. W. A. projects. All four of those classes are eliminated by the provision inserted in conference.

Mr. HALE. Mr. President, that was not my impression.

Mr. ROBINSON. We have been arguing that question all morning, and I concede that we probably would never reach an agreement as to the meaning of "direct work", but we have had definitions given to it here this morning which, in my judgment, will not stand the test of either logic or of law. However, I submit the matter, and the Senator from New York may proceed with his bill.

Mr. COPELAND. Mr. President, I wish to say further in regard to this matter that, so far as I am concerned, I did not want to be a conferee, and I told the chairman of the committee so. But the conferees were appointed in accordance with the practice in the Senate. If it is not a good one, let us abolish it; but I wish to say again that if the most ardent friends of this legislation had been the conferees there could not have been a more honest or straightforward or more well-intentioned report than the one which was adopted.

Mr. GLASS. Mr. President, I have a letter from the Secretary of the Interior, in response to the letter written by me to him, which I had read from the desk, and I am perfectly willing—in fact, I am anxious—that it shall go into the RECORD.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

Mr. COUZENS. Mr. President, would the Senator mind having the letter read at the desk?

Mr. GLASS. I shall be glad to have that done.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

FEDERAL EMERGENCY ADMINISTRATOR OF PUBLIC WORKS,
Washington, April 1, 1935.

Hon. CARTER GLASS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I thank you for going to the pains to reply in your letter of March 31 in such detail to my letter to you of March 30. If I may do so, I would like to correct one impression that my letter gave you and then comment briefly on one or two points you raise.

My use of the language "The more desirable the project from a social and economic point of view, the less chance will there be of its qualifying under the language" of the amendment was unfortunate since it led to a conclusion on your part that was not intended. I have not had any thought that this new appropriation would be used "for any social revision or upheaval determined upon by those selected to administer the legislation." All I was referring to were projects of the same nature as those for which we have been making allocations under the original Public Works Act. I have no thought that in administering the pending act one should go outside of the categories already established by P. W. A., nor have I in mind a single project outside of that classification for which I would desire to see an allocation made. Naturally, some of the projects for which we have been making appropriations are more desirable socially than others, as for instance school buildings, water works, bridges, subways, hospitals, public buildings, etc. I had these types of projects in mind as being more desirable "from a social point of view" than some others, and I am apprehensive that under the amendatory language it would be impossible to lend money for many, if not all, of such projects.

I believe that the greater the degree to which this money may be spent, to quote the language of the President, "to increase employment by providing for useful projects" rather than to "provide relief" or "work relief", the better it will be for the country economically, and the better it will be for the morale of the unemployed. I seriously doubt whether any real program of public works on a loan and grant basis can go forward under this qualifying amendment.

Carelessly, in my haste in writing to you, I spoke of the "direct work", referred to in the amendment, as labor employed directly at the site of the project. This, of course, was an error on my part, but, nevertheless, I do not believe that the effect of the broader language on any possible public-works program would be much different than if the limitation were as strict as I inadvertently stated it to be.

I note that the Comptroller General has given assurance that he would rule that direct work means not only the actual work at the site but, in addition, "work involved in the construction of pumps, motors, other machinery, etc., if actually constructed for the particular plant, even if constructed far from the site of the project; also, the work actually involved in transporting, trucking, and unloading thereof, etc." This undoubtedly would mean some enlargement of the restrictive language, but it is to be doubted whether in the general run of non-Federal projects, any specially made machinery, etc., would be required to be fabricated and transported. Except in such few special instances, the effect of the amendment would be to require the expenditure of not less than 33⅓ percent of the allocation for the project for direct labor at the site.

Moreover, not the Comptroller General but the courts in the final analysis would determine whether labor on special machinery a thousand miles away from the site was direct labor on the project. True, in arriving at a decision the courts ought to, and doubtless would, seek to determine what the congressional intent was in employing this terminology, but a judicial determination cannot be guaranteed in advance, and there is no assurance that a careful study of the whole record would not still leave a court of the opinion that direct labor on a project meant direct labor at the site.

But even supposing that the courts would interpret the language as it was intended, I still am of the opinion that no one could administer a public-works program with this limiting language in the act. How would the Comptroller General know, as a matter of fact, that direct labor, both at the site and in making special parts and transporting them to the site, would take more or less than 33⅓ percent of the money expended on the project?

In your letter you say: "It may be pointed out that under the amendment any such project may not be the subject of a loan until the amount of direct work involved is established as a fact." I fully agree with you, and that means to me that even if we should go ahead in all good faith with a loan to a municipality for a schoolhouse, or some other equally desirable project, it could not be determined until the project was finished whether or not it came under the act. So I say that even with the best of intentions on the part of the Administrator and of the Comptroller General, the act could not be administered to include loans for non-Federal projects. Of course, as I said in my former letter to you, there is no restriction on giving the money away; it can be scattered to the four corners of the country as dust before a high wind. Every leaf can be carefully raked and every blade of grass assiduously trimmed, but the money cannot be loaned on useful self-liquidating public works as I see it.

There seems to be a misconception in some quarters, although I do not think you share it, that if 33⅓ percent of direct labor is required in connection with a project, that is all the labor there will be in connection with that project; that the balance of the allocation will go for the purchase of property, profits, etc. Of course, this is not an accurate statement of the facts. I can hardly think of any construction project where upward of 70 percent will not go either for direct or for indirect labor. The direct labor in the main will be at the site. The indirect labor will be in mill and factory, in stone quarries, and on transportation lines. And it seems to me well and proper that this should be so. In no other way can it be hoped to spread the benefits of employment so equally throughout the country.

Take such a State as New York, or Pennsylvania, or Illinois, where unemployment is the heaviest. It is absolutely beyond hope that enough actual projects could be put into these States to absorb the unemployed. But if a great number of projects are scattered throughout the country in the nonindustrial States, those projects will absorb the unemployed in their localities and still give employment to thousands of workmen in the industrial States. After all, employment in producing a steel beam in Pittsburgh for a public building in Kentucky is just as valid and just as beneficial as if that employment were directly on the site. Under our complicated industrial system there could be no hope of successfully combatting unemployment under a law requiring an undue percentage of employment at the site unless there were some possibility, as there is not, that projects can be located in communities in proportion to their unemployment. It is obvious that this cannot be done. As a matter of fact, the city of Chicago, where the unemployment situation is very bad, indeed, can use very few more public buildings and no more public utilities than a city of 100,000.

It requires greater capacity, but duplication of plants would be wasteful even if they could be financed.

There seems to be a misapprehension in some quarters that unless some such restriction as the one under discussion is put into the act the money may be used to purchase properties instead of to give employment. There was no such limitation as is now proposed in the act under which P. W. A. is now operating, but we early established it as our policy that only a small proportion of any allocation could go for the purchase of property. After all, a public building cannot be erected unless land is bought upon which to build it unless the municipality already owns the site upon which it is proposed to build, and that is rarely the case. If the purchase of property is what the amendment was intended to cover, the matter could easily be reached directly by a limitation on the proportionate amount of any allocation that could be spent either for a site or for existing facilities.

In conclusion may I say, with all due respect, that I am still of the opinion that the limiting language not only puts a premium upon waste and extravagance and reckless dissipation of public money, it practically requires that this money be so distributed.

With keenest appreciation of your very friendly and cordial reference to me and with kindest personal regards, I am,

Sincerely yours,

HAROLD L. ICKES,
Administrator.

Mr. COPELAND. Mr. President——

Mr. LONG. Mr. President, will the Senator yield for a moment?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Louisiana?

Mr. COPELAND. I yield.

Mr. LONG. I want the record to be made permanent that our party leaders disagree to this system of appointing conferees. When we had amendments here raising the income taxes and inheritance taxes we would present them to the Finance Committee. The Finance Committee would vote them down. Then we would come into the Senate and overturn the Finance Committee. Then the leaders on the Finance Committee would be appointed as conferees and go into conference with the House conferees and knock out those amendments. That has been going on for 3 straight years to my certain knowledge. Every time we would overturn the committee and raise the income taxes and inheritance taxes the Finance Committee conferees would go into conference with the House conferees, and very nicely concede that we had no right to do what had been done in the Senate, which was what they had tried to keep the Senate from doing.

It seems that in his last hours the atheist will invoke the Lord and the royalist will call on the republic. This is one of those peculiar instances in which there happens to be gored the ox of the administration leaders who have been profiting by this abortion on legislation ever since the Senate has been here. They will raise the holy flag of the will of the Senate having been perverted now; but the next time we come in here and overturn one of their charmed committees, they will go right in and start killing rats again, just as they have been doing here all the time. It will take another protracted week and another good Holy Ghost and hell-fire sermon to hold one of them converted until water gets hot the next time it comes. [Laughter.]

I am very sorry the Senator from Virginia has left here. I wanted to break bread with him for just a moment. I know how to sympathize with him. It is due to the leadership and personal influence of the Senator from Virginia that the labor amendment was finally defeated in the Senate. Had it not been for him, the McCarran amendment would have gone out of this Chamber as a part of the law; and, according to the Democratic leaders, it was this leadership which saved the joint resolution by keeping the McCarran amendment from being adopted. So great gratitude was naturally due to the Senator from Viriginia for having done what they said resulted in the salvation of the joint resolution. Now, however, the time has come when gratitude must be shown in its proper way and along the accustomed lines that this administration have followed. They have, therefore, taken up the man who saved their joint resolution and kicked labor out of it, and now they have decided to hang him along with the rest of us; so we shall all hang together on the great cross of "gratitude" which has been erected here.

Just one more little line: When they finally spend this $5,000,000,000 and make the public debt $35,000,000,000 instead of $30,000,000,000, labor will be worse off, the country will be worse off, the taxpayers will be worse off, and then we shall all begin to wonder what the whole thing was about, as we did 1 year ago.

Mr. ROBINSON. Mr. President, will the Senator from New York yield for a moment?

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

Mr. COPELAND. I yield.

Mr. ROBINSON. We have just listened to the lamentations of the modern Jeremiah. [Laughter.] Nothing that this administration can do, nothing that it can propose, meets with his approval or commendation.

It is not possible to have conferees who will reflect every view that is expressed in the Senate. It is not possible to intrust legislation to conferees who in their personal views represent the views of the Senate on every particular amendment; but it is possible to have reflected the general position of the Senate respecting the legislation.

As to what my friend the Senator from Louisiana, Jeremiah the Second, has just said about the results of this proposed legislation, I do not anticipate that all our troubles will disappear when this measure shall become law. I know many things will remain to vex us, among them the Senator from Louisiana. [Laughter.] Nevertheless, this measure is founded on a just, a reasonable, and a sound basis. Its purpose is to take care of those who are in need of sustenance during the period when they cannot obtain work, and to provide work for as many workers as practicable. Certainly there will continue to be difficulties after this legislation shall have been enacted. There will be difficulties of administration; and no doubt the Senator from Louisiana will come back and tell us, as he is in the habit of doing when any difficulty arises, "Oh, yes; I told you so." After all, however, we must do something. We cannot refrain from making provision for destitution relief. We feel that there is an obligation to provide as full a measure of employment to the idle, to the unemployed, as is practicable; and when we shall have done that we shall have done a great deal more than has been proposed by those who oppose this measure.

I thank the Senator from New York for yielding to me.

Mr. LONG. Mr. President, will the Senator from New York permit me just one little reference, for a second?

Mr. COPELAND. If it is very brief.

Mr. LONG. It is not going to be very long.

I am very much pleased that the Senator from Arkansas has again placed me higher in his respect and imagination and labeled me "Jeremiah the Second." However, what I am undertaking to say is rather in the voice of Job's children.

Mr. President, what I wish to have understood is simply this: In 1932, in the month of April, I did say that what is going on now would be going on. I am sorry that later I had to say, "I told you so." We are right where we were in 1932 under Mr. Hoover, only a bit worse off; and I will say to Senators who are disagreeing with me now, particularly my friend from Arkansas, that when year after year they are told that they are leading on a steady course of financial bankruptcy and unemployment and distress, when someone comes back in 1933 and shows them that it happened in 1932, and comes back in 1934 and shows them that it happened in 1933, and comes back in 1935 and shows that it happened in 1934, I hope some day they will turn and have a constitutional form of government again.

This cabinet government, these bandbox schemes that have been handed out here by the bureaucrats and appointees and nonelective officials of the President, have now gone to the point where one appointive officer can go down and turn back both Houses of Congress. We have reached the point of what I consider almost legislative oblivion. We have finally undertaken to abandon Congress. We have tried every remedy that the administrations have brought in, both Hoover and Roosevelt, and it has been just like practicing up on an automobile; the only thing left for them

to do is to take off the wheels to see if it will not expedite the progress of recovery.

REGULATION OF TRAFFIC IN FOOD, DRUGS, AND COSMETICS

The Senate resumed the consideration of the bill (S. 5) to prevent the manufacture, shipment, and sale of adulterated or misbranded food, drink, drugs, and cosmetics, and to regulate traffic therein; to prevent the false advertisement of food, drink, drugs, and cosmetics; and for other purposes.

Mr. COPELAND. Mr. President, after the exciting debate over other matters, it may seem very prosaic to go to a matter so simple as the protection of the public health. To my mind, however, it is more important to protect the public health than it is to protect the public pocketbook; but I suppose there may be difference of opinion about that.

Mr. President, if there are any Senators here who are interested in this bill, or if they have any questions to ask about it, I wish they would come over this way and help me to get through as fast as I can. I shall confine my remarks to such comments on the bill as will, I hope, help to dissipate doubts which may be in any senatorial mind.

It has been 28 years since the Wiley Law was passed. That is a monument to a great man. But in these 28 years there has developed, of course, knowledge of the weakness of many features of the law. The Department has been thwarted in its efforts to enforce what has come to be an incomplete law. I desire to call attention to one or two or three things before I speak about the bill itself.

The public has been economically exploited. I hold in my hand a section of a package supposed to be filled with cheese. If Senators will look at it, they will notice that there is one layer of cheese on the top of this box and pasteboard at the bottom. When the housewife bought what she thought was a full box of cheese she did not receive even half a box. There has been great difficulty in protecting the housewife against slack filling.

Here is a package of macaroni. There has been cut in it a window, and some cellophane inserted, in order that one who looks at it may discover the truth—that this box, supposed to be a full box of macaroni, is only two-thirds full. The housewife has been robbed of one-third of the money she paid for that box.

I present here a bottle filled with a tincture made from horse-tail weed. If there is any Senator suffering from diabetes, he will be cured by taking proper doses of horse-tail weed, according to the labeling on this bottle. Unfortunately, under the law as it is at present, the housewife is robbed when she buys the brand of cheese to which I have referred, or the brand of macaroni I have mentioned; and the poor suffering citizen who has diabetes, and by modern treatment could be cured, continues to suffer when he takes horse-tail weed. He takes it until the time comes when it is too late to get relief. By proper treatment given in the first place, he might have been restored to health.

I have here a bottle of a "medicine", originally made for horse linament. Now it is advertised to cure tuberculosis, pneumonia, laryngitis, bronchitis, pleurisy, influenza, la grippe, asthma, everything, indeed, from asthma to zymosis. Yet there are citizens in the United States who are opposed to such legislation as that before us, no doubt entirely honest in thinking there is no need for legislation. As a matter of fact, most of these articles of commerce which I have presented here are now on the market, and it has been impossible, under existing law, to protect society against such frauds, indeed, what is worse than fraud. The taking of these "remedies" for diseases which could not thus be cured or alleviated has resulted frequently in the diseases becoming incurable by reason of the delay of proper medical treatment. This is a practice which is of course inimical to health, yet it is impossible to prohibit their sale under the existing law.

I hope Senators are sufficiently interested to look at the card I hold in my hand; here are X-ray pictures of children, actual pictures of children. Found in the throat or lung of each one of these children is a metal object, in one case a fish, I am not sure whether this is a "kingfish" or not [laughter]; in another case a rooster, somewhat bedraggled, like the Republican rooster [laughter]. Here are pictures of other articles which have gotten into the throats or lungs of children through their eating candy in each piece of which was a metallic object of some sort. The poor little kid chewing the candy finds in it something hard, and swallows it, or breathes it in, and suffers in consequence. Many a child in the United States has died because of the sale of such candies, which, under the present law, cannot be prevented.

Mr. President, I cannot quite keep up with the styles, but I understand it is quite a fad among the ladies to be slender. Many fraudulent products upon the market, products which are really harmful in their effect, are used by women in their proper desire to be slim and beautiful, but at the expense of their health.

In the old law no provision was made for protecting the public against harmful cosmetics. It has been 28 years since that law was enacted, and when it was put on the statute books very few cosmetics were used. Now the industry engaged in manufacturing cosmetics has grown until the sale of cosmetics is perhaps one of the greatest industries in the United States.

I regard it as the solemn duty of every woman to be as beautiful as she can be, and I do not blame any woman for using cosmetics if they tend in the direction of making her more attractive. But I want all women, in whom I have an interest, to be guarded and protected against the use of things which may be damaging.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER (Mr. McADOO in the chair). Does the Senator from New York yield to the Senator from Texas?

Mr. COPELAND. I yield.

Mr. CONNALLY. The Senator said it was a "solemn duty" of the women. Does he not think he would better use another adjective? It seems to be the more solemn they are, the less cosmetics they use.

Mr. COPELAND. Did I speak of it as their solemn duty? I mean, of course, it is my solemn duty to help them to be as beautiful as they can be.

I hold in my hand an article which is used to remove hair from under the arms. Unfortunately this contains a substance which will remove the local hair, but it is also absorbed by the system and when it gets into the system it does more than remove the offensive hair; its absorption into the system results in the destruction of all the hair on the head as well, because it poisons the system and destroys the hair roots.

I hold in my hand a picture which portrays a beautiful girl, not only a beautiful girl, but one who was so popular in her community in Ohio, where she had been a social worker, that the citizens tendered her a complimentary dinner. In preparing for the dinner, after having a marcel, she used a preparation upon her eyelashes to make them black. I show Senators a second photograph, which shows what happened. In 3 weeks the girl was blind, permanently blind, because of the effect of this substance upon her eyes.

Mr. President, I shall not go on with the exhibition of the articles in this "chamber of horrors." There are many articles in reserve similar to those to which I have referred. I call attention to these particular things to show Senators that there are evils against which we must protect our people.

It is not an easy thing to write a food and drugs bill. I do not blame any industry involved, I do not blame those interested in producing articles of food or medicine, if they come here protesting against certain provisions of the bill. But there is no honest manufacturer in the United States who can say that he has not had a chance to explain his position and to explain away what he thought were things which we criticized.

A year ago last June there was handed to me a bill which had been prepared in the Department. I introduced the bill. To be honest with the Senate, I did not read it until October. I realized that I should know what was in the bill, because we would have to have some hearings on it. Then I read it and studied it thoroughly.

We had hearings where all of the manufacturers and other interested persons had opportunity to come and present their criticisms of what appeared in that particular bill. I joined them in criticism of many of the features of the measure. A hearing was held on December 7 and 8 of 1933, where these men had an opportunity to find fault with the bill. The bill was modified. Three different prints of the bill were made, and finally it was acted upon by the Commerce Committee and reported on the floor of the Senate, but so late in the session that nothing could be done with it.

Through the summer and fall I had almost daily conferences with the consumer groups, the interested industries, and the Department, seeking to see about further revisions or amendments if they were necessary. The bill was finally presented to the committee and we had another hearing. So already we have had two hearings this session. Then we thought we had reached the point where we might refer the matter to the committee for action.

I may say now that all this time I had the most helpful assistance of the Senator from Oregon [Mr. McNary], whose long experience as chairman of the Committee on Agriculture had given him familiarity with the problems involved in the Bureau of Food and Drugs. I had also the assistance of Senator Caraway who took a very intelligent and active interest in the bill.

Then having presented that bill this year to the committee, ready for report, the committee said, "No, we must have another hearing." So for one steady week, from March 2 to March 9, inclusive, we had further hearings, and out of those hearings came the bill which is now presented for your consideration.

Mr. President, I submit that no interested person can complain that he has not had a full opportunity to make known his wishes and to present any objection which he might have to this legislation.

Out of these various private and public hearings comes this bill, S. 5. It was presented to the Commerce Committee 2 weeks ago, given consideration by that committee, and several amendments were made then. Now we have it before us, and I hope tomorrow to take up these amendments one by one and try to justify them.

Mr. ROBINSON. Mr. President, is the Senator prepared now, or would it be convenient for him now to state the general provisions of the legislation and the purposes thereof?

Mr. COPELAND. I am happy to do that.

Senators will find on their desks a full report on the bill. It gives in detail, section by section, and subsection by subsection, everything which the bill undertakes to do.

What does it undertake to do? In the first place there is a new provision in the bill which is not in existing law; it has to do with the control of false advertising. There is no provision of law at present to regulate advertising of food products except so far as that regulation is in the hands of the Federal Trade Commission.

For 22 years the Federal Trade Commission has had the power to do something about advertising of food and drug products, but they have little power. A matter is brought before them, hearings are held, injunction suits are brought, and so it goes year after year. I know one case brought by a friend of mine which has been kept in court for 5 years, and finally at the end of that time a "cease and desist" order was entered.

I regard the Federal Trade Commission as performing a very useful function having to do with economic needs, unfair trade practices, all those things which have to do with the business interests of these various industries. But what is dealt with in the pending measure is a matter which has to do with the health of the people. No one disputes that the Food and Drug Administration should determine the quality of the product; no one disputes that it should determine what is on the label. Who can raise any question that advertising is really an extension of the label? In the last analysis the Food and Drug Administration would have to pass upon those matters because there is no machinery in the Federal Trade Commission to deal with them.

For this and other reasons, then, we have provided as a new provision of the food and drug bill the control of false advertising.

Is there any question to be raised on that particular feature?

Mr. AUSTIN. I wonder if this would be a good time to ask the Senator from New York whether it is true that the distinction between the kind of work done by the Federal Trade Commission and that intended to be done by the Food and Drug Administration in the proposed legislation is that in the one case—that is, in the case of the Federal Trade Commission—the principal objective is the regulation of competition in interstate and foreign commerce, and therefore concentrates upon the interests of commerce, whereas the objective of the Food and Drug Administration is the consumer, the public, rather than the interest of commerce? Is that the distinction?

Mr. COPELAND. That is exactly the distinction.

Mr. AUSTIN. I thank the Senator.

Mr. COPELAND. The Senator has stated it far better than I could think of doing it. The Federal Trade Commission has to do with the business, with the industry, with its competition with others; to guarantee fair-trade practices. But the proposed legislation has to do with the protection of the individual citizen, to guard him against the taking of food or drugs which are damaging and which may impair his health, or even endanger his life.

Mr. President, I do not want to hold the Senate longer. I will say a few words more and then, as far as I am concerned, I am through for the day. I revert to the matter of advertising.

In the original bill, the bill which was introduced in June of 1933, arbitrary power was given to the Secretary of Agriculture. Since that time there have been various modifications, until now we have worked out, I think, a good provision, particularly as to advertising. I may say for the advertising features of the bill that the advertising association, the group of men who are in advertising professionally, are heartily in favor of the bill. Two national organizations of publishers, representing about 90 percent of the newspaper and magazine industry, have given their endorsement to this bill. The National Editorial Association has for 50 years been the spokesman for the small daily and weekly newspapers of this country. It is an organization having an affiliated membership of 10,000 newspapers, the so-called "country press"—dailies and weeklies familiar to those who have lived in the small towns.

The bill furthermore has the approval of the National Publishers' Association, representing the magazine group. The membership has publicly endorsed this measure. The periodicals in this organization have a per issue circulation in excess of 50,000,000. They have periodicals of Nation-wide circulation, as well as business, fraternal, religious, and farm papers belonging to their association.

The only newspaper groups asking for transfer of the advertising section enforcement to the Federal Trade Commission is the American Newspaper Publishers' Association, which, according to the testimony before the Senate Commerce Committee, represents 400 daily newspapers. I have been informed that their membership is largely in the big cities. Undoubtedly they have many small city dailies on their rolls.

It seems to me, in view of this situation, that it would be unfair to say that the publishing industry wants the control over advertising transferred to the Federal Trade Commission. Briefly, a vast majority of newspapers and magazines are willing to have the control of advertising in the Department.

I may say about advertising, and that applies not alone to advertising in print, but also to radio advertising, that responsibility is placed upon the manufacturer who supplies the copy or the material. That is where the responsibility ought to lie. The man who disseminates the advertising only puts out what is given him by the manufacturer. So far as the magazine and the newspaper and the radio, the disseminators of the advertising, are concerned, they are guarded by placing the responsibility where it belongs. So long as they have on file statements from the manufacturers they have nothing to fear from the bill.

The fact is that all through this bill runs the thought that the honest manufacturer, the honest producer, the honest advertiser, the men and women who are engaged in industries covered by this bill, have nothing to fear so long as they tell the truth about their products. The purpose of the bill is to guarantee truthfulness in advertising, and to make certain that the products which are sold under such advertising and under the bill itself may be products which are safe for human consumption.

Mr. President, unless some Senator has a question to ask, I will not continue further.

Mr. SCHWELLENBACH. Mr. President——

Mr. COPELAND. I yield to the Senator from Washington.

Mr. SCHWELLENBACH. I should like to ask a question. In the Northwestern section we pack for consumption in other portions of the country various products, the chief product being fish, and we also pack fresh fruit and can them in various ways and send them to other sections of the country. During the past 15 years, representing a large number of small packers, I have had numerous personal experiences with the Food and Drug Administration. They would make an examination of fish, for example, in a warehouse in the city of Seattle. On numerous occasions I personally have attempted to get the Food and Drug Administration to give us a decision there in the State of Washington as to whether or not they believed that the products which we proposed to ship conformed to the Food and Drug Act, but it has been impossible to get a decision at the point of packing or at the point of shipping. For example, 2 years ago a client of mine had a large shipment of fish which he had sold in the city of New York. Three sets of samples were taken from that pack of fish, examination was made of the samples, and I attempted over a period of time to have the Department say whether or not they believed that shipment complied with the Pure Food and Drug Act. We have there two separate, independent agencies that make examinations for the same purposes; both those agencies indicated that they believed the shipment referred to complied with the act, and yet it was impossible to secure any decision at the point of shipment as to the opinion of the Department.

We were told then, as I have been repeatedly told over a period of 15 years, that my client could ship his goods to New York or St. Louis or Georgia or some other part of the United States and then, when the goods reached the point where they were sold, the Department would determine whether or not it wanted to seize the shipment; and if it seized the shipment there, the people living in the State of Washington would be compelled to go to New York or St. Louis or Georgia or some other section of the United States and start an action for the repossession of their goods.

Is there any provision in this proposed act which will place upon the Department the necessity of making its examination at the point of packing if it is within the United States or at the point of shipment from a place in the United States and not so unreasonably place upon those who ship the goods the necessity of going to the point of ultimate sale before they may know whether or not the Department considers that they have complied with the law?

Mr. COPELAND. Let me say in reply to the Senator from Washington that last year the then Senator from Mississippi, Mr. Stephens, who had identical conditions to deal with in his State, secured the adoption of an amendment to the Food and Drug Act providing for exactly what the Senator has in mind—the local inspection to determine at the scene of operations whether or not the product was a proper one to use and to ship. That bill, a copy of which I will hand to the Senator, provides:

SEC. 10A. The Secretary of Agriculture, upon application of any packer of any sea food sold in interstate commerce, may at his discretion designate supervisory inspectors to examine and inspect all premises, equipment, methods, materials, containers, and labels used by such applicants in the production of such food. If the food is found to conform to the requirements of this act, the applicant shall be authorized, in accordance with regulations prescribed by the Secretary of Agriculture, to mark the food so as to indicate such conformity.

Then the goods may be sent in interstate commerce without embarrassment.

I think probably the Senator will find that there is now such a provision of law. In order to protect the very interests he has in mind—and it is a proper protection to accord them—the Senator will find on page 56, the last page of the bill, beginning at line 2, the following proviso:

And provided further, That amendment to the Food and Drugs Act, section 10 A, approved June 22, 1934, shall remain in force and effect and be applicable to the provisions of this act.

So the situation to which the Senator from Washington refers is fully protected.

Mr. SCHWELLENBACH. I thank the Senator.

Mr. COPELAND. Mr. President, there are, of course, some controversial features in this bill which I have not attempted to go into today. I have no doubt in the debate they will be discussed, but, with a considerable background of experience in the matter of protecting the public in this field, I am here to say that I am satisfied we have here a proposed statute which will make for the safety of the citizens, protect them against harmful drugs, foods, and cosmetics, and protect the honest manufacturer by helping him to make his unworthy competitors conform to decent standards. Furthermore, it will not interfere with the honest expressions of opinion in publications, will not interfere with harmless trade "puffing", and will, at the same time, give ample protection so far as can be done by the enactment of law, to persons who are now suffering because of harmful practices, but who can be protected in view of the advanced knowledge gained during the last quarter of a century. In my judgment the bill will serve to give a degree of safety to the citizens, to the women, the babies, the children, the housewives of the Nation, and go far toward overcoming the evils which have been perpetuated and from which our citizens have suffered baneful effects.

Mr. LONG. Mr. President, the Senator is familiar with antiseptics?

Mr. COPELAND. Yes; I am.

Mr. LONG. What would this bill, if enacted, do to antiseptics?

Mr. COPELAND. If the Senator from Missouri [Mr. CLARK] were here, we could have that question threshed out now. There is no other part of the bill which has been so much discussed and so carefully studied as has that one. The Senator from Missouri and I have been in conferences, and we think we have found language which will satisfy those who are interested, and, at the same time, afford the public full protection. We will discuss that, if the Senator does not mind, when the Senator from Missouri shall be present.

If there is no other question desired to be asked, I will yield the floor to the leader of the majority.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4442) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1936, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ARNOLD, Mr. LUDLOW, Mr. BOYLAN, Mr. GRANFIELD, Mr. O'NEAL, Mr. TABER, and Mr. MCLEOD were appointed managers on the part of the House at the conference.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

Mr. COPELAND. It being understood that the bill which has been under consideration will be under consideration tomorrow?

Mr. ROBINSON. It is under consideration.

The PRESIDING OFFICER (Mr. MCGILL in the chair). The question is on the motion of the Senator from Arkansas.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. BURKE, from the Committee on the Judiciary, reported favorably the nomination of Joseph T. Votava, of Nebraska, to be United States attorney, district of Nebraska, vice Charles E. Sandall, term expired.

He also (for Mr. DIETERICH), from the Committee on the Judiciary, reported favorably the nomination of Howard L. Doyle, of Illinois, to be United States attorney, southern district of Illinois, to succeed Frank K. Lemon, term expired.

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. The reports will be received and placed on the Executive Calendar. If there be no further reports of committees, the clerk will state the first business in order on the calendar.

INTER-AMERICAN ARBITRATION TREATY

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive F (73d Cong., 2d sess.), a general treaty of inter-American arbitration, signed at Washington on January 5, 1929, which was read the second time, as follows:

THE INTERNATIONAL CONFERENCE OF AMERICAN STATES ON CONCILIATION AND ARBITRATION, WASHINGTON, DECEMBER 10, 1928–JANUARY 5, 1929

GENERAL TREATY OF INTER-AMERICAN ARBITRATION

The Governments of Venezuela, Chile, Bolivia, Uruguay, Costa Rica, Perú, Honduras, Guatemala, Haiti, Ecuador, Colombia, Brazil, Panamá, Paraguay, Nicaragua, Mexico, El Salvador, the Dominican Republic, Cuba, and the United States of America, represented at the Conference on Conciliation and Arbitration, assembled at Washington, pursuant to the Resolution adopted on February 18, 1928, by the Sixth International Conference of American States held in the city of Habana;

In accordance with the solemn declarations made at said Conference to the effect that the American Republics condemn war as an instrument of national policy and adopt obligatory arbitration as the means for the settlement of their international differences of a juridical character;

Being convinced that the Republics of the New World, governed by the principles, institutions, and practices of democracy and bound, furthermore, by mutual interests, which are increasing each day, have not only the necessity but also the duty of avoiding the disturbance of continental harmony whenever differences which are susceptible of judicial decision arise among them;

Conscious of the great moral and material benefits which peace offers to humanity and that the sentiment and opinion of America demand, without delay, the organization of an arbitral system which shall strengthen the permanent reign of justice and law;

And animated by the purpose of giving conventional form to these postulates and aspirations with the minimum exceptions which they have considered indispensable to safeguard the independence and sovereignty of the States and in the most ample manner possible under present international conditions, have resolved to effect the present treaty, and for that purpose have designated the Plenipotentiaries hereinafter named:

Venezuela:
Carlos F. Grisanti.
Francisco Arroyo Parejo.
Chile:
Manuel Foster Recabarren.
Antonio Planet.
Bolivia:
Eduardo Diez de Medina.
Uruguay:
José Pedro Varela.
Costa Rica:
Manuel Castro Quesada.
José Tible-Machado.
Perú:
Hernán Velarde.
Victor M. Maúrtua.
Honduras:
Rómulo Durón.
Marcos López Ponce.
Guatemala:
Adrián Recinos.
José Falla.
Haití:
Auguste Bonamy.
Raoul Lizaire.
Ecuador:
Gonzalo Zaldumbide.
Colombia:
Enrique Olaya Herrera.
Carlos Escallón.
Brazil:
S. Gurgel do Amaral.
A. G. de Araujo-Jorge.
Panamá:
Ricardo J. Alfaro.
Carlos L. López.
Paraguay:
Eligio Ayala.
Nicaragua:
Maximo H. Zepeda.
Adrian Recinos.
J. Lisandro Medina.
Mexico:
Fernando González Roa.
Benito Flores.
El Salvador:
Cayetano Ochoa.
David Rosales, Jr.
Dominican Republic:
Angel Morales.
Gustavo A. Díaz
Cuba:
Orestes Ferrara.
Gustavo Gutiérrez.
United States of America:
Frank B. Kellogg.
Charles Evans Hughes.

Who, after having deposited their full powers, found in good and due form by the Conference, have agreed upon the following:

ARTICLE 1

The High Contracting Parties bind themselves to submit to arbitration all differences of an international character which have arisen or may arise between them by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy and which are juridical in their nature by reason of being susceptible of decision by the application of the principles of law.

There shall be considered as included among the questions of juridical character:

(a) The interpretation of a treaty;

(b) Any question of international law;

(c) The existence of any fact which, if established, would constitute a breach of an international obligation;

(d) The nature and extent of the reparation to be made for the breach of an international obligation.

The provisions of this treaty shall not preclude any of the Parties before resorting to arbitration, from having recourse to procedures of investigation and conciliation established in conventions then in force between them.

ARTICLE 2

There are excepted from the stipulations of this treaty the following controversies:

(a) Those which are within the domestic jurisdiction of any of the Parties to the dispute and are not controlled by international law; and

(b) Those which affect the interest or refer to the action of a State not a Party to this treaty.

ARTICLE 3

The arbitrator or tribunal who shall decide the controversy shall be designated by agreement of the Parties.

In the absence of an agreement the following procedure shall be adopted:

Each Party shall nominate two arbitrators, of whom only one may be a national of said Party or selected from the persons whom said Party has designated as members of the Permanent Court of Arbitration at The Hague. The other member may be of any other American nationality. These arbitrators shall in turn select a fifth arbitrator who shall be the president of the court.

Should the arbitrators be unable to reach an agreement among themselves for the selection of a fifth American arbitrator, or in lieu thereof, of another who is not, each Party shall designate a non-American member of the Permanent Court of Arbitration at The Hague, and the two persons so designated shall select the fifth arbitrator, who may be of any nationality other than that of a Party to the dispute.

ARTICLE 4

The Parties to the dispute shall formulate by common accord, in each case, a special agreement which shall clearly define the particular subject-matter of the controversy, the seat of the court, the rules which will be observed in the proceedings, and the other conditions to which the Parties may agree.

If an accord has not been reached with regard to the agreement within three months reckoned from the date of the installation of the court, the agreement shall be formulated by the court.

ARTICLE 5

In case of death, resignation or incapacity of one or more of the arbitrators the vacancy shall be filled in the same manner as the original appointment.

ARTICLE 6

When there are more than two States directly interested in the same controversy, and the interests of two or more of them are similar, the State or States who are on the same side of the question may increase the number of arbitrators on the court, provided that in all cases the Parties on each side of the controversy shall appoint an equal number of arbitrators. There shall also be a presiding arbitrator selected in the same manner as that provided in the last paragraph of Article 3, the Parties on each side of the controversy being regarded as a single Party for the purpose of making the designation therein described.

ARTICLE 7

The award, duly pronounced and notified to the Parties, settles the dispute definitely and without appeal.

Differences which arise with regard to its interpretation or execution shall be submitted to the decision of the court which rendered the award.

ARTICLE 8

The reservations made by one of the High Contracting Parties shall have the effect that the other Contracting Parties are not bound with respect to the Party making the reservations except to the same extent as that expressed therein.

ARTICLE 9

The present treaty shall be ratified by the High Contracting Parties in conformity with their respective constitutional procedures.

The original treaty and the instruments of ratification shall be deposited in the Department of State of the United States of America which shall give notice of the ratifications through diplomatic channels to the other signatory Governments and the treaty shall enter into effect for the High Contracting Parties in the order that they deposit their ratifications.

This treaty shall remain in force indefinitely, but it may be denounced by means of 1 year's previous notice at the expiration of which it shall cease to be in force as regards the Party denouncing the same, but shall remain in force as regards the other signatories. Notice of the denunciation shall be addressed to the Department of State of the United States of America which will transmit it for appropriate action to the other signatory governments.

Any American State not a signatory of this treaty may adhere to the same by transmitting the official instrument setting forth such adherence to the Department of State of the United States of America which will notify the other High Contracting Parties thereof in the manner heretofore mentioned.

In witness whereof the above-mentioned plenipotentiaries have signed this treaty in English, Spanish, Portuguese, and French and hereunto affix their respective seals.

Done at the city of Washington, on this 5th day of January, 1929.

[Translation]

The Delegation of Venezuela signs the present Treaty of Arbitration with the following reservations:

First. There shall be excepted from this Treaty those matters which, according to the Constitution or the laws of Venezuela, are under the jurisdiction of its courts; and, especially, those matters relating to percuniary claims of foreigners. In such matters, arbitration shall not be resorted to except when, legal remedies having been exhausted by the claimant, it shall appear that there has been a denial of justice.

Second. There shall also be excepted those matters controlled by international agreements now in force.

[SEAL] CARLOS F. GRISANTI
[SEAL] FR. ARROYO PAREJO

[Translation]

Chile does not accept obligatory arbitration for questions which have their origin in situations or acts antedating the present Treaty, nor does it accept obligatory arbitration for those questions which, being under the exclusive competency of the national jurisdiction, the interested parties claim the right to withdraw from the cognizance of the established judicial authorities, unless said authorities decline to pass judgment on any action or exception which any natural or juridical foreign person may present to them in the form established by the laws of the country.

[SEAL] MANUEL FOSTER
[SEAL] A. PLANET

[Translation]

The Delegation of Bolivia, in accordance with the doctrine and policy invariably maintained by Bolivia in the field of international jurisprudence, gives full adherence to and signs the General Treaty of Inter-American Arbitration which the Republics of America are to sanction, formulating the following express reservations:

First. There may be excepted from the provisions of the present agreement questions arising from acts occurring or conventions concluded before the said treaty goes into effect, as well as those which, in conformity with international law, are under the exclusive jurisdiction of the state.

Second. It is also understood that, for the submission to arbitration of a territorial controversy or dispute, the zone to which the said arbitration is to apply must be previously determined in the arbitral agreement.

[SEAL] E. DIEZ DE MEDINA.

[Translation]

I vote in favor of the Treaty of Arbitration, with the reservation formulated by the Delegation of Uruguay at the Fifth Pan American Conference, favoring broad arbitration; and with the understanding that arbitration will be resorted to only in case of denial of justice, when the national tribunals have jurisdiction, according to the legislation of their own country.

[SEAL] JOSÉ PEDRO VARELA.

[Translation]

Reservations of Costa Rica:

(a) The obligations contracted under this treaty do not annul, abrogate, or restrict the arbitration conventions which are now in force between Costa Rica and another or others of the high contracting parties and do not involve arbitration, disavowal, or renewed discussion of questions which may have already been settled by arbitral awards.

(b) The obligations contracted under this treaty do not involve the arbitration of judgments handed down by the courts of Costa Rica in civil cases which may be submitted to them with regard to which the interested parties have recognized the jurisdiction of said courts.

[SEAL] MANUEL CASTRO QUESADA
[SEAL] JOSÉ TIBLE-MACHADO
[SEAL] HERNÁN VELARDE
[SEAL] VICTOR M. MAÚRTUA

[Translation]

The Delegation of Honduras, in signing the present treaty, formulates an express reservation making it a matter of record that the provisions thereof shall not be applicable to pending international questions or controversies or to those which may arise in the future relative to acts prior to the date on which the said treaty goes into effect.

[SEAL] RÓMULO E. DURÓN
[SEAL] M. LÓPEZ PONCE

[Translation]

The Delegation of Guatemala makes the following reservations:

1. In order to submit to arbitration any questions relating to the boundaries of the nation, the approval of the Legislative Assembly must first be given, in each case, in conformity with the Constitution of the Republic.

2. The provisions of the present Convention do not alter or modify the conventions and treaties previously entered into by the Republic of Guatemala.

[SEAL] ADRIÁN RECONOS
[SEAL] JOSÉ FALLA
[SEAL] A. BONAMY
[SEAL] RAOUL LIZAIRE

[Translation]

The Delegation of Ecuador, pursuant to instructions of its Government, reserves from the jurisdiction of the obligatory arbitration agreed upon in the present treaty:

1. Questions at present governed by conventions or treaties now in effect;

2. Those which may arise from previous causes or may result from acts preceding the signature of this treaty;

3. Pecuniary claims of foreigners who may not have previously exhausted all legal remedies before the courts of justice of the country, it being understood that such is the interpretation and the extent of the application which the Government of Ecuador has always given to the Buenos Aires Convention of August 11, 1910.

[SEAL] GONZALO ZALDUMBIDE

[Translation]

The Delegation of Colombia signs the foregoing Convention with the following two declarations or reservations:

First. The obligations which the Republic of Colombia may contract thereby refer to the differences which may arise from acts subsequent to the ratification of the Convention;

Second. Except in the case of a denial of justice, the arbitration provided for in this Convention is not applicable to the questions

which may have arisen or may arise between a citizen, an association, or a corporation of one of the parties and the other contracting state when the judges or courts of the latter state are, in accordance with its legislation, competent to settle the controversy.

[SEAL] ENRIQUE OLAYA HERRERA
[SEAL] C. ESCALLÓN
[SEAL] S. GURGEL DO AMARAL
[SEAL] A. ARAUJO-JORGE
[SEAL] R. J. ALFARO
[SEAL] CARLOS L. LÓPEZ

[Translation]

Reservation of the Delegation of Paraguay:

I sign this treaty with the reservation that Paraguay excludes from its application questions which directly or indirectly affect the integrity of the national territory and are not merely questions of frontiers or boundaries.

[SEAL] ELIGIO AYALA
MÁXIMO H. ZEPEDA
[SEAL] ADRIÁN RECINOS
J. LISANDRO MEDINA

[Translation]

Mexican Reservation:

Mexico makes the reservation that differences which fall under the jurisdiction of the courts, shall not form a subject of the procedure provided for by the convention, except in case of denial of justice, and until after the judgment passed by the competent national authority has been placed in the class of *res judicata*.

[SEAL] FERNANDO GONZÁLEZ ROA
BENITO FLORES

[Translation]

The Delegation of El Salvador to the Conference on Conciliation and Arbitration assembled in Washington accepts and signs the General Treaty of Inter-American Arbitration concluded this day by said Conference, with the following reservations or restrictions:

1. After the words of paragraph 1 of Article 1 reading: "under treaty or otherwise", the following words are to be added: "subsequent to the present convention". The article continues without any other modification.

2. Paragraph (a) of Article 2 is accepted by the Delegation without the final words which read: "and are not controlled by international law", which should be considered as eliminated.

3. This treaty does not include controversies or differences with regard to points or questions which, according to the Political Constitution of El Salvador, must not be submitted to arbitration, and

4. Pecuniary claims against the nation shall be decided by its judges and courts, since they have jurisdiction thereof, and recourse shall be had to international arbitration only in the cases provided in the Constitution and laws of El Salvador, that is in cases of denial of justice or unusual delay in the administration thereof.

[SEAL] CAYETANO OCHOA
[SEAL] DAVID ROSALES, HIJO

[Translation]

The Dominican Republic, in signing the General Treaty of Inter-American Arbitration, does so with the understanding that controversies relating to questions which are under the jurisdiction of its courts shall not be referred to arbitral jurisdiction except in accordance with the principles of international law.

[SEAL] A. MORALES
[SEAL] G. A. DÍAZ
[SEAL] ORESTES FERRARA
[SEAL] GUSTAVO GUTIÉRREZ
[SEAL] FRANK B. KELLOGG
[SEAL] CHARLES EVANS HUGHES

Mr. PITTMAN. Mr. President, this is a treaty of inter-American arbitration. It was recommended at Habana in February 1928; it was prepared in December 1928; it was signed at Washington on January 5, 1929. It provides for the selection of arbitrators in the event of disputes between American governments. It does not preclude, however, the submission of any question or dispute to other arbitral boards or to investigation and conciliation.

In 1932 this treaty was ratified by the Senate of the United States with two reservations. The first reservation reads as follows:

With the understanding, to be made a part of such ratification, that the special agreement in each case shall be made only by the President, and then only by and with the advice and consent of the Senate, notwithstanding any provisions of the treaty to the contrary.

The second reservation was as follows:

Also, with the understanding, to be made a part of such ratification, that the provisions of this treaty shall not be applicable to pending international questions or controversies or to those which may arise in the future relative to acts prior to the date on which said treaty goes into effect, or to controversies arising under treaties negotiated prior to the date on which said treaty goes into effect.

The second reservation was construed by the State Department substantially to nullify the arbitration treaty. It so limited its scope that the treaty would add nothing to the existing treaties with regard to investigation or conciliation, and therefore ratifications were not exchanged. The treaty was sent back to the Senate and referred to the Foreign Relations Committee. The committee heard representatives of the State Department with regard to the matter and came to the conclusion that the second reservation was entirely unnecessary by reason of the terms of the treaty itself and by reason of the fact that it must be ratified by two-thirds of the United States Senate.

It will be observed that in the body of the treaty itself it is provided:

There are excepted from the stipulations of this treaty the following controversies:

(a) Those which are within the domestic jurisdiction of any of the parties to the dispute and are not controlled by international law; and

(b) Those which affect the interest or refer to the action of a state not a party to this treaty.

There is in addition to that in the body of the treaty the following article:

ARTICLE 4

The parties to the dispute shall formulate by common accord in each case a special agreement which shall clearly define the particular subject matter of the controversy, the seat of the court, the rules which will be observed in the proceedings, and the other conditions to which the parties may agree.

If an accord has not been reached with regard to the agreement within 3 months reckoned from the date of the installation of the court, the agreement shall be formulated by the court.

In view of these exceptions and limitations in the treaty itself, the Foreign Relations Committee unanimously considered the second reservation entirely unnecessary. We did, however, strengthen the first reservation by adding the following:

With the understanding, to be made a part of such ratification, that the special agreement in each case shall be made only by the President, and then only by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur.

That last proviso is an addition to the reservation which we adopted in 1932.

The committee was unanimous in its report. The treaty of arbitration between the Americas expressly provides that the parties shall select their own tribunal or court; that there shall be a special agreement governing it all; that if they cannot agree on a special court, then each of the parties to the controversy shall select two representatives from their own country who shall select a fifth, who shall not be a national of either of the countries involved in the dispute; that in the event those four are unable to agree on the fifth, then they shall select from their representatives at The Hague a representative each, and such representatives shall select a fifth.

It is a very flexible treaty. It has been approved by nearly all the South American countries. It has been discussed for several years and is considered a very valuable addition to our arbitration treaties.

In view of the fact that it was ratified heretofore, in view of the fact that the committee has unanimously reported it favorably after investigating the whole subject, coming up to date on the correspondence and on the statistics, I feel that at this time the Senate should advise and consent to the treaty.

The PRESIDING OFFICER. If there be no amendment, the treaty will be reported to the Senate.

The treaty was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification, with the reservation reported by the committee, will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive F, Seventy-third Congress, second session, a general treaty of inter-American arbitration, signed at Washington on January 5, 1929, with the understanding, to be made a part of such ratification,

that the special agreement in each case shall be made only by the President, and then only by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur.

The PRESIDING OFFICER. The question is on agreeing to the reservation to the resolution of ratification.

The reservation was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification as amended by the reservation. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification, as amended by the reservation, is agreed to, and the treaty is ratified.

TREATY RELATING TO BILLS OF LADING FOR CARRIAGE OF GOODS BY SEA

The Senate, as in Committee of the Whole, proceeded to consider Executive E (69th Cong., 2d sess.), relating to bills of lading for the carriage of goods by sea and the protocol of signature thereto, which was signed on behalf of the United States by the American Ambassador at Brussels on June 23, 1925, which was read the second time, as follows:

INTERNATIONAL CONVENTION FOR THE UNIFICATION OF CERTAIN RULES RELATING TO BILLS OF LADING

The President of the German Republic, the President of the Argentine Republic, His Majesty the King of the Belgians, the President of the Republic of Chile, the President of the Republic of Cuba, His Majesty the King of Denmark, His Majesty the King of Spain, the Chief of the Estonian State, the President of the United States of America, the President of the Republic of Finland, the President of the French Republic, His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Possessions beyond the seas, Emperor of India, the Regent of the Kingdom of Hungary, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Latvia, the President of the Republic of Mexico, His Majesty the King of Norway, Her Majesty the Queen of the Netherlands, the President of the Republic of Peru, the President of the Republic of Poland, the President of the Portuguese Republic, His Majesty the King of Rumania, His Majesty the King of the Serbs, Croats and Slovenes, His Majesty the King of Sweden and the President of the Republic of Uruguay.

Having recognized the utility of laying down in common accord certain uniform rules relating to bills of lading have decided to conclude a Convention to that effect and have designated as their Plenipotentiaries, namely:

The President of the German Republic:
His Excellency Mr. von Keller, Minister of Germany at Brussels.
The President of the Argentine Republic:
His Majesty the King of the Belgians:
Mr. L. Franck, Minister of Colonies, President of the International Maritime Committee;
Mr. A. Le Jeune, Senator, Vice President of the International Maritime Committee;
Mr. F. Sohr, Doctor of Law, Secretary General of the International Maritime Committee; Professor at the University of Brussels.
The President of the Republic of Chile;
The President of the Republic of Cuba;
His Majesty the King of Denmark;
His Majesty the King of Spain;
His Excellency the Marquis of Villalobar and Guimarey, Ambassador of Spain at Brussels.
Chief of the Estonian State:
His Excellency Mr. Pusta, Minister of Estonia at Brussels.
The President of the United States of America:
His Excellency Mr. William Phillips, Ambassador of the United States at Brussels.
The President of the Republic of Finland:
The President of the French Republic:
His Excellency Mr. M. Harbette, Ambassador of France at Brussels.
His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Possessions beyond the seas, Emperor of India:
His Excellency the Right Honorable Sir George Grahame, G. C. V. O., K. C. M. G., Ambassador of His Britannic Majesty at Brussels.
The Regent of the Kingdom of Hungary:
Count Olivier Woracziczky, Baron of Pabienitz Chargé d'Affaires of Hungary at Brussels.
His Majesty the King of Italy:
Mr. J. Daneo, Charge d'Affaires ad interim of Italy at Brussels
His Majesty the Emperor of Japan:
His Excellency Mr. M. Adatci, Ambassador of Japan at Brussels.
The President of the Republic of Latvia:
The President of the Republic of Mexico:
His Majesty the King of Norway:
Her Majesty the Queen of the Netherlands:
The President of the Republic of Peru:
The President of the Republic of Poland:
His Excellency Count Jean Szembek, Minister of Poland at Brussels.
The President of the Portuguese Republic:
His Majesty the King of Rumania:
His Excellency Mr. Henry Catargi, Minister of Rumania at Brussels.
His Majesty the King of the Serbs, Croats and Slovenes:
Messrs. Straznicky and Verona
His Majesty the King of Sweden:
The President of the Republic of Uruguay:
Who, duly authorized therefor have agreed on the following:

ARTICLE 1

In this convention the following words are employed with the meaning set out below:

(a) "Carrier" includes the owner of the vessel or the charterer who enters into a contract of carriage with a shipper.

(b) "Contract of carriage" applies only to contracts of carriage covered by a bill of lading or any similar document of title, in so far as such document relates to the carriage of goods by sea; it also applies to any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such instrument regulates the relations between a carrier and a holder of the same.

(c) "Goods" includes goods, wares, merchandise, and articles of every kind whatsoever except live animals and cargo which by the contract of carriage is stated as being carried on deck and is so carried.

(d) "Ship" means any vessel used for the carriage of goods by sea.

(e) "Carriage of goods" covers the period from the time when the goods are loaded on to the time they are discharged from the ship.

ARTICLE 2

Subject to the provisions of Article 6 under every contract of carriage of goods by sea the carrier, in relation to the loading, handling, stowage, carriage, custody, care, and discharge of such goods shall be subject to the responsibilities and liabilities, and entitled to the rights and immunities hereinafter set forth.

ARTICLE 3

1. The carrier shall be bound before and at the beginning of the voyage to exercise due diligence to—

(a) Make the ship seaworthy:

(b) Properly man, equip, and supply the ship:

(c) Make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried, fit and safe for their reception, carriage, and preservation.

2. Subject to the provisions of Article 4 the carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried.

3. After receiving the goods into his charge the carrier or the master or agent of the carrier shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things:

(a) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of the voyage;

(b) Either the number of packages or pieces, or the quantity, or weight, as the case may be, as furnished in writing by the shipper;

(c) The apparent order and condition of the goods;

Provided that no carrier, master, or agent of the carrier shall be bound to state or show in the bill of lading any marks, number, quantity, or weight which he has reasonable grounds for suspecting not accurately to represent the goods actually received or which he has had no reasonable means of checking.

4. Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with paragraph 3 (a), (b), and (c).

5. The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him, and the shipper shall indemnify the carrier against all loss, damages, and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.

6. Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into the custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the carrier of the goods as described in the bill of lading.

If the loss or damage is not apparent, the notice must be given within three days of the delivery.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

In any event the carrier and the ship shall be discharged from all liability in respect of loss or damage unless suit is brought within 1 year after delivery of the goods or the date when the goods should have been delivered.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

7. After the goods are loaded the bill of lading to be issued by the carrier, master, or agent of the carrier to the shipper shall, if the shipper so demands, be a "shipped" bill of lading, provided that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading. At the option of the carrier such document of title may be noted at the port of shipment by the carrier, master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted, if it shows the particulars mentioned in paragraph 3 of article 3, it shall for the purpose of this article be deemed to constitute a "shipped" bill of lading.

8. Any clause, covenant, or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with goods arising from negligence, fault, or failure in the duties and obligations provided in this article, or lessening such liability otherwise than as provided in this convention, shall be null and void and of no effect. A benefit of insurance in favor of the carrier or similar clause shall be deemed to be a clause relieving the carrier from liability.

ARTICLE 4

1. Neither the carrier nor the ship shall be liable for loss or damage arising or resulting from unseaworthiness unless caused by want of due diligence on the part of the carrier to make the ship seaworthy and to secure that the ship is properly manned, equipped, and supplied and to make the holds, refrigerating and cool chambers, and all other parts of the ship in which goods are carried fit and safe for their reception, carriage, and preservation in accordance with the provisions of paragraph 1 of article 3. Whenever loss or damage has resulted from unseaworthiness, the burden of proving the exercise of due diligence shall be on the carrier or other person claiming exemption under this article.

2. Neither the carrier nor the ship shall be responsible for loss or damage arising or resulting from:

(a) Act, neglect, or default of the master, mariner, pilot, or the servants of the carrier in the navigation or in the management of the ship.

(b) Fire, unless caused by the actual fault or privity of the carrier.

(c) Perils, dangers, and accidents of the sea or other navigable waters.

(d) Act of God.

(e) Act of war.

(f) Act of public enemies.

(g) Arrest of restraint of prices, rules, or people or seizure under legal process.

(h) Quarantine restrictions.

(i) Act or omission of the shipper or owner of the goods, his agent, or representative.

(j) Strikes or lockouts or stoppage or restraint of labor from whatever cause, whether partial or general.

(k) Riots and civil commotions.

(l) Saving or attempting to save life or property at sea.

(m) Wastage in bulk or weight or any other loss or damage arising, from inherent defect, quality, or vice of the goods.

(n) Insufficiency of packing.

(o) Insufficiency or inadequacy of marks.

(p) Latent defects not discoverable by due diligence.

(q) Any other cause arising without the actual fault or privity of the carrier, or without the fault or neglect of the agents or servants of the carrier, but the burden of proof shall be on the person claiming the benefit of this exception to show that neither the actual fault or privity of the carrier nor the fault or neglect of the agents or servants of the carrier contributed to the loss or damage.

3. The shipper shall not be responsible for loss or damage sustained by the carrier or the ship arising or resulting from any cause without the act, fault, or neglect of the shipper, his agents, or his servants.

4. Any deviation in saving or attempting to save life or property at sea or any reasonable deviation shall not be deemed to be an infringement or breach of this convention or of the contract of carriage, and the carrier shall not be liable for any loss or damage resulting therefrom.

5. Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding 100 pounds sterling per package or unit or the equivalent of that sum in other currency unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading.

This declaration, if embodied in the bill of lading, shall be prima facie evidence but shall not be binding or conclusive on the carrier.

By agreement between the carrier, master, or agent of the carrier and the shipper another maximum amount than that mentioned in this paragraph may be fixed, provided that such maximum shall not be less than the figure above named.

Neither the carrier nor the ship shall be responsible in any event for loss or damage to, or in connection with, goods if the nature or value thereof has been knowingly misstated by the shipper in the bill of lading.

6. Goods of an inflammable, explosive, or dangerous nature to the shipment whereof the carrier, master, or agent of the carrier has not consented with knowledge of their nature and character may at any time before discharge be landed at any place or destroyed or rendered innocuous by the carrier without compensation, and the shipper of such goods shall be liable for all damages and expenses directly or indirectly arising out of or resulting from such shipment. If any such goods shipped with such knowledge and consent shall become a danger to the ship or cargo, they may in like manner be landed at any place or destroyed or rendered innocuous by the carrier without liability on the part of the carrier except to general average, if any.

ARTICLE 5

A carrier shall be at liberty to surrender in whole or in part all or any of his rights and immunities, or to increase any of his responsibilities and liabilities under this convention provided such surrender or increase shall be embodied in the bill of lading issued to the shipper.

The provisions of this convention shall not be applicable to charter parties, but if bills of lading are issued in the case of a ship under a charter-party they shall comply with the terms of this convention. Nothing in these rules shall be held to prevent the insertion in a bill of lading of any lawful provision regarding general average.

ARTICLE 6

Notwithstanding the provisions of the preceding articles, a carrier, master, or agent of the carrier and a shipper shall in regard to any particular goods be at liberty to enter into any agreement in any terms as to the responsibility and liability of the carrier for such goods, and as to the rights and immunities of the carrier in respect of such goods, or concerning his obligation as to seaworthiness so far as this stipulation is not contrary to public policy, or concerning the care or diligence of his servants or agents in regard to the loading, handling, stowage, carriage, custody, care, and discharge of the goods carried by sea, provided that in this case no bill of lading has been or shall be issued and that the terms agreed shall be embodied in a receipt which shall be a nonnegotiable document and shall be marked as such.

Any agreement so entered into shall have full legal effect:

Provided that this article shall not apply to ordinary commercial shipments made in the ordinary course of trade, but only to other shipments where the character or condition of the property to be carried or the circumstances, terms, and conditions under which the carriage is to be performed are such as reasonably to justify a special agreement.

ARTICLE 7

Nothing herein contained shall prevent a carrier or a shipper from entering into any agreement, stipulation, condition, reservation, or exemption as to the responsibility and liability of the carrier or the ship for the loss or damage to, or in connection with, the custody and care and handling of goods prior to the loading on, and subsequent to the discharge from, the ship on which the goods are carried by sea.

ARTICLE 8

The provisions of this convention shall not affect the rights and obligations of the carrier under any statute for the time being in force relating to the limitation of the liability of owners of seagoing vessels.

ARTICLE 9

The monetary units mentioned in this convention are to be taken to be gold value.

Those contracting states in which the pound sterling is not a monetary unit reserve to themselves the right of translating the sums indicated in this convention in terms of pound sterling into terms of their own monetary system in round figures.

The national laws may reserve to the debtor the right of discharging his debt in national currency according to the rate of exchange prevailing on the day of the arrival of the ship at the port of discharge of the goods concerned.

ARTICLE 10

The provisions of this convention shall apply to all bills of lading issued in any of the contracting States.

ARTICLE 11

After an interval of not more than two years from the day on which the convention is signed, the Belgian Government shall place itself in communication with the governments of the high contracting parties which have declared themselves prepared to ratify the convention, with a view to deciding whether it shall be put into force. The ratifications shall be deposited at Brussels at a date to be fixed by agreement among the said governments. The first deposit of ratifications shall be recorded in a procès-verbal signed by the representatives of the powers which take part therein and by the Belgian Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Belgian Government and accompanied by the instrument of ratification.

A duly certified copy of the procès-verbal relating to the first deposit of ratifications, of the notifications referred to in the previous paragraph, and also of the instruments of ratification accompanying them, shall be immediately sent by the Belgian Government through the diplomatic channel to the powers who have signed this convention or who have acceded to it. In the cases contemplated in the preceding paragraph the said Government shall inform them at the same time of the date on which it received the notification.

ARTICLE 12

Nonsignatory States may accede to the present convention whether or not they have been represented at the International Conference at Brussels.

A State which desires to accede shall notify its intention in writing to the Belgian Government, forwarding to it the document of accession, which shall be deposited in the archives of the said Government.

The Belgian Government shall immediately forward to all the States which have signed or acceded to the convention a duly certified copy of the notification and of the act of accession, mentioning the date on which it received the notification.

ARTICLE 13

The high contracting parties may at the time of signature, ratification, or accession declare that their acceptance of the present convention does not include any or all of the self-governing dominions, or of the colonies, overseas possessions, protectorates, or territories under their sovereignty or authority, and they may subsequently accede separately on behalf of any self-governing dominion, colony, overseas possession, protectorate, or territory excluded in their declaration. They may also denounce the convention separately in accordance with its provisions in respect of any self-governing dominion, or any colony, overseas possession, protectorate, or territory under their sovereignty or authority.

ARTICLE 14

The present convention shall take effect, in the case of the States which have taken part in the first deposit of ratifications, one year after the date of the procès-verbal recording such deposit. As respects the States which ratify subsequently or which accede, and also in cases in which the convention is subsequently put into effect in accordance with Article 13, it shall take effect six months after the notifications specified in paragraph 2 of article 11, and paragraph 2 of Article 12, have been received by the Belgian Government.

ARTICLE 15

In the event of one of the contracting States wishing to denounce the present convention, the denunciation shall be notified in writing to the Belgian Government, which shall immediately communicate a duly certified copy of the notification to all the other States informing them of the date on which it was received.

The denunciation shall only operate in respect of the State which made the notification, and on the expiry of one year after the notification has reached the Belgian Government.

ARTICLE 16

Any one of the contracting States shall have the right to call for a fresh conference with a view to considering possible amendments.

A State which would exercise this right should notify its intention to the other States through the Belgian Government, which would make arrangements for convening the conference.

Done at Brussels, in a single copy, August 25, 1924.

For Germany:
(Signed) KELLER.
For the Argentine Republic:
For Belgium:
(Signed) LOUIS FRANCK.
(Signed) ALBERT LE JEUNE,
(Signed) SOHR.
For Chile:
For the Republic of Cuba:
For Denmark:
For Spain:
(Signed) THE MARQUIS OF VILLALOBAR.
For Estonia:
(Signed) PUSTA
For the United States of America:
(Signed) WILLIAM PHILLIPS.
For Finland:
For France:
(Signed) MAURICE HERBETTE.
For Great Britain:
(Signed) GEORGE GRAHAME.
For Hungary:
(Signed) WORACZICZKY.
For Italy:
(Signed) GIULIO DANEO.
For Japan:
(Signed) M. ADATCI.

Subject to the reservations formulated in the note relative to this treaty and appended to my letter dated August 25, 1925, to His Excellency Mr. Emile Vandervelde, Minister for Foreign Affairs of Belgium.

For Latvia:
For Mexico:
For Norway:
For the Netherlands:
For Peru:
For Poland and the Free City of Danzig:
(Signed) SZEMBEK.
For Portugal:
For Rumania:
(Signed) HENRY CATARGI.
For the Kingdom of the Serbs, Croats and Slovenes:
(Signed) Dr. MILOVAD. STRAZNICKY.
(Signed) Dr. VERONA.
For Sweden:
For Uruguay:

PROTOCOL OF SIGNATURE

The high contracting parties may give effect to this convention either by giving it the force of law or by including in their national legislation in a form appropriate to that legislation, the rules adopted under this convention.

They may reserve the right:

1. To prescribe that in the cases referred to in paragraph 2 (c) to (p) of Article 4, the holder of a bill of lading shall be entitled to establish responsibility for loss or damage arising from the personal fault of the carrier or the fault of his servants which are not covered by paragraph (a).

2. To apply article 6 in so far as the national coasting trade is concerned to all classes of goods without taking account of the restriction set out in the last paragraph of that article.

Done at Brussels, in a single copy, August 25, 1924.

For Germany
(Signed) KELLER.
For the Argentine Republic:
For Belgium:
(Signed) LOUIS FRANCK.
(Signed) ALBERT LE JEUNE.
(Signed) SOHR.
For Chile:
For the Republic of Cuba:
For Denmark:
For Spain:
(Signed) THE MARQUIS OF VILLALOBAR.
For Estonia:
(Signed) PUSTA.
For the United States of America:
(Signed) WILLIAM PHILLIPS.
For Finland:
For France:
(Signed) MAURICE HERBETTE.
For Great Britain:
(Signed) GEORGE GRAHAME.
For Hungary:
(Signed) WORACZICZKY.
For Italy:
(Signed) GIULIO DANEO.
For Japan:
For Latvia:
For Mexico:
For Norway:
For the Netherlands:
For Peru:
For Poland and the Free City of Danzig:
(Signed) SZEMBEK.
For Portugal:
For Rumania:
(Signed) HENRY CATARGI.
For the Kingdom of the Serbs, Croats and Slovenes:
(Signed) Dr. MILOVAD STRAZNICKY.
(Signed) Dr. VERONA.
For Sweden:
For Uruguay:

PROCES-VERBAL OF SIGNATURE

August 25, 1924, the international Convention for the unification of certain rules relating to bills-of-lading was opened at the Belgian Ministry of Foreign Affairs for signature by the Plenipotentiaries of the States represented at the International Conference on Maritime Law.

The signatures of the Plenipotentiaries whose names follow, have been successively received:

September 8, 1924, for Belgium,
Mr. L. FRANCK,
Mr. LE JEUNE,
Mr. SOHR.
November 15, 1924, for Great Britain,
H. E. the Right Honorable Sir GEORGE GRAHAME.

In proceeding to the signature of the present Convention, His Excellency made, in the name of his Government, the declaration of which the terms are reproduced in an annex to the present Proces-Verbal.

I, the Undersigned, His Britannic Majesty's Ambassador at Brussels, on affixing my signature to the Protocol of Signature of the International Convention for the unification of certain rules relating to Bills of Lading, on this 15th day of November 1924, hereby make the following declarations by direction of my Government.

I declare that His Britannic Majesty's Government adopt the last reservation in the additional Protocol of the Bills of Lading Convention.

I further declare that my signature applies only to Great Britain and Northern Ireland. I reserve the right of each of the British Dominions, Colonies, Overseas Possessions and Protectorates, and of each of the territories over which His Britannic Majesty exercises a mandate to accede to this Convention under Article 13.

(s) GEORGE GRAHAME,
His Britannic Majesty's Ambassador at Brussels.

Brussels, this 15th day of November 1924.

At the moment of proceeding to the signature of the International Convention for the unification of certain rules relating to

Bills of Lading, the undersigned, Plenipotentiary of Japan, makes the following reservations:

a) *To Article 4.*

Japan reserves to itself until further notice the acceptance of the provisions in (a) of paragraph 2 of Article 4.

b) Japan is of the opinion that the Convention does not in any part apply to national coasting trade: consequently, there should be no occasion to make it the object of provisions in the Protocol. However, if it be not so, Japan reserves to itself the right freely to regulate the national coasting trade by its own law.

(s) M. ADATCI.

BRUSSELS, *August 25, 1925.*

The PRESIDING OFFICER. If there be no amendment, the treaty will be reported to the Senate.

The treaty was reported to the Senate without amendment.

Mr. PITTMAN. Mr. President, before asking for the advice and consent of the Senate to the treaty, I think it would be well for the Senator from Utah [Mr. THOMAS], who is chairman of the subcommittee which considered the treaty, to explain it to the Senate.

Mr. THOMAS of Utah. Mr. President, the convention which the Senate now has under consideration merely provides for the unification of certain rules relating to bills of lading for the carriage of goods by sea and the protocol of signature thereto. It was signed on behalf of the United States at Brussels on June 23, 1925.

Due to the fact that the convention has been some time coming to the point of ratification, and due to the fact that many changes have occurred in our international monetary relations, the committee decided that it was necessary, in recommending the ratification of the treaty, that it be done with the following understanding:

That notwithstanding the provisions of article 4, section 5, and the first paragraph of article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding $500, lawful money of the United States of America, per package or unit unless the nature and value of goods have been declared by the shipper before shipment and inserted in the bill of lading.

Mr. President, this understanding, as I said, is necessary because the convention itself calls for a valuation of 100 English pounds and states that the valuation shall be computed according to the rate of exchange.

I move that the Senate give its consent to this understanding.

The PRESIDING OFFICER. The question is on the reservation submitted by the Senator from Utah in behalf of the committee. The resolution of ratification embracing the reservation will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive E, Sixty-ninth Congress, second session, a convention for the unification of certain rules relating to bills of lading for the carriage of goods by sea and a protocol of signature thereto, signed on behalf of the United States at Brussels on June 23, 1925, with the understanding, to be made a part of such ratification, that, notwithstanding the provisions of article 4, section 5, and the first paragraph of article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding $500, lawful money of the United States of America, per package or unit unless the nature and value of goods have been declared by the shipper before shipment and inserted in the bill of lading.

Mr. THOMAS of Utah. Mr. President, the first diplomatic conference regarding this convention was held at Brussels October 17–26, 1922, and was attended by the duly appointed delegates of 24 nations.

The convention, which was opened for signature in Brussels in 1924, has been signed or adhered to by 16 nations, as follows:

Belgium	1924
Chile	1927
Danzig	----
Estonia	1926
France	1925
Germany	1925
Great Britain	1924
Hungary	1926
Italy	1924
Japan	1925
Yugoslavia	1926
Netherlands	1924
Poland	1925
Portugal	1931
Rumania	1925
United States of America	1925

Six nations have already ratified the convention—Great Britain, Belgium, Netherlands, Spain, Portugal, and Hungary.

The rules of the convention have to date been enacted, by national legislation, in Great Britain and 53 British possessions and in Australia, Belgium, Netherlands, India, and Italy. The effective date of the Italian decree has, however, been postponed to await similar action by other countries.

This convention was signed on behalf of the United States by the American Ambassador at Brussels on June 23, 1925, and was submitted to the Senate by the President of the United States on February 26, 1927.

The purpose of the convention is to secure uniformity in the laws of the leading commercial countries, on the subject of ocean bills of lading. These documents are widely accepted by bankers, as security for advances, and it is essential that their reliability shall be maintained, in order that the movement of our exports and imports may be readily financed. International transportation has, however, been seriously handicapped due to the fact that the law governing ocean carriers has been different, in important particulars, in practically every country of the world and uniform shipping documents have, therefore, been impossible. As a result, bankers have been in doubt as to their security when discounting drafts drawn against bills of lading, cargo underwriters have not known the risks which they covered, when insuring goods in transit, and carriers and shippers have been in constant litigation. For the purpose of overcoming these difficulties, a code has been prepared for international adoption and is embodied in this convention. This code is based upon the law of this country and Judge Hough, of the Circuit Court of Appeals for the Second Circuit, who was chosen by Secretary Hughes as the leading American delegate to the Brussels Diplomatic Conference, acted as the chairman of the committee which put the code into its final form.

It is interesting to note, as is stated at some length in the committee report, that the same difficulties which exist today, internationally, because of the diversity of the laws of the various nations, were originally encountered in our interstate transportation, because of the diversity of the laws of the different States. This was corrected by the general adoption of a Uniform State Bill of Lading Act, which was prepared by the National Conference of Commissions on Uniform State Laws. That act was first adopted by Massachusetts in 1910 and is now the law in 27 States, which are named in the report.

The Federal Bill of Lading Act was also passed to make the law as laid down by our Federal courts uniform with that of the State act, and the present convention, which seeks international uniformity, is simply another step in the same direction.

The convention will do more, however, than produce international uniformity, for it will also meet the insistent demands which have been made by American shippers for the past 30 years for greater protection in the handling of their goods. In particular, a shipper will be allowed 1 year within which to bring suit for damage to his cargo (instead of the very short period which now appears in most bills of lading), and carriers who have received goods sound and have delivered them damaged will be required to pay for that damage unless they prove that there has been no negligence on their part. Carriers also will not be allowed to limit their liability below $500 per package.

This code has been in force in Great Britain and Australia since 1924, was incorporated in the code of Holland in 1927, and was enacted in Belgium in 1928. In those countries it has been effective in actual operation and has done much to eliminate litigation. It has also been proved that the additional responsibility which the carriers have been called upon to assume has not, in fact, cost them more

money, since greater care is now exercised in the handling of cargo because of the greater liability imposed.

In addition to the countries which have already enacted the code, Norway, Sweden, Denmark, and Finland have recently announced their acceptance of it, and it is expected that the code will be enacted in those countries as soon as the legal formalities can be complied with.

In Italy a decree has been entered enacting the rules, but the effective date has been postponed to await the action of other nations. The Italian Government has indicated that it will deposit its ratification and make the rules operative as soon as the United States takes similar action.

Canada has also, within the last few weeks, given the same assurance.

In France the Senate subcommittee charged with the consideration of the bill, which has already been passed by the Chamber of Deputies, has reported favorably on that bill.

After the United States has ratified the convention and Italy, Canada, and the Scandinavian countries have taken similar action, it will mean that a uniform law will be applicable to 88 percent of the total ocean tonnage of the world.

As you will see from the committee report, Latin America has also, since 1931, taken definite action looking toward the adoption of this convention. At the Fourth Pan American Commercial Conference, which met in Washington in October 1931, a resolution was unanimously adopted recommending the prompt enactment of this code by all the nations of the Americas, and that the subject be placed upon the agenda of the next conference of American States. When that conference was held at Montevideo in December 1933, a resolution was passed recommending to the American Republics the adoption of the code and prompt adherence to the Brussels convention. Since that date Uruguay has actually ratified.

The code has been strongly urged by American shippers, cargo underwriters, and bankers, who are unanimous that it will remove a wholly unnecessary and serious trade barrier. The United States Shipping Board has also repeatedly requested the passage of a law enacting the code as one of the means for promoting American shipping.

I do not pretend to be versed in the intricacies of admiralty law, nor do I understand many of the details which enter into the handling of our overseas trade; but it seems to me obvious that when every transaction necessarily involves five parties—shipper, carrier, cargo underwriter, discounting banker, and purchaser—and when each of those parties may be, and often is, of a different nationality, it is undesirable to have the laws of all five countries different.

I also rely strongly upon the report which was submitted to the President by Judge Hough and Mr. Norman B. Beecher, then admiralty counsel of the United States Shipping Board, after the Brussels Conference. They said:

> We regard the rules as finally formulated at Brussels a beneficial advance upon anything heretofore known in respect of bills of lading.
>
> In our judgment, these rules are a response to the demand of American as well as other shippers; they are being insistently urged for legislative adoption, especially in Great Britain. We think that for business reasons the American shipowner will be wise to offer as good a bargain to the shipper as do his competitors.
>
> In conclusion, it is our opinion that the "Rules for the Carriage of Goods by Sea" is a thing finished; it lies with the maritime nations of the world to take it or leave it. We think it ought to be taken.

I assume that if the Senate ratifies this convention, Congress will also pass an act extending its benefits to all American shippers who are engaged in international, coastwise, and intercoastal trades. The convention alone, without legislation, would not, of course, protect American citizens while dealing with each other; and it is important that American exporters and importers shall have the benefit of the rules laid down in the convention, not only when they are using foreign carriers but also when American carriers are employed.

The Senator from Maine [Mr. WHITE] has already introduced a bill, S. 1152, which is intended to enact this code; and I hope it will receive prompt consideration as soon as the convention shall have been ratified.

Mr. WHITE. Mr. President, may I ask the Senator from Utah whether there is anything in the convention which would require any radical change in the legislation which has been introduced, and to which he refers?

Mr. THOMAS of Utah. The Senator will note, on page 18 of the report, that anticipating just such a question we have inserted in the report an answer to the Senator's question. It probably would be advantageous if that portion of the report were read. It is headed "Changes Which the Convention Will Effect in the American Law."

Mr. WHITE. My question was not with respect to the present American law but whether the convention would require any radical changes in the proposed legislation which I have introduced in two or three Congresses; or is the bill, in the form in which it now appears, substantially responsive to the convention?

Mr. THOMAS of Utah. If I correctly understand the Senator's point, in going over Senate bill 1152, which the Senator from Maine introduced, I discovered that in the first title and through the first 13 or 14 sections his bill and the convention itself are practically identical.

Mr. WHITE. So there is no real antagonism between the bill which is pending and the convention?

Mr. THOMAS of Utah. No; instead of there being antagonism, there is almost complete agreement.

Mr. WHITE. That is all I wanted to be sure about.

The PRESIDING OFFICER. The question is on agreeing to the reservation to the resolution of ratification.

The reservation was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification as amended by the reservation. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification, as amended by the reservation, is agreed to, and the convention is ratified.

SPECIAL CLAIMS COMMISSION, UNITED STATES AND MEXICO

Mr. PITTMAN. Mr. President, while we are on the subject of treaties, I desire to state that the President has requested the Senate to return to him Executive L, Seventy-second Congress, first session, being a convention of June 18, 1932. It is a treaty to extend the life of the Special Claims Commission, United States and Mexico. Another treaty having been adopted settling the whole matter en bloc, the treaty to which I refer can serve no further purpose; and I ask unanimous consent that it be returned to the President in accordance with his request.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the next business in order on the calendar.

PUBLIC UTILITIES COMMISSION, DISTRICT OF COLUMBIA

The legislative clerk read the nomination of Riley E. Elgen, of the District of Columbia, to be a member of the Public Utilities Commission of the District of Columbia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read the nominations of sundry postmasters.

Mr. ROBINSON. I ask that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. SHEPPARD. I ask that the Army nominations on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Army are confirmed en bloc.

That completes the calendar.

RECESS

Mr. ROBINSON. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 35 minutes p. m.) the Senate, in legislative session, took a recess until tomorrow, Tuesday, April 2, 1935, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 1 (legislative day of Mar. 13), 1935

PUBLIC UTILITIES COMMISSION, DISTRICT OF COLUMBIA

Riley E. Elgen to be a member of the Public Utilities Commission of the District of Columbia.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

First Lt. Richard Herbert Torovsky to Quartermaster Corps.

Second Lt. William Roberts Calhoun to Field Artillery.

Second Lt. William Roy Thomas to Field Artillery.

PROMOTIONS IN THE REGULAR ARMY

Elliott Watkins to be captain, Infantry.

Paul Thomas Cullen to be first lieutenant, Air Corps.

Robert Purcell Rea to be captain, Medical Corps.

POSTMASTERS

GEORGIA

E. Stelle Barrett, Union City.

ILLINOIS

John J. Matejka, Oaklawn.

MISSOURI

Zera Lee Stokely, Poplar Bluff.

NEW YORK

Ida P. Jenkens, Greenwood Lake.

Arthur J. Belgard, Ogdensburg.

TEXAS

Raymond Ross, Del Rio.

Helen L. Hall, League City.

WEST VIRGINIA

James T. Murphy, Grafton.

Thomas J. Hamilton, Moundsville.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 1, 1935

The House met at 12 o'clock noon.

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

Thou who art the Most High, we rejoice that there is one God and Father of us all, who is over all, through all, and in all. We praise Thee for Him whose footsteps are revealed on earth. Heavenly Father, just now let us feel the breath of the higher world. In a serious and reverent spirit we wait for this. May we be led in the practice of every duty and virtue. Almighty God, most graciously abide with our Speaker and the Congress. O Spirit of our blessed Lord, anoint our eyes that we may see, heal us with Thy touch, and speak to us that we may behold Thy glory. Strengthen us to greet the unseen with fortitude, the future with eagerness and not with reluctance, with confidence and not regret. With quenchless aspiration and abounding faith may we pass these days as the faithful leaders and servants of our people throughout the land. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, March 29, 1935, 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 bills of the House of the following titles:

H. R. 83. An act to provide for the conservation and settlement of estates of absentees and absconders in the District of Columbia, and for other purposes;

H. R. 340. An act for the relief of Louis Zagata;

H. R. 816. An act for the relief of Logan Mulvaney;

H. R. 829. An act granting 6 months' pay to Hester Hamilton;

H. R. 2117. An act for the relief of Cora A. Snyder;

H. R. 2569. An act for the relief of the estate of R. A. Wallace Treat;

H. R. 2678. An act for the relief of Carl L. Bernau;

H. R. 3477. An act relating to the incorporation of Trinity College of Washington, D. C., organized under and by virtue of a certificate of incorporation pursuant to the incorporation laws of the District of Columbia, as provided in subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia;

H. R. 4538. An act to change the designation of Leffler Place to Second Place; and

H. R. 5032. An act for the relief of the dependents of Carl Lindow, known also as Carl Lindo.

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

H. R. 1575. An act to correct the military record of John S. Cannell, deceased;

H. R. 2881. An act authorizing the adjustment of contracts for the sale of timber on the national forests, and for other purposes; and

H. R. 3071. An act for the relief of Second Lt. Charles E. Upson.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 37. An act authorizing the Comptroller General of the United States to settle and adjust the claims of subcontractors and materialmen for material and labor furnished in the construction of a post office and courthouse building at Rutland, Vt.;

S. 82. An act to authorize the disposal of surplus personal property, including buildings, of the Emergency Conservation Work;

S. 93. An act to authorize certain officers of the Navy and Marine Corps to administer oaths;

S. 95. An act to provide for the carrying at reduced rates of officers and enlisted men of the military and naval forces while on leave of absence or furlough at their own expense;

S. 156. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, N. J.;

S. 170. An act for the relief of Alva A. Murphy;

S. 208. An act for the relief of the Consolidated Ashcroft Hancock Co., Inc., Bridgeport, Conn.;

S. 276. An act for the relief of Harry Layman;

S. 371. An act for the relief of G. Elias & Bros., Inc.;

S. 380. An act to reserve 80 acres on the public domain for the use and benefit of the Kanosh band of Indians in the State of Utah;

S. 395. An act relative to the qualifications of practitioners of law in the District of Columbia;

S. 438. An act for the relief of Roy Chandler;

S. 448. An act to authorize a preliminary examination of the Coquille River and its tributaries in the State of Oregon with a view to the control of its floods;

S. 449. An act to authorize a preliminary examination of Umpqua River and its tributaries in the State of Oregon, with a view to the control of its floods;

S. 538. An act for the relief of H. Kaminski & Co., Kaminski Hardware Co., and the Carolina Hardware Co.;

S. 560. An act for the relief of the Western Electric Co., Inc.;

S. 613. An act to add certain public-domain land in Montana to the Rocky Boy Indian Reservation;

S. 654. An act authorizing the exchange of the lands reserved for the Seminole Indians in Florida for other lands;

S. 659. An act for the relief of Walter J. Bryson Paving Co.;

S. 708. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Velie Motors Corporation;

S. 724. An act for the relief of James T. Moore;

S. 728. An act for the relief of Elton Firth;

S. 780. An act for the relief of the Standard Dredging Co.;

S. 794. An act for the relief of the Bowers Southern Dredging Co.;

S. 814. An act for the relief of John Mulhern;

S. 865. An act authorizing a preliminary examination of the Willamette River and its tributaries in the State of Oregon, with a view to controlling floods;

S. 881. An act for the relief of Leo James McCoy;

S. 883. An act directing the retirement of acting assistant surgeons of the United States Navy at the age of 64 years;

S. 884. An act for the relief of Lt. Comdr. G. C. Manning;

S. 908. An act for the relief of Edwin C. Jenney, receiver of the First National Bank of Newton, Mass.;

S. 933. An act to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly by the Department of Agriculture;

S. 951. An act for the relief of Mrs. Guy A. McConoha;

S. 952. An act for the relief of Zelma Halverson;

S. 983. An act for the relief of Grady D. Coleman;

S. 1024. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Hampton & Branchville Railroad Co.;

S. 1041. An act for the relief of Cohen, Goldman & Co., Inc.;

S. 1051. An act for the relief of the Western Union Telegraph Co.;

S. 1065. An act to further extend the period of time during which final proof may be offered by homestead and desert-land entrymen;

S. 1073. An act for the relief of Louis Finger;

S. 1077. An act to further extend the time in which the States of Washington, Idaho, Oregon, Montana, and Wyoming may enter into a compact or agreement respecting the disposition and apportionment of the waters of the Columbia River and its tributaries;

S. 1099. An act for the relief of Ethel G. Remington;

S. 1142. An act to reserve certain public-domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nev.;

S. 1210. An act authorizing certain officials under the Naval Establishment to administer oaths;

S. 1290. An act for the relief of Walter Motor Truck Co., Inc.;

S. 1307. An act to establish the Homestead National Monument of America in Gage County, Nebr.;

S. 1317. An act authorizing a preliminary examination of the Nehalem, Miami, Kilchis, Wilson, Trask, and Tillamook Rivers, in Tillamook County, Oreg., with a view to the controlling of floods;

S. 1410. An act for the relief of Thomas G. Carlin;

S. 1414. An act for the relief of the rightful heir of Joseph Gayton;

S. 1431. An act for the relief of the Collier Manufacturing Co., of Barnesville, Ga.;

S. 1432. An act to amend section 5 of the act of March 2, 1919, generally known as the "War Minerals Relief Statutes";

S. 1494. An act to amend an act entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims", approved May 14, 1926 (44 Stat. L. 555);

S. 1498. An act for the relief of Robert D. Baldwin;

S. 1499. An act for the relief of Robert J. Enochs;

S. 1502. An act for the relief of Charles L. Graves;

S. 1513. An act to add certain lands to Siskiyou National Forest in the State of Oregon;

S. 1520. An act for the relief of Charles E. Dagenett;

S. 1533. An act to provide funds for cooperation with Marysville School District No. 325, Snohomish County, Wash., for extension of public-school buildings to be available for Indian children;

S. 1548. An act for the relief of Douglas B. Espy;

S. 1566. An act for the relief of Carl C. Christensen;

S. 1571. An act granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Little Missouri River;

S. 1606. An act to prohibit the unauthorized wearing, manufacture, or sale of medals and badges issued by the Navy Department;

S. 1680. An act to include within the Deschutes National Forest, in the State of Oregon, certain public lands within the exchange boundaries thereof;

S. 1713. An act to further amend section 6, act of March 4, 1923, so as to make better provision for the recovery and disposition of bodies of members of the civilian components of the Army who die in line of duty, and for other purposes;

S. 1787. An act to add certain lands to the Pisgah National Forest, in the State of North Carolina;

S. 1814. An act to authorize the creation of an Indian village within the Shoalwater Indian Reservation, Wash., and for other purposes;

S. 1821. An act for the relief of Frank White and others;

S. 1831. An act transferring certain national-forest lands to the Zuni Indian Reservation, N. Mex.;

S. 1855. An act to revive and reenact the act entitled "An act authorizing H. C. Brenner Realty & Finance Corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo.", approved February 13, 1931;

S. 1864. An act for the relief of the State of Nebraska;

S. 1872. An act for the relief of Guy Clatterbuck;

S. 1885. An act to authorize turning over to the Indian Service vehicles, vessels, and supplies seized and forfeited for violation of liquor laws;

S. 1942. An act to repeal the act entitled "An act to grant to the State of New York and the Seneca Nation of Indians jurisdiction over the taking of fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations", approved January 5, 1927;

S. 1987. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Farnam Street, Omaha, Nebr.;

S. 1994. An act to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended;

S. 2024. An act to give proper recognition to the distinguished services of Col. William L. Keller;

S. 2145. An act extending the time for repayment of the revolving fund for the benefit of the Crow Indians;

S. 2146. An act for the relief of certain Indians of the Flathead Reservation killed or injured en route to dedication ceremonies of the Going-to-the-Sun Highway, Glacier National Park;

S. 2156. An act to extend the times for commencing and completing the construction of a bridge across the Chesapeake Bay between Baltimore and Kent Counties, Md.;

S. 2205. An act for the relief of Thomas F. Cooney;

S. 2218. An act for the relief of Elsie Segar;

S. 2333. An act for the relief of John W. Dady;

S. Con. Res. 3. Concurrent resolution favoring the designation and appropriate observance of American conservation week; and

S. Con. Res. 13. Concurrent resolution relative to the recognition of Army Day.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 408) entitled "An act to promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this act, and for other purposes", requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KING, Mr. COPELAND, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 404. An act to provide for the acquisition of land in the District of Columbia in excess of that required for public projects and improvements, and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 6718) entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1936, and for other purposes", insists upon its amendments and requests a conference with the House thereon, and appoints Mr. RUSSELL, Mr. HAYDEN, Mr. SMITH, Mr. KEYES, and Mr. NYE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate to the bill (H. R. 5913) "making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes", numbered 7 and 25.

APPROPRIATIONS FOR RELIEF (H. J. RES. 117)

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the conference report on House Joint Resolution 117, making appropriations for relief purposes, be recommitted to the Committee of Conference.

Mr. TABER. Mr. Speaker, reserving the right to object, will the gentleman from Texas [Mr. BUCHANAN], explain why he wants to have the joint resolution recommitted?

Mr. BUCHANAN. Mr. Speaker, there are several reasons.

Mr. WOODRUM. Mr. Speaker, I demand the regular order.

Mr. TABER. Then I shall object, Mr. Speaker.

Mr. WOODRUM. The gentleman is going to object anyway.

Mr. TABER. Mr. Speaker, I object.

Mr. BUCHANAN. Mr. Speaker, I move to suspend the rules and recommit the conference report on House Joint Resolution 117, making appropriations for relief purposes, to the Committee of Conference.

The SPEAKER. Is a second demanded?

Mr. TABER. Mr. Speaker, I demand a second.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. BUCHANAN. Mr. Speaker, does the gentleman from New York [Mr. TABER] desire to use some of his time?

Mr. TABER. Mr. Speaker, I want the House to know what this is all about. This is a most remarkable procedure. This bill was brought before the Appropriations Committee in January, not quite, but almost 3 months ago, and we were told that the relief funds were almost exhausted, that we must make haste, and that unless we passed the bill in 2 weeks the relief funds would be out and there would be nothing to take care of the destitute.

The bill passed the House in about 2 weeks. It was perfectly apparent it was not a relief bill.

Mr. MICHENER. Mr. Speaker, I make a point of no quorum. We will have to have a quorum here anyway for a vote. It is well that all the Members should understand this matter. I therefore make the point of no quorum.

The SPEAKER. The Chair will count. [After counting.] One hundred and seventy-five Members present; not a quorum.

Mr. TAYLOR of Colorado. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 42]

Allen	Berlin	Casey	Darrow
Andrew, Mass.	Bolton	Chapman	Dies
Bankhead	Brennan	Cooley	Dingell
Beam	Brooks	Crowther	Doutrich
Drewry	Hancock, N. C.	McAndrews	Sabath
Duffey, Ohio	Hart	McKeough	Sadowski
Dunn, Miss.	Hartley	McLeod	Shannon
Faddis	Hess	McMillan	Snyder
Ferguson	Higgins, Conn.	Meeks	Stack
Frey	Igoe	Mitchell, Ill.	Sumners, Tex.
Gambrill	Johnson, Tex.	Norton	Sweeney
Gillette	Kennedy, Md.	O'Brien	Taylor, Tenn.
Goldsborough	Kerr	Palmisano	Thomas
Granfield	Lamneck	Patton	Wadsworth
Green	Lemke	Peyser	White
Greenway	Lesinski	Polk	Wigglesworth
Griswold	Lundeen	Quinn	Wolcott

The SPEAKER. Three hundred and sixty-three Members have answered to their names. A quorum is present.

On motion of Mr. TAYLOR of Colorado, further proceedings under the call were dispensed with.

Mr. TABER. Mr. Speaker, I started to say a while ago that this bill was brought up in a hurry. It was passed by the House in a hurry. We did not have time to consider the bill and it was impossible to allocate the funds. The bill then went over to the Senate, where it stayed 2 months, and the Senate made some sort of an allocation but not an effective one. It goes to conference and a conference report is filed limiting some things and trying to put the bill somewhere where somebody might have control over the matter.

In this bill the House delegated all of its authority with reference to this money. The Senate has practically delegated all its authority and the conference report practically delegates all authority. Now the chairman of the conferees comes in here and moves to recommit the bill to conference. For what purpose? It must be some purpose that will not stand the light of day, for no one dares to come here and tell us why they want this bill recommitted. It must be for some purpose contrary to the Constitution of the United States and contrary to the liberties of the American people or they on that side would come out here and tell us the truth.

Mr. Speaker, I am wondering if the Democratic Members of the House are so subservient that they take their stuff done up in packages blind?

Mr. O'CONNOR. Do not worry about them.

Mr. TABER. I do not worry about you. I know that it is practically the purpose to cease to consider legislation over there on the Democratic side, or to care what is in it as long as you get your orders on what to do. Is it not about time that the House of Representatives knew what it was doing? Is it not about time that the Membership of the House of Representatives insist on doing their own constitutional duty with reference to legislation?

We have all sorts of rumors around here, rumors that this member of the Cabinet or some member of the "brain trust" objects to some provision that the conferees have inserted providing that some employment must be provided if the money is to be spent. It looks as though the "brain trust" wanted to use all this money for rackets and not to provide employment.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. TABER. Yes.

Mr. HOFFMAN. How will they be able to report it back until the President returns from his fishing trip?

Mr. TABER. The gentleman means that the fishing trip is more important than the bill?

Mr. HOFFMAN. They must learn what to do.

Mr. TABER. Of course, they must have their orders, and they must be operating under sealed orders, because that is the only kind they like to work under.

Mr. HOFFMAN. Why not wait until he comes back?

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

Mr. TABER. I yield.

Mr. RICH. In the morning papers it is stated that the Speaker of the House wired the President in order that Congress might receive their orders so we could act on this particular bill. If the Speaker of the House has received his orders from the fishing expeditionary forces, then he should enlighten the Membership of the House with respect to the matter that we might know what the President has

to say and can then use our own best judgment for the country's good.

Mr. COX. Mr. Speaker, will the gentleman yield to me to make an observation?

Mr. TABER. I yield to the gentleman from Georgia.

Mr. COX. I am not particularly interested in any rereference of the measure, because I cannot conceive of its being possible to make it any worse than it is in its present form. I have the fear that the adoption of this bill puts us down the road so far toward a paternalistic state as to make it impossible for us to ever turn back toward sound constitutional government without violent breach of public faith, with destruction of private property rights. [Applause.]

While this bill professes the purpose of ending the dole by putting people to work, in effect it is an invitation and an urge to the people to look to the Government for solution of all their problems. It puts the Government into a field of activity into which it should never have entered and out of which it should take itself as quickly as possible. It pledges the Government to uneconomic expenditure of public money amounting to waste on a gigantic scale. [Applause.]

Mr. TABER. Mr. Speaker, the gentleman from Georgia has made a fine, patriotic statement. Would that a majority of the Membership on the Democratic side of the aisle would put patriotism before blind, ignorant partisanship and vote down this terrible bill which will destroy American liberty. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. BUCHANAN. Mr. Speaker, my colleague the gentleman from New York says that no one dares tell the House why this motion to recommit the conference report is made. I do not see why the gentleman should be so interested in debating this conference report. He was on the conference; his Republican colleague the gentleman from New York [Mr. BACON] was on the conference; and neither one signed or approved the conference report. [Applause.] Neither one even voted for the bill on its original passage through the House. So that the enemies of the bill and the enemies of the administration are getting up here and trying to tell Democrats in this House how to vote.

Why should the bill be recommitted? I am not going to go into this at length, but there is a provision in this measure requiring 33⅓ percent of the money to be used for direct labor on all projects under the $900,000,000. If this had been direct and indirect labor it would be a different proposition, but it is confined practically to labor actually performed on the site of the project. The man, no matter who he is, who fails to realize that the employment problem in the United States is national and not local, fails to measure up to proper citizenship in this country. Indirect labor is of just as much importance as direct labor, because indirect labor is that labor which is expended in the fabrication of the material used in these projects, and the fabrication of material for these projects is accomplished in your cities where the factories are located and where the great proportion of unemployment exists, and yet they want it confined to one-third for direct labor, practically on the sites of the projects when such sites may not be in congested centers where great unemployment exists.

This will mean the killing of every project where the direct labor on the site is less than 33⅓ percent of the loan, yet the indirect labor, the labor actually employed in fabricating the material may be 20 or 30 percent in addition to the direct labor. For instance, the amount for slum clearance allotted by the Senate amendment is $450,000,000 and the direct labor is only 28 percent. Grade-crossing elimination, which may be done by contract, though a loan, is only 30 percent.

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

Mr. BUCHANAN. Not now.

Rural electrification and, in fact, construction of all hydroelectric plants and necessary incidental work to be done is only 30 percent. In other words, taking your total appropriation $900,000,000, there is practically one-third of the projects that would be excluded under the 33⅓ percent for direct labor practically on the site.

Another amendment the Senate put in the bill prohibited any money for warships, ammunition, matériel, and so forth. That is all right, but as written in the conference report it excludes new construction for Army or Navy posts, Reserves, and so forth. In that construction, 70 percent is labor.

Ah, Mr. TABER, we want to pass this bill as quickly as possible, but we want to make it practicable and efficient. The President has requested it and has assumed responsibility for it. We owe it to him to give him a bill that he will make a success of in shifting from the dole to honest labor.

That is all we ask. We ask you to vote to recommit the report. You will have another report giving the President a practicable bill, one that he can administer and get rid of the dole, shifting people on the dole to gainful employment. That is all.

Mr. MARTIN of Massachusetts. Will the gentleman yield for a question?

Mr. BUCHANAN. What is it?

Mr. MARTIN of Massachusetts. I should like to ask the gentleman if there is a disposition on the part of the conferees to eliminate the so-called "amendment" offered by Senator GEORGE?

Mr. BUCHANAN. The House conferees fought that, but it was contended that its elimination would endanger the conference report in the Senate. Rather than endanger the bill, we let it stay in it, because it is harmless, ineffective, and cannot be put into effect, because it does not provide for any reduction of the processing tax nor its elimination.

Mr. TABER. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. BACON].

Mr. BACON. Mr. Speaker, I want to call the attention of the House to the fact that this provision for one-third to be expended for direct labor applies only to subsection (g). In other words, it applies only to the provisions for loans or grants to States and subdivisions thereof. The question of roads and grade crossings mentioned by the gentleman from Texas is in another subsection and are not involved in this proposal for one-third direct labor.

Most of the loans or grants heretofore made under the Public Works Administration have been for public schools and other public buildings. I am reliably informed that on this class of projects the direct labor on the job is somewhere between 45 and 50 percent of the total cost of the project. Therefore the proposed limitation of one-third of the cost for direct labor will not hamper any loan or grant for a school or other public building.

It applies only to one subsection in section 3, and the thought behind this provision is that if this is to be a real relief bill there should be some relief in it. The contention of the Senate is that if a municipality or subdivision of a State comes to the Federal Government for money, for a loan or a grant, that at least one-third of that money loaned or granted should be expended on direct relief, a thoroughly reasonable proposition. This provision does not apply to any other section in the bill.

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

Mr. BACON. Wait until I am through. The figure of one-third, of course, was a compromise, as all conference reports are compromises, and it was put at one-third in order to cover all of the sample projects given before the committee by Admiral Peoples in his testimony. The Senate conferees held out for sometime for a 50-percent provision instead of one-third. Further than that, there has been a tendency in the past for State subdivisions and municipalities to come to the P. W. A. with projects not for the primary purpose of giving relief but for the purpose of furthering, at Federal expense, some pet local object that ought to be financed locally. This is what the Senate has tried to prevent. If the Congress is going to loan or grant money to States and subdivisions thereof for purposes of relieving unemployment, it is only reasonable to insist that at least one-third shall go to direct relief in the State or subdivision where the work is performed. This provision will also check favoritism, political or otherwise. It will set up a uniform standard.

Mr. WOODRUM. Mr. Speaker, will the gentleman now yield?

Mr. BACON. I have no more time.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, it seems to me that we are in a very peculiar position here today. As I understand the situation, the conferees, or at least a majority of them, signed this conference report. In listening to the statement made by the chairman of the conferees, I did not understand him to give any information to the House as to what new light or information has been brought to him which causes him to change his position between the time he signed the conference report last Friday and this morning. If the reports carried in the newspapers are correct, and that is the only reason given so far why the conferees are backing up on their own conference report, it is that the report is not satisfactory to the "brain trust" and the various people in the executive departments that are to administer the fund, then it seems to me that Congress has reached a pretty low ebb when it cannot even pass on a conference report without getting orders from the Chief Executive. It also seems to me that the Chief Executive himself is more interested in having a good time on the palatial yacht of Mr. Astor in southern waters than he is in passing this relief bill. It is also specially interesting to know you cannot do anything without first asking his permission.

Mr. KELLER. Oh, shame on you.

Mr. SNELL. Mr. Speaker, I mean exactly what I say, whether the gentleman from Illinois [Mr. KELLER] agrees with me or not. I have the floor, and he can answer what I say in his own time. The President told us that this is a very important measure, and that it had to be passed before the 10th of February. It is now nearly 2 months from that time, and his own representatives here in the House want to send it back to the committee and delay it for a still longer time. They will not tell us the reason for this unprecedented action. Your action now is characteristic of your actions during the entire consideration of this bill. You evidently do not want anyone to know what your plans are or what you intend to do. Why this secrecy? Why should the people not know something about such an important and expensive piece of legislation? The only excuse I have heard is that 30 percent of the relief bill must be expended for labor.

Mr. BACON. Only 30 percent of one part of the relief bill.

Mr. SNELL. That applies to only $900,000,000 of it. If this is a relief bill, is there anything unreasonable to ask that at least 30 percent of a part of it be spent for direct labor? If there is any objection to this you better change the name and purpose of the bill.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. BUCHANAN. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Speaker, we are again having another chapter in the distressing and painful spectacle of finding our Republican brethren in the House unable to make any contribution to the present dilemma in which the country finds itself, except to throw monkey wrenches into the machinery and place obstacles in the way of the recovery bandwagon. My two distinguished colleagues from New York on the Appropriations Committee now plead with the House in behalf of some provision which they say is in this conference report. Do not be deceived by that. Neither of the gentlemen voted for the bill originally, and neither of them would vote for the conference report this minute if it were brought up for a vote. They did not sign the conference report and they are not for it. There is only one thing they agree on. They are unanimous in wanting to do everything on earth they can do to block the program of Franklin D. Roosevelt, and they do not miss any effort to do that.

Mr. TABER. The program is bad, is it not?

Mr. WOODRUM. Shame on the genial Kentucky colonel, Mr. SNELL, that he should get up and let his partisan feelings cause him to cast aspersions on the great Chief Executive of the United States, who for the moment is trying to get some much-needed relaxation. Oh, yes; that is just what he did. What was the object of all these remarks about the President being on vacation?

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM. Not now.

Mrs. ROGERS of Massachusetts. Why not?

Mr. WOODRUM. I do not yield to the lady.

The SPEAKER. The gentleman declines to yield.

Mr. WOODRUM. You know it is not often we men are in a position where we can make the ladies sit down and keep quiet. [Laughter.]

My friends on the Democratic side, the minority is very much interested in recovery until some plan comes for recovery, and then they are against it.

Now, there is nothing unusual about this request. Many times committees in this House have reported bills, conference committees have brought in reports, and after they were filed some matter has come up making it desirable that they should reconsider it, and a unanimous-consent request is made and is granted, and no one ever pays any attention to it. The conferees take it back or the committee takes the bill back to the committee and they fix it up as they think it should be presented, and they bring it to the House. The House has lost no right. It has a full opportunity to consider every provision in it and it has not lost any of its rights.

You would not hear anything of this request today and there would not be all this mess about it today except our friends know that once this instrumentality of recovery is placed in the hands of the President, the recovery bandwagon and the new deal will leap forward. When it does leap forward it will flatten out a little more those good gentlemen on the other side of the aisle, if it is possible to flatten them out more. There ought not be a single Democratic vote against this motion today. I appeal to you gentlemen on the Democratic side. It is no use to appeal to the Republicans. I appeal to you gentlemen for a 100-percent party vote for this motion, because the Republicans are making it a partisan matter. [Applause.]

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

Mr. TABER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, it is always a pleasure to listen to Simon Legree over on the Democratic side and hear him crack the whip and watch you fellows get under the lash. We all remember how in 1933 it was said a great emergency came upon us and the President went off across the Atlantic and Pacific on that fishing trip. Friday a member of the conference committee brought in this conference report and expected us to vote for it. Now, between Friday and Monday another emergency has arisen, and you do not want us to vote for the conference report until you have orders. Tell us why you do not want to vote for it this morning? That is all we want to know.

Mr. KELLER. Because we can do better.

Mr. HOFFMAN. Because you can do better? What has happened? You can do like Wallace did with the A. A. A. He said that was a political expediency. Is this another one?

Mr. KELLER. Maybe.

Mr. HOFFMAN. I guess probably it is. Trying to fix up a job for somebody. Is that the reason you want the report recommitted?

[Here the gavel fell.]

Mr. TABER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, it is difficult for me to follow the gentleman from Virginia [Mr. WOODRUM] when he says the Republicans of the House today are obstructing the passage of this bill. The parliamentary situation is we are actually voting against a delay. I do not think any Republican can be justly charged with partisanship when he stands up and asserts the American people are

expecting, in this tremendous relief bill, a major share of the money shall go to the people who are actually unemployed. [Applause.]

There could be no other justification for the bill. Huge taxes which result from this legislation can only be excused on the ground it gives actual relief to the vast army of unemployed who are in need. It certainly is no time to waste the resources of a nation, to waste money which may be sorely needed before we escape from the depression. I am sorry the chairman of the committee would stand up in the House and say the so-called "George amendment", which is included in the conference report, is innocuous and will be of no avail. When he makes the statement he says, in effect, the President of the United States has prejudged the case of the textile people and will not take advantage of the power to lift the taxes from this prostrate industry. The amendment offered by the distinguished Senator from Georgia [Senator George] has given the one bright ray of hope to the textile industry in more than a year. Through both the action and the lack of action by the administration the textile industry, the second largest industry in this country, has been placed on the brink of despair and close to destruction. In one instance the industry has been loaded with taxes unjustly imposed, and then the administration has permitted Japanese imports to continue unchecked. As a consequence the industry is in dire distress.

Now we are told these millions of people who are seeking relief are not to be considered in a measure designed for relief. More relief would be given by lifting the processing tax from the textile industry than will be gained in spending the money in many of the fields to which it will be sent.

The Secretary of Agriculture has demonstrated, through his statements, he has no concern for the textile industry; that he is simply thinking of his own activity. He is not broad enough to give equal justice to all of the American people. He is entirely oblivious to the millions who are in dire distress because of his policies.

Mr. FORD of California. Will the gentleman yield?

Mr. MARTIN of Massachusetts. The Secretary cannot see he is bringing back the cotton growers of the South to a civilization which will be based on a production of 6,000,000 bales of cotton. He cannot see the 750,000 small cotton growers he has forced on the public-welfare list. He does not see, and probably does not care, that 500,000 textile workers of this country are in danger of losing their jobs. He does not care, apparently, that whole communities in this great land of ours are being reduced to destitution and destruction.

He goes blindly on preaching his doctrine of scarcity in a world hungry for food and clothing. He is still for an experiment which has failed.

Now it is stated here the bright hope given a distressed industry by the efforts of Senator GEORGE will be of no avail. I cannot believe the President will be deaf to the calls of this sick industry. I cannot believe the chairman speaks with knowledge when he leaves this impression.

Mr. BUCHANAN. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. ARNOLD].

Mr. ARNOLD. Mr. Speaker, our friends on the opposite side of the aisle ask us why we are asking that this bill be sent back to conference. There are none so blind as those who will not see and none so deaf as those who will not hear. The chairman of this committee told the House plainly and distinctly why it was deemed advisable to send this bill back to conference. The conferees on the part of the House insisted, of course, on the House provisions in the bill the way it passed the House. In the conference, necessarily, concessions had to be made and concessions were made on some provisions of the bill, especially on the provision which makes an allocation of $900,000,000 for loans and grants, on the condition that at least one-third of the aggregate in loans and grants should be for direct labor. We have since learned that the conference report in that regard will make the bill very difficult in administration. Now, we are met with the situation that loans or grants on the condition that one-third of the total be for direct labor excludes all labor that might be performed in fabricating plants in carrying out the general purposes of the bill for the relief of unemployment. If this were "labor, direct or indirect" this question would not arise. Now, the time to correct this in order to make the bill more practicable and more workable, is at the first opportunity and this is the first opportunity.

We are asking this House to send this bill back to conference that we may correct that one matter especially. Other corrections may be found advisable.

This is an unemployment and relief bill; we want to get the bill in shape to accomplish this purpose to the fullest extent. It is designed to bring relief to our unemployed, and in doing so fabricating industries and men engaged in fabricating plants are just as much entitled to assistance and funds from this bill as are men engaged directly at the site of operations. The Comptroller General has ruled that "direct labor" excludes labor in fabricating plants. To carry out the purpose of this bill and to accomplish what was originally intended, it should go back to conference in order that this matter may be corrected and that States, subdivisions, and agencies thereof as well as self-liquidating projects of public bodies created by States and municipalities, cities, and other public institutions to which loans and grants may be made may procure money for the benefit of labor generally as well as for direct labor at the site of operations. This is the purpose of the committee in asking this be returned, and the chairman of the committee explained the matter very fully. The gentlemen on the other side of the aisle that now raise the question would have known, had they but listened, the purpose in sending this bill back to conference. Now, I call upon you, Democrats on this side of the aisle, to go along with us and send this bill back to conference that the real purpose of the bill may be made more effective and put in proper form. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Speaker, I yield the balance of my time to the gentleman from Minnesota [Mr. MAAS].

Mr. MAAS. Mr. Speaker, the objection is made to the present conference report that 33⅓ percent of the funds loaned to subdivisions of government be spent for direct labor. I call the attention of the House to the fact that this is the estimate submitted by Admiral Peoples himself. No objection was made at the time of his testimony before the committee. If this is to be a work bill, to take people off the dole, certainly the money must be used in direct wages, and it is not unreasonable to put in restrictions insuring that of the money allotted, a fair share will go for direct labor. If you would like us to go along with you, you should explain why there should be objections to this 33⅓ percent requirement.

Perhaps you gentlemen on the other side of the aisle have information that we do not possess; perhaps you know what the program for the expenditure of this money is, but you certainly have not let us in on the information, if you have it.

Maybe if you would tell us what the works program is, and how the money is to be spent, we might know more about your objection to one-third of the money going for direct wages in the community in which it is allotted.

Why should not at least one-third of this money go for direct labor? If a substantial portion of the money is not spent in the local communities, then you will merely continue the process of draining the money off into a few financial and industrial centers. That is the very policy that brought about the collapse that resulted in the present depression.

The very thing we want to do is get this money into circulation in the various States and local communities. Wages are the best way to do it.

I am not concerned with the politics and partisanship involved, but I am amused when gentlemen on the other side say that we are blocking the President's program. As a matter of fact, no President of this country ever has had such complete cooperation from the minority as the present occupant of the White House; and no administration ever was so much blocked by purely partisan political obstructionist tactics as the past administration was by you gentle-

men. Its program had no opportunity, because that administration could get no cooperation from your side of the aisle. As I say, I am not concerned with the political side; but I am concerned with the question of the right of the people to be represented in a legislative body. We are no longer a legislature; we have become a blind pig. Everything is being shoved through blindly; you are passing legislation without even giving us a chance to discuss it. Last year you put bills through without the Members even being permitted to see a copy of the bills before they were passed by the House. You put through major bills involving hundreds of millions of dollars in 10 minutes. Why, then, all this delay now, when people are in actual want and relief is in a critical condition?

[Here the gavel fell]

Mr. BUCHANAN. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER. Mr. Speaker, the gentleman from Minnesota [Mr. MAAS], who has just spoken, states we are passing legislation blindly. He should be reminded that we are now trying to prevent the House from doing what he condemns. The question now pending is the motion of the Chairman of the Appropriations Committee to recommit this bill for further conference and not to pass it. It is not unusual for conferees to submit such a motion, and it shows an earnest purpose on the part of the conferees to correct any mistakes in the conference report before finally submitting it to the House.

The four House conferees representing the majority party, all of whom voted for the bill when it first passed the House, and without whose vote no conference report could have been brought back to the House, now unanimously ask that the conference report be recommitted and frankly tell you that this course is necessary in order to correct what they now believe are mistakes and would make it impossible for the bill to be efficiently administered. No pride of opinion prevents the majority conferees from making this frank statement to the House.

It is not my desire in the short time remaining to repeat arguments previously made, since this House does not enjoy superfluous talk. You have heard brief, convincing, and forceful statements by two of the majority House conferees giving some reasons why, in their judgment, the report should be recommitted. I wish to refer to another reason which, in my opinion, suggests that the report should be recommitted for further consideration, namely, the provision requiring confirmation by the Senate of certain administrative officials appointed by the President. It would, in my judgment, greatly delay the effectiveness of the bill primarily designed, if you please, to meet emergency needs.

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

Mr. OLIVER. I yield.

Mr. RANKIN. As I understand it, the Democratic conferees, the ones who signed this conference report, are all asking that it be recommitted.

Mr. OLIVER. Absolutely.

Mr. RANKIN. And if they had made a motion to agree to the conference report the gentlemen on the other side immediately would have opposed it.

Mr. OLIVER. I think so; and let me conclude with this statement: The conferees whom you appointed have given sufficient reasons, I believe, why our colleagues on the majority side should send this bill back to conference. I give you another reason, ad hominem, perhaps, but the shortness of the time allotted me does not permit more than brief mention of it. Two gentlemen on the minority side, whom I respect, and who are conferees, did not vote for this bill, when it originally passed the House; they did not sign the conference report; and they would not now vote for the conference report, if it was submitted to the House. When you find these two minority conferees, now so vigorously opposing the motion to recommit, I respectfully submit, it furnishes to our colleagues on the majority side a very good and cogent reason why the motion to recommit should be carried.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. OLIVER. Yes.

Mr. O'CONNOR. The two conferees on the minority side never voted to report the bill out of conference and are today opposed to sending it back to conference, yet, if they had their way, it would be in conference now.

Mr. OLIVER. The gentleman is absolutely correct.

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

Mr. OLIVER. I yield.

Mr. MAY. I understand this is a unanimous report of the conferees, both of the Senate and of the House; but I have not yet understood why the report should be recommitted. [Laughter and applause.]

Mr. OLIVER. The gentleman was not in the Chamber when the matter was explained, and I have not time to repeat what has been said. I think the reasons given were sound. I can say to the gentleman from Kentucky, however, that it is not unusual for the Supreme Court, both of the Nation and of the several States, to recall announced opinions; nor is it unusual for our highest courts to grant rehearings and state their reasons afterward.

[Here the gavel fell.]

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. BUCHANAN] to suspend the rules and recommit the conference report to the committee of conference.

The question was taken; and on a division (demanded by Mr. SNELL) there were—yeas 208, noes 74.

Mr. SNELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 257, nays 110, not voting 64, as follows:

[Roll No. 43]

YEAS—257

Adair	Dickstein	Jones	Peterson, Ga.
Arnold	Dies	Kee	Pettengill
Ashbrook	Dietrich	Keller	Pfeifer
Barden	Disney	Kelly	Pierce
Beiter	Dobbins	Kennedy, N. Y.	Rabaut
Bell	Dockweiler	Kenney	Ramsay
Biermann	Dorsey	Kleberg	Ramspeck
Bland	Doughton	Kloeb	Randolph
Blanton	Doxey	Kocialkowski	Rankin
Bloom	Drewry	Kopplemann	Rayburn
Boehne	Driscoll	Kramer	Reilly
Boland	Driver	Lambeth	Richards
Boylan	Duffy, N. Y.	Lanham	Richardson
Brown, Ga.	Duncan	Larrabee	Robertson
Brown, Mich.	Dunn, Pa.	Lea, Calif.	Robinson, Utah
Brunner	Eagle	Lee, Okla.	Rogers, N. H.
Buchanan	Eckert	Lesinski	Rogers, Okla.
Buck	Edmiston	Lewis, Colo.	Romjue
Buckler, Minn.	Eicher	Lewis, Md.	Rudd
Buckley, N. Y.	Ellenbogen	Lloyd	Russell
Bulwinkle	Evans	Lucas	Ryan
Burch	Farley	Luckey	Sanders, La.
Burnham	Fiesinger	Ludlow	Sanders, Tex.
Caldwell	Fitzpatrick	McClellan	Sandlin
Cannon, Mo.	Flannagan	McCormack	Schaefer
Carden	Fletcher	McFarlane	Schuetz
Carmichael	Ford, Calif.	McGehee	Schulte
Cartwright	Ford, Miss.	McGrath	Scott
Cary	Fuller	McLaughlin	Scrugham
Castellow	Fulmer	McReynolds	Sears
Celler	Gasque	McSwain	Secrest
Chandler	Gassaway	Mahon	Shanley
Chapman	Gavagan	Mansfield	Sirovich
Citron	Gearhart	Martin, Colo.	Sisson
Claiborne	Gingery	Mason	Smith, Conn.
Clark, Idaho	Gray, Ind.	Massingale	Smith, Va.
Clark, N. C.	Greenwood	Maverick	Smith, Wash.
Cochran	Greever	Mead	Smith, W. Va.
Coffee	Gregory	Merritt, N. Y.	South
Colden	Haines	Miller	Spence
Cole, Md.	Hamlin	Mitchell, Tenn.	Starnes
Colmer	Harlan	Montague	Steagall
Cooley	Harter	Montet	Stubbs
Cooper, Tenn.	Healey	Moran	Sullivan
Corning	Hennings	Moritz	Sumners, Tex.
Costello	Higgins, Mass.	Murdock	Sutphin
Cox	Hill, Ala.	Nelson	Tarver
Cravens	Hill, Knute	Nichols	Taylor, Colo.
Crosby	Hill, Samuel B.	O'Connell	Taylor, S. C.
Cross, Tex.	Hobbs	O'Connor	Terry
Crowe	Hoeppel	O'Day	Thom
Cullen	Hook	O'Leary	Thomason
Cummings	Houston	Oliver	Thompson
Daly	Huddleston	O'Neal	Tolan
Darden	Imhoff	Owen	Tonry
Dear	Jacobsen	Parks	Turner
Deen	Jenckes, Ind.	Parsons	Umstead
Delaney	Johnson, Okla.	Patton	Underwood
Dempsey	Johnson, Tex.	Pearson	Utterback
DeRouen	Johnson, W. Va.	Peterson, Fla.	Vinson, Ga.

Vinson, Ky.	Weaver	Whelchel	Wilson, La.
Wallgren	Welch	Whittington	Woodrum
Walter	Werner	Wilcox	Young
Warren	West	Williams	Zimmerman
Wearin			

NAYS—110

Amlie	Eaton	Knutson	Reed, N. Y.
Andresen	Ekwall	Kvale	Rich
Andrews, N. Y.	Engel	Lambertson	Robsion, Ky.
Arends	Englebright	Lehlbach	Rogers, Mass.
Ayers	Fenerty	Lord	Sauthoff
Bacharach	Fernandez	McGroarty	Seger
Bacon	Fish	McLean	Short
Binderup	Focht	Maas	Snell
Blackney	Gehrmann	Maloney	Stefan
Boileau	Gifford	Mapes	Stewart
Brewster	Gilchrist	Marcantonio	Taber
Buckbee	Gildea	Marshall	Thurston
Burdick	Goodwin	Martin, Mass.	Tinkham
Carlson	Gray, Pa.	May	Tobey
Carpenter	Guyer	Merritt, Conn.	Treadway
Carter	Gwynne	Michener	Truax
Cavicchia	Halleck	Millard	Turpin
Christianson	Hancock, N. Y.	Monaghan	Wadsworth
Church	Hildebrandt	Mott	Wilson, Pa.
Cole, N. Y.	Hoffman	O'Malley	Withrow
Collins	Hollister	Patterson	Wolcott
Connery	Hope	Perkins	Wolfenden
Cooper, Ohio	Hull	Pittenger	Wolverton
Crawford	Jenkins, Ohio	Plumley	Wood
Crosser, Ohio	Kahn	Powers	Woodruff
Culkin	Kimball	Ransley	Zioncheck
Dirksen	Kinzer	Reece	
Dondero	Kniffin	Reed, Ill.	

NOT VOTING—64

Allen	Dunn, Miss.	Holmes	Patman
Andrew, Mass.	Faddis	Igoe	Peyser
Bankhead	Ferguson	Kennedy, Md.	Polk
Beam	Frey	Kerr	Quinn
Berlin	Gambrill	Lamneck	Sabath
Bolton	Gillette	Lemke	Sadowski
Brennan	Goldsborough	Lundeen	Schneider
Brooks	Granfield	McAndrews	Shannon
Cannon, Wis.	Green	McKeough	Snyder
Casey	Greenway	McLeod	Somers, N. Y.
Crowther	Griswold	McMillan	Stack
Darrow	Hancock, N. C.	Meeks	Sweeney
Dingell	Hart	Mitchell, Ill.	Taylor, Tenn.
Ditter	Hartley	Norton	Thomas
Doutrich	Hess	O'Brien	White
Duffey, Ohio	Higgins, Conn.	Palmisano	Wigglesworth

So two-thirds having voted in favor thereof, the rules were suspended and the motion to recommit the report to the committee of conference was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Goldsborough and Mr. Granfield (for) with Mr. Darrow (against).

Mr. McAndrews and Mr. O'Brien (for) with Mr. Thomas (against).

Mr. Palmisano and Mr. Meeks (for) with Mr. Wigglesworth (against).

Mr. Gillette and Mr. Ferguson (for) with Mr. Ditter (against).

Mr. Berlin and Mr. Sabath (for) with Mr. Hartley (against).

Mr. Dingell and Mr. Lamneck (for) with Mr. Doutrich (against).

Mr. Patman and Mr. McKeough (for) with Mr. Cannon of Wisconsin (against).

Mr. Frey and Mrs. Norton (for) with Mr. Hess (against).

Mr. Kennedy of Maryland and Mr. Gambrill (for) with Mr. Bolton (against).

Mr. Beam and Mr. Somers of New York (for) with Mr. Crowther (against).

Mr. Bankhead and Mr. Stack (for) with Mr. Taylor of Tennessee (against).

Mr. Igoe and Mr. Hart (for) with Mr. Holmes (against).

Mr. McMillan and Mr. Casey (for) with Mr. Andrew of Massachusetts (against).

Mr. Hancock of North Carolina and Mr. Griswold (for) with Mr. Higgins (against).

Mr. Sadowski and Mr. Peyser (for) with Mr. Allen (against).

Mr. Faddis and Mr. Brooks (for) with Mr. McLeod (against).

General pairs:

Mr. Kerr with Mr. Lemke.

Mr. Taylor of South Carolina with Mr. Schneider.

Mr. Hennings with Mr. Lundeen.

Mr. Sweeney with Mr. Quinn.

Mr. Brennan with Mr. White.

Until further notice:

Mr. Shannon with Mr. Mitchell of Illinois.

Mr. Duffey of Ohio with Mr. Greenway.

Mr. Green with Mr. Polk.

Mr. Dunn of Mississippi with Mr. Snyder.

Mr. McCORMACK. Mr. Speaker, the gentleman from Massachusetts [Mr. GRANFIELD] is away on official business. If present, he would vote "aye." The same thing applies also to the gentleman from Massachusetts [Mr. CASEY].

Mr. UTTERBACK. Mr. Speaker, I desire to announce that my colleague the gentleman from Iowa [Mr. GILLETTE] is unavoidably absent and, if present, would vote "aye."

Mr. DOBBINS. Mr. Speaker, my colleague the gentleman from Illinois [Mr. MEEKS] desires it to be known that if present today, which he is unable to be on account of illness, would vote "aye."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE PUBLIC-UTILITIES HOLDING COMPANY BILL AND T. V. A.

Mr. PETTENGILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the public-utility holding-company bill.

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

There was no objection.

Mr. PETTENGILL. Mr. Speaker, as a member of the Committee on Interstate and Foreign Commerce, I wish to make a few preliminary remarks on the public-utility bill now before that committee.

Newton D. Baker once said that "the test of intelligence is a capacity to suspend judgment until the facts are known."

I would like the country to know that a group of level-headed and fair-minded men—the members of that committee—are trying to ascertain the facts. They are proceeding with patience and without passion. They are hearing every side of the question. The hearings have now been going on morning and afternoon for 5 weeks, and are by no means concluded.

Despite excited statements that the bill as first drafted would be "railroaded" through with only 12 hours for a $12,000,000,000 industry to present its case, the committee has already given the industry 48 hours, and still more time will be given. The defense has already consumed more time than the proponents of the bill.

This brief recital ought to reassure anxious investors that the case will be heard before it is judged, and that judgment will be the result of reason, not emotion. The Committee on Interstate and Foreign Commerce is not a punitive body, on the one hand, nor the creature of the Power Trust on the other.

Its task is as delicate as that of the surgeon—to cut away cancerous tissue and leave unharmed the sources of life and growth. It has but one interest—the public interest. It has but one desire—to promote recovery and the confidence that underlies recovery.

It can build for the future, but it cannot salvage the past. Responsibility for the past rests on other shoulders.

If the key men in the industry in all cases had been industrial statesmen and not, as in some cases, Ponzi financiers, there would be no problem before the industry or Congress today.

An attempt will be made by some of the Ponzis of the industry to deposit their illegitimate offspring on the doorstep of Congress.

Congress did not cause the losses of the past and will not do vicarious atonement for them. Congress did not engage in "write-ups"; it did not capitalize imagination; it issued no watered stocks; it made no "upstream" loans; it did not "trade out" or induce old ladies to exchange sound securities in operating companies for "convertible, redeemable, refunding second preferred, but nonvoting, junior warrants" in holding companies many degrees removed from the stone and steel and coal and falling water which lie at the bottom of the pyramid and alone sustain it.

On the other hand, Congress did not build the magnificent physical properties which today constitute the greatest of the miracles of science. Let the credit go where it belongs and the blame fall where it should.

To keep the record straight let me give these facts. They are taken from the testimony of Mr. David Friday, an economist engaged by the industry to appear before our committee. He states that the market value of utility securities on September 1, 1919, was: Holding companies, $4,444,709,029, and operating companies, $5,294,949,486, a

total of $9,739,658,515. On July 1, 1932, values of holding-company securities had shrunk 87 percent and operating companies 79 percent. In other words, $9,739,658,515 had shrunk to $1,684,773,000, showing a market value loss of $8,054,885,000, or an average decline of 83 percent. No doubt the value in 1929 was too high and the value in 1932 was too low. Stocks formerly selling for $100 declined to $5 or less.

That staggering shrinkage in value cannot be blamed on Congress or the present administration or its policies or the pending bill. It occurred before anyone now holding office was elected.

Since the date last given there has been a further shrinkage in the value of public-utility securities. Since March 4, 1933, the present administration has been in power and Insull and others have been fighting to keep out of prison. I shall not attempt to further apportion the responsibility for any continuing loss of confidence in the value of these securities.

It is time for the leaders in Congress and the leaders in business to reestablish that lost confidence and to rebuild this great industry. Let us build it upon the rock of character, and not on the sands of cunning and greed. The light and power industry needs the light of publicity and the power of public opinion. The industry has nothing to fear from the public if it deals fairly with the public. I will play my last card on the sense of fairness of the American people.

I am satisfied, too, that many utilities were managed with as high a degree of honor as prevailed generally in the 1920's—even among politicians—and that their present management is entitled to confidence.

In the task of reconstruction I think government has its part to play. I refer now to the huge hydroelectric program begun with Boulder Dam in the Hoover administration and continuing with Muscle Shoals in the present administration.

I think the Government should make absolutely explicit the frontiers of that program. If more millions of dollars are to be advanced by private investors in the expansion of the light and power industry, if more machinery and equipment is to be bought, more men to be employed, more pay rolls to enter the homes of America, it seems to me imperative that private enterprise must know, with confidence, the limits of that program.

If private business is to be asked to play the game, it must be assured that it will still have a game to play. I would like to repeat that statement in letters a foot high and hang them on the wall of every office in Washington.

I make no criticism of the Tennessee Valley Authority as a "yardstick" to measure the cost of electrical energy. That yardstick has been voted by Congress and is not now the issue.

But the yardstick must be an honest one if it is to be a reliable measure of a competing service. Men have many virtues. A yardstick has only one—honesty. The Tennessee Valley yardstick must contain every item of cost that private enterprise has to include in its operating expense. I have no doubt that that is the intention of the management of the T. V. A. But that intention is not now made clear. It should be, in justice to T. V. A., to the communities it serves, and to the private enterprise with which it competes.

T. V. A. is excepted from the provisions of the pending bill. Private enterprise is included. Uniform accounting is to be required of private utilities but not of the Government utility. Private enterprise is to be subject to Federal regulation, as it is now subject to State regulation. T. V. A. asserts that it is subject to no regulation, State or Federal.

The good intentions of the high-minded men in charge of T. V. A. will not remove the present timidity of private capital. T. V. A. should be like Caesar's wife. Its record of business management should be written where those who run may read. It owes that to itself and to the Nation.

This is no time for hysteria or recrimination or suspicion. It is time when honest men in government and honest men in business should build confidence by an exchange of confidence.

Public office and public utilities should both be a public trust.

We must liquidate the faults of the past and solidify the foundations of the future.

The hope of tomorrow depends on the candor and courage and character with which we all attack the problems of today.

The yardstick of tomorrow must be the Golden Rule.

TRADE TREATIES

Mr. BACHARACH. Mr. Speaker, I ask unanimous consent to have printed in the RECORD an interview which I gave to the New York Times and which was published on yesterday, on Trade Pacts.

Mr. McFARLANE. Mr. Speaker, reserving the right to object, what is it the gentleman wants to insert in the RECORD?

Mr. BACHARACH. I just stated it was an interview which I gave to the New York Times on trade pacts with foreign countries.

Mr. BACON. It is the gentleman's own remarks.

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

There was no objection.

Mr. BACHARACH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following interview which I gave to the New York Times, published on March 31, on Trade Treaties:

[From the New York Times, Sunday, Mar. 31, 1935]

BACHARACH WARNS ON TRADE TREATIES—ASSERTS RECIPROCAL PACTS AID FOREIGN FARMERS, BUT FAIL TO PROTECT GROWERS HERE—ASKS REPEAL OF THE ACT—SEES STATE INDUSTRIES HURT BY BELGIAN ACCORD—FEARS LINKS WITH ITALY AND JAPAN

(By ISAAC BACHARACH, Representative in Congress from the Second New Jersey Congressional District and Republican Member of the House Ways and Means Committee)

WASHINGTON, March 30.—In the last Congress we enacted, at the behest of the Roosevelt administration, what is known as the "Reciprocal Tariff Act." I was opposed to the enactment of this legislation and am still opposed to it. So far, under the terms of this act, the President has entered into trade agreements with Cuba and Belgium, but negotiations have begun with other nations, including Colombia, Haiti, Brazil, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Sweden, Spain, Switzerland, Finland, the Netherlands, Italy, and Canada.

Agreements with any and all of these countries vitally affect the State of New Jersey. With the exception of Belgium, agreement with the other countries above mentioned would affect principally our agricultural interests.

We already had a 20-percent differential in favor of Cuban products, but among other concessions made to Cuba under the trade agreement, we have made reductions of from 25 to 50 percent below previous existing tariff duties on lima beans, white potatoes, tomatoes, cucumbers, egg plant, peppers, squash, etc., in the seasonal period from December 1 through the spring months, a time when the domestic producers most need the protection that was afforded under our present tariff act.

TOMATO GROWERS TO SUFFER

Negotiations are under way for a trade agreement with Italy. If this agreement goes through, and I have no doubt on that score, the farmers of New Jersey and other Northeastern States will be materially affected. This is particularly true with relation to any agreement which would lower the tariff on tomatoes and tomato products. Any reduction in these tariff rates will be reflected immediately in lower prices to tomato growers. Even under the benefits of the present tariff law, which has reduced substantially imports of tomatoes and tomato products, producers are unable to sell their produce at a fair profit and they are asking the canners for a 10-percent increase in price. This will be voided if the canners are threatened with a surplus from other countries, and tomato brokers and jobbers are declining to buy tomatoes in view of the negotiations with Italy and the probability of a reduction in tariff rates.

As a result the market is stagnant, prices are depressed below the 1934 level and growers are facing higher production costs due to codes and the competition from higher labor wages in industry. Another thing which confronts the tomato growers of New Jersey and other Eastern States, is the fear of competition from Midwestern areas where much wheat and corn land has been removed from these crops under benefit payments, but are not held under any restrictions as to what crops can be produced thereon.

It is understood that the administration is in process of negotiating an agreement with Canada, with the possibility of a reduction in the tariff on Canadian potatoes, in accordance with the

precedent established in the Cuban agreement. New Jersey is a great potato-growing State. Already potato growers of the country are suffering from foreign competition, which has ruined prices and subjected them to a tremendous financial loss. To help them there should probably be an increase in tariff rates instead of a reduction. This is true also of the poultry and egg industry, which is suffering from ruinous competition from China and other foreign countries.

THE BELGIAN AGREEMENT

Industrial New Jersey will be very much affected by the agreement entered into with Belgium. Under that agreement 54 products were affected, and of these 54 products on which concessions were granted, reductions in rates of duty were made on 48, the present duty was bound on 1, and 5 products were bound on the free list.

The 48 products on which reductions were made include 8 chemicals; 7 ceramics, including cement, glass, sand, laminated, plate, rolled, cylinder, crown, and sheet glass; 10 iron and steel products; 3 agricultural products; 8 textiles; 5 paper products; and 7 sundries. The reductions on tariff rates on these products range from 17 percent to 50 percent.

The State of New Jersey will feel the effects of this trade agreement with Belgium, since all of the products on which tariff duties have been reduced under the agreement are produced in our State.

So far as I know, negotiations have not been undertaken yet with Japan looking toward a trade agreement with that country, but, should such a calamity develop—for it would be nothing short of a calamity—it would spell ruin for American industry and the welfare of American workers.

To my mind it is evident that in entering into these trade agreements we are more concerned with the prosperity and welfare of foreign farmers and workers and foreign manufacturers than we are with the welfare of our own farmers, workers, and manufacturers, and I fail to see how we are going to cure unemployment, increase wages, and do the other things so vitally necessary to pull us out of the depression if we are to throw wide open the doors of foreign competition and thereby tear down our tariff walls through these vicious trade agreements.

The law should be repealed before it is too late.

CLAIMANTS WHO SUFFERED LOSS FROM FIRES SET BY GOVERNMENT-OPERATED RAILROADS IN MINNESOTA IN 1918

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 366.

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

There was no objection.

Mr. PITTENGER. Mr. Speaker, I hope my colleagues have read my remarks in the CONGRESSIONAL RECORD for March 28 on page 4644, and also in the RECORD for March 29, on page 4717, in which I discuss H. R. 3662 and point out the objections to the measure are without merit because the courts held the Government liable. The Government, then, in violation of law, forced the claimants to take a percentage of the loss as determined by the Government or else take nothing. This bill has for its purpose the payment to the claimants of the balance of the loss admitted by the Government.

Those who do not understand the bill, and therefore oppose it, say something like this, "Oh, this is an old claim, hoary with age, has been here a long time", and so forth. I want to correct this error. Following the 1918 fire, the Director General of Railroads denied liability for the loss, claimed other fires did the damage, and so forth, and entered into litigation which covered a period of years. In order to force everybody to take what the Director General would pay, he refused to pay anyone a portion of the loss until all would agree to accept a portion of the loss. This disgraceful procedure took time. When the citizens of a great Republic were given no other alternative than to sign on the dotted line, it took considerable time to settle the thousands of claims which had been filed. The last cases were not actually settled until 1927 or 1928. In 1929, in the "lame duck" session, the first bill was introduced in Congress by my predecessor. I took office on March 4, 1929, and at the regular December session that year I introduced a bill for the fire claimants. In March 1930 Ed. M. Erwin, Chairman of the Claims Committee, appointed a subcommittee to conduct hearings. These hearings were held. They extended over a period of several days and contained over 300 pages of testimony and evidence. The former Director General of Railroads appeared in opposition to the claims. This took several months, and Congress adjourned in 1930 with the bill still pending before the committee. At the third session of the Seventy-first Congress consideration of the bill was again had, and on February 17, 1931, Hon. Fred Johnson, of Nebraska, submitted a favorable report to the House. The bill was not reached on the Private Calendar. The bill was again favorably reported in the Seventy-second Congress, and one objection prevented its consideration. It passed the Senate in the Seventy-third Congress. I cite these facts to show that there has been proper diligence, and the bill is not "hoary with age", but has been properly before Congress, where action could not be obtained under the old rules of procedure, where one objection can stop a bill, no matter how meritorious.

Congressman Johnson of Nebraska, in his report in 1931, said, in part:

The testimony developed in the hearings on this case is uncontroverted as to the situation which resulted in part payment of the losses suffered by the fire claimants. The testimony leads to the conclusion that the fire sufferers were practically forced to accept such payments as the Director General of Railroads was willing to make. When he made those part payments it is true that the fire sufferers had no other alternative except to comply with his pronouncements. He required that a legal release of all claims against the Government be executed; he required that a legal stipulation for the entry of judgment be executed; he required that a legal satisfaction of judgment be signed and executed. He took all of these steps so as to forever bar any claimant from having any legal or equitable causes of action against the United States in any of its courts. The only redress, therefore, which the claimants in this bill have is a bill in Congress.

The Government is still indebted to them, in spite of these legal instruments, for the balance of a loss which was ascertained by the Government, on a liability that was established by the courts of Minnesota, and on which only partial payment has been made.

The United States insists that its citizens discharge their duties and obligations fully. In collecting income taxes, it does not accept a percentage of the amount due. The Government should, therefore, recognize its just obligations and, through Congress, ought to treat fairly with its citizens. Either the Government owed the fire sufferers the amount of loss which each of them sustained or else it owed them nothing. It recognized liability in making part payments on these claims. The only way that justice can be done is to pass this bill and pay the balance.

The above language is that of the Committee on Claims in 1931, and was the deliberate judgment of the committee after hearing witnesses and obtaining information as to the fire claims. The members of the Claims Committee were men of high standing. They would not, and did not, submit a report that was not correct and proper. When this claim was considered in the Senate last session, the same results were reached. Surely, those of us who are interested in this measure have proved the justice of these claims. It is unfair for one or two or three men, who did not hear the testimony, or consider it, and who cannot without long and careful study, know the facts, attempt to speak with authority on this measure, or successfully oppose its passage.

Read report no. 255, and note carefully Senator LOGAN'S report in the Seventy-third Congress, incorporated therein.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

TRIBUTE TO W. W. HOWES

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

The SPEAKER. Is there objection?

There was no objection.

Mr. HILDEBRANDT. Mr. Speaker, a majority of the Congressmen come in contact frequently with our genial, accommodating First Assistant Postmaster General, W. W. Howes, and will verify my assertion that no man has ever occupied this important office who has been more conscientious, faithful, and efficient.

As a South Dakotan, I am especially proud of "Bill" Howes, and so are the people of my State in general, for he is one of us—a resident of Wolsey, a former State's attorney for Beadle County, and for years one of the most stalwart leaders of the Democracy of the State. Mr. Howes is still a comparatively young man, yet it is acknowledged by all who know him that he performs the multifarious and detailed

duties of his difficult position with rare devotion as well as exceptional tact.

Back when the Democratic Party of South Dakota was in a hopeless minority, Mr. Howes was just as dependable and unwavering a Democrat as he is today. In the days when it seemed that no Democrat had a chance of winning an election, he fought battle after battle as cheerfully and energetically as though victory had been in sight. The years went on and his long and tireless efforts were crowned with success. No Democrat in the country had more right to rejoice over the final triumph than Mr. Howes. I campaigned with him, and I know how splendidly he gave his time and talents to the Democratic cause when defeat was a certainty.

Unlike some men in high office, Mr. Howes' promotion came as the reward of hard work and real service. For him there is no hour limit. He customarily works overtime. Early and late, day and night, he is at his office. It is no simple task to have the responsibility to greater or lesser extent for 48,000 postmasterships. After the Civil Service Commission has certified the names of the three eligibles for a postmastership, the recommendation of the Congressman or the local party organization of the one to be named goes to Mr. Howes for consideration and check-up before it is finally passed on to the Postmaster General. The immense amount of detail work involved may be realized in part, but it is far greater than can easily be realized.

Mr. Howes is a credit to the Nation, to his home State, to his party, and to himself. He is not only an able and painstaking official but he has steadily demonstrated that it is possible for a public servant to be kindly, thoughtful, considerate, and friendly. His friends are legion—as they ought to be—and they include almost as many Republicans as Democrats.

It is a pleasure to turn from ordinary routine of congressional duties and say a few well-merited words in behalf of Mr. Howes. It is my thought that it would not be out of place to make this a matter of record so that proper credit might be given such a splendid example of the best citizenship of governmental efficiency.

PREVENTION OF WAR

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

The SPEAKER. Is there objection?

There was no objection?

Mr. HOUSTON. Mr. Speaker, as a Member of this House who is both sincere in conviction on the subject and pledged to exert every possible effort to allay the hazards of war, I would like to consume this time so graciously accorded me in outlining a few aspects of the war problem which, I believe, have not yet been extensively examined in the course of current discussions.

While it is generally agreed that war should be abolished, and while sober thinkers realize that there is little possibility that any nation of the world not under the control of madmen would attempt armed invasion of another in the near future, it is too much to hope that another terrible world conflict is not inevitable. No. Of course, we do not want war—but we cannot help but recall the post-war remark of that war-time English statesman, Lloyd George, who said:

> No country really wanted war in 1914, but we gradually slid into it.

No country really wants war today, but once the conflagration starts and patriotism is fired up with martial music and propaganda, the demands of the mass of people will be such that sober reflection and calm judgment will be forced to give way to the feverish desire to annihilate the enemy. War is inevitable; even with all of its gruesome aspects, its vile frightfulness and brutality forever engraved on the minds of those who participated in the last one; with the horrors of human conflict, murderous and fatal, dimmed by a few intervening years, those who yesterday swore they would never again bear arms will be among the first to come forward to fight to the tune of "save democracy" or "down with tyrants" or another catch phrase of like ring.

Why is war inevitable?

While the answer to this question may easily be complicated by examination of historical precedent, it finally narrows down to the bare fact that the cause of war is economic, and as long as the ambitions of men direct them toward progress in trade and commerce, just so long will the desires of the nationals of one land conflict with those of another and ultimately lead to inhuman warfare among humans. The inception of war is motivated by the desire for human gain, in the first instance, and is always followed by a synthetic patriotism, fostered and nurtured into the actual and necessary patriotic fervor which is the prerequisite of the murder and suicide of war. This we well know. We also know that when war is imminent these facts are obscured as reason vanishes in the face of blind unreason.

Even in peace time we appear to find it difficult to get together on methods of minimizing war hazards. I quote a brief item entitled, "How to Abolish War Profits", taken from a recent issue of the United States News:

> Three clashing viewpoints on taking the profits out of war, as set forth in House committee hearings on the McSwain bill:
>
> For the veterans: "Freeze prices, equalize the recompense of workers and soldiers, license business, combat any strike of capital by martial law, seize all war profits."
>
> For organized labor: No conscription of labor; no freezing of prices, which would enrich employers as volume of production mounts.
>
> For steel manufacturers: Abolish war.
>
> The bills provisions, in line with recommendations of anti-profiteers Hugh S. Johnson and Bernard M. Baruch: Conscription of men between the ages of 21 and 30; Presidential power to fix prices, license business, determine priority for filling orders. Fine for violations, $100,000.

Mr. Speaker, I believe the McSwain bill to be an excellent measure. It is properly termed "a declaration of policy" and should become a powerful factor in preventing this country from going into war against another nation. I shall certainly vote for its adoption. I also am heartily in accord with the use of the taxing power of the Congress to eliminate any possibility that another world war will again produce in this country 21,000 new millionaires and give some 69,000 men an opportunity to divide war profits of $3,000,000,000, over and above normal profits, as was the case in the last war.

However, the McSwain bill and similar measures, although designed to help prevent war, cannot be regarded as more than one more step in the right direction, even if an extremely important one. After its adoption we must continue to cast about for other means of assuring world peace. We must carry on the good work of encouraging and executing peace pacts and nonaggression treaties, so that when the militaristic influences of the few countries which might feel compelled to fight over some real or imagined grievance would find few allies to join them.

The McSwain bill and the proposed taxing of war profits are, of course, based upon and justified by the idea that it is the duty of the individual citizen of the United States to abide by laws enacted by chosen representatives who, in effect, have a mandate from the people as a whole, demanding, among other things, that they—the representatives—make every possible effort to allay the possibilities of war.

I ask you, Mr. Speaker, if this particular mandate is not of sufficient importance to justify extraordinary measures of control. Should we not take every step possible in an effort to bring about the ultimate elimination of this uncivilized legal murder of human beings? If the answer to this question is in the affirmative—and I am confident that it will be—I propose that the Congress of the United States inform every citizen of this country that it shall be the duty of that citizen to not only subject himself to such rules of law as will prevent this country from going to war, but shall also refuse to profit by warfare between nations or within nations anywhere in the world. In other words, let us not only avoid such entanglements as a nation, but let us also discourage our citizens from participating, directly or indirectly, in the affairs of foreign nations at war.

The plan I propose is simple in conception, although admittedly complex as to execution. Through the power of Congress to tax incomes, I would impose a levy of 100

percent upon profits accruing to an American citizen from within any nation which happened to be in a state of war at the time such profits existed. This tax should apply with equal force whether the income entered the United States or remained on deposit abroad, and penalties for avoidance should be sufficiently stringent to compel compliance.

I am aware that such a law would cause a small reduction in our foreign trade from time to time, resulting in benefits for other countries, but if the nations of the world desire peace they will adopt similar laws. As a family of nations we talk, talk, and talk, and then talk some more about limiting armaments. We negotiate peace treaties. We send good-will ambassadors across international boundaries to cultivate friendship and understanding.

All of these moves are excellent and indispensable. But, if we know that war is primarily an economic problem why use half-measures in its prevention? Why not attack it in the same manner we go after other economic sore spots in our existence, by striking at the basic cause of the whole sorry mess—the desire for human gain.

What better method could be used to test the sincerity of all nations than to propose a treaty which would arbitrarily end profits for noncombatants, both as nations and individuals?

It is because I believe that this proposal should first be presented in the form of a treaty for legislative consideration that I have not drafted a measure along these lines. Also, I am as yet not sure as to the constitutionality of the taxing method proposed and shall require further time for study. If, however, an amendment to the Constitution is found necessary, I am sure the people of this country would vote almost unanimously in favor of its inclusion.

The proposal should be discussed from all angles before any definite plan is crystallized. It is with this thought in mind that I commend it to your consideration.

PROTECTION AGAINST SOIL EROSION

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

The SPEAKER. Is there objection?

There was no objection.

Mr. WHELCHEL. Mr. Speaker, I wish to take this occasion to voice my whole-hearted endorsement of the measure before the House today, H. R. 7054, the purpose of this bill being "to provide for the protection of land resources against soil erosion and the making of this project a permanent measure."

The bill itself is very explicit, and the information contained in its provisions set out fully the purposes, and I ask consent that said bill be included herein and made a part of my remarks.

A bill to provide for the protection of land resources against soil erosion, and for other purposes

Be it enacted, etc., That it is hereby recognized that the wastage of soil and moisture resources on farm, grazing, and forest lands of the Nation, resulting from soil erosion, is a menace to the national welfare and that it is hereby declared to be the policy of Congress to provide for the control and prevention of soil erosion and thereby to preserve natural resources, control floods, prevent impairment of reservoirs, and maintain the navigability of rivers and harbors, protect public lands, and relieve unemployment, and the Secretary of Agriculture, from now on, shall coordinate and direct all activities with relation to soil erosion and in order to effectuate this policy is hereby authorized, from time to time—

(1) To conduct surveys, investigations, and research relating to the character of soil erosion and the preventive measures needed, to publish the results of any such surveys, investigations, or research, to disseminate information concerning such methods, and to conduct demonstrational projects in areas subject to erosion by wind or water;

(2) To carry out preventive measures, including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land;

(3) To cooperate or enter into agreements with, or to furnish financial or other aid to, any agency, governmental or otherwise, or any person, subject to such conditions as he may deem necessary, for the purposes of this act; and

(4) To acquire lands, or rights or interests therein, by purchase, gift, condemnation, or otherwise, whenever necessary for the purposes of this act.

SEC. 2. The acts authorized in section 1 (1) and (2) may be performed—

(a) On lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof; and

(b) On any other lands, upon obtaining proper consent or the necessary rights or interests in such lands.

SEC. 3. As a condition to the extending of any benefits under this act to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this act, require—

(1) The enactment and enforcement of local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for the prevention of soil erosion;

(2) Agreements and/or covenants as to the permanent use of such lands; and/or

(3) Contributions in money, services, materials, or otherwise, to any operations conferring such benefits.

SEC. 4. For the purposes of this act, the Secretary of Agriculture may—

(1) Secure the cooperation of any governmental agency;

(2) Subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such officers and employees as he may deem necessary, except that employees of the organization heretofore established for the purpose of administering those provisions of sections 202 and 203 of the National Industrial Recovery Act which relate to the prevention of soil erosion may be continued without regard to the civil-service laws or regulations and the Classification Act for a period not to exceed 4 months from the date of this enactment; and any persons with technical and expert knowledge, connected with any educational or research institution, may be jointly employed and compensated under this act and by such institution on a basis to be determined by the Civil Service Commission; and

(3) Make expenditures for personal services and rent in the District of Columbia and elsewhere, for the purchase of law books and books of reference, for printing and binding, for the purchase, operation, and maintenance of passenger-carrying vehicles, and perform such acts, and prescribe such regulations, as he may deem proper to carry out the provisions of this act; and any violation of any such regulation shall be punishable by a fine of not to exceed $100.

SEC. 5. The Secretary of Agriculture shall establish an agency to exercise the powers conferred on him by this act and may utilize the organization heretofore established for the purpose of administering those provisions of sections 202 and 203 of the National Industrial Recovery Act which relate to the prevention of soil erosion, together with such personnel thereof as the Secretary of Agriculure may determine, and all unexpended balances of funds heretofore allotted to said organization which shall be available until June 30, 1937, and shall assume all obligations incurred by said organization prior to transfer to the Department of Agriculture. Funds provided in House Joint Resolution 117, "An act making appropriation for relief purposes" (for soil erosion) shall be available for expenditure under the provisions of this act; and in order that there may be proper coordination of erosion-control activities the Secretary of Agriculture may transfer to the agency created under this act such functions, funds, personnel, and property of other agencies in the Department of Agriculture as he may from time to time determine.

SEC. 6. There are hereby authorized to be appropriated for the purposes of this act such sums as Congress may from time to time determine to be necessary.

It is not my purpose, and in no wise do I attempt to discount the legislation being enacted by this Congress, but I do want to take this opportunity of saying, to my mind, the work being done, and that anticipated in regard to the erosion of our soil is of vast importance, and its value is inestimable to our Nation.

Never in the history of our country have the American people faced a situation so appalling, and unless something is done to check this waste, the fertility of our soil will be so depleted that from the standpoint of agriculture and earning a living from the soil it will be a thing of the past. May I say to you that there is in the approximate of 100,000 acres of land being laid in waste by this evil of soil erosion each year.

Of course, I can understand the damage in this connection. It is occasioned by winds in the Western States, but, in my opinion, this evil is doing its deadly work more where watersheds are in evidence than any other place. The fact is, the damage caused by wind erosion is small compared to the land made useless by water, and this is particularly so in north Georgia, and the whole piedmont belt. The fields which were fertile only a few years ago are today ravines and could be truthfully termed "waste lands."

Each year there has been carried from acres of this section many tons of fertile soil that it has taken years to

place there by nature and the efforts of man and which is so valuable and means so much to the inhabitants of our country.

There is another evil to this situation, which is predominating in Georgia, and that is where the soil is washed from the lands in the northern portion of our State and these acres left bare. This same soil is being deposited in streams lower down in the State, and it is fast filling the beds of these streams, which causes the water to overflow its banks, and where there were once thousands of acres of fertile lowlands, today they are worthless swamps, made so by seepage from the streams that have been filled by this soil, and you can see from this that, not only is it causing the land in the northern portion of the State to be worthless but it is working such damage to the lowlands that they are becoming untenable and worthless, also, and from this explanation you can see that this soil erosion in Georgia has a twofold evil.

Much has been said, and justly so, in tribute of two men, Hon. H. H. Bennett and Hon. Samuel W. Phillips, who, it is contended, have been instrumental in furtherance of soil erosion in the United States. I would not detract from this praise given these gentlemen, but may I call your attention to the untiring efforts of Hon. Loy E. Rast, regional director of this project, of Athens, Ga.?

It was through this gentleman that I became interested in soil erosion and to really see its value. On every occasion Mr. Rast presented this evil to the people, and, to my mind, he is outstanding in this work and too much cannot be said in his behalf, and I think it is nothing but fair that mention should be made of the splendid results he has attained in Georgia. The people feel that they have, in this gentleman, one whose interest is their interest, in this pioneering soil-erosion project.

In conclusion, may I say that in my opinion this is one of the most important measures presented to Congress, certainly since my stay here, and one that should receive the unqualified support of every American.

REREFERENCE OF BILL

Mr. RAYBURN. Mr. Speaker, in the transfer of bills from the Committee on Interstate and Foreign Commerce to the Committee on Merchant Marine and Fisheries, one bill was overlooked. I therefore ask unanimous consent that H. R. 6119 be referred from the Committee on Interstate and Foreign Commerce to the Committee on Merchant Marine and Fisheries?

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

There was no objection.

IDENTITIES OF INTEREST IN RESTORING FOREIGN TRADE

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a speech made by Secretary of Agriculture Henry A. Wallace, on World Trade. It is a good speech.

Mr. TAYLOR of Colorado. Mr. Speaker, reserving the right to object, it is impossible for the Members of the House to hear what these requests are.

Mr. MAVERICK. I asked unanimous consent to print a speech made by Secretary of Agriculture Wallace on the subject of World Trade.

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

There was no objection.

Mr. MAVERICK. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address of Henry A. Wallace, Secretary of Agriculture, in the series of radio broadcasts on world trade and recovery, Washington, D. C., March 30, 1935:

We are now in the seventeenth year since the close of the Great War. Throughout these years people of vision in every country have sought to persuade their countrymen along paths that would lead them out of the wilderness of hatred, chaos, and despair into the promised land of a new world order. Undaunted by reverses and disappointments on all sides, these practical idealists have fought on for policies founded on a spirit of peaceful cooperation between nations.

Yet from the first they have struggled against terrific odds. Instead of unity of purpose and breadth of understanding, so essential to restoring the world to economic health, the spirit of hatred, suspicion, and of intense and narrow nationalism engendered by war remained predominant. Finally in 1929 the whole world economic fabric gave way under the cumulative impact of nationalistic policies. In the severe world depression that has followed, nation after nation has sought refuge in measures of economic exclusion, whose only effect has been to intensify the very disease with which all are afflicted.

The story of our own contribution to the development of this world malady is one upon which I need not dwell. We raised our tariffs higher and higher in amazing disregard of the fact that we had become a great creditor country and one still heavily dependent upon export trade. When we should have lowered our tariffs, we raised them; when we should have accepted more imports, we shut the door against them; when we loaned vast sums abroad, we refused to let our debtors pay us back in the only way they could—in goods.

It is a discouraging fact that we have not yet learned how a mature creditor nation must behave. Five years of depression have not convinced us, apparently, that there is any relationship between foreign trade and national welfare. Individuals, industries, even whole localities and regions whose very life depends upon the restoration of foreign trade, have thus far failed to grasp the true realities of the situation. If they do not become aware of their true interests, the contest will go by default, and it will go 100 percent against them.

Let me begin by reminding you of what has actually taken place with respect to world trade and our own share in it. In 1929 the gold value of the foreign commerce of the world aggregated $69,000,000,000. By 1933 it had declined to twenty-four billion, and in 1934 was probably not far from that figure. Thus, in value, world trade has fallen to but a third of its 1929 level. In actual quantity the decline has been much less than this, because for many commodities entering into world trade the effects of the depression and of trade barriers have been felt primarily in lower prices rather than reduced volume of shipments. Nevertheless, the actual quantity of goods moving in international trade had by 1933 declined to about three-fourths of what it was in 1929, and is still probably not far from that figure.

Our own foreign trade has fared even worse. In value it declined from a little less than $10,000,000,000 in 1929 to less than $4,000,000,000 in 1934, in United States dollars, but to about $2,500,000,000 if figured on the old gold basis. In terms of quantity it amounted in 1934 to only 60 percent of the 1929 volume. What has happened is that we have not only suffered a trade loss since 1929 aggregating in value something like $30,000,000,000, but have also been securing a progressively smaller share of the reduced world trade. Indeed, our share of the world's trade has declined more than that of almost every other country. In 1929 we obtained 13.8 percent of the total world trade. By 1934 our share had fallen to 9.8 percent. Thus our share relative to that of the other countries actually fell by nearly 30 percent. What this means is that a considerable part of our trade loss represents actual diversion of trade to other countries. It will not be easy to recapture.

Foreign trade means bread and butter to millions of people in this country. Relatively few of them seem to realize it. The cotton farmer may know very well that perhaps half his production will be sold abroad, but the railroad employee may not give much thought to the fact that he derives part of his earnings from moving these export and import products. That part of the cargo from our farms, factories, mines, and forests which enters into export trade must move by rail or truck or steamer to one of our port cities and in moving creates employment for thousands of people engaged in transportation, and for the people engaged in manufacture of transportation equipment, in producing coal or oil, or in selling merchandise to the workers. About 10 percent of the workers of this country are in the transportation and communication business. Moreover, it must be remembered that such cargo, after arrival at the port, furnishes livelihood for clerks in export houses, for stevedores, insurance men and brokers, bankers, sailors, and all the other people dependent on shipping. The same can be said of imports. What all this means to our port cities and to transportation agencies, among others, is regularly ignored.

Consider, for example, what has happened with respect to the volume of goods moving through some of our leading port cities. Take New York City. In the year ended June 30, 1929, nearly 29,000,000 tons of goods moved through the port of New York. By 1933 the total had declined to 12,700,000 tons, and though it increased to 15,500,000 tons in 1934, it was still scarcely more than half the 1929 figure.

Philadelphia's foreign trade fell from 6,500,000 tons in 1929 to less than 4,000,000 tons by 1933. Baltimore fared still worse, for its foreign commerce fell from 6,400,000 tons to a little over 2,000,000 tons in the same period. Boston's trade was more than cut in half by 1933, while New Orleans and the minor Louisiana ports saw their commerce fall from 10,400,000 tons to 3,500,000, or little more than one-third the 1929 figure. The California ports suffered less, but their tonnage fell from 10,500,000 long tons in 1929 to 6,900,000 tons in 1933, and the ports of Washington State found tonnage dropping from 4,000,000 tons down to 1,700,000.

The past year has seen some recovery in volume, but our foreign trade is still only 60 percent of the predepression tonnage, and distress in the port cities is still very great. Baltimore has 16.4 percent of its families on relief. New York has 19.4 percent, San

Francisco 20 percent, Boston 24 percent, and New Orleans 25.4 percent. Of course, it is not to be supposed that more than a part of these families come from the group normally obtaining its livelihood directly from foreign trade. Yet who will question what a godsend it would be to these port cities if trade were restored.

There would be increased work for thousands of sailors and stevedores, for laborers in repair plants and shipbuilding yards, for clerks in shipping offices, bankers, and trading firms, for truckmen now out of work by the thousands, for railroad employees, and for the much larger number of people who live by selling supplies directly or indirectly to people engaged in foreign trade.

Consider further what the decline of foreign trade has meant to ocean shipping in terms of idle tonnage and of empty cargo space in vessels under operation. Despite the decline of about 25 percent in the volume of international trade since 1929, world tonnage of vessels of 100 gross tons or over (which would include coastwise shipping) has declined by only about 5 percent. Between January 1, 1930, and January 1, 1933, idle tonnage of vessels of 100 gross tons or over more than quadrupled, increasing three and one-tenth million to twelve and seven-tenths million tons. Our own idle tonnage increased from 2,000,000 to three and five-tenths million. Since that time normal retirement and subsidized scrapping of tonnage in other countries have cut the idle world tonnage to a little more than double what it was in 1930.

Although on January 1, 1934, the volume of world sea-borne trade was less than in 1913, the carrying capacity of ocean shipping was 75 percent greater than in 1913. Although freight earnings per ton of cargo were no higher than in 1913, the expenses of ship operation were estimated to be 40 percent higher. The freight losses to shipping engaged in American foreign trade since 1929 are reflected in the decline of 40 percent in tonnage transported and in an aggregate loss of some 174,000,000 tons that would have been carried during 1930–34 if there had been no recession of trade after 1929.

Now consider what the decline in our foreign trade has meant to the railroads. Apparently no detailed study of this sort has ever been made. We can get some idea of the magnitude of the loss, however, by referring to two specific cases for which it has been possible to work out rough estimates. The first includes automobiles, trucks, and automobile parts. On this item alone it is estimated that the decline in exports has resulted in an aggregate loss of revenue to the railroads for the 5-year period 1930–34, inclusive, running in the neighborhood of $70,000,000. The other item is wheat and flour. From the decline in this item the loss of revenue to the railroads during the same 5-year period appears to have been in the neighborhood of $80,000,000.

For some items the decline in actual volume shipped for export has not been great. This was notably true, until recently, in the important case of cotton. However, on the basis of very rough calculations, I am inclined to think that the aggregate loss of revenue to the railroads from the decline of our entire foreign trade during the period since 1929 would amount to at least a billion dollars and probably nearer a billion and a half.

Finally, there are the producers of the things that we export. They are, of course, the most important of the groups adversely affected by the trade decline. The prosperity of our export industries, including those branches of agriculture which normally export a large part of their output, is of the greatest importance to the welfare of the country. In 1929 such industries employed over 7,000,000 workers out of a total of less than 50,000,000 persons gainfully employed in the United States. It is estimated that no less than two and one-half million persons were engaged in producing goods for export. If one includes the families of such persons, this means that some ten millions of our population were directly dependent for their livelihood upon production for export.

Moreover, these workers were in large measure concentrated in certain industries and areas. As a result, the decline in exports has tended to disrupt business much more than it would if this labor and capital had been more generally distributed throughout the country. This is particularly true in the case of agriculture. The 2,000,000 cotton farmers sell more than half of their crop abroad. Forty percent of our tobacco is exported, nearly half of our dried fruit, and about a quarter of our canned fruit. In 1929 a third of our lard went abroad, but restrictions imposed by foreign countries cut this down to quarter by 1933. About two-thirds of the gum rosin produced in this country is exported and more than half of our gum turpentine, as well as large proportions of a multitude of other products of the farm and forest.

Our great manufacturing industries for the most part have not been so dependent upon foreign trade as the farmers raising export crops, but their stake is much larger than is commonly supposed. Approximately 15 percent of all industrial machinery is exported and a quarter of the agricultural implements. From 5 to 10 percent of our automobiles are exported. Forty percent or so of our refined copper is sent abroad as well as a substantial part of a vast number of other industrial products. It is hardly necessary to enumerate the long list of manufactured and mineral products which we export, or were exporting before the depression.

The loss of export markets has been a severe blow to branches of agriculture and industry, such as those that I have just mentioned, which have built up their plant to provide for both the domestic and foreign demand. In many cases exports have declined to a fraction of the former figure. Although exports in 1934, because of improved economic conditions and devaluation of the dollar, were somewhat greater than in the previous year, the volume was nevertheless pitifully small.

The loss to the country from this shrinkage of foreign trade has been far greater, I repeat, than most of our people even faintly suspect. In no small degree it has been responsible for the depth and length to which the depression has extended. Yet the fundamental cause of the decline in exports still persists. We are not importing enough goods to enable our foreign customers to buy more from us.

The volume of our exports depends upon the volume of goods which this country will accept in payment. The nature of our international transactions is such that our only hope of increasing exports again is to increase imports even more. Indeed, I will go further and say that in order to maintain even our present level of exports this country must import more goods and services from abroad.

During the past year the deficiency of imports was made up with gold. Few foreign countries can part with much more without undermining the bases of their currencies. Not only are we faced, therefore, with the possibility of a continuation of exports at the present low level, but we are in real and immediate danger of a still further recession unless steps are taken to make possible greater imports from abroad.

Nevertheless, the simple fact that if we are to have any exports we must have imports gets only lip service throughout the country. Minority groups, among whom tariff-protected groups are plentiful, clamor as of old for special favors enabling them to grab a larger share of the national income. Of 177 bills or resolutions involving foreign trade introduced into Congress up to the 1st of March, only 5 seemed designed to increase imports, while 56 were designed to restrict them even further.

This pressure of interested groups for still further restrictions upon imports, though discouraging in present circumstances, is not surprising. It is, after all, an old story. It has, however, been something of a surprise to me to find advocates of continued, or even more severe, trade restriction among some impartial students whose intellectual integrity cannot be doubted. Some of them take the view that this country should maintain barriers sufficiently high to exclude everything that can be produced in this country. Others seem to feel that we should not permit imports of goods which can be produced efficiently in the United States; but in failing to define what they mean by efficiency, they leave us in great doubt as to what goods would in fact be permitted to get in.

We can, of course, exclude all goods even remotely competitive. The trend of opinion seems to be in that direction. There is still, as I reckon it, about a third of our import trade that might conceivably be called "competitive" if we stretched the word "competitive" to include everything that our domestic industries contend is competitive. Some would even go further and say that bananas compete with apples, or coffee with milk and soft drinks.

But if we refuse to import more goods, or insist upon still further elimination of imports, we ought at least to be prepared to face the consequences. We must be prepared for economic and social readjustments of the most far-reaching kind. In agriculture alone, as I have repeatedly pointed out, we would have to make permanent the retirement of from 40 to 100 million acres of crop land. We would be faced with the necessity of a regimentation of our economic life and of our activities in general compared with which such measures as the Agricultural Adjustment Act would seem quite insignificant. This, as I have often stated, is not the course that I would prefer. The pain of adjustment would be less, I think, if we took a planned middle course; one which might perhaps call for imports of an additional half billion dollars' worth of goods annually, and for the permanent withdrawal of either 25,000,000 acres of good farm land or an equivalent amount of poor farm land.

In order to follow such a course we shall have to reduce our tariff. Against great obstacles we are now endeavoring to do this. Under authority of the trade agreements act, passed last year, we are negotiating trade agreements with foreign countries providing for reciprocal trade concessions. Progress thus far has been retarded by a number of factors: Delays involved in organizing the program; new problems of trade negotiation arising from the complex character of present-day trade restrictions; and the many obstacles always inherent in any attempt to reduce trade barriers. Nevertheless, progress has been made. Agreements have been negotiated with Cuba, Brazil, Belgium, and Haiti, and are in process of negotiation with a large number of others. Of the four that have been negotiated, only one—that with Cuba—has gone into effect.

Our experience under the Cuban agreement has been illuminating. I will not burden you with the long list of concessions made by Cuba on both agricultural and manufactured products. Two items will do for illustration, namely, lard and automobiles.

On lard the duty was cut from the prohibitive rate of 9.6 cents a pound to 2.3 cents; in other words, to about a fourth its previous level. Moreover, during the second year of the agreement, the duty will be further reduced to 1.9 cents a pound, and during the third year, to 1.5 cents—less than a sixth of the old rate.

Until she began imposing prohibitive duties, Cuba had long been one of our most important outlets for lard. Already, our lard exports to Cuba have shown a marked response to the duty cut, and this has been in spite of the sharp rise in domestic lard prices in recent months. For the year 1934 our shipments to Cuba were well over twice the amount shipped in 1933, although the new rates did not go into effect until late in August. During the last 4 months of the year our shipments were nearly three times what they had been during the last 4 months of 1933. During

the first 2 months of the present year, though our total exports of lard to all countries were only a little more than a third of what they were last year, our shipments to Cuba were about three times the amount shipped last year. These are most encouraging indications that under reasonably normal conditions Cuba will again become a major export outlet for American lard.

On automobiles the duties were cut by about a half on the lower-priced cars and about a third on the medium-priced. For the entire year 1934 shipments to Cuba were almost three times those in 1933. During the 4 months following the signing of the agreement they were nearly 9 times what they had been during the same period of 1933. During the first 2 months of this year they were 10 times the quantity shipped during the same months last year.

The trade-agreements program has been achieving real results, but it has been doing so without anything like the body of public support that must come if the possibilities of the program are to be fully realized. While its enemies have been hard at work, most of its friends have been asleep. Without an aroused and intelligent public opinion in support of trade agreements they cannot continue.

This means, first of all, that there must be a clear understanding of what the restoration of our foreign trade will mean to our people and, conversely, what the failure to restore it will mean to them. If, in the light of these alternatives, they choose a policy of trade rather than economic isolation, they must then be prepared to take the steps that are necessary in order to restore trade. This means that they will have to do more than lip service to the axiom that it is necessary to buy in order to sell. They will have to begin opposing, instead of proposing, measures of trade exclusion. They will have to get squarely behind the trade-agreements program and every other sound measure for the restoration of trade.

Particularly is it appropriate that I should stress the interest of agriculture in this matter. There are a few groups of producers in agriculture who derive immediate benefits from duties on their products. But throughout almost our entire history the bulk of our farmers have been engaged in producing things the prices of which are determined in world markets, but they have bought their necessities in the protected domestic market. In short, most of them have been buying in a protected market and selling in a free market. Through recent adjustment measures of a stop-gap character this balance against the farmers has been partly redressed. Fundamentally, however, our agriculture is still organized to produce vast surpluses for export. For the majority of farmers, therefore, a revival of our foreign trade will bring direct and important gains. For all of them, I am inclined to think, it will ultimately bring large benefits, for it must be remembered that those farmers who are not on the export market themselves will be materially affected by producers whose export market is denied them. I hope that the true identity of interest that exists between the farmer and the transportation worker, between the interior and the seaboard, can be discovered and put to work before it is too late.

PERMISSION TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes at the conclusion of the remarks by the gentlewoman from Massachusetts [Mrs. ROGERS].

Mr. TAYLOR of Colorado. Mr. Speaker, reserving the right to object, may I ask the gentleman from Massachusetts whether this is going to be on the controversy raging between himself and the gentleman from Indiana?

Mr. TREADWAY. No. This has nothing to do with any previous remarks.

Mr. TAYLOR of Colorado. I have been endeavoring to draw these requests to a close.

Mr. BLAND. Mr. Speaker, reserving the right to object, this is the day we take up the Consent Calendar. A considerable amount of time has been taken up, and if these speeches are going to continue, we will not be able to reach the Consent Calendar at all.

Mr. TREADWAY. I have only requested 5 minutes. Will the gentleman from Virginia suggest when time may be secured?

Mr. BLAND. It may be secured on any appropriation bill. There are appropriation bills coming on later.

Mr. TREADWAY. In a week or two hence.

Mr. McFARLANE demanded the regular order.

Mr. BLAND. I will not object to the request of the gentlewoman from Massachusetts [Mrs. ROGERS] or the gentleman from Massachusetts [Mr. TREADWAY], but I shall object to any more unanimous-consent requests along that line.

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

There was no objection.

STATUE TO GEN. ROBERT E. LEE AT ARLINGTON, VA.

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

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, the time has come to put at rest any lingering enmity, animosity, or resentment arising out of the Civil War. We are a united Nation with a common interest in the destiny of our Republic, no matter what section of the country we come from. The past differences between the North and South must be forever buried, and all sections of the country must present a solid and united front in defense of the ideals and principles of government which they cherish and to uphold them against our enemies from within who seek to tear them down and destroy our free institutions and republican form of government.

With this purpose in view and in a spirit of good will, and to further cement the feeling of unity between the North and South, engendered by both the Spanish and World Wars, I introduced today a resolution authorizing funds to erect an equestrian statue of Gen. Robert E. Lee, to be located at Arlington, Va., his home prior to the Civil War, and where both northern and Confederate soldiers have found their last resting place.

General Lee's ancestors fought in the Revolutionary War. He was a graduate of West Point, served with distinction in the Mexican War, was Superintendent of the Military Academy at West Point, and commander in chief of the Confederate armies in the field. Robert E. Lee is universally beloved and esteemed in the North and South for his private as well as public qualities. He was one of the most remarkable men in American history, of lofty and pure character, an able, brilliant, and daring general, who ranks not only among the most famous of our own country but of any nation and of any time. Even in defeat he retained the affection and faith of his troops and the respect of General Grant and his victorious army and of the people of the North. Time will increase his fame and the high regard in which he is held by the American people, regardless of partisanship and sectionalism.

There is a splendid equestrian statue of General Grant in a conspicuous place between the Capitol and the Washington Monument. There are also equestrian statues of other famous northern generals, such as Sherman, Thomas, and Sheridan, located throughout the city of Washington.

I shall ask for a public hearing on the resolution so that ample opportunity will be afforded to American citizens to express their sentiments on honoring the name and fame of Gen. Robert E. Lee, one of the noblest characters and greatest generals born in America. There are few survivors of the Grand Army of the Republic, but I am confident that they would be among the first to pay tribute to the memory of their gallant foe.

WHY NOT HAVE A VOTE ON THE TOWNSEND OLD-AGE REVOLVING PENSION PLAN?

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

The SPEAKER. Is there objection?

There was no objection.

Mr. TOLAN. Mr. Speaker, it seems to me that the Townsend old-age pension plan, now before Congress, is entitled from every standpoint to a record vote before adjournment. Without criticizing anyone, calling any names, or becoming excited, let us approach this matter calmly and fairly, and ascertain if this great humanitarian measure is not of sufficient importance for the hired servants of the people, their agents and representatives in Congress, to record their vote for or against the Townsend old-age pension plan.

A very short while ago there was a humble, lovable, physician, with scarcely any means whatever, attending the poor, the sick, and the dying in and about Long Beach, Calif. He was a kindly man, going about doing good and worrying over the distress and poverty of the people. He lay awake nights, and, finally, in his golden heart and fertile mind, he

evolved what is now known as the "Townsend old-age revolving pension plan." This man was Dr. Townsend—and that name will go down into the ages remembered, honored, and loved, for he has made America "old-age-pension conscious."

As the idea grew within him he gave up his practice, transmitted his enthusiasm to others, and from an humble and almost impossible beginning he has thousands upon thousands of Townsend clubs throughout the United States and approximately one-fifth of our population, or 25,000,000 signatures, on petitions in favor of the Townsend plan. Surely, they cannot all be wrong.

Dr. Townsend has never had a thought of himself and does not now. They claim it is a money scheme, and that he has made money out of it. I deny this charge and challenge anyone to prove it. Just take a look at his kindly, honest face and frail form, practically giving up his life for the love of his fellow men, and there you will find your answer.

What is this plan? First, to effect and maintain complete recovery in the United States and sustain this prosperity by a sufficient supply of purchasing power; secondly, to create a condition of employment assurance by replacing those over 60 now employed with younger workers who are walking the streets, thousands of them high school and college graduates; thirdly, to create a retirement fund for each individual who can and does qualify upon reaching the age of 60.

Logically, the next question is: "How and where are we going to raise the money to pay each person over 60 years of age $200 a month?" Permit me to quote an economist, one of the most noted in the United States. I quote Dr. Robert R. Doane, one of the foremost economists of our time. Dr. Doane is a professor and lecturer in schools of economics, a consultant of the United States Departments of Labor and Commerce, and, in addition, to 15 other outstanding national organizations. The following are his exact words:

> The cumulative effect of a uniform Nation-wide turnover tax at the low rate of 2 percent on limited transactions could easily put a stop to further Budget deficit and finance such a social security program as envisaged by the Townsend plan.
>
> Certainly sufficient funds could be raised by this turnover tax to more than care for the social security program now before the country.
>
> The turnover method of taxation is an equitable and fair way to provide means to pay as you go the service charge of Government that will bring revenue and a blessing to all business and social enterprises once it is put into action.

"Where are we going to get the money?" This cry has echoed and reechoed down the ages when any measures for the welfare of the many instead of the few have been proposed. This question was not asked in 1917 and 1918 when we spent in about 17 months nearly $40,000,000,000. Twenty billions of it for shot and shell, death and destruction. Thousands of American boys are sleeping their eternal sleep beneath the soil of Flanders field. Nine billion dollars were spent to feed the hungry and starving of Europe. But it is a different story when it is even mentioned that we should take care of the poor and aged of our own country.

When Lincoln first suggested taking the chains off of millions of slaves a roar of protest went up. The argument was made that it was impossible and impracticable, for the reason that labor could not be obtained to take the place of the slave. Yet the emancipation proclamation will go down in history as an immortal document, and Lincoln is considered the tenderest memory in our history.

Where is the money coming from to take care of the aged of this country?

I ask you, where does the money come from to pay nearly $2,000,000,000 a year for direct help, crime, and welfare work in this Nation? Where does the money come from to pay millions and millions every year to paint the lips and cheeks of the women of this country? This remark may not help me with the ladies, but it goes anyway. Where does the money come from to pay our terrible bills for cheating and killing each other? Where do the billions come from for automobiles, airplanes, and injuries and deaths that result from our speed mania? When we dare mention anything for father and mother and their old age we are laughed at.

Maybe I am old-fashioned, but I say to Congress that never since man was first created did a son or a daughter ever live to see the day that they regretted being good to father and mother. Never will any nation ever fall for taking adequate care of the aged and the helpless.

When I was a boy I heard my mother sing a thousand times and more, Over the Hills to the Poorhouse, I Wander Alone and to Die; now it is Over the Hills to the County Hospital, I Wander Alone and to Die. Why, that little, frail mother of mine, with 11 children, carrying a load the average man would break under—I know just what she would say, "Son, you be good to the old folks, and God will bless you."

This is old-fashioned, I know, but I am just a new Member and will let it stand. Living with me in Oakland, Calif., for 15 years, she is the sweetest memory of my life, and the hands that used to feed me and cool my fevered brow now touch me only in my dreams. But if she were living today, I would love to fold her in my arms and never let her go. So Members of Congress, if this is old-fashioned, make the most of it.

Dr. Townsend has, to my mind, one of the most humane and helpful ideas since Lincoln freed the slaves. It is not perfect; what measure of man is perfect? There is hope, sweetness, and love in the Townsend old-age pension plan.

But they tell us it is a crime for Dr. Townsend and his supporters to offer hope to the old folks of this country through an impracticable plan. Who knows today what will work and what will not work?

Is this plan practicable? I claim any plan is practicable which absorbs hundreds of thousands of indigent inmates of poor farms, poorhouses, and other charitable institutions, some supported by city, county, State, and fraternal organizations. All of these people, at the age of 60, would come within the provisions of the Townsend plan, removing a huge tax burden.

This plan would take the aged of this country, lonely and destitute, from the county poor farms and county hospitals and place them in their own homes. Do you not think they would be happier with their own cookstove, their own furniture, their own beds, and their own neighbors to talk to?

We can pass unanimously in the House and Senate a monetary plan that would prove useless and impracticable tomorrow. We think we know, but in these fast-changing international times we know very little. Not one single individual ever died on account of hope, but rather from a lack of it. Hope is the white light burning in every human heart; the thought that we will be happier tomorrow than today. When that light goes out we are done, for life is such a difficult game and there are so many things over which we have no control—financial troubles, sickness, and death—but always, high up in the blue skies, shines the silver star of human hope.

Two thousand years ago a man came upon this earth and said, "Love thy neighbor as thyself." It was a simple doctrine, but it still stands unrecalled. After 2,000 years we have been trying to improve on that doctrine, but have failed miserably. Times have proven that if we do not take care of our neighbors voluntarily, we will be obliged to take care of them involuntarily, as we are doing today, when we have over 20,000,000 people on the relief roll.

I say to my colleagues, in all humility, for I honestly feel that I know so little, "Do you not think that we should forget for a moment our selfish pride and individual bills, our pet ideas, and pay attention to a great humanitarian measure like the Townsend old-age-pension plan?"

Do you not think one-fifth of our people, in favor of a certain measure, are entitled to at least a vote? Again I say they cannot all be wrong. Parliamentary procedure or no parliamentary procedure, do you not think that the millions of mothers of this country who went into the shadow of death for you and me are entitled to a hearing? I am not mentioning father, for he will get along somehow.

Do you not think these millions of American people who are in favor of the Townsend plan are entitled to have this

measure brought on the floor of the House for a vote? If you have any amendments as to the amount or otherwise, let us debate them. Let us not laugh at the hopes of the old folks of this country.

Let me appeal to you to give the old folks a vote on the Townsend old-age-pension plan. Can you not sense the voices of these mighty millions? Can you not hear the countless prayers on bended knees, in hovels of mud and misery, in the desert shack and in the farmhouse, in the foreclosed home, in the hearts and souls of millions of our troubled people who sacrificed so that our Nation is what it is today? They feel that it is their only hope against the poverty and misery of old age.

I know that you will give them a record vote, and for my poor little 1-vote self, so there will be no misunderstanding, I shall take my stand alongside of the poor, the troubled, the aged, the lonely, the helpless, and voiceless of this country and vote for and support the Townsend old-age-pension plan. And if it goes down—well, you can just laugh at me if you want to, but I will go down with it just the same.

THE EFFICACY OF THE LOTTERY

Mr. KENNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short editorial appearing in the Evening Record, of Hackensack, N. J.

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

There was no objection.

Mr. KENNEY. Mr. Speaker, the colony of New Jersey had its seat of government at Burlington in 1772. On November 28 of that year, Governor Franklin (son of Benjamin), of New Jersey, transmitted to the Earl of Dartmouth the Minutes of Council and Assembly in a letter wherein he wrote:

I have the Honour to transmit to Your Lordship by this opportunity Copies of the Journals of the Privy and Legislative Council, the Votes of the Assembly and the Laws passed at the last Session held at Perth Amboy. Of these, three are passed with Clauses suspending their taking effect until His Majesty's Pleasure shall be signified thereupon viz.

The acts referred to were:

First—

An Act for establishing the Boundary or partition Line between the Colonies of New York & Nova Caesarea or New Jersey, and for confirming the Titles & possessions.

Second—

An Act to enable all Persons who are His Majesty's Liege Subjects, either by Birth or Naturalization, to inherit and hold real Estates, notwithstanding any defects of Purchases made before Naturalization within this Colony.

Third—

An Act to enable certain persons to erect and draw a Lottery for raising the Sum of One Thousand & fifty pounds, to be applied for the purposes therein mentioned.

With respect to the lottery act, Governor Franklin said:

The principal purpose of this Lottery is to defray the Expenses of making a Road that will be highly beneficial to the Inhabitants settled in the North Eastern parts of this province, and to the City of New York, which must otherwise fall upon a public spirited Gentleman who has already expended considerable Sums on that account. This Law being of immediate necessity, it would be extremely agreeable to the Inhabitants of that part of the Colony to have His Majesty's Confirmation of it as soon as possible, and I cannot but earnestly recommend it to Your Lordship.

The road, it seems, had been constructed by Col. John Scuyler, at his own expense, some years before, for 3 miles from his copper mine at Second River to the main road leading from Newark to New York.

Royal assent to the act was finally had and the road funds were raised by lottery.

Subsequently the seat of the Colonial Government removed to Perth Amboy and then New Jersey joined the Continental Congress.

In the documents relating to the Colonial History of New Jersey prepared and edited by authority of the State, at the request of the New Jersey Historical Society (newspaper extracts) are found interesting reference to numerous lotteries held from time to time for various worthy purposes.

From the New York Mercury of December 3, 1759, there is mention of the lottery conducted for the benefit of the Lutheran Church in Hackensack, N. J. To quote, in part, from the reference:

SCHEME OF A LOTTERY

For repairing of the Lutheran Church, in Hackensack, erected and to be drawn near Shuter's Island, about Two Miles from Elizabeth—Town Point; consisting of Four Thousand Tickets, at Two Dollars each: * * *

The Drawing to commence on the 11th day of December inst. if full, under the Inspection and Management of Lawrence Van Buskirk, Jacob Titsort, Johannes Demarest, Esquires, Capt. Jacobus Van Buskirk, Lawrence Van Horn, and John Vanorden; who are to be under Oath for the true Performance of the Trust reposed in them.

On behalf of the lottery the Pennsylvania Journal, No. 843, February 1, 1759, printed the following:

TO THE INHABITANTS OF PENNSYLVANIA

In the Pennsylvania Journal of November 30th, and in that of January 25th, an indiscriminate charge is brought against lotteries, as in their own nature irreligious, and ruinous to society in their consequences. * * * It would be endless for me to mention, many lotteries carried on by the Trustees of the College of New Jersey (now Princeton), the governments of New York and Connecticut, and almost every other on the continent. Yet all these this writer brings under the general imputation of being the enemys of Religion and of the Poor, the abettors and patrons of the most contagious and dangerous vice. * * *

Is the use of lots forbidden by God in scripture? By no means; he ordered his chosen tribes to use them in the division of their inheritance. Are they contrary to the Christian revelation? So far from it, that we know they were used by the apostles themselves.

From the archives of the General Assembly of the Province of New Jersey we have recorded under date of March 10, 1762, the following:

That the Speaker with the House waited upon the Governor who gave assent to the following bills.

* * * * * * *

2. An Act to impower the Church-Wardens and Vestry-Men of St. Mary's Church in the City of Burlington, to raise by Lottery a Sum of Money for repairing the Church, Parsonage-House and Burying-Ground in said City.

3. An Act to impower the Managers of the Bound-Brook Bridge, in the County of Somerset, to raise by Lottery, a Sum of Money for rebuilding and compleating the said Bridge.

In the New York Mercury of January 9, 1764, is found the following announcement:

SCHEME OF A LOTTERY FOR THE USE OF THE COLLEGE OF NEW JERSEY

The Legislature of the Colony of New Jersey, having been pleased to countencae this rising Seat of Learning, so far as to pass an Act, enabling the Trustees to erect and draw a Lottery, for raising any sum, not exceeding Three Thousand Pounds, Proclamation Money; it is hoped, that the generous Design in making this Law, will be carried into Execution, by all those who wish well to the Institution, or who are desirous of promoting useful Knowledge in these Infant Countries, and preparing our own Youth to sustain the publick Offices in Church and State. The following Scheme is calculated for raising the Sum of Two Thousand Nine Hundred and Ninety-nine Pounds Eighteen Shillings and Six Pence Proclamation Money: * * *

The New York Gazette, or the Weekly Post Boy, no. 1517, May 11, 1772, carries the following:

ROAD LOTTERY

For raising the Sum of Five Hundred Pounds, to be applied in erecting Bridges, and in repairing the Post-Road leading from Powles- Hook Ferry to the City of Albany, through the Counties of Bergen, Orange, Ulster and Albany.

The New York Journal, or the General Advertiser, no. 1537, June 18, 1772, carries this announcement:

SCHEME OF A LOTTERY

For raising the Sum of Four Hundred and Fifty Pounds, New-York Currency, for the Benefit of Christ Church, in New- Brunswick. * * *

The Congregation of Christ Church, being under the Necessity of proposing this Lottery, in Order to assist them in erecting a Steeple, and making some Necessary Repairs to their Church; hope it will meet with a favorable Reception from the Public * * *

In the New York Gazette, or the Weekly Post Boy, no. 1537, September 28, 1772, is found the following:

WOODBRIDGE LOTTERY

For raising the Sum of One Hundred and Sixty-eight Pounds, New York Currency, for repairing and finishing of the Metuchin Presbyterian Meeting House, in the upper part of said Woodbridge, in the Province of East- New Jersey.

Another church lottery was conducted to raise the sum of £545, New York money, for the benefit of the Presbyterian Society at Springfield in east New Jersey.

In the announcement of April 29, 1773, Rivington's New York Gazetteer, no. 2, it is set forth:

The Church is enclosed, but Money is wanting to finish it. The good People of this Country are therefore earnestly intreated to contribute their Assistance that the Tickets may be immediately disposed of, and the Inhabitants assemble together for the Performance of Divine Worship. * * *

The Delaware lottery was conducted primarily for the benefit of the College of New Jersey (now Princeton). It asked for the raising of £5,626, or $15,000, for the use of the College of New Jersey, the Presbyterian congregation at Princeton, and the united Presbyterian congregations of New Castle and Christiana Bridge.

Rivington's New York Gazetteer, no. 4, May 13, 1773, sets forth the following regarding it:

The growing importance of the College of New- Jersey, for the use of which the above Lottery is principally designed, is now generally known through every province of America. It has hitherto subsisted, and been raised to its present situation, entirely by the favour of the public. In the center of North- America, and in a pleasant healthy country, it is well fitted for the most extensive usefulness. The success which hath attended the vigorous efforts already made to raise its funds, and furnish the means of a compleat and finished education, to all who are sent to it, has encouraged those concerned in the present attempt, especially as several judicious persons have warmly recommended it, signifying their Surprize, that at a time, when so many have taken this method of promoting public undertakings, a Seminary, of such importance, should not also put in for a share of the general benevolence. This added to other schemes for the support and improvement of the College, will afford to many friends of that institution an opportunity of contributing, with very little risk of losing, and a considerable chance of gain to themselves, who would not incline that the small sums they could spare, should appear in a subscription paper.

In New Jersey Archives, first series, vol. XXVIII, page 522, may be found the following newspaper extract:

TRENTON, *May 22, 1773.*

The Managers of the Fishing- Island Lottery, for the Benefit of the Episcopal and Presbyterian Churches, in Trenton, are under the Necessity of postponing drawing said Lottery, until Thursday, the first Day of July next, at which Time the Lottery will certainly be drawn. They desire their Friends who have had Tickets to sell (if they have any on hand) to return them to the Managers before that time.

At page 524 of the same work is found the following:

SCHEME OF THE CREEK LOTTERY

For raising the sum of £300, New York currency, to be applied in clearing and deepening the channel of Elizabeth- Town Creek, in New Jersey, so as to make it navigable for lumber boats, from the mouth thereof, to the Stone Bridge, in the Center of the town.

The New York Journal, no. 1594, July 22, 1772, prints this announcement:

SCHEME OF A LOTTERY

To raise the sum of two hundred and fifty two pounds New-York money, for the benefit of the Presbyterian Congregation at Elizabeth- Town Raway, to enable the said congregation to repair their Meeting- House, and for other purposes necessary for the support of the Gospel at that place.

From New Jersey in this year of grace comes anew a Nation-wide movement for a lottery—this time a national lottery.

The Irish Sweepstakes winnings of a few days ago tend to focus attention upon the value of straight thinking now as in the olden times, when revenue much needed was not available from ordinary sources.

So it is that the Bergen Evening Record, of Hackensack, N. J., in its issue of March 29, 1935, printed the following worth-while editorial:

[From the Bergen Evening Record, Mar. 29, 1935]

ARE WE A RACE OF HYPOCRITES?

Four Bergen County residents are sharing rich cash rewards for their luck in holding winning tickets in the Irish Hospital Sweepstakes. The race was run this morning.

It is impossible to estimate how much Bergen County money went to Ireland for participation in the lottery. One only hears of the few winners, not of the many holders of losing tickets. But it is significant that one-third of the 1,266 winning tickets drawn were held by Americans.

Despite the antigambling laws, despite the fact that the Government had clamped down on the distribution of such tickets here, and efforts of the postal authorities to block them in the mails, a fortune in American money went overseas for participation in the lottery—money that might just as well have been kept here if the Kenney lottery bill were passed.

Every Member of Congress knows that gambling on lotteries is prevalent, that human nature being what it is it cannot be stopped, but they prefer to go along in smug hypocrisy rather than liberalize the laws. It was so with prohibition for a decade. Liquor was sold openly over the bars, gangsters and racketeers became rich from their illicit trade, and not one penny in taxes went to the Government. When given the opportunity, the people quickly ended the farce.

Where are the bootleggers today? Some are still plying their trade because Government taxes were made too high, but the majority of them probably will be found running lottery rackets. Their activities may be curtailed by alert police departments, but the traffic can never be entirely stamped out. It is a moot question whether the time has not come to recognize the fact that we cannot legislate morals into people. If they insist on gambling and are willing to pay a tax for the privilege, the revenue had better go to governmental agencies, which need it badly, rather than the racketeers and the politicians corrupted by such easy money.

The New Jersey Legislature is faced with a similar problem. The joint resolution that would permit the people to decide for themselves whether the antigambling section of the State constitution should be repealed has been blocked by a few votes in the house of assembly.

The weakest argument advanced by those opposed to liberalization of the laws is that the people would vote for legalized gambling, if given the opportunity, and the assembly should save them from themselves. Public gambling may create certain evils, but it might be better to have it in the open, which would at least end the hypocrisy and corruption, and prevent the criminal element that thrives on them from becoming a tacitly accepted factor in American community life.

PERMISSION TO ADDRESS THE HOUSE

Mr. GILDEA. Mr. Speaker, I ask unanimous consent to address the House for 12 minutes following the gentleman from Massachusetts [Mr. TREADWAY].

Mr. BLAND. Mr. Speaker, reserving the right to object, cannot the gentleman cut that down a bit?

Mr. GILDEA. No; I am asking for 12 minutes.

Mr. BLAND. With 10 minutes granted to the other side, I shall not object.

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes following the remarks of the gentleman from Pennsylvania [Mr. GILDEA].

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, Consent Calendar is mandatory on the Speaker. He must call it on this day. It has never been the intent that this day be taken up with speeches. I do not know how these previous requests to make speeches were allowed. They should have been objected to; and if no one else does it, I shall object.

Mr. SNELL. The gentleman was present when the gentleman from Pennsylvania got 12 minutes.

Mr. O'CONNOR. I did not hear the request or I should have objected to it. The procedure of this House must be protected. I object, Mr. Speaker.

The SPEAKER. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I think the Members of the House must think I am a very generous and a very patient waiter. I am very sorry that the gentleman from Virginia [Mr. WOODRUM] is not on the floor at the moment. I shall not ask him the question or say what I had planned to say.

There are none so blind as those who will not see; and I feel ashamed, thrice ashamed, for the people who seem to be deliberately strangling a great industry.

I am going to speak first to the southern Members, the Members who have the cotton farmers in their districts; there are 2,000,000 of these farmers. There are 9,000,000 people who gain their livelihood from the raw-cotton industry. Multiply this by 3, the number in the average family, and you have 27,000,000 people affected by any curtailment of the cotton-growing industry.

In 7 months of this year, two and a half million fewer bales of cotton were exported to other countries than the year before. The normal production of cotton is from fourteen to fifteen million bales. It is down to 10,000,000 bales and going lower.

Think what it means to kill the great cotton-textile industry of this country, which employs 400,000 people. It means, with the average family of 3, that 1,200,000 are affected. Think of the suffering that will cause.

The Secretary of Agriculture states that we may have a higher processing tax. I ask, Mr. Speaker, that the membership of this House do something to remove the processing tax, instead of increasing it. Do you realize how you are literally torturing the people who work in the mills? I have protest after protest from people all over New England, and also from the South, who are affected by the closing of the mills.

Do you realize that during January and February of this year 24,000,000 square yards of cotton were imported from Japan, according to textile-industry figures, and we are doing nothing about it? It seems to me this is one of the greatest tragedies this country faces.

Do you of the West know what it is going to mean to you, if the cotton pickers and the cotton growers lose their work? Do you know what it is going to mean, if mill after mill is closed? Do you know what it is to go through a mill or a mill town when the mills are closed? It is like going through a graveyard.

All our people want is a chance to work, and I honestly believe, if you cannot raise the tariff enough under the present law to protect our mills from the imports coming in from foreign countries, you can have a quota or you can have an embargo which will stop this tremendous importation of foreign cotton goods now coming into this country. The President has the power now to do this; but if he will not act, Congress must.

I am pleading with you, my friends. This is not a sectional matter. I know how the South has hurt the northern mills, but you of the South are just as vitally interested in preventing the strangulation of every branch of the cotton industry as we are. Perhaps your farmers are getting a little money, but what of the people who pick the cotton? What of their families, who have no money to spend? How can you look with any sort of equanimity upon the killing of one of the greatest industries in our country?

I earnestly ask you to work to wipe out the processing tax and to enact a law which will prevent the importation of cotton textiles.

You have promised so much and talked about being interested in the welfare of the country and in giving work to the people, I want you to act upon your promises—and shame, thrice shame upon you if you do not. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. CARTWRIGHT). Under the order of the House, the gentleman from Massachusetts [Mr. TREADWAY] is recognized for 5 minutes.

Mr. TREADWAY. Mr. Speaker, the time has arrived for a show-down between the "new dealers" and the American people. On the one hand the Department of Justice withdraws a case which has reached the Supreme Court testing the constitutionality of the N. R. A., and on the other hand the lord chief executioner of the N. R. A., Donald Richberg, informs the public that prosecutions will follow failure to comply with its requirements. The administration, undoubtedly from the facile pen of Mr. Richberg, has prepared a brandnew authorization of the N. R. A. with still further powers than in the original act. Senator HARRISON introduced this revised administration bill last Friday. It is time for a show-down as to whether greater authority is granted to prosecute innocent people under N. R. A. or whether business can be let alone and allowed to attend to its own affairs.

Another illustration: On the one hand the Secretary of Agriculture threatens to increase the processing tax and on the other a leading authority on cotton, the distinguished Senator GEORGE, flays the Secretary of Agriculture for this threat, and says he is not only turning the cotton export trade over to foreign countries but that he is unfit to be Secretary of Agriculture. We need a show-down right here.

Who is this Secretary Wallace, anyway, who is telling the people of the country that if they do not like his method he will give them more of it? He is Secretary of Agriculture by the grace of President Roosevelt, without the slightest experience in governmental affairs, but the owner of a rural agricultural publication. That may be sufficient qualification for a man to tell the American people what he is going to do to them; but if it is, it is a new-deal type. Let us have a show-down.

On the one hand we have the Secretary of State and Chairman of the Tariff Commission uttering pretty words without argument over the radio in an endeavor to convince the public of the merits of reciprocal tariff treaties, while on the other hand Members of Congress of both parties, realizing the iniquity of these treaties, have introduced bills in behalf of American industry calling for the repeal of the reciprocal tariff law. It is high time for a show-down.

I quote from an editorial which appeared in the Washington Post on Sunday:

> Two years ago the President informed Congress that he was then studying a "broad public-works labor-creating program." This program, if any has been formulated, has never been vouchsafed to Congress. Instead of furnishing a bill of particulars, the President has merely demanded unprecedented spending powers, leaving Congress to make a silk purse out of a sow's ear while he goes fishing.

In 2 years no constructive program has been offered, but there has been profligacy of expenditure unequaled and unrivaled in peace time in all history. The country has been anxious to supply all needs for relief, but it has now reached the point where it wants to know whether this orgy of spending is to be continued and no bottom found to the sieve, or whether constructive business restoration is to result. We want a show-down.

Senator WALSH, in the Senate, and my colleague, Mrs. ROGERS in the House, have called attention to the textile difficulties in New England. These cannot be cured unless manufacturers know where they stand and under what laws they will be called on to transact business. Sweetly worded radio addresses by Secretary Hull and Chairman O'Brien will fail to convince the people of the merits of tariff reductions when in 2 years there have been only 21 cases of appeals to the Tariff Commission.

There is a right way and a wrong way to revise the tariff. The right way is by congressional action. The wrong way is by political subterfuge. With tremendous majorities in both Houses for over 2 years and a Democratic President in the White House there has been ample opportunity for such revision provided there was any occasion for it. Why did not President Roosevelt take a leaf out of the book of history made by President Wilson? The latter no sooner entered the White House than he called Congress in special session to revise the tariff in accordance with Democratic doctrines. If President Roosevelt had followed this example the people of the country and the Republican Party could have found no fault as that was high right under majority rule. But instead he adopted the wrong method and was misled by theorists like Secretary Hull and Assistant Secretary Sayre into revising the tariff by subterfuge. At his dictation Congress was forced to pass a law permitting the President in cooperation with representatives of other governments to write the tariff laws of this country rather than Congress itself. That is the wrong way. The people and business resent it and I predict that from now on the going will be harder for the Democratic Party and the new deal. The time has come for a show-down.

We are told the most recent trade treaty is one with Haiti wherein the duty on Haitian rum is reduced 50 percent for the purpose of preventing bootlegging. The tariff has been accused of all sorts of iniquities, but whoever heard of it before as part of a rum-bootlegging proposition? If this is reason to change tariff rates fixed by Congress, excuses for

murder under the guise of liberty of action will soon be the law of the land.

All the people of the country ask is a square deal, which was the slogan of a famous predecessor of the President, rather than the theories of "brain trusters" under the new deal. The day for a show-down is here.

Secretary Wallace and his cohorts have endeavored to throw up a smoke screen about an increase of exports conditional upon an increase of imports. He raises the false alarm of isolationism. There is no such thing. This country is dependent on foreign countries for many raw materials, and these are practically all on the free list. What Secretary Wallace wants to do is what he admitted in his testimony last year before the Ways and Means Committee, namely, to put out of business small industries in this country. Let us have a show-down.

No one doubts that foreign countries dislike our tariff rates as they deprive them to a certain extent of the best market in the world, namely, the United States of America. No one doubts that every nation invited to sit around a table and tell our people what laws to write reducing tariff rates will be tickled to pieces to do so and praise such men as Secretaries Wallace and Hull and Chairman O'Brien. I care more what the American people say than what representatives of foreign governments think. We have been accused of favoring special interests. Under this administration the words "special interests" are synonymous with "foreign manufacturers." It is time for a show-down. [Applause.]

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. GILDEA] is recognized for 12 minutes.

Mr. GILDEA. Mr. Speaker, ladies and gentlemen of the House, April 1 is observed in United Mine Workers circles and by my constituents back home in Pennsylvania as 8-hour day. The wheels of industry are silenced today as the miners and their friends pay tribute to the sturdier trades-unionists who established the 8-hour day. This year the All Fools' Day connection attending the annual recurrence of April 1 seems apt and applicable to any 8-hour celebration held anywhere, because with 50,000 people in my home county of Schuylkill on the relief list, with the Governments of the State of Pennsylvania and the United States pouring $500,000 monthly into the bottomless abyss of relief—one-half million dollars for food orders alone—it is time to call time out and ask, Where are we headed?

To those of you who uphold the sanctity of contract—the sacredness of private enterprise—who deplore with uplifted hands the regimentation of men, let me ask how many of you have stood and watched the forming of a relief line in any of our towns and cities? Can there be a more abject picture of regimentation than that offered by distressed humanity forming in line to fill out "pink slips" of poverty and wretchedness that they may be recognized as deserving of a weekly food-order dole?

And so, Mr. Speaker, on this 8-hour day I intrude upon the time of the greatest deliberative body in all the world to pay tribute to those who hurdled the obstacle of "divine-right" consciousness in establishing labor's right to a place in the sun, and without dwelling too long in the past, let us look ahead from the 8-hour-day milestone to the 30-hour-week goal and to the day when we as the Congress of these United States measure up to our responsibilities and refuse to rest satisfied until every citizen of this country who wants to work is again employed at a gainful occupation.

In criticizing past action needed remedy must be offered. Today we have considered the administration work bill. We did not stand up to be counted when the $50 average was written into that measure, and, having passed the buck once, we pass it again, and in so doing admit that we are not satisfied to pay the full price for recovery—not satisfied to go the full distance toward putting all our unemployed to work.

The Townsend plan has been laughed out of court. It has been branded illogical, fantastic, a gold brick sold irresponsible people.

In truth it is just as practical as we want to make it. The Townsend plan in its revenue-raising provisions is an admission that if we want recovery we must be satisfied to pay for it.

I hold no brief for the proposition offered to retire every man and woman in this country 60 years of age or over on a $200-per-month spending allowance.

But I do say $4,800,000,000 spread over a 2-year period is not the price America must pay to lift this country up by its boot straps.

It has been said that the Townsend plan necessitates the raising of $24,000,000,000 yearly. I am not in position to testify as to the accuracy of Dr. Townsend's figures, but I am mathematician enough to know that just half of $24,000,000,000—$12,000,000,000—would put 10,000,000 men to work 12 months in each year, at a monthly wage of $100—just twice the average offered in the work bill today engaging attention.

Let us be honest with ourselves. Let us ask the question our President asked the country in his fireside talk 1 year ago. Is the district we represent better off today than it was this time last year—or this time 2 years ago?

To be truthful about it, the Thirteenth District of Pennsylvania in this third year of the new deal is going backward instead of forward, and the fault is not the President's; the responsibility is yours and mine.

Panaceas are offered in the form of old-age insurance, unemployment insurance, labor relations, equal representation, and other shop-worn and antiquated cure-alls, when in truth the day for poultices is past; a major operation is needed.

Certainty of employment for all is more important than unemployment insurance.

Certainty of employment in mid-age provides the best policy of old-age insurance that can be written.

Labor relationship means nothing to the man divorced from his job, and the only cure worth thinking about or talking about must come through raising the general wage rate all over the country by fixing a minimum wage for skilled and unskilled labor on public works and thereby compelling industries to raise wages to hold employees.

Let us count the cost. You and I have been told the Townsend transaction tax would raise the price of necessities 25 percent and increase the cost of luxuries from 60 to 80 percent.

The only figures I am interested in are these:

A man earning $100 per month, paying 2 cents on every dollar he spends, can only be taxed $2 per month.

If his income is $200 per month, his tax bill doubles, and he is called upon to pay $4 per month.

If you happen to be fortunate enough to have a congressional checking account after April 1 of $833.33 per month, you could be called upon, under a 2-cent transaction tax, to return to the Government of the United States $16.66 monthly to purchase security for our beloved country, to give jobs to 10,000,000 idle Americans, and to fulfill the promise of our esteemed President to make the security of our men, women, and children the paramount aim of the new deal and his administration.

Mr. MOTT. Will the gentleman yield?

Mr. GILDEA. I yield.

Mr. MOTT. As Democrats suggested these remedies, I would like to ask the gentleman if he is not aware that the President is opposed to all of these suggestions—the minimum wage, the 30-hour law, and adequate pensions?

Mr. GILDEA. I am fully aware of it but I regret the fact.

As a new Member of Congress—one of those freshmen of the class of 1935 commonly supposed to have ridden into Congress on the President's coat tails—I have sat patiently through endless discussions—I have enjoyed the political gestures toward 1936 offered by well-meaning gentlemen on both sides of the aisle, but as one who realizes the unimportance of his own political future, I say to you in all sincerity that the only thing worth while, the only future at stake, is the security of America, and we as a Congress of the United

States first, and as new dealers, or 1936 opportunists second, should approach the problems now before us with honest convictions and give real attention to the social measures promised and as yet unfulfilled.

The 30-hour week in a Nation beset with idleness is not abhorrent.

Back home there are mine workers who, at one time in the mining industry, never saw the light of day from the start of winter until the lengthening daylight hours of spring gave them a chance to bask in the glory of God's sunshine on the way to work in the morning and for a few hours as the day lengthened upon returning home.

The present Lieutenant Governor of the State of Pennsylvania, as a boy, went into the mines before sun-up and returned home in the shadows of darkness after completing 10 hours or more underground.

When the 12-hour day gave place to 10 hours, when the 10-hour day gave place to 9, when progress lessened the work period from 9 to 8, there were those who stood in the pathway of progress and lamented the fact that men of property were no longer permitted to manage their business as they saw fit. "Divine Right" Baer used all the arguments in 1902 that are being used now. It remained for an earlier Roosevelt, through the use of a big stick, to whip Baer's generation of mossbacks into line, and my regret today is, that with an overwhelming Democratic majority in the House, with an administration elected through a decided leaning to the left—we lack the courage to do what is right and what is expected with a full 100-percent follow-through.

Mr. CONNERY. Will the gentleman yield?

Mr. GILDEA. I yield.

Mr. CONNERY. Practically every one of the strikes—the textile strike, the automobile strike, the coal strike, and the rubber strike are based on the fact that they are asking for a 30-hour week.

Mr. GILDEA. That is true.

Mr. Speaker, as a member of the Labor Committee of this House, I regret the lack of a definite labor program or policy.

Labor relationship, equal representation, and all other bromides should be placed secondary to the problem of putting idle Americans to work at a security wage.

I believe and suggest that the 30-hour-week bill is worthy of the best thought and utmost attention that can be given it by the membership of this House. It merits a place on the calendar—it demands its day in court, and the 50,000 men, women, and children back in my home county depending on a food-order dole demand that I ask this Government to cease subsidizing a soulless industry to the extent of $500,000 per month and to move toward a more abundant future by spreading work through the 30-hour-week process—spreading work through limiting machinery and mass production to 30 hours per week and then, with eyes trained on a definite and happy goal, impose the Townsend transaction tax that we may pay as we go and fulfill the President's promise by putting every American citizen who wants to work back on the job.

Mr. Speaker, and you, ladies and gentlemen of the House, I propose putting these ideas into form of a spread-the-work, pay-as-you-go bill, and I ask your earnest consideration of the measure to the end that we cease temporizing with this gigantic problem and devote ourselves seriously to the task of lifting 10,000,000 Americans to our accepted standards of living as a safeguard and provision against their pulling our American structure and standard of living down to the unemployment level.

This country cannot endure with one-third its employable citizens condemned to idleness. [Applause.]

Mr. MARCANTONIO. Will the gentleman yield?

Mr. GILDEA. I yield.

Mr. MARCANTONIO. Is it not a fact that the great majority of labor disputes prevailing today are due to the wrong and unfair interpretation placed on section 7 (a) by Mr. Richberg, now appointed as head of the N. R. A.?

Mr. GILDEA. Most all our troubles are due to legalisms and to the wrong interpretation of intent legalistic minds are permitted to place an ordinary phraseology. The 8-hour day United Mine Workers are today celebrating back home has been made a mockery through permitting a qualifying clause justifying the working of overtime on emergency or necessary repair work to become the law. The clause referred to reads: "Or other causes necessary to efficient operation" and strange to say in a contract establishing an 8-hour day this clause has been so construed as to permit the operation of three 8-hour shifts in a single day being worked at the central breaker and stripping operation, adding to unemployment and leaving no cause for rejoicing or 8-hour celebration. So also section 7a has been swerved from its original purpose by wrong interpretation of intent.

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McGROARTY. Mr. Speaker, my purpose in addressing the House at this time is to inform the Members that I have today introduced a bill to provide for the aged people of our country. On the 16th day of January last I introduced a somewhat similar bill, which was designated as H. R. 3977. The bill was referred to the Committee on Ways and Means, but the committee declined to report it out. A petition to discharge the committee was laid on the Clerk's desk, but has failed to receive the necessary number of signatures.

In the meantime we have been informed of the objections held by the Committee on Ways and Means and many Members of the House to H. R. 3977, and as a result of these objections, and after consultation with Members, a new bill has been drawn, the bill which I have today introduced.

The present bill retains the basic principle of the now world-famed Townsend plan, but with many modifications and changes in technique, although not departing essentially from Dr. Townsend's idea. I apprehend that this new bill will also be referred to the Committee on Ways and Means for its consideration, and, I trust, for its favorable action. At any rate the bill will, in the ordinary course, be printed so that all members of the House can come into immediate possession of an official copy. It will be on the desks of the Members in their offices for scrutiny and study.

In order that this measure, as now proposed, may receive the close scrutiny and earnest study of the Members, let me say that the bill is the result of long and patient labor on the part of a sincere group of experienced Members of this House. It is a group composed of men who strongly favor an adequate old-age pension, but who could not reconcile themselves to the Townsend plan as set forth in H. R. 3977. So they took the matter in hand and have prepared the measure which I now submit. Even in its present form, it may not meet with the approval of all, but it certainly meets with the approval of many who could not see their way clear to support the first bill.

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

Mr. McGROARTY. Yes.

Mr. BEITER. What was wrong with the old Townsend bill, the original bill? Clubs were formed all over the country favoring that bill. What was wrong with it?

Mr. McGROARTY. It did not go far enough; it did not go into detail enough. For one thing, the old bill provided that everybody 60 years and over who would withdraw from gainful occupation must receive a pension of $200 a month. The new bill provides that it shall not exceed $200 a month. This new bill is so carefully drawn and so fair and just in its provisions that I am sure a great many Members of the House who did not agree with the original bill will agree with this.

What I want to urge upon the Committee on Ways and Means is to let us have the bill here on the floor of the House for debate or for amendment, but, above all things, for action, no matter what that action may be.

It is not a matter which we can lightly ignore. We are to bear in mind that the country has become old-age-pension minded. There are 30,000,000 of the people of this country back of the Townsend plan alone, and that is a vast force of

public opinion to be behind anything. It is a force that must be reckoned with, no matter who likes it or who does not, a force that must be faced sooner or later. Pensions or annuities, as we prefer to call them, are inevitable. And they must be so adequate as to make living secure and comfortable for the aged, a proposal that will preserve to them the dignity of life and not a pauper's dole that woud humiliate them before the world and bow their heads in shame before their fellow men and still leave them without sufficient means to exist.

Here we present to you a solution to the problem of business depression, a sure antidote to the machine which is devouring us and will continue to devour us unless the antidote is applied—purchasing power put in the hands of the masses. That is the antidote and the only antidote. If full prosperity were to return tomorrow the machine in 6 months would again so overproduce goods and materials as to again put men out of work. Yet we cannot rid ourselves of the machine. We have it and must keep it. The only way to keep up with it is to put purchasing power in the hands of the masses, to take men over 60 years of age out of competition with younger men and at the same time make it possible for the elders to become purchasing consumers. This bill which I have introduced today will do that. And it will not cost the Government a penny to do it. It is a challenge to the exercise of your common sense. Let no man tell me that this Nation, the richest and the most powerful the world has ever known, is futile to care for its aged citizens. I would be ashamed of my country were it to make such a humiliating admission.

We propose a plan that is workable, practicable, and sound. It should be enacted into law without hesitation or delay.

Good, hard-headed business is a reason for it. And, if at the same time, we can be kind, then all the better for us. We live in a broken world that kindness can patch together again.

So many minds, so many creeds,
So many ways that wind and wind,
When all the help this sad world needs
Is just the art of being kind.

Let us face the task like men and in a valiant and honorable spirit.

LEAVE TO ADDRESS THE HOUSE

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

The SPEAKER. Is there objection?

Mr. BLAND. Mr. Speaker, I object.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

WAR MINERALS RELIEF STATUTES

The Clerk called the bill (H. R. 2077) to amend section 5 of the act of March 2, 1919, generally known as the "war mineral relief statutes."

The SPEAKER. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I reserve the right to object. As I recollect, this is a bill for the payment of $1,250,000 for interest under the war minerals relief statute from March 2, 1919, up to date. I understand that the principal has been paid, and the interest has been paid from the time that the original relief statute was passed up until the 2d day of March 1919.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. ZIONCHECK. Yes.

Mr. VINSON of Georgia. The gentleman's information is not entirely correct. It is true a portion of this money is for interest. The law permitted a reimbursement of all net losses, and the net loss of interest is just as important as the net loss of principal.

Mr. ZIONCHECK. Mr. Speaker, as I understand it, there are several large claims here where the interest alone amounts to more than the principal. The principal has already been paid to these companies, and had they applied the principal payment to their indebtedness there would be no occasion for interest.

Mr. VINSON of Georgia. Mr. Speaker, if the gentleman from Washington is going to object, there is no need of engaging in argument about it. This bill passed the Senate Friday. It is merely to carry out what was the intent of Congress in 1919, when Congress passed the War Minerals Refund Act. These claimants have been driven to the Supreme Court four different times. It was the intention of Congress to pay them their net loss and all that is sought in this bill is to reimburse these people their net loss.

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

Mr. ZIONCHECK. I yield.

Mr. COX. To permit me to ask the gentleman from Georgia a question.

Mr. ZIONCHECK. Yes.

Mr. COX. Is this the bill which the Rules Committee granted a special rule for in the last session of Congress?

Mr. VINSON of Georgia. That is correct. This bill was given a special rule in the last session of Congress.

Mr. COX. And in the consideration of that rule the gentleman from South Carolina [Mr. McSWAIN] made the statement that his committee was then investigating certain charges that had been made against some people in the different departments of the Government in reference to the manner in which these claims had been handled.

Mr. McFARLANE. Was it this company?

Mr. VINSON of Georgia. No; it was not.

Mr. COX. No. With the leave of the House consideration of the rule was withdrawn. Mr. McSWAIN, as I understand it, has since made the statement that this committee has gone into all these matters thoroughly, and has found that this concern had nothing to do with any of those things his committee was investigating.

Mr. VINSON of Georgia. Mr. Speaker, my colleague from Georgia is correct. When this bill was under consideration in the last session of Congress, the Committee on Military Affairs was conducting an investigation of activities of the War Department and asked that the bill be laid aside even after debate had been carried on for approximately an hour and a half.

They made a thorough investigation. There were no complaints whatsoever against any of these war mineral claims. Let me state to the gentleman from Washington [Mr. ZIONCHECK] that there are approximately 300 claims involved. Over half of them are less than $500. We are seeking by this bill to carry out the intent of Congress expressed in 1919. The Supreme Court has on four different occasions decided that interest on borrowed capital was an item that came within the purview of this law. The only reason this bill is here today is because they placed a cut-off date as of March 2, 1919, in the bill. There is not a line in the War Minerals Relief Act saying for what period of time interest on loans shall be calculated.

Mr. PITTENGER. Will the gentleman yield?

Mr. ZIONCHECK. I yield.

Mr. PITTENGER. The claims covered by this bill are for interest actually lost on money advanced at the request of the War Department?

Mr. VINSON of Georgia. Absolutely.

Mr. ZIONCHECK. How could these people lose interest for a period of 16 years subsequent to the war when they have already been paid the interest and principal up to the 2d of March 1919?

Mr. VINSON of Georgia. Let me say that if the gentleman borrows $1,000 and that obligation is not due until a certain date and he goes to the lender and offers him $1,000, that does not relieve him of the obligation to pay interest. That is this case exactly. These people, at the request of the Secretary of the Interior, went out and borrowed this money. They borrowed this capital. These obligations did not fall due until after March 2, 1919. The Supreme Court held they were entitled to collect interest up to March 2, 1919——

Mr. ZIONCHECK. And no further.

Mr. VINSON of Georgia. Just a moment. But it wrote into the decision that the word "accrued" meant "incurred."

Mr. McFARLANE. Will the gentleman yield?

Mr. ZIONCHECK. I yield to the gentleman from Texas.

The regular order was demanded.

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

Mr. ZIONCHECK. Mr. Speaker, I object.

KENNESAW MOUNTAIN NATIONAL MEMORIAL MILITARY PARK

The Clerk called the next bill, H. R. 59, to create a national memorial military park at and in the vicinity of Kennesaw Mountain, in the State of Georgia, and for other purposes.

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

Mr. TRUAX and Mr. LESINSKI objected.

The SPEAKER. Three objections are required. Only two objections have been made. The Clerk will report the bill.

Without objection, the Clerk will report the committee amendments.

There was no objection.

The Clerk read as follows:

Strike out all of section 1 after the enacting clause and insert the following—

Mr. TARVER. Mr. Speaker, I desire to make a point of order against the committee amendments. The committee amendments purport to strike out language which is not in the bill, and to insert language which is already in the bill. The mistake came about in this way: When the bill was introduced during the last session the committee, by these amendments, suggested entirely different language for the bill. When it was reintroduced by myself at this session I adopted the committee language in toto. The error comes about through the submission of the report from the committee, which exactly copies the report rendered the last time; but these amendments are not applicable to the pending bill.

The point of order is that the committee amendments are not in order, since they propose to strike out language which is not now in the bill and to insert language which is already in the bill.

Mr. ZIONCHECK. Mr. Speaker, I raise a point of order that with such a large change in the language the bill may be entirely different.

Mr. TARVER. It involves no change whatever. If the gentleman will examine the copy of the bill, which he has before him, he will see that it simply strikes out the language of the bill and then reinserts the identical language of the bill.

Mr. ZIONCHECK. Oh, if it is identical language, there is no objection.

The SPEAKER. It occurs to the Chair that the remedy is to vote down the committee amendments.

Mr. TARVER. I think the committee amendments are out of order since they purport to strike out language which is not in the bill and to insert language which is already in the bill. In drafting the bill we have used exactly the committee language—the language suggested by these amendments.

The SPEAKER. As the Chair understands it, the committee amendment proposes to strike out all of the original bill and insert a substitute in lieu thereof.

Mr. TARVER. The committee amendments are adjusted to the bill introduced during the last Congress, and they propose to strike out all of the language of that bill, which is not now before the House, and to insert the language of this bill. If the Chair will examine the language of the bill before him, he will see that the printer has stricken out all of the language of this bill and has then reinserted the identical language stricken out. Therefore, if a point of order is sustained to the amendments, the bill will be before the House in the exact language recommended by the committee.

The SPEAKER. The Chair fails to understand how the Chair can take action upon a matter of that sort. The committee has reported an amendment as a substitute. It seems to the Chair it is a question for the House as to whether it wishes to adopt the substitute or to adopt the gentleman's original bill.

Mr. TARVER. The committee amendment is out of order, because the committee proposes to strike out sections and language that are not in the bill. Therefore the committee amendments are not adjusted to the bill. Further, the committee amendments propose to insert language that is already in the bill. Therefore they are clearly out of order.

Mr. TABER. Mr. Speaker, a point of order. A point of order against the committee amendments does not come until after the bill has been read and the committee amendment has been read.

The SPEAKER. The Chair thinks the point of order is well taken. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That when title to all the lands, structures, and other property within the military battlefield area and other areas of Civil War interest at and in the vicinity of Kennesaw Mountain in the State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Kennesaw Mountain National Battlefield Park."

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said national battlefield park as determined and fixed hereunder, the title and evidence of title to lands purchased to be satisfactory to the Secretary of the Interior: *Provided*, That under such funds available therefor he may acquire on behalf of the United States by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the act of August 1, 1888, such tracts of land within the said national battlefield park as may be necessary for the completion thereof.

SEC. 3. Upon creation of the national battlefield park the Secretary of the Interior shall—

(a) Allow monuments and memorials to be erected in the park by and to the various organizations and individuals of either the Union or Confederate armies, subject to the written approval of said Secretary as to the location and character of such monuments and memorials.

(b) Make such regulations as are necessary from time to time for the care and protection of the park. Any person violating such regulations shall be guilty of an offense punishable by a fine of not more than $500, or imprisonment not exceeding 6 months, or both.

(c) Provide for the ascertainment and marking of the route of march of the Union and Confederate armies from Chattanooga, Tenn., through Georgia, and of principal battle lines, breastworks, fortifications, and other historical features along such route, and for the maintenance of such markers to such extent as deemed advisable and practicable.

SEC. 4. That the administration, protection, and development of the aforesaid national battlefield park shall be exercised under the direction of the Secretary of the Interior by the National Park Service subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes", as amended.

SEC. 5. The sum of $100,000 is hereby authorized to be appropriated, out of any sums in the Treasury not otherwise appropriated, for the purposes herein designated.

SEC. 6. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That when title to all the lands, structures, and other property within the military battlefield area and other areas of Civil War interest at and in the vicinity of Kennesaw Mountain in the State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the 'Kennesaw Mountain National Battlefield Park.'"

Mr. TARVER (interrupting the reading of the committee amendment). Mr. Speaker, I desire to make a point of order against the first committee amendment, which is to strike out all of section 1 after the enacting clause and insert certain language. The language which is proposed be inserted is identical with the language of section 1 now in the bill. The proposal of the committee amendment is simply to strike out existing language and then reinsert identical language.

The SPEAKER. The Chair cannot pass on that. The Chair will say to the gentleman from Georgia that is a

matter for the House to determine. The Chair cannot enter into the purpose of the committee in proposing the amendment, since that is not within the province of the Chair. The Chair will suggest to the gentleman from Georgia that the remedy that occurs to the Chair is for the House to vote down the committee amendment and pass the bill as originally introduced.

Mr. TARVER. Of course, Mr. Speaker, so far as this amendment is concerned, I have no objection to its adoption, but it is a useless procedure. It strikes out language now in the bill and then reinserts it. The next amendment proposes to strike out all of section 2 (a) and (b) and all of sections 3 (a), (b), and (c), and (d), yet there are no such sections in the bill.

The SPEAKER. The Clerk will proceed with the reading of the amendment; it is all one amendment.

Mr. TARVER. May we have a vote on each amendment as it is read?

The SPEAKER. There is just one amendment; it is proposed as a substitute.

Mr. TARVER. No; if the Chair please, the first amendment is to strike out all of section 1 after the enacting clause and insert the language which follows. Another amendment strikes out all of section 2 (a) and 3 (a), (b), and (c), and (d).

The SPEAKER. The amendment proposed by the committee is to strike out all after the enacting clause and insert a substitute; it is simply one amendment proposed as a substitute to the bill.

Mr. TARVER. However much I may be convinced that the Chair is in error, I, of course, will yield to his decision.

The Clerk read as follows:

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said national battlefield park as determined and fixed hereunder, the title and evidence of title to lands purchased to be satisfactory to the Secretary of the Interior: *Provided*, That under such funds available therefor he may acquire on behalf of the United States by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the act of August 1, 1988, such tracts of land within the said national battlefield park as may be necessary for the completion thereof.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that further reading of the committee amendment be dispensed with and that it be printed in the RECORD at this point.

Mr. TRUAX. Mr. Speaker, reserving the right to object, what is going to be the final disposition of the bill? Is this amendment a new bill?

Mr. ZIONCHECK. Mr. Speaker, I think the point was taken care of by the Speaker's decision on the point of order raised by the gentleman from Georgia. Everything after the enacting clause has been stricken from the bill and the committee amendment is offered as a substitute. I have just asked unanimous consent that further reading of the committee amendment be dispensed with, but that it be printed in the RECORD at this point.

Mr. TRAUX. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TRUAX. If it is a new bill, practically, with the exception of the enacting clause, why is it not subject to one objection instead of three?

The SPEAKER. Because it is simply proposed as an amendment; it is not a part of the bill until the House has adopted it.

Mr. TRUAX. Mr. Speaker, we are informed that the amendment is practically a new bill.

The SPEAKER. It is a new bill only in the sense that the amendment proposes to strike out all after the enacting clause and substitute new language for the remainder of the bill.

Mr. ZIONCHECK. Mr. Speaker, I would say to the gentleman from Ohio that the bill was subject to one objection last time, but to three this time, and only two objections were made to it today.

The SPEAKER. Is there objection to the request of the gentleman from Washington that the further reading of the committee amendment be dispensed with and that it be printed in the RECORD at this point.

There was no objection.

The remainder of the committee amendment follows:

SEC. 3. Upon creation of the national battlefield park the Secretary of the Interior shall—

(a) Allow monuments and memorials to be erected in the park by and to the various organizations and individuals of either the Union or Confederate Armies, subject to the written approval of said Secretary as to the location and character of such monuments and memorials.

(b) Make such regulations as are necessary from time to time for the care and protection of the park. Any person violating such regulations shall be guilty of an offense punishable by a fine of not more than $500, or imprisonment not exceeding 6 months, or both.

(c) Provide for the ascertainment and marking of the route of march of the Union and Confederate Armies from Chattanooga, Tenn., through Georgia, and of principal battle lines, breastworks, fortifications, and other historical features along such route, and for the maintenance of such markers to such extent as deemed advisable and practicable.

SEC. 4. That the administration, protection, and development of the aforesaid national battlefield park shall be exercised under the direction of the Secretary of the Interior by the National Park Service subject to the provisions of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes", as amended.

SEC. 5. The sum of $100,000 is hereby authorized to be appropriated out of any sums in the Treasury not otherwise appropriated for the purposes herein designated.

SEC. 6. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

The committee amendment was agreed to.

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

TREASURY-POST OFFICE APPROPRIATION BILL, 1936—CONFERENCE REPORT

Mr. ARNOLD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4442) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1936, and for other purposes, together with Senate amendments, disagree to all Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

Mr. MAPES. Mr. Speaker, reserving the right to object, have the Republican members of the committee been consulted about this?

Mr. ARNOLD. I told the gentleman from New York [Mr. TABER] that I would get the bill to conference as soon as I could, and that was agreeable to him.

Mr. MAPES. Mr. Speaker, personally I think the policy of a former distinguished Democratic leader, when that party was in the minority, that the minority Members be consulted before these requests were made is a good policy to continue.

Mr. TABER. Mr. Speaker, I have no objection to the Treasury-Post Office Department bill's going to conference.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? (After a pause.) The Chair hears none and appoints the following conferees: Messrs. ARNOLD, LUDLOW, BOYLAN, GRANFIELD, O'NEAL, TABER, and MCLEOD.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the next bill on the Consent Calendar.

The Clerk called the next bill, S. 1068, to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States, concluded April 24, 1934.

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

An act to establish a Commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934

Be it enacted, etc., That (a) there is hereby established a Commission to be known as the "Special Mexican Claims Commission" (hereinafter referred to as the "Commission") which shall be composed of three commissioners, learned in the law, to be appointed by the President. Such Commission shall have jurisdic-

tion to hear and determine, as hereinafter provided, conformable to the terms of the convention of September 10, 1923, and justice and equity, all claims against the Republic of Mexico, notices of which were filed with the Special Claims Commission, United States and Mexico, established by said convention of September 10, 1923, in which the said Commission failed to award compensation, except such claims as may be found by the committee provided for in the Special Claims Convention of April 24, 1934, to be general claims and recognized as such by the General Claims Commission. For the purpose of this act, claims which were brought to the attention of the American agency charged with the prosecution of claims before the aforesaid Commission, prior to the expiration of the periods specified in the convention of September 10, 1923, for the filing of claims, but which, because of error or inadvertence, were not filed with or brought to the attention of the Commission within the said periods, shall be deemed to have been filed with the Commission within such periods.

(b) The President shall designate one of such commissioners as chairman of the Commission. Not more than two of such commissioners shall be members of the same political party. Each commissioner shall be a citizen of the United States, shall hold office until the functions of the Commission are terminated, and shall receive a salary at the rate of $7,500 a year. Any vacancy that may occur in the membership of the Commission shall be filled in the same manner as in the case of an original appointment. Two members of the Commission shall constitute a quorum for the transaction of its business.

SEC. 2. The Commission shall have a secretary, and such additional legal, clerical, and technical assistants as may be approved and appointed by the Secretary of State, and at the rates of compensation fixed by him.

SEC. 3. (a) Before taking up his duties, each commissioner shall make and subscribe a solemn oath or declaration that he will carefully and impartially examine and decide all claims according to the best of his judgment and in accordance with the evidence and the applicable principles of justice and equity, and the terms of the said convention of September 10, 1923. All decisions by the Commission, which shall be by majority vote, shall constitute a full and final disposition of the cases decided. Such decisions shall be based upon the present records in the cases and such additional evidence and written legal contentions as may be presented within such period as may be prescribed therefor by the Commission.

(b) The Commission shall have authority, in its discretion, to make independent investigations of cases. For the purpose of all investigations which, in the opinion of the Commission, are necessary and proper for carrying out the provisions of this act, each commissioner is empowered to administer oaths and affirmations, subpena witnesses, take evidence, and require the production of books, papers, or other documents which the commissioner or the Commission deems relevant to the inquiry.

(c) Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpena the Commission may invoke the aid of any district or territorial court of the United States or the Supreme Court of the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence, and the court within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear before the Commission, or to produce documentary evidence if so ordered or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(d) For the purpose of assisting the Commission in carrying out the provisions of this act, the heads of the various departments and independent agencies and establishments of the Government are hereby directed to cooperate with the Commission and to place at its disposal such information as the Commission may from time to time request.

SEC. 4. If, after all claims have been passed upon and all awards have been entered, the Commission shall find that the total amount of such awards is greater than the amount that the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims, less expenses of the Commission, it shall reduce the awards on a percentage basis to such amount, and shall enter final awards in such reduced amounts.

SEC. 5. The said Commission shall perform its duties in the city of Washington, beginning within 15 days after its appointment. It shall, as soon as practicable, make all needful rules and regulations not contravening the laws of the United States, or the provisions of this act, for regulating the mode of procedure by and before it and for carrying into full and complete effect the provisions of this act; it shall also, as soon as practicable, notify all claimants of record of the establishment of the Commission and of the rules of procedure adopted by it for the adjudication of the claims, including the time allowed for the filing of additional evidence and written legal contentions.

SEC. 6. The Commission shall complete its work within 2 years from the date on which it undertakes the performance of its duties.

SEC. 7. The Commission shall be allowed the necessary actual expenses of office rent, furniture, stationery, books, printing and binding, and other necessary incidental expenses, to be certified as necessary by the Commission and approved by the Secretary of State.

SEC. 8. The Commission shall, at the time of entering an award on any claim, allow counsel or attorneys employed by the claimant or claimants, out of the amount awarded, such fees as it shall determine to be just and reasonable for the services rendered the claimant or claimants in prosecuting such claim, which allowance shall be entered as a part of said award: *Provided, however,* That the Commission shall determine just and reasonable fees, where there is a contract or agreement for services in connection with the proceedings before the Commission and with the preparations therefor, only upon the written request of the claimant or claimants, or of the counsel or attorneys, made to the Commission within 90 days after notice of the entry of an award and notice of the provisions of this section shall have been mailed by the Commission to the claimant or claimants; and payment shall be made by the Secretary of the Treasury to the person or persons to whom such allowance shall be made in the same manner as payments are made to claimants under section 9 of this act, which shall constitute payment in full to the counsel or attorneys for prosecuting such claim; and whenever such allowance shall be made all other liens upon, or assignments, sales, or transfers of the claim or the award thereon, whether absolute or conditional, for services rendered or to be rendered by counsel or attorneys in the preparation or presentation of any claim or part or parcel thereof, shall be absolutely null and void and of no effect.

SEC. 9. The said Commission shall, upon the completion of its work, submit a report to the Secretary of State, attaching thereto the following documents in duplicate: (a) A statement of the expenses of the Commission; (b) a list of all claims rejected; (c) a list of all claims allowed in whole or in part, together with the amount of each claim and the amount awarded by the Commission; and (d) its decision in writing showing the reasons for the allowance or disallowance of the respective claims. Certified copies of lists (a) and (c) shall be transmitted by the Secretary of State to the Secretary of the Treasury, who shall, after making the deduction provided for in section 11 hereof, distribute in ratable proportions, among the persons in whose favor awards shall have been made, or their assignees, heirs, executors, or administrators of record, according to the proportions which their respective awards shall bear to the whole amount then available for distribution, such moneys as may have been received into the Treasury by virtue of the convention of April 24, 1934. The Secretary of the Treasury shall follow like procedure with reference to any amounts that may thereafter be received from the Government of Mexico under the convention of April 24, 1934.

SEC. 10. As soon as the adjudication of the claims shall have been completed, the records, books, documents, and all other papers in the possession of the Commission, or members of its staff, shall be deposited with the Department of State.

SEC. 11. For the expenses of the Commission in carrying out the duties as aforesaid, the sum of $90,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, including personal services in the District or Columbia, or elsewhere, without regard to the provisions of any statute relating to employment, rent in the District of Columbia, furniture, office supplies, and equipment, including law books and books of reference, stenographic reporting and translating services, without regard to section 3709 of the Revised Statutes; traveling expenses; printing and binding; and such other necessary expenses as may be authorized by the Secretary of State: *Provided,* That any expenditures from the amount herein authorized to be appropriated shall become a first charge upon any moneys received from the Government of Mexico in settlement of these claims, and the amount of such expenditures shall be deducted from the first payment by the Government of Mexico and deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 12. After a fee has been fixed under section 8, any person accepting any consideration (whether or not under a contract or agreement entered into prior or subsequent to the enactment of this act) the aggregate value of which (when added to any consideration previously received) is in excess of the amount so fixed, for services in connection with the proceedings before the Commission, or any preparations therefor, shall, upon conviction thereof, be punished by a fine of not more than four times the aggregate value of the consideration accepted by such person therefor.

With the following committee amendment:

Page 5, line 23, after the word "duties", add "at which time all powers, rights, and duties conferred by this act upon the commission shall terminate."

The committee amendment was agreed to.

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.

STAY OF ALIENS IN THE UNITED STATES

The Clerk called the next bill, H. R. 5839, to authorize the shortening of the stay in the United States of certain aliens not admitted for permanent residence, and for other purposes.

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

Mrs. O'DAY, Mr. MARCANTONIO, Mr. JENKINS of Ohio, Mr. WITHROW, and Mr. STEFAN objected.

EXTENSION OF TIME FOR NATURALIZATION OF ALIEN VETERANS OF THE WORLD WAR

The Clerk called the next bill, H. R. 2739, to extend further time for naturalization to alien veterans of the World War under the act approved May 25, 1932 (47 Stat. 165), to extend the same privileges to certain veterans of countries allied with the United States during the World War, and for other purposes.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, the author of this bill is the gentleman from Wisconsin [Mr. CANNON]; at least, he was very much interested in this matter when we had it up for consideration on the last calendar day. I think an objection was made, or the bill was passed over without prejudice, with the agreement at that time that an amendment would be placed in the bill. The gentleman and I have agreed on what the amendment should be, and if it is all right I shall be glad to withdraw my reservation of objection, with the understanding that the amendment will be agreed to.

Mr. DICKSTEIN. What is the amendment?

Mr. JENKINS of Ohio. I may not be offering the amendment at the right place, but I have the right meaning. The amendment is as follows:

Strike out the period in line 25 and add the following: "and that he was and had been a bona fide lawfully admitted resident in the United States for 2 years before the passage of this act."

Mr. DICKSTEIN. Mr. Speaker, the whole bill is based on the fact they are now residing here and have been residing here for 10 years or more, and participated in the World War. This just extends their time to be naturalized under a short-form naturalization. Now, what objection could there be to that procedure?

Mr. JENKINS of Ohio. I think the gentleman is in error in that respect. The gentleman knows that we have extended this period to the veterans time after time, and there has never been any opposition heretofore. This bill is directed especially to the benefit of a group of Polish veterans, and there is no inclination on the part of anyone to object to that part of it. On the contrary, I want especially to help them. As far as I am concerned, and as far as I know, the recommendations have been overwhelmingly in favor of that part of the bill, but there is a thread running through the bill which seeks to provide that they must be residents of this country. It is strictly a bill for the benefit of aliens who fought for our country. In that respect it should be held strictly as a bill in favor of veterans and will not be permitted to be an immigration matter. My amendment will not in any way militate against the real purpose of the bill. It will strengthen it.

Mr. KENNEY. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from New Jersey.

Mr. KENNEY. I understand the amendment is satisfactory to the gentleman?

Mr. JENKINS of Ohio. Yes.

Mr. MAVERICK. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Texas.

Mr. MAVERICK. There were a lot of boys of Mexican extraction that were in the United States Army and who always thought they were citizens of the United States.

Mr. JENKINS of Ohio. I think the sentiment of this Congress is overwhelmingly in favor of any proposition that assists veterans to become citizens. However, there is a loophole in this bill that would allow a lot of people to come in under one guise or another and the veterans would not be in favor of that.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from New York.

Mr. DICKSTEIN. May I say to the gentleman that the American Legion, the Veterans of Foreign Wars, and other patriotic organizations came before the committee and endorsed the language of this bill. There is not one alien that will come in here. This has nothing to do with immigration. The men who served in the war must be residents and permanently admitted to the United States, and they must have been in this country 14 years.

Mr. JENKINS of Ohio. I understand that is what the bill tends to do.

Mr. DICKSTEIN. Then why stick in an amendment that is going to destroy this piece of legislation? The gentleman is cutting off the legislation.

Mr. JENKINS of Ohio. No. If the gentleman agrees to my amendment, there will be no difficulty. Does the gentleman agree to my amendment?

Mr. DICKSTEIN. No; I do not agree to it because it is nonsensical.

Mr. KENNEY. I think the bill as written virtually carries out the idea that the gentleman has in mind. If there is likely to be an objection, perhaps the bill should be passed over.

Mr. DICKSTEIN. May I make this suggestion: In order to be absolutely sure what we are doing here, I will be glad to pass the bill over at this time.

Mr. JENKINS of Ohio. No. We might as well dispose of it now.

Mr. DICKSTEIN. It is up to the gentleman.

Mr. MOTT demanded the regular order.

Mr. JENKINS of Ohio. I want this thing done right and the gentleman wants it done right.

Mr. DICKSTEIN. I say it is being done right in this bill as it is written.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

Mr. DICKSTEIN. Mr. Speaker, I object.

Mr. Speaker, on page 2, section 2 provides that persons must be legally admitted to the United States. They cannot come in under any other conditions at all. They are here. They must have served in the World War. This simply extends the courtesy to become naturalized under a short-form naturalization process. It is endorsed by everyone who came before the committee. What amendment does the gentleman want to put in?

Mr. JENKINS of Ohio. I have been telling the gentleman. I read my proposed amendment, but the gentleman probably did not hear it. All I want to do is to put the language in this bill that it shall apply to veterans who are here. That is what the American Legion wants and that is what everybody wants. If there is a loophole in it, and it looks as if there is, or the gentleman would not be so persistent, let us straighten it out.

Mr. DICKSTEIN. I will accept the gentleman's amendment.

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

Mr. JENKINS of Ohio. Mr. Speaker, with the understanding my amendment will be accepted, I withdraw my reservation of objection and will permit the bill to be read.

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

Be it enacted, etc., That subdivision (a) of section 1 of the act entitled "An act to further amend the naturalization laws, and for other purposes", approved May 25, 1932 (47 Stat. 165; U. S. C., Supp. VII, title 8, sec. 392b (a)), shall continue in force and effect to include petitions for citizenship filed prior to May 25, 1936, with any court having naturalization jurisdiction.

SEC. 2. The provisions of section 1 of this act are hereby extended to include any alien lawfully admitted into the United States for permanent residence who departed therefrom between August —, 1914, and April 5, 1917, or who, having been denied entry into the military and naval forces of the United States, departed therefrom subsequent to April 5, 1917, for the purpose of serving, and actually served prior to November 11, 1918, in the military or naval forces of any of the countries allied with the United States in the World War and was discharged from such service under honorable circumstances: *Provided*, That before any applicant for citizenship under this section is admitted to citizenship, the court shall be satisfied by competent proof that he is entitled to, and has complied in all respects with, the provisions of this act.

SEC. 3. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe such rules and regulations as may be necessary for the enforcement of this act.

With the following committee amendment:

On page 1, line 6, after the word "shall", insert the words "as herein amended."

And on page 2, line 1, after the word "jurisdiction", insert the following:

"*Provided*, That for the purposes of this act clause (1) of subdivision (a) of section 1 of the aforesaid act of May 25, 1932, is amended by striking out the words 'all such period' and in lieu thereof inserting the words 'the 5 years immediately preceding the filing of his petition.'"

The committee amendments were agreed to.

Mr. JENKINS of Ohio. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. JENKINS of Ohio: On page 2, line 21, after the word "act", strike out the period, insert a semicolon, and add the following: "and that he was and had been a bona fide lawfully admitted resident in the United States for 2 years before the passage of this act."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

CONSENT CALENDAR

LOSS OF UNITED STATES CITIZENSHIP

The Clerk called the next bill, H. R. 5799, to declare that a citizen of the United States who votes in a political election in a foreign state loses his citizenship.

Mr. WITHROW, Mr. JENKINS of Ohio, Mr. DIRKSEN, and Mr. WOLCOTT objected.

PACIFIC EXPOSITION OF 1938 AT LOS ANGELES

The Clerk called the next joint resolution, House Joint Resolution 164, authorizing the President to invite foreign countries to participate in the Pacific Exposition of 1938 at Los Angeles, Calif.

Mr. TABER. Mr. Speaker, I object.

GROVER CLEVELAND

The Clerk called the next joint resolution, House Joint Resolution 147, authorizing the erection of a monument to Grover Cleveland in Washington, D. C.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill may be passed over until the Chairman of the Library Committee, the gentleman from Illinois [Mr. KELLER], is present, to be returned to upon his return. I do this at the request of the Chairman of the Library Committee.

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

There was no objection.

REPATRIATION OF NATIVE-BORN WOMEN

The Clerk called the next bill, H. R. 4354, to repatriate native-born women who have heretofore lost their citizenship by marriage to an alien, and for other purposes.

Mr. GEARHART. Mr. Speaker, I object.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. BACON. Mr. Speaker, I demand the regular order.

The SPEAKER. Objection is heard.

CUSTODY OF FEDERAL PROCLAMATIONS, ORDERS, REGULATIONS, ETC.

The Clerk called the next bill, H. R. 6323, to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I discussed with the author of this measure, the gentleman from New York [Mr. CELLER], an amendment to this bill, and the amendment is acceptable to the gentleman from New York.

I would propose to strike out in line 9, on page 1, the words "there shall be at the head of the" and then strike out all of lines 1, 2, 3, 4, and 5 on page 2.

I am informed that this work can be well handled by the present Assistant Director of Archives and will require no additional appropriation or no authorization by the President with respect to the appointment of a new director to handle the work.

Mr. CELLER. I thought we had agreed only that the salary of $6,000 would be stricken out. I agreed, however, most reluctantly and, indeed, not from choice, but simply to get the bill considered and not to have objections voiced against the bill. In view of the importance of the work to be done under the bill, I do hope the gentleman will not press his objection to the appointment of a director of division to handle this work. A tremendous task will be thrust upon such a gentleman. This position will require a great deal of skill and knowledge of law and codification. I understood the gentleman's main objection was to the salary that would be paid. The work probably could be conferred upon an assistant in the Archives Bureau, who might already have been appointed, and this would be among his tasks and duties, but to strike out the whole provision would destroy the symmetry of the bill, because in other places we mention a Director of Division. I do hope the gentleman will not press the striking out of all the words he has indicated.

Mr. TRUAX. I would call the gentleman's attention to the fact that in the section remaining in the bill a new appointee could be appointed and receive a salary of, say, $10,000 a year. There is absolutely no protection there; and I would also remind the gentleman that 1 year ago, when we passed a bill which, as I recall, was on the Consent Calendar, authorizing the appointment of a Director of Archives, at a salary of $10,000 per year, I made the assertion that it would seem fair if we could select some one of the 70,000 employees already on the pay roll in Washington without importing a new man to handle this work.

Mr. CELLER. I am in thorough sympathy with the gentleman's endeavor to save money for the Government, but, as I have stated, in view of the fact that in other parts of the bill we mention a Director of Division, for example, at page 5, line 21, where the words "Director of the Division" are used, the whole fabric of the bill is sort of built around a Director of Division together with an appointee of the Attorney General and an appointee of the Government Printer. Strike out all the gentleman wants and you do much to destroy the bill.

Mr. TRUAX. Would the gentleman agree to an amendment stating "no other salary than those already provided for"?

Mr. CELLER. In view of the importance of the bill I would be in the position of being compelled to take the half loaf if I could not get the full loaf and I would be agreeable to that request, although again I yield most reluctantly.

Mr. WOODRUM. Mr. Speaker, I am very much interested in the discussion and particularly interested in the bill. I would like to call the attention of the gentleman from Ohio to the fact that this bill sets up an entirely distinct and separate feature in the Archives establishment, different from anything contemplated in the original Archives Act. It seems to me if we are going to get any benefit out of this measure, and we ought to get great benefit out of it, there should be some person specially selected whose duties and responsibilities would be the carrying out of the provisions of this bill alone, in no way connected with the preservation of the national archives.

Mr. TRUAX. I understand there is already employed a gentleman who is qualified to handle this particular work.

Mr. WOODRUM. If he is in the Archives establishment now he is receiving other pay, and I may say that if we are to get the full benefits of this bill there ought to be someone assigned to do this particular work. I know it has been the gentleman's experience as a legislator that if you want a good job done you have got to get a good man to do it and it cannot be done for nothing.

Mr. TRUAX. I agree with the gentleman about that.

Mr. WOODRUM. There are no funds in the appropriation for the Archives establishment for this particular work.

Some slight portion of it undoubtedly will be duplication and can be carried on by the regular force, but this bill, of course, will call for some additional force.

Mr. TRUAX. May I say to the gentleman from Virginia, who is a distinguished member of the Committee on Appropriations, that the gentleman from New York [Mr. CELLER] has already agreed to the striking out of all of line 5 and part of line 4, with the intention that if the position can be taken care of by the present personnel, without any extra salary or appropriation, it will be done.

Mr. WOODRUM. That, of course, is agreeable to me. The gentleman from New York [Mr. CELLER] has done pioneer work on the bill, and I readily accede to anything that is agreeable to him.

Mr. CELLER. I agree, provided we do not strike out "Director of Division"; but I yield most grudgingly and hope the gentleman will not press his suggestion.

Mr. WOODRUM. Oh, I think the position ought to be left in the bill.

Mr. SUMNERS of Texas. May I say to the gentleman from Ohio [Mr. TRUAX], he is familiar, of course, with the fact that the demand for this particular legislation has grown out of the fact that an enormous number of rules and regulations have been issued about which nothing has been known by the public at the time.

That is the cause of the immediate demand for legislation. We sought to bring about an arrangement under which rules and regulations will be given to the public and thereby given actual notice instead of mere constructive notice.

Then there is the matter of taking care of the archives. I call my friend's attention to the fact that the language in sections 4 and 5 is, as a matter of fact, language of limitation on any lump sum. The compensation cannot exceed $6,000. I am not familiar with the general legislation as to lump-sum appropriations, but if that language fixing the maximum at $6,000 is stricken out it might be possible that the salary would be fixed in excess of $6,000.

Mr. TRUAX. I made that observation a while ago.

Mr. SUMNERS of Texas. To be frank with the gentleman, the bill came to the Committee on the Judiciary from the Department of Justice. It was prepared by those who had charge of this particular activity, and the amount of salary provided for originally was $7,500.

The committee went into the matter very thoroughly and felt that the compensation should not exceed $6,000—that that would be enough compensation to put in the bill. It did not say that the salary must be $6,000 but not more than $6,000.

Personally, I am apprehensive that to strike out the language in the bill would be to strike out the limitation. We did not know whether they could get a man for a less amount of money who was qualified, and we did not want to pay him any more than that. I hope my friend will not insist on striking it out.

Mr. TRUAX. Does not the gentleman think that somebody might be obtained who was well qualified for four or five thousand dollars? I think we have a lot of such persons in the State of Ohio well qualified for the job.

Mr. Speaker, I ask unanimous consent to withdraw my former amendment and offer another in lieu thereof.

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

There was no objection.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

A bill to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof

Be it enacted, etc., That the Archivist of the United States, acting through a division established by him in the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5. There shall be at the head of the Division, a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this act and the regulations prescribed hereunder, who shall receive a salary, to be fixed by the President, not to exceed $6,000 a year.

SEC. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open at all hours for that purpose. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing thereof: *Provided*, That when the original is issued, prescribed, or promulgated outside of the District of Columbia and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be available for inspection under regulations to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this act, one duplicate original or certified copy of each document required or authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

SEC. 3. All documents required or authorized to be published under section 5 shall be printed and distributed forthwith by the Government Printing Office in a serial publication designated the "Federal Register." It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required by the Archivist in accordance with the provisions of this act and the regulations perscribed hereunder. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations hereunder. There shall be printed with each document a copy of the notation, required to be made under section 2, of the day and hour when, upon filing with the division, such document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at such time in the morning of the day of distribution as shall be fixed by such regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 6 without reference to the restrictions placed upon and fixed for the sale of Government publications by section 1 of the act of May 11, 1922, and section 307 of the act of June 30, 1932 (U. S. C., title 44, secs. 72 and 72a), and any amendments thereto.

SEC. 4. As used in this act, unless the context otherwise requires, the term "document" means any Presidential proclamation or Executive order and any order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the terms "Federal agency" or "agency" mean the President of the United States, or any executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

SEC. 5. (a) There shall be published in the Federal Register (1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required so to be published by act of the Congress: *Provided*, That for the purposes of this act every document or order which shall prescribe a penalty shall be deemed to have general applicability and legal effect.

(b) In addition to the foregoing there shall also be published in the Federal Register such other documents or classes of documents as may be authorized to be published pursuant hereto by regulations prescribed hereunder with the approval of the President, but in no case shall comments or news items of any character whatsoever be authorized to be published in the Federal Register.

SEC. 6. There is established a permanent Administrative Committee, of three members, consisting of the Archivist or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Division shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this act. Such regulations shall provide, among other things: (a) The manner of certification of copies required to be certified under section 2, which certification may be permitted to be based upon confirmed communications from outside of the District of Columbia; (b) the documents which shall be authorized pursuant to section 5 (b) to be published in the Federal Register; (c) the manner and form in which the Federal Register shall be printed, reprinted, compiled, indexed, bound,

and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public; and (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

SEC. 7. No document required under section 5 (a) to be published in the Federal Register shall be effective as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby. The publication in the Federal Register of any document shall create a rebuttable presumption (a) that it was duly issued, prescribed, or promulgated; (b) that it was duly filed with the Division and made available for public inspection at the day and hour stated in the printed notation; (c) that the copy contained in the Federal Register is a true copy of the original; and (d) that all requirements of this act and the regulations prescribed hereunder relative to such document have been complied with. The contents of the Federal Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate act of the Congress; or (b) not less than 15 days when no time for publication is specifically prescribed by the act, without prejudice, however, to the effectiveness of any notice of less than 15 days where such shorter period is reasonable.

SEC. 9. Every payment made for the Federal Register shall be covered into the Treasury as a miscellaneous receipt. The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and any other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this act shall be borne by the general appropriation to the Government Printing Office and such appropriation is hereby made available, and is authorized to be increased by an amount equal to the amount so covered into the Treasury and such additional sums as are necessary, for such purposes. The purposes for which appropriations are available and are authorized to be made under section 10 of the act entitled "An act to establish a National Archives of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this act. Copies of the Federal Register mailed by the Government shall be entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

SEC. 10. The provisions of section 2 shall become effective 60 days after the date of approval of this act and the publication of the Federal Register shall begin within 3 business days thereafter. The limitations upon the effectiveness of documents required, under section 5 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or subsequent act of the Congress or by Executive order to be published in the Federal Register.

SEC. 11. Within 6 months after the approval of this act each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall, within 60 days thereafter, report with respect thereto to the President, who shall determine which of such documents have general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition or issue of the Federal Register. Such special or supplemental editions or issues shall be distributed in the same manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

SEC. 12. Nothing in this act shall be construed to apply to treaties, conventions, protocols, and other international agreements or proclamations thereof by the President.

SEC. 13. All acts or parts of acts in conflict with this act are hereby repealed insofar as they conflict herewith.

SEC. 14. This act may be cited as the "Federal Register Act."

Mr. TRUAX. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

Page 2, line 4, after the word "hereunder", strike out the following: "who shall receive a salary, to be fixed by the President, not to exceed $6,000 a year."

Mr. ZIONCHECK. Mr. Speaker, I would like to offer a substitute amendment on the same point.

Mr. TRUAX. Mr. Speaker, I repeat the statement I made a while ago. One year ago, when the bill authorizing the creation of this new position of Superintendent of Archives was under consideration, I said then it was not necessary to import a specialist to handle this job at a salary of $10,000 a year, nor is it necessary today to import a specialist at a salary of $6,000 a year to handle this particular job. It seems to me that with all of the thousands of employees who are employed alone in the Government Printing Office, there should be found one man, or perhaps a woman, eminently qualified for this position at a salary perhaps of three or four thousand dollars a year. One of the pledges of our party in that historic convention held in Chicago in 1932 was a solemn promise to the people of this country to cut down bureaucracy and reduce bureaucratic expense. If I recall that convention correctly, we pledged in our party platform a reduction of at least 25 percent of the bureaucratic expenses of this Nation. Instead of that, we have increased vastly the positions now being held by the bureaucrats and the salaries that they are drawing.

I am informed that the main controversy in the adoption of the report of the conferees on the public-works relief bill is because of the objections of Mr. Ickes, Secretary of the Interior, to an amendment adopted by the Senate which provides that one-third of $900,000,000 shall be spent directly for labor. I was one of the few Democrats who voted "no" on the motion to recommit that conference report to the conference committee. I voted "no" because I am opposed unalterably to any further usurpation of bureaucratic power by Mr. Ickes, Mr. Hopkins, or any of the other "four horsemen."

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

Mr. TRUAX. Yes.

Mr. TABER. If they would repeal the N. R. A. and A. A. A. and a few of those rackets, we would not need this bill at all.

Mr. TRUAX. Mr. Speaker, I do not favor the repeal of the N. R. A., because it contains provisions that are beneficial to American labor, such as the abolition of child labor, the outlawing of "yellow dog" contracts, and the right of labor to collective bargaining. There is much more good in the N. R. A. than there is bad, and therefore I favor, and shall vote for, its retention.

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

Mr. TRUAX. Yes.

Mr. MARCANTONIO. And I think the gentleman is in accord with me, that the interpretation of the labor provisions of the N. R. A. have been against labor, and those interpretations are being used to regiment labor to a low standard of living.

Mr. TRUAX. Mr. Speaker, I am in accord with the gentleman's statement. I sit on the Committee on Labor with the gentleman. We had Mr. Richberg testify before our committee and we have legislation now in our committee which we have reported favorably for passage that will correct that situation and make section 7 (a) what it is intended to be, a protection for the rights of American labor.

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

Mr. TRUAX. Yes.

Mr. MICHENER. Will the gentleman please get back to the bill that we are discussing.

Mr. TRUAX. Yes.

Mr. MICHENER. And tell us what he thinks about that amendment which he has suggested.

Mr. TRUAX. My amendment?

Mr. MICHENER. Yes.

Mr. TRUAX. I am for it 100 percent. I think it should be adopted by the House.

Mr. MICHENER. Will the gentleman yield further?

Mr. TRUAX. Yes.

Mr. MICHENER. Following the gentleman's views, does he not think that we should go a little further and put the employees of this new bureau under civil service. If we did that, then we could find a person at the salary the gentleman has suggested.

Mr. TRUAX. Does the gentleman mean by putting them under civil service that that will mean Republican appointments by the Republican bureaucrats?

Mr. MICHENER. Oh, no.

Mr. TRUAX. That has been my experience. I have found that many times whenever you place employees under civil service, it means the appointment of Republicans, regardless of merit.

Mr. MICHENER. The only way that that could be possibly true would be because only Republicans are competent.

Mr. TRUAX. I ask the Members of this House to adopt this amendment. It eliminates the necessity for going out into some other State, possibly New York, and importing a specialist at a salary of $6,000 a year, when we have men right in the departments here who are well qualified and have all the specialization that is necessary to handle the job.

Mr. CELLER. Mr. Speaker, I rise in opposition to the amendment. I sympathize thoroughly with the aims and aspirations of the gentleman from Ohio [Mr. TRUAX] to keep down expenditures for the operations of various bureaus and departments of the Government. Unfortunately, the gentleman from Ohio injected into his remarks matters that are extraneous to the subject at hand. This bill has nothing to do with the usurpation of bureaucratic power and other and sundry items the gentleman adverted to. I rise to call the attention of Members of the House to the importance of this legislation.

In the first 15 months after March 4, 1933, the President alone issued 674 Executive orders, aggregating approximately 1,400 pages. This was a greater volume than that of the preceding 4 years, and nearly six times as great as that for the 39 years from 1862 through 1900. Moreover, in the first year of the National Recovery Administration 2,998 administrative orders were issued. In addition to these, the N. R. A. has adopted numerous regulations and sets of regulations which can only be found after a search through some 5,991 press releases issued during this period. It is estimated that the N. R. A. alone issued in all some 10,000 pages of "law"—a greater volume than the total amount of statute law contained in the United States Code.

Aside from the tremendous number of rules and regulations issued by the National Recovery Administration and the great activity by the President in the promulgation of his Executive orders, there are the many other departments and officials adding to the avalanche of executive orders, decrees, regulations, notices, and codes. The Agricultural Adjustment Administration has issued many series of regulations, some of them most complicated by amendments and supplements. There are customs regulations, internal-revenue regulations, immigration rules and regulations, and postal rules and regulations, comprising several volumes, frequently amended. The Veterans' Bureau has issued two large volumes of regulations; much of the data are already out of date. There is an elaborate series of regulations under the Pure Food and Drugs Act. Pretty soon the new boards and new commissions, like the Federal Communications Commission and the Securities and Exchange Commission, will issue their myriad of executive legislation. We have mentioned only a few of the bureaus. There are literally dozens of agencies with powers to publish rules and regulations. Ofttimes these rules and regulations prescribe penalties. It is difficult at times to find out what they are. Yet the property and persons of the citizens may be at stake.

The enactments of Congress are easily available, but often the regulations issued under them are more important than the basic acts. But these administrative rules and pronouncements oftentimes cannot be found. As to their publication and distribution, there is utter chaos. These rules and regulations frequently appear in separate paper pamphlets, some printed on single sheets of paper and easily lost. Any attempt to compile a complete private collection of these rules and regulations would be wellnigh impossible. No law library, public or private, contains them all. Officials of the department issuing them frequently do not know all of their own regulations. Recently, as has been pointed out by Prof. Erwin N. Griswold, of the Harvard Law School, in an article in the December 1934 issue of the Harvard Law Review, entitled "Government in Ignorance of the Law—A Plea for Better Publication of Executive Legislation", an indictment was brought and an appeal was taken by the Government to the Supreme Court before it was discovered that the regulation on which the proceeding was based did not exist. (See *United States* v. *Smith, no. 3*, October term, 1934,; appeal dismissed on motion of the appellant, Oct. 1, 1934. See New York Times, Oct. 2, 1934, at p. 6.)

A committee of the American Bar Association has this to say on the subject:

> The practice of filing Executive orders with the Department of State is not uniformly or regularly followed, and the totals are really greater than above indicated. Some orders are retained or buried in the files of the Government departments, some are confidential and are not published, and the practice as to printing and publication of orders is not uniform. Some orders are made known and available rather promptly after their approval; the publication of others may be delayed a month or more, with consequent confusion in numbering. The comparatively large number of recent orders which incorporate provisions purporting to impose criminal penalties by way of fine and imprisonment for violation is without numerical precedent in the history of the Government.

Such chaos and disorder concerning statutory rules and regulations demands an immediate solution. H. R. 6323 provides such solution. There shall be an official publication called the "Federal Register", in which all rules and regulations shall systematically and uniformly be published, and such Federal Register shall be readily accessible to all parties interested. There shall be available for public use indices and tabulations of such rules and regulations.

There is not an enlightened country in the world that has not legislation of this character. I have taken the trouble to go through many volumes to discover what England does, what Canada does, and the South American countries, and France, India, New Zealand, and South Africa. They all have legislation of this character and they have had it for years. A bill of this character was passed by the English Parliament as far back as 1890. The London Gazette is the English publication corresponding to the Federal Register set up in my bill. When you recollect that there are these 11,000 pages of rules and regulations promulgated by the N. R. A.—and very few people know what they are or where they are—you will have some idea of the size of this job. Suppose any one of you had to codify and rearrange that vast amount of administrative law. You would have your hands full.

In some departments these rules and regulations take the form of mimeographed blanks, they take the form of telegraph blanks, yet many of those so-called "rules and regulations", so improperly promulgated, carry with them penalties threatening your liberties. Take the huge amount of rules and regulations issued by the Veterans' Bureau and a similar number issued by the Post Office Department, the S. E. C., the R. F. C., the A. A. A., the F. E. R. A., the C. C. C., H. O. L. C., and so forth. Where they are and what they are the Lord only knows. It takes a Sabbath-day journey to find a few of them, yet we know that these rules and regulations are far more important than the basic acts that we pass in this House. See how lax we have been? Shall that laxity continue?

Keep in mind that anomalous situation that arose in Texas when a man was arrested and indicted for an alleged violation of a regulation which had been repealed prior to the date of the alleged offense. Yet nobody connected with the Petroleum Code knew anything about the repeal of the regulation. The United States attorney knew nothing about it. The great Department of Justice had to move to dismiss the case.

Such proceedings make us look ridiculous. It shall not happen again. My bill is the safeguard.

Now is the time to call a halt. We should have some means by which the whole Nation may be apprised of rules and regulations promulgated, many of which carry criminal penalties, so that you and I will be safe from arrest for violating something which does not even exist.

Mr. DONDERO. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. DONDERO. Does the gentleman think this will in any way encourage the continuation of legislation in that manner?

Mr. CELLER. My bill will prevent it. I think it would discourage also the so-called "wild cat" legislation by rule and regulation. Heads of bureaus will think twice and most carefully before promulgating rules. This bill has two purposes. It provides for the codification of all past rules and regulations and proper promulgation of rules and regulations in the future, and the custody of those rules and regulations in the proper place is assured, after certain notice, so that you and I may know where to find them and what they are. They will be under a division composed of a member of the Archives Department, a member of the Department of Justice, and the Government Printing Office.

[Here the gavel fell.]

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

Mr. BLAND. Reserving the right to object, the gentleman ought to give consideration to the fact that there are other important bills on the calendar.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. I will not use the 5 minutes.

There must be a specialist employed to supervise this work. It requires much acumen, intelligence, and skill. Originally we wanted to place this whole thing in the Library of Congress, but we found the Librarian had not the facilities to handle the situation. We wanted to save the money which the gentleman from Ohio [Mr. TRUAX] is anxious about. We then had arranged to let the Department of Justice handle it exclusively. The Attorney General said they had no facilities. We went to the Bureau of Archives, and they said they would be glad to handle it, provided we would get a man skillful enough, well grounded, and highly intelligent, and who had a ready knowledge of departmental work. If you are going to reduce the amount of salary which we originally placed at $7,500 in the bill, down to three or four thousand dollars, you will not get the proper man to handle this work. I hope you will not reduce the salary to such a low extent that you will not get the proper talent to take care of this work. I believe $6,000 is the proper amount.

Mr. HEALEY. Will the gentleman yield?

Mr. CELLAR. I yield.

Mr. HEALEY. It is true that an ordinary clerk of a small court or the clerk of a city or town receives in the vicinity of three or four or five thousand dollars a year salary for the type of work he does?

Mr. CELLER. That is true.

Mr. HEALEY. And this man will have all of these very valuable documents, affecting all of the people in our country and our Government, under his jurisdiction?

Mr. CELLER. That is true.

Herewith I give you a synopsis of the bill by sections:

Section 1 provides that the Archivist of the United States shall be charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under the provisions of the bill. This section further provides that the provisions of the bill shall be carried out under the supervision of a director, appointed by the President, who in turn shall act under the general direction of the Archivist of the United States.

Section 2 provides for the filing with the division in charge, of the original and two duplicate originals or certified copies of any documents required or authorized to be published under section 4 of the bill. Further provision under section 2 is made that the original be retained in the archives of the National Archives Establishment and that one duplicate, original, or certified copy thereof be immediately transmitted to the Government Printing Office for printing.

Section 3 provides for the printing and distribution by the Government Printing Office of a serial publication designated the "Federal Register", to be distributed daily except Sundays, Mondays, and days following legal holidays. It is further provided in section 3 that the contents of the daily issue shall comprise all documents filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by the regulations. The method of distribution of, and the prices to be charged for, the Federal Register are also provided for in section 3.

Section 4 sets forth the documents required or authorized to be filed in the Division and to be published in the Federal Register.

Section 5 (a) makes specification as to which Presidential proclamations and Executive orders shall be published in the Federal Register, as well as to which document or classes of documents are to be published.

Section 5 (b) further provides for the publication in the Register of certain other documents or classes of documents.

Section 6 provides for the establishment of a permanent administrative committee of three members, which committee, consisting of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer, shall prescribe, with the approval of the President, regulations for carrying out the provisions of the bill. The provisions of such regulations are also set forth in section 6.

Section 7 provides that the Federal Register shall be judicially noticed.

Section 8 provides that publication in the Federal Register shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law.

Section 9 provides that the purposes for which appropriations are available and are authorized to be made under section 10 of the act entitled "An act to establish a National Archives of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this bill.

Section 10 provides that the provisions of section 2 of this bill shall become effective 60 days after the date of approval of this bill and the publication of the Federal Register shall begin within 3 business days thereafter.

Section 11 makes provision for and sets forth rules governing the publication of a special or supplemental edition or issue of the Federal Register.

Section 12 excludes treaties, conventions, protocols, and other international agreements or proclamations thereof by the President from the provisions of this bill.

Section 13 provides that all acts or parts of acts in conflict with this act are repealed insofar as they conflict therewith.

Section 14 provides that this act may be cited as the "Federal Register Act."

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

Mr. ZIONCHECK. Mr. Speaker, I offer a perfecting amendment.

The Clerk read as follows:

Amendment offered by Mr. ZIONCHECK: Page 2, line 5, strike out "$6,000" and insert in lieu thereof "$5,000."

Mr. ZIONCHECK. The only reason I do this is to let the House say whether they will limit the salary to $5,000 or $6,000.

The SPEAKER. The question is on the perfecting amendment offered by the gentleman from Washington.

The amendment was agreed to.

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio [Mr. TRUAX].

The amendment was rejected.

The Clerk read as follows:

A bill to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof

Be it enacted, etc., That the Archivist of the United States, acting through a division established by him in the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5. There shall be at the head of the Division a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this act and the regulations prescribed hereunder, who shall receive a salary, to be fixed by the President, not to exceed $6,000 a year.

SEC. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open at all hours for that purpose. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing thereof: *Provided*, That when the original is issued, prescribed, or promulgated outside of the District of Columbia and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be available for inspection under regulations to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this act, one duplicate original or certified copy of each document required or authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

SEC. 3. All documents required or authorized to be published under section 5 shall be printed and distributed forthwith by the Government Printing Office in a serial publication designated the "Federal Register." It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required by the Archivist in accordance with the provisions of this act and the regulations prescribed hereunder. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations hereunder. There shall be printed with each document a copy of the notation, required to be made under section 2, of the day and hour when, upon filing with the Division, such document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at such time in the morning of the day of distribution as shall be fixed by such regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 6 without reference to the restrictions placed upon and fixed for the sale of Government publications by section 1 of the act of May 11, 1922, and section 307 of the act of June 30, 1932 (U. S. C., title 44, secs. 72 and 72a), and any amendments thereto.

SEC. 4. As used in this act, unless the context otherwise requires, the term "document" means any Presidential proclamation or Executive order and any order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the terms "Federal agency" or "agency" mean the President of the United States, or any executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

SEC. 5. (a) There shall be published in the Federal Register (1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required so to be published by act of the Congress: *Provided*, That for the purposes of this act every document or order which shall prescribe a penalty shall be deemed to have general applicability and legal effect.

(b) In addition to the foregoing there shall also be published in the Federal Register such other documents or classes of documents as may be authorized to be published pursuant hereto by regulations prescribed hereunder with the approval of the President, but in no case shall comments or news items of any character whatsoever be authorized to be published in the Federal Register.

SEC. 6. There is established a permanent Administrative Committee of three members consisting of the Archivist or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The director of the division shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this act. Such regulations shall provide, among other things: (a) The manner of certification of copies required to be certified under section 2, which certification may be permitted to be based upon confirmed communications from outside of the District of Columbia; (b) the documents which shall be authorized pursuant to section 5 (b) to be published in the Federal Register; (c) the manner and form in which the Federal Register shall be printed, reprinted, compiled, indexed, bound, and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public; and (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

SEC. 7. No document required under section 5 (a), to be published in the Federal Register shall be effective as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby. The publication in the Federal Register of any document shall create a rebuttable presumption (a) that it was duly issued, prescribed, or promulgated; (b) that it was duly filed with the division and made available for public inspection at the day and hour stated in the printed notation; (c) that the copy contained in the Federal Register is a true copy of the original; and, (d) that all requirements of this act and the regulations prescribed hereunder relative to such document have been complied with. The contents of the Federal Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

SEC. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate act of the Congress; or (b) not less than 15 days when no time for publication is specifically prescribed by the act, without prejudice, however, to the effectiveness of any notice of less than 15 days where such shorter period is reasonable.

SEC. 9. Every payment made for the Federal Register shall be covered into the Treasury as a miscellaneous receipt. The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and any other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this act shall be borne by the general appropriation to the Government Printing Office and such appropriation is hereby made available, and is authorized to be increased by an amount equal to the amount so covered into the Treasury and such additional sums as are necessary, for such purposes. The purposes for which appropriations are available and are authorized to be made under section 10 of the act entitled "An act to establish a National Archives of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this act. Copies of the Federal Register mailed by the Government shall be entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

SEC. 10. The provisions of section 2 shall become effective 60 days after the date of approval of this act and the publication of the Federal Register shall begin within 3 business days thereafter. The limitations upon the effectiveness of documents required, under section 5 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or subsequent act of the Congress or by Executive order to be published in the Federal Register.

SEC. 11. Within 6 months after the approval of this act each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall within 60 days thereafter report with respect thereto to the President, who shall determine which of such documents have general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition or issue of the Federal Register. Such special or supplemental editions or issues shall be distributed in the same manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

SEC. 12. Nothing in this act shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

SEC. 13. All acts or parts of acts in conflict with this act are hereby repealed insofar as they conflict herewith.

SEC. 14. This act may be cited as the "Federal Register Act."

Mr. CANNON of Missouri. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the bill (H. R. 6359) relating to repeal of publicity of income-tax returns has been sent to conference and the conferees will meet in the near future to consider the Senate amendment.

As there has been no opportunity to debate the amendment in the House I wish to call attention to its importance and to express the hope that the House conferees will recede and agree to it in conference.

The Senate amendment provides:

(1) All returns filed under this title shall be open to examination by any official, body, or commission of any State or political subdivision thereof lawfully charged with the administration of any State or local tax laws and while engaged in the performance of official duties. Such examination shall be made in a manner prescribed by the Commissioner and approved by the Secretary.

(2) Any information thus secured by an official, body, or commission of any State or political subdivision thereof shall be used only in connection with the administration of State or local tax laws and for no other purpose. Any such official or employee or agent of any such body or commission who divulges, except in the performance of his official duties, or when called upon to testify in any court or official proceedings, any information acquired by him through examination of said income-tax returns, shall be guilty of a misdemeanor and shall upon conviction be punished by a fine of not less than $500 and not more than $1,000.

This is a most salutary provision, Mr. Speaker. While protecting the returns from scrutiny by the general public as provided by the House bill it affords the tax authorities of States which impose a State income tax an opportunity to compare State and Federal returns, and thereby discourages evasion of the State law and insures a maximum State revenue from this source.

The importance of this provision is indicated by the fact that in my own State inspection of Federal income-tax returns by the State taxing authorities brought in an additional $400,000 to the State of Missouri last year which otherwise would not have been collected. The Senate amendment, while affording ample protection from unofficial inspection, is the most effective aid in the enforcement of State income-tax laws that could be enacted. [Applause.]

Mr. Speaker, the crying fiscal need of the States today is revenue with which to match Federal contributions—contributions for Federal relief, contributions for old-age pensions, contributions for the building of State roads, contributions to insure the maintenance of our schools and equal educational facilities to the children of every American citizen. There is hardly a State in the Union that is not hard pressed for funds to finance one or all of these essential activities, and agreement by the House conferees to the Senate amendment will do more to care for the aged and the needy, to relieve unemployment and to provide for the proper training of the next generation than anything else that could be done in this connection.

A provision of this character, contributing to the enforcement of State income-tax laws, will to that extent protect the consumer against the necessity for the imposition of irksome and burdensome sales taxes to which some States are having to resort in order to provide for these purposes.

I sincerely trust the House conferees will agree in conference to the Senate amendment and am certain the House will be inclined to favor such a report if opportunity is afforded.

The bill 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.

COMPACTS BETWEEN STATES

The Clerk called the next resolution, House Joint Resolution 146, to authorize the several States to negotiate compacts or agreements to promote greater uniformity in the laws of such States affecting labor and industries.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, I understand the gentleman from Massachusetts [Mr. HEALEY] states that in no way will this bill be detrimental to labor or labor disputes, or in any manner authorize State compacts of that kind.

Mr. HEALEY. Mr. Speaker, as a matter of fact, this resolution is designed to protect the interests of labor. I have a letter from the president of the American Federation of Labor, Mr. Green, the last paragraph of which reads as follows:

Secretary Watts states that the resolution deserves the support of labor. I concur in this position. I am glad to advise you in this way.

This letter is signed by William Green, president American Federation of Labor.

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

Mr. HEALEY. I yield.

Mr. WOLCOTT. I think there is an ambiguity in section 3 which should be cleared up. I am asking these questions merely to accomplish the legislative intent of the author of the bill. Is it the gentleman's understanding that the last sentence requires that these pacts be sent to Congress for the approbation of Congress before they become effective?

Mr. HEALEY. That is absolutely so. There is not a safeguard that already exists that is not included in this particular bill.

Mr. WOLCOTT. After the States have entered into the compacts and their legislatures have ratified them they must then be ratified by Congress?

Mr. HEALEY. The gentleman is correct.

Mr. WOLCOTT. That is the object of the bill.

Mr. HEALEY. The objects of the bill are manifold. Section 2 provides that upon the request of the States negotiating under this act the President may designate a representative to attend upon such negotiations. This is new and confers a right upon the States to request that a representative of the Government be present during the negotiation of the pact. The bill also is designed to encourage and support the policy of States entering into agreements and compacts with each other and in groups for the purpose of agreeing upon and securing uniform legislation affecting the relation of employer and employees.

Events of the past 3 or 4 years have demonstrated that there is a necessity for a more effective method of conserving the economic and social interests of the citizens of the several States. The migration of factories from State to State has become all too common. The causes of this migration can be found principally in the effort to discover locations where the most lenient industrial legislation exists. States which have enacted regulatory legislation for the betterment of working conditions in its industries find themselves sorely handicapped in competition with those States which have less stringent industrial legislation. This condition has become accentuated during the depression. This situation has resulted in a general lowering of standards. Advances which have taken years to accomplish are in danger of being swept away.

This legislation will afford the States an opportunity to reach a solution of problems confronting them by their own efforts and by mutual cooperation. The members of the Judiciary Committee, which unanimously reported this resolution, believe such efforts should be encouraged in every way by the Federal Government. Favorable action by Congress on this resolution is a significant step in the direction of indicating our desire for higher standards of industrial legislation.

The compacts may provide for considerable flexibility of legislative and administrative detail which will leave the individual States free to draft their legislative and administrative decrees in common without restrictive details in the compacts themselves. Provision may be made for continuing modification in the light of experience in that operation.

Compacts between States have hithertofore been concerned with the natural or physical resources of the various States that have entered into them, while compacts envisaged under this resolution will be concerned with social

interests. There is, in fact, a precedent which may be recited in relation to this resolution, chapter 186, acts of 1911—Sixty-first Congress, United States Statutes at Large, volume 36, part 1, page 961—provides in part as follows:

The consent of the Congress of the United States is hereby given to each of the several States of the Union to enter into any agreement of compact not in conflict with any law of the United States, with any other State or States, for the purpose of conserving the forests and the water supply of the States entering into such an agreement or compact.

Not only is this an example of advance consent as provided by this resolution, but it is an indication of the interest of the Congress in conservation. Thus, it may be seen that the conservation of natural resources was recognized as a matter of national concern more than 20 years ago. Surely then it must be no less evident today that the conservation of the economic and social interests and resources of the several States should be a matter of not less importance and national concern.

Mr. WOLCOTT. I thank the gentleman.

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

Joint resolution to authorize the several States to negotiate compacts or agreements to promote greater uniformity in the laws of such States affecting labor and industries

Resolved, etc., That the consent of Congress is hereby given to the several States to negotiate and enter into compacts or agreements among them or any of them providing for greater uniformity in the laws of the several States affecting the relation of employers and employees.

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

The Clerk read as follows:

Amendment offered by Mr. BOILEAU: Page 1, line 3, strike out all of section 1 and insert in lieu thereof the following:

"That upon the request of the Governor of any State negotiating a compact or agreement with any other State or States the President may designate a representative to attend upon such negotiations."

Mr. BOILEAU. Mr. Speaker, I did not ask any questions of the gentleman from Massachusetts while he was attempting to secure unanimous consent for the consideration of the bill because I did not want any objections I may have had to the bill to start any discussion that might ultimately result in killing the bill.

I think it has a very good purpose, namely, that the Federal Government shall assist the various States in an effort to negotiate these agreements. I do not believe, however, that we should go as far as this bill goes. It is dangerous, because, as I see it, if two States were to enter into a pact or agreement and that pact or agreement were confirmed or approved by the Congress, there is no way in which the various States could get out from under the provisions of the agreement excepting and unless they again entered into another agreement canceling the first. The gentleman from Massachusetts stated to me privately when I was discussing the matter with him that undoubtedly these agreements or pacts would contain some provision which would enable the States to get out from under the provisions of such agreement once it became operative; however, I believe it is dangerous to enter upon a policy that makes it possible for two or more States to enter into an agreement that would be so binding there would be no possibility of those States repealing the same and no possibility of their changing their minds later on unless they got the consent of the other States with which they negotiated the treaty. Therefore, I offered the amendment which would have the effect of merely authorizing the President to designate some Federal Government official to collaborate with the States and assist them in entering into negotiations.

Mr. LLOYD. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from Washington.

Mr. LLOYD. Will the gentleman answer this question: If one State did not want to abide by the agreement how could the agreement be enforced?

Mr. BOILEAU. That is the law.

Mr. LLOYD. But how could it be enforced?

Mr. BOILEAU. It would be enforced the same as any other law, as I understand it, and I confess I have not given this matter the thought and study that would justify me in making an objection that would kill the bill. That is what prompted me to refrain from interposing an objection to the consideration of the bill.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. Perhaps I can help the gentleman. When the proposed legislation was first suggested, it contained a provision that the conferees should be the States and a representative of the Federal Government. I was responsible for raising the point that the Federal Government had no business in these conferences among the States which dealt with matters peculiarly to the interests of the States themselves unless invited. As a compromise it was arranged that if the States themselves desired the assistance of the Federal Government they would notify the Federal Government to send a representative to the conference. We were anxious to get away from the notion that the Federal Government was dominating the conferences of States dealing with matters peculiar to the States' own interests.

Mr. BOILEAU. That is a fine position for the gentleman to take, and I believe my amendment accomplishes just that, because it provides that upon the request of the Governor of one of the States the President of the United States shall designate some official to assist in negotiations with the States. I do not believe that any agreement the States might enter into would be binding until Congress approved of the agreement. That is as I see it.

Mr. SUMNERS of Texas. May I make this statement to the gentleman? The gentleman is familiar with the fact that the only limitation imposed upon the right of the States to enter into an agreement is contained in the Federal Constitution. The Federal Constitution provides that agreements are not effective or binding unless they are approved by Congress. In this connection, may I say this—and I do so because it is of more than ordinary and passing interest. There is not so much reason for that provision in the Constitution now. As a matter of fact, it was incorporated in the Constitution in the beginning in order to prevent groups of States from getting together and breaking up the Union. We are now a Nation.

May I say just one more word, which will not take more than a minute, and then I will be through?

[Here the gavel fell.]

Mr. BOILEAU. I ask unanimous consent to proceed for 5 additional minutes.

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

There was no objection.

Mr. DONDERO. Will the gentleman yield?

Mr. BOILEAU. I yield to the gentleman from Michigan.

Mr. DONDERO. Does the gentleman think if the States did enter into a pact, that the Federal Government could coerce any State in the Union to live up to that pact? I think that is the subject which the gentleman from Texas [Mr. SUMNERS] was just discussing. Could you coerce or force through the Federal Government the States to live up to any kind of a pact?

Mr. SUMNERS of Texas. No. I do not think so, with reference to the character of agreement which seems to be contemplated under this bill.

Mr. DONDERO. I do not think you could, either.

Mr. BOILEAU. May I ask the gentleman from Texas if there is any necessity for Congress to give the States authority to enable them to negotiate or to get together and talk over these pacts?

Mr. SUMNERS of Texas. I doubt whether you could coerce any State to do anything. I think this is in the nature of a treaty between sovereign States, but they may not make it unless they have the authority of Congress. That is all there is to it.

Mr. Speaker, there is one thing I want to say to my colleagues. Due to the enormous concentration of power in

the Federal Government and the fact we do not have the opportunity for decentralization that for instance England has, where it has physical separation among its territories, we are going to have to develop in America the policy of States that have things that are of common interest getting together and dealing with such interest without having to come to the American Congress in order to have it done for them. We will have to feel our way in that direction. This bill will help to give us a chance to see how it works.

Mr. BOILEAU. I agree with the gentleman perfectly. I simply want to bring out this point, if I may, and I believe the gentleman from Texas will agree with me. In order for the States to get together to negotiate a treaty it is not necessary that they have permission from Congress. They can get together and talk about a treaty and come to an agreement, but such a treaty is not binding until it is approved by Congress.

Mr. KELLER. Why?

Mr. BOILEAU. That is my understanding, under the Constitution. So we do not need this legislation in order to give them the right to talk these things over, and if we do not pass the legislation they can get together and negotiate and then submit their agreement to Congress and if Congress approves it, it becomes binding. As I understand it, the only real change in the law that would be accomplished by the enactment of this measure is to give the President of the United States the right to designate a Federal representative to deal with the States and assist them. Is not that correct?

Mr. SUMNERS of Texas. In order that we may save time, since other gentlemen are in a hurry to get on with the consideration of this calendar, I will say to my friend, without going into any detail, this is the usual procedure followed since the organization of the Government. I have not time to go into it further.

Mr. BOILEAU. I am going to take enough time to discuss my amendment. I did not object to the consideration of the bill because I did not want to be put in the position of stopping the legislation without giving it adequate consideration, but it seems to me that if the only thing to be accomplished is to give the President of the United States the right to designate an official to confer with the States we ought to give him that power and stop, because I think there is a lot of danger in giving this authority and permitting the States to go ahead and negotiate treaties with the approval of Congress that might possibly be irrevocable, so that even the action of one of the States could not change the effect of the treaty once they got into it. If the only purpose to be accomplished by the bill is to give the President the right to designate someone to assist the States and act with them, we ought to pass the bill with that language in, and that language only. I therefore have offered this amendment, which would have that desired effect.

The SPEAKER. The question is on the amendment offered by the gentleman from Wisconsin [Mr. BOILEAU].

The question was taken: and on a division (demanded by Mr. BOILEAU), there were—ayes 29, noes 32.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. Upon the request of the States negotiating under this act the President may designate a representative to attend upon such negotiations.

SEC. 3. No such compact or agreement shall be binding or obligatory upon any State a party thereto unless and until it has been approved by the legislatures of each of the States whose assent is contemplated by the terms of the compact or agreement and by the Congress.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider laid on the table.

GROVER CLEVELAND

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to return to Calendar No. 33, the joint resolution (H. J. Res. 147) authorizing the erection of a monument to Grover Cleveland, in Washington, D. C.

The Clerk read the title of the joint resolution.

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

There was no objection.

There being no objection, the Clerk read the joint resolution, as follows:

House Joint Resolution 147

Resolved, etc., That authority is hereby granted to any association organized within 2 years from the date of the approval of this resolution for that purpose, to erect a statue of Grover Cleveland, President of the United States, 1885 to 1889 and 1893 to 1897, in the city of Washington at such place as may be designated by the Fine Arts Commission, subject to the approval of the Joint Committee on the Library, the model of the statue so to be erected and the pedestal thereof to be first approved by the said Commission and by the Joint Committee on the Library, the same to be presented by such association to the people of the United States.

That for the preparation of the site and the erection of a pedestal upon which to place the said statue, under the direction of the Director of Public Buildings and Public Parks of the National Capital, the sum of $10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider laid on the table.

UNITED STATES MARSHALS

The Clerk called the next bill, H. R. 5456, relating to the powers and duties of United States marshals.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

LEECH LAKE BAND OF CHIPPEWA INDIANS IN MINNESOTA

The Clerk called the next bill, H. R. 2045, to set aside certain lands for the Leech Lake Band of Chippewa Indians in the State of Minnesota.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, is there a member of the committee present who can explain the purposes of this bill?

Mr. ROGERS of Oklahoma. Mr. Speaker, does the gentleman have a copy of the report?

Mr. WOLCOTT. Yes; and I have read it very carefully. The report does not say a thing or give any report, I think, probably, contrary to the rules, and that is why I am asking for information.

Mr. ROGERS of Oklahoma. If the gentleman will permit, the Committee on Indian Affairs acted on this bill pending a report from the Secretary of the Interior, because, as the gentleman will note from the report, the Commissioner of Indian Affairs appeared before the committee and said there was no objection to the bill. Since the committee acted, we have received a report from the Secretary, and he has approved the bill. The Secretary of Agriculture has also approved the bill as well as the Bureau of the Budget.

Mr. BACON. Who owns the lands now, may I ask?

Mr. ROGERS of Oklahoma. The Government owns the lands now.

Mr. BACON. They are public lands?

Mr. ROGERS of Oklahoma. Yes. The Indians formerly owned the lands, and the Indians were paid $2,000 for the lands. If the Indians are given the lands back, the bill provides that the Government shall be reimbursed $2,000 out of tribal funds. This will not cost the Government anything.

Mr. WOLCOTT. That is the reason I asked the question.

Mr. BACON. How much land is involved?

Mr. ROGERS of Oklahoma. It is just a small acreage, large enough for a townsite—200 acres.

Mr. WOLCOTT. In view of the gentleman's explanation, I withdraw the reservation of objection, Mr. Speaker.

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

H. R. 2045

Be it enacted, etc., That the following-described lands are hereby withdrawn from the Minnesota National Forest Reserve under the Department of Agriculture and are hereby permanently reserved as Indian lands for the use of the Leech Lake Band of Chippewas in the State of Minnesota, without in any manner affecting exist-

ing reserves for church, cemetery, or other purposes, or individual rights and interests in said lands:

South half southwest quarter northeast quarter and lots 9 to 30, inclusive, section 17, township 142 north, range 30 west, fifth principal meridian, Minnesota, containing 168.44 acres.

Said Indians may take fish from the navigable waters adjacent to the above-described lands for their own use and not for sale without being amenable to the State game and fish laws of the State of Minnesota.

SEC. 2. Said lands are hereby permanently reserved for the use of the Chippewa Indians of Minnesota for village site purposes.

SEC. 3. The Secretary of the Interior is hereby authorized to withdraw from the Chippewa tribal fund now held in trust in the Treasury of the United States a sufficient sum to reimburse the United States for any moneys paid said Chippewa Indians for these lands.

The bill 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.

TO ASSIST LATIN AMERICAN REPUBLICS IN MILITARY AND NAVAL MATTERS

The Clerk called the next bill on the Consent Calendar, H. R. 3482, to amend the act of May 19, 1926, an act to authorize the President to detail officers and enlisted men of the United States Army, Navy, and Marine Corps to assist the Governments of the Latin American Republics in military and naval matters.

The SPEAKER. Is there objection?

Mr. YOUNG. I object.

Mr. EDMISTON. Will the gentleman reserve his objection?

Mr. YOUNG. I will.

Mr. EDMISTON. I think the gentleman misunderstands this. We had this up before by unanimous consent. This has nothing to do with Latin American countries.

Mr. YOUNG. I might say that that is the reason for my objection. If this had anything to do with Latin American countries I would not object, because the Latin American countries are in our own backyard. More than a hundred years ago, in announcing the Monroe Doctrine, we were protecting things in our own backyard. This has relation to the Philippine Islands, many thousand miles away.

Mr. EDMISTON. Does the gentleman believe that during this 10 years of the formative period we should not assist them, show them the courtesy of loaning our officers of the Marine Corps to direct them in preparation for national defense?

Mr. YOUNG. I am not convinced, and I object.

PAWNEE TRIBE OF INDIANS OF OKLAHOMA

The Clerk called the next bill on the Consent Calendar, H. R. 4376, for the relief of the Pawnee Tribe of Indians of Oklahoma.

The SPEAKER. Is there objection?

Mr. TRUAX and Mr. WOLCOTT objected.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent at this point that I be permitted to insert in the RECORD a letter from the Comptroller General of the United States, showing that this claim was settled by the United States Government through an act of Congress, in which Congress paid this Indian tribe for the very land that this bill now provides that this tribe should be reimbursed for. That was by act of Congress, March 3, 1875.

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

Mr. TRUAX. Reserving the right to object to the gentleman's request, and I shall not object, I should like to say that there are other bills on this calendar that are just as vicious as this bill, which would take $57,000 interest out of the Treasury on these claims that have already been paid.

Mr. COCHRAN. The Committee on Expenditures recently held hearings, which showed that Congress has passed legislation sending cases to the Court of Claims, setting aside the statute of limitations, and the claims amount to three and one-quarter billion dollars.

The hearings before the Committee on Expenditures disclose that the Congress since 1924 passed 110 bills which empowered the Court of Claims to hear cases growing out of claims filed by Indian tribes in which they held they were entitled to money as a result of treaties, acts of Congress, and Executive orders. Some of the claims go back to 1779. There were no limitations. The bills appeared harmless, no amount being named therein, and in every instance they passed under unanimous consent, always being placed on the Consent Calendar. There are two dozen such bills pending now before House and Senate committees, one having been reported and is on the Consent Calendar. Some of the bills give the Government the right to offset the claims by showing money advanced and gratuities the Indians had received, but in many of the laws there is no provision for offsets.

It cost the General Accounting Office $157,000 and took 7 years for that office to secure evidence for the Department of Justice to oppose one claim amounting to over $250,000,000. That case has not been tried. No matter the result, the General Accounting Office spends thousands of dollars in securing evidence to present to the court. The bills further provide the General Accounting Office must turn over its records to the attorneys for the claimants. Congress in the future, I am sure, is going to go slow before passing any additional bills of this kind.

The Indian Bureau does not know what is going on. All bills such as this one and future bills granting jurisdiction to the Court of Claims to hear cases should be referred to the Attorney General and the Comptroller General and not to the Indian Bureau or Secretary of the Interior.

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

There was no objection.

The letter is as follows:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, March 25, 1935.

Hon. JOHN J. COCHRAN,
Member of Congress, House of Representatives.

MY DEAR MR. COCHRAN: Further reference is made to your letter of March 11, 1935, forwarding a copy of H. R. 4376, Seventy-fourth Congress, first session, entitled "A bill for the relief of the Pawnee Tribe of Indians of Oklahoma", and requesting to be advised whether this office has ascertained from the accounting records the gratuity payments made by the United States to this tribe.

No statement from the accounting records showing gratuity or other payments to the Pawnee Tribe of Indians of Oklahoma has been prepared, for the reason that no suit has been authorized and no claim filed heretofore on behalf of these Indians which would necessitate its preparation, and no report has been requested by the committee for use in its consideration of this bill or identical bills introduced in prior Congresses.

The bill H. R. 4376 provides as follows:

"That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,479.50, together with interest at the rate of 5 percent per annum from the 5th day of February 1878, due the Pawnee Tribe of Indians in the State of Oklahoma, on account of a deficiency of 4,800 acres in the area of the reservation under the treaty of September 24, 1857 (11 Stat. L. 279 [729 correct]), at $4.25 an acre; and to cover compensation for railroad rights-of-way for which no payment was ever made to the tribe."

With reference to that part preceding the semicolon, line 10, you are advised as follows:

Under the terms of article 1 of the treaty of September 24, 1857 (11 Stat. 729), the confederated bands of Pawnee Indians ceded and relinquished to the United States all their right, title, and interest in and to all the lands owned or claimed by them, with the exception of a tract of land, contained within said cession, which was set apart as a reservation for the Pawnee Indians and described as "30 miles long from east to west by 15 miles from north to south, including both banks of the Loup Fork of the Platte River, the east line of which shall be at a point not farther east than the mouth of Beaver Creek." The survey of said tract of land was completed in 1873. In 1874 a resurvey was made of the eastern boundary line of said reservation, and it was ascertained by the resurvey that the east and west lines were but 29½ miles apart instead of 30 miles, thus leaving a deficiency in the proper area of the reservation of 4,800 acres. (See Annual reports of the Commissioner of Indian Affairs for 1873 and 1874, pp. 16 and 36, respectively.)

In the following year, 1875, an appropriation was made to indemnify the Pawnee Tribe of Indians for the aforesaid deficiency of 4,800 acres of land. See the act of March 3, 1875 (18 Stat. 448), the pertinent provision of which is as follows:

"For this amount, to indemnify the Pawnee Indians for 4,800 acres of land erroneously excluded from their reservation in Nebraska by the survey of the boundary line thereof, $6,000."

The amount, $6,000, was set up on the books of the United States Treasury under the heading "Payment to Pawnees for lands excluded from reservation", and an examination of the records of this office discloses that the entire sum of $6,000 was disbursed for the benefit of the Pawnee Tribe of Indians in the fiscal year 1876.

It thus appears that the Pawnee Indians were compensated for the entire 4,800 acres of land erroneously excluded from their reservation in the amount of $6,000, or $1.25 per acre, which must have been regarded by the Congress as a proper settlement at the time provision therefor was made. In this connection, see act of June 10, 1872 (17 Stat. 391), which fixed $1.25 per acre as the minimum price at which lands within this reservation were authorized to be sold. This law was still in effect at the time the above-mentioned settlement was made.

It would appear from the report on this bill, House Report No. 286, of the Committee on Indian Affairs, that the committee was not aware of the settlement heretofore made, and the committee may now wish to give the matter further consideration.

If notwithstanding the fact that in 1875 these Indians were allowed what was then considered a fair price for the 4,800 acres of land, the sponsors of the bill feel that the tribe should have been paid for the 4,800 acres of land at the rate of $4.25 per acre instead of $1.25 per acre, it is suggested the bill be amended to provide for an additional payment of $3 per acre instead of $4.25, making a total of $14,400 instead of $20,400, and to provide for the deduction from the payment of any amounts disclosed by the accounting records to have been paid to the tribe as gratuities.

As to the other item included in the bill, being $79.50, "to cover compensation for railroad rights-of-way for which no payment was ever made to the tribe", neither the bill nor the committee's report thereon discloses any details as to the particular period, authorization, location, or area of the land involved therein, or any reasons why the allowance should be made at this time.

I trust the foregoing will be helpful in your consideration of the bill.

Sincerely yours,

J. R. McCarl,
Comptroller General of the United States.

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to speak on this bill. The statement has been made that this is "with other vicious bills." I think I am entitled to make this statement in the Record. The council for the tribe proposed this legislation 2 or 3 years ago and the bill was introduced and went to the Committee on Indian Affairs. The Indian Affairs Committee requested a report from the Indian Bureau. The Bureau reported favorably on the bill, to the effect that a survey had omitted 4,800 acres for which the Indians had never been paid. It was agreed by the Bureau that $4.50 an acre for this land was a proper amount that should be paid the Indians for the property.

Mr. COCHRAN. The letter I have comes from the Comptroller General of the United States.

Mr. DISNEY. I am going to say that, if the gentleman will give me time. The Indian Bureau never mentioned the idea of the claim having been paid, nor did I ever hear of such a thing until less than an hour ago, when the gentleman from Missouri [Mr. Cochran], and I think very properly so, called my attention to the fact that he had a very recent report—I do not know the date, but evidently within the last few days—from the Comptroller General to the effect that years ago the claim had been paid and the money used by the Government for the benefit of the Indians. I am very glad that he put the statement from the Comptroller General in the Record, because if these are the facts nobody has a right to make any such claim. I think it is fair that he does put it in the Record. I want to know what the facts are. The Indian Bureau, since I have been in Congress the last 4 years, never made this suggestion, that this claim has ever been paid, and I never heard of such a thing until today. So the bill is not necessarily a "vicious bill", in the language of the gentleman from Ohio [Mr. Truax], because the Indian Bureau did not know that the claim had been paid, if it has been paid, and, further, this is the first time it has been on the calendar this year, and it now develops that it may have been paid.

Mr. MOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOTT. Is this academic discussion of this bill in order?

The SPEAKER. The gentleman from Oklahoma is speaking under unanimous consent.

Mr. DISNEY. And not necessarily in an academic way. I thought I was giving the House some facts.

Mr. MOTT. I understand the bill has been objected to.

Mr. DISNEY. Mr. Speaker, I do not yield to the voluntary interruption of the gentleman from Oregon.

The SPEAKER. The gentleman from Oklahoma was allowed 2 minutes.

Mr. DISNEY. I did not understand that I was restricted to 2 minutes. I wanted a moment or two to discuss it, and I have not intruded upon the House, and I surely do not enjoy being intruded on to no effect. Here is the report of the Secretary of the Interior to the House Committee on Indian Affairs.

[H. Rept. No. 286, 74th Cong., 1st sess.]

PAWNEE TRIBE OF INDIANS OF OKLAHOMA

The Committee on Indian Affairs, to whom was referred the bill (H. R. 4376) for the relief of the Pawnee Tribe of Indians of Oklahoma, having considered the same, report thereon with a recommendation that it do pass without amendment.

The views of the Department are expressed in a letter from the Secretary of the Interior, relative to an identical bill (H. R. 9606) of the Seventy-third Congress. The letter follows:

Department of the Interior,
Washington, June 14, 1934.

Hon. Edgar Howard,
Chairman Committee on Indian Affairs,
House of Representatives.

My Dear Mr. Chairman: Further reference is made to your request for report on H. R. 9606, a bill for the relief of the Pawnee Tribe of Indians of Oklahoma.

This bill is for the same purpose as H. R. 4503 and H. R. 6007, upon which a report was submitted to your committee under date of April 28, 1934.

The bills last above mentioned authorized an appropriation of $6,079.50, for loss by the Indians of 4,800 acres of land representing a shortage in the reservation, and payment for rights-of-way of $79.50. The value of the shortage in acreage of the reservation lands was computed at $1.25 an acre.

The reservation was granted these Indians by the treaty of September 2, 1857 (11 Stat. L. 1179). The treaty provided that the reservation should be 30 miles long and 15 miles wide, but after the survey had been completed it was found that the reservation was 29½ miles long, resulting in the shortage in the acreage abovementioned. This shortage was mentioned in the report of the Commissioner of Indian Affairs for 1874, page 36.

A proposal has heretofore been made to pay these Indians $1.25 an acre for their land, on the theory that that was the usual price for land of this nature. However, it has recently been brought to our attention that authority was not given to sell the land of the Indians until 1876, when Congress enacted legislation for that purpose. (See the act of Apr. 10, 1876; 19 Stat. L. 28.) The act provides that the lands should be appraised and sold, but the minimum price should not be less than $2.50 an acre. The lands were opened to sale by the General Land Office circular of February 5, 1878, and the different tracts of land on the reservation brought from $2.50 to $6 an acre.

The bill now here authorizes the payment to these Indians of $20,479.50, with interest at 5 percent from February 5, 1878, at $4.25 an acre, which is the average price for other Pawnee Reservation lands sold under the above act. It is believed that this is only fair to the Indians, and would be no more than sufficient compensation for the shortage in their reservation.

Favorable reports have been made heretofore on H. R. 4503 and H. R. 6007, which carried authority for an appropriation of only $6,079.40.

While I favor legislation carrying the compensation provided by the instant bill, the Director of the Bureau of the Budget, under date of June 6, advised that the proposed legislation would not be in accord with the financial program of the President.

Sincerely yours,

Harold L. Ickes,
Secretary of the Interior.

It will be noted that the Secretary of the Interior states that he favors legislation, carrying the compensation provided by the identical bill (H. R. 9606) of the Seventy-third Congress, but that on June 6, 1934, the Bureau of the Budget advised that the proposed legislation would not be in accord with the financial program of the President.

During the consideration of H. R. 4376 of the Seventy-fourth Congress, the Commissioner of Indian Affairs appeared before the committee and stated that the Department has no objection to the passage of this bill.

Mr. ROGERS of Oklahoma. Mr. Speaker, I would like to say, on behalf of the committee that considered the bill, that the letter sent by the Secretary of the Interior reviewed all of the facts in the case and acknowledges it to be a just debt. It did not say it had been paid.

Mr. COCHRAN. The letter I put in the Record is from the Comptroller General, dated March 25, 1935.

POST-OFFICE BUILDING, JONESBORO, ARK.

The Clerk called the bill (H. R. 6290) to authorize acquisition of land to provide appropriate means of access to the post-office building at Jonesboro, Ark.

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to acquire by purchase, condemnation, or otherwise, as an addition to the post-office site at Jonesboro, Ark., such portion of the 15-foot public alley north of the site as may be necessary to provide appropriate means of access to the loading platform of the building as extended and remodeled under authority of the act of Congress (46 Stat. 1595), approved March 4, 1931.

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

SAN FRANCISCO EXPOSITION, 1938

The Clerk called House Joint Resolution 151, authorizing and requesting the President to invite the countries of the world to participate in the San Francisco Exposition of 1938 at San Francisco, Calif.

The SPEAKER. Is there objection?

Mr. TABER. Mr. Speaker, I object.

DEMURRAGE ON COLLECT-ON-DELIVERY PARCELS

The Clerk called the bill (H. R. 5540) excepting the imposition of demurrage charged on collect-on-delivery parcels exchanged between the continental and island possessions.

The SPEAKER. Is there objection?

Mr. TRUAX. Mr. Speaker, I reserve the right to object. Is the author of the bill present?

Mr. HOBBS. Yes.

Mr. TRUAX. The purpose of this bill seems to be to reduce charges by the Post Office Department on certain classes of mail. Am I correct?

Mr. HOBBS. Yes.

Mr. TRUAX. I am wondering if the gentleman would be willing to suggest to the Post Office Department that they also reduce the rates on first-class mail from 3 cents to 2 cents an ounce.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of May 23, 1930 (46 Stat. 377; 39 U. S. C., Supp. VII, sec. 246c), is hereby amended to read as follows:

"That under such regulations as the Postmaster General may prescribe, any collect-on-delivery parcel which the addressee fails to remove from the post office within 20 days from the first attempt to deliver or the first notice of arrival at the office of address may be returned to the sender, charged with the return postage, whether or not such parcel bears any specified time limit for delivery; and a demurrage charge of not exceeding 5 cents per day may be collected when delivery has not been made to either the addressee or the sender until after the expiration of the prescribed period: *Provided*, That no demurrage shall be charged on collect-on-delivery parcels exchanged between post offices in continental United States and post offices in the Territories and island possessions of the United States."

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

The title was amended to read: "A bill extending the period during which no demurrage is charged on collect-on-delivery parcels and excepting the imposition of demurrage charged on collect-on-delivery parcels exchanged between the continental and island possessions."

A motion to reconsider the vote by which the bill was passed was laid on the table.

REPATRIATION OF CERTAIN NATIVE-BORN PERSONS

The Clerk called the bill (H. R. 3023) to provide for citizenship to persons born in the United States, who have not acquired any other nationality by personal affirmative act, but who have heretofore lost their United States citizenship through the naturalization of a parent under the laws of a foreign country, and for other purposes.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, we should have further time to consider the bill, and I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

COMPENSATION FOR POST-OFFICE INSPECTORS

The Clerk called the bill (H. R. 3612) to provide for adjusting the compensation of post-office inspectors and inspectors in charge to correspond to the rates established by the Classification Act of 1923, as amended.

The SPEAKER. Is there objection?

Mr. TABER. Mr. Speaker, I reserve the right to object. I wish the author would explain the bill. This means increasing compensation of post-office inspectors, does it not?

Mr. DOBBINS. Yes. The purpose of this bill is to place the field forces of the Post Office Department under the same classification arrangements as to salaries, grades, and promotions as apply to all of the field forces of the other executive departments.

Mr. TABER. What classification are they now?

Mr. DOBBINS. They are required to be automatically promoted during the first 5 years. It results in the promotion of some who would not be selected for promotion otherwise and occasionally retards the deserved promotion of others who have performed rather distinguished service under trying or dangerous conditions. I would say to the gentleman that at the present time the salaries and grades for Post Office inspectors run from $2,800 to $4,500. They are automatically promoted during the first 5 years, so that there are only 70 who are now drawing a salary less than $3,800. Of the 540 inspectors, the remaining 470 of them are in the grades from $3,800 to $4,500. This bill does not propose to disturb their present pay at all but to regulate promotions in the future as they are in the Revenue Service, in the Customs Service, and in the other field services of the departments. The Post Office Department is the only one excepted from that otherwise uniform procedure.

Mr. TABER. What will the salary of these people be under this bill?

Mr. DOBBINS. This does not propose to change the salaries or grades. They run from $2,800 up to the highest grade of $4,500.

Mr. TABER. It will not go higher than it did before?

Mr. DOBBINS. This does not propose to change the salary grades at all, but simply to apply to them the same provisions of the general law that apply to other field forces.

Mr. TRUAX. Will the gentleman yield?

Mr. DOBBINS. I yield.

Mr. TRUAX. I wonder if the employees affected have approved of this bill?

Mr. DOBBINS. We held hearings on it before the Committee on the Post Office and Post Roads, and there were no objections raised. The chief inspector approved it, and I believe there was another representative of the Department present, but I cannot remember who it was. I think it is generally approved by the forces in the Department, however. It is a very fair measure and is expected to promote even greater efficiency than prevails under the present system.

Mr. TRUAX. I questioned the fact because the postal employees are usually quite active in their own organization and we usually hear from them when there is legislation affecting them, but if the gentleman assures me it is acceptable to the employees affected, I have no objection.

The SPEAKER. Is there objection?

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to adjust the compensation of post-office inspectors and inspectors in charge in the post-office inspection service to correspond, so far as may be practicable, to the rates established by the Classification Act of 1923, as amended, for positions in the departmental service in the District of Columbia. Any appropriation now or hereafter available for the payment of the compensation of post-office inspectors and inspectors in charge shall be available for payment of compensation in accordance with the rates adjusted in accordance with the provisions of this act.

The bill 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.

AMENDING MERCHANT MARINE ACT, 1920

The Clerk called the next bill, S. 619, to amend section 27 of the Merchant Marine Act, 1920.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That section 27 of the Merchant Marine Act, 1920, as amended, is amended by striking out the final period and inserting in lieu thereof a colon and the following: "*Provided further*, That this section shall not apply to merchandise loaded on railroad cars and transported in any railroad-car ferry operated between fixed termini on the Great Lakes as part of a rail route or to railroad freight traffic transported in any vessel as part of a rail and water route pursuant to rail and water rate tariffs, if such car ferry or vessel is owned by a common carrier by water and operated as part of a rail route with the approval of the Interstate Commerce Commission, and if the stock of such common carrier by water, or its predecessor, was owned or controlled by a common carrier by rail prior to June 5, 1920, and if the stock of the common carrier owning such car ferry or vessel is, with the approval of the Interstate Commerce Commission, now owned or controlled by any common carrier by rail and if such car ferries and vessels are documented under the laws of the United States."

With the following committee amendments:

Page 1, line 3, insert after the figures "1920" the following: "(U. S. C., title 46, sec. 883)."

Page 1, line 7, after the word "to", insert the words "the transportation of."

Page 1, line 8, strike out the word "and" and insert "or to motor vehicles with or without trailers, and with their passengers or contents, when accompanied by the operator thereof, when such railroad cars or motor vehicles are."

Page 2, line 1, strike out the words "or to railroad freight traffic transported in any vessel."

Page 2, line 2, strike out all of the line.

Page 2, line 3, strike out the words "rate tariffs."

Page 2, line 3, strike out the words "or vessel."

Page 2, line 9, strike out the words "or vessel."

Page 2, lines 11 and 12, strike out the words "ferries and vessels are" and insert the words "ferry is built in and."

The committee amendments were agreed to.

Mr. RABAUT. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, ladies, and gentlemen, the purpose of the amendments as set forth in S. 619, which is an act to amend section 27 of the Merchant Marine Act of 1920, engages my attention because of the operation of the car ferries from St. Ignace to Mackinaw and also crossing Lake Michigan. It was brought out before the committee by Capt. E. H. Doner, of St. Ignace, Mich., who holds the position of superintendent of the State-owned car ferries, and who testified before our committee that the State enters into contract for the winter months with the Mackinaw Transportation Co., owners and operators of an ice-crushing steamer that successfully keeps the lane open between Mackinaw City and St. Ignace. Upon inquiry from the distinguished chairman of the committee, Congressman Bland, Captain Doner explained that the ice crusher is one-third Canadian owned, which percentage of ownership is not according to the requirements as now set forth. But Captain Doner further testified that the State of Michigan owned ferries were not competent to break the ice across the straits and for that reason the business was turned over to the Mackinaw Transportation Co. during the winter months.

Were this act to amend section 27 of the Marine Act of 1920 not to pass it would necessitate the building of an ice-crushing steamer by the State of Michigan and the reconditioning of docks at Mackinaw City and St. Ignace, incurring a cost of about a million dollars and as this cost would come, strange as it may seem, from the road department having these ferries in charge, it would mean a curtailment in the highway program of the State to the extent of a million dollars. The paving program of the State therefore would suffer. Accordingly, Mr. Speaker, the passing of the bill will prove a tremendous saving to the State of Michigan, and at the same time protect the rights of the traveling public wishing to cross the straits in motor vehicles both as to passengers in passenger cars and as to trucks and their contents. Even the hunter takes this route to the northern lands of Michigan and the returning course bears evidence of the trophies of the chase.

The Senate bill as amended 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.

GENERAL PULASKI'S MEMORIAL DAY

The Clerk called the next business, House Joint Resolution 107, authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

The SPEAKER. Is there objection?

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent that Senate Joint Resolution 21 be substituted in lieu of House Joint Resolution 107.

The effect of the request which I make would be to cause the law, when enacted, to authorize and direct the President of the United States to issue a proclamation calling upon officials of the United States Government to display the flag of the United States on all Government buildings on October 11 of each year, and inviting the people of the United States to observe the day in schools and churches, or other suitable places with appropriate ceremonies in commemoration of the death of Gen. Casimir Pulaski.

The only change which the request will make will be to authorize and direct the President to do what is provided to be done by him each year on October 11 rather than to do it only once, on October 11, 1935.

Mr. Speaker, the commemoration of the death of General Pulaski is a worthy act, and his death should be commemorated annually. General Pulaski was a true patriot. Born in Poland, where his father and brothers had died for Polish liberty, he came to our shores and volunteered his services to Washington in the Revolutionary War in 1777. These services were of so high a character, especially in the Battle of Brandywine, that he was promoted by the Congress to a Cavalry command, with the rank of brigadier general. He afterward organized an independent corps of Cavalry and Light Infantry, operating effectively under General Lincoln in South Carolina. He was mortally wounded in action in the siege of Savannah, Ga., and died on October 11, 1779.

The Polish people in their own land have been an oppressed people. They have fought and struggled bitterly for their own freedom. They appreciate liberty. They respect constituted authority. The Polish people in the United States are good citizens—home-loving and law-abiding, with a pride in the country of their adoption. They should be encouraged in this pride.

Let us pass this resolution calling for annual commemoration of the death of the great Polish-American hero, General Pulaski, as an expression of our appreciation of the contribution of Poland and the Polish people to the history of our country.

I trust that the substitute will be unanimously consented to.

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

Mr. SUMNERS of Texas. Reserving the right to object, I think it is fair to the House to have you understand the effect of that request. The House resolution limits the operation of this proposed law to this year. The House bill provides that the President of the United States shall issue a proclamation to the people of the United States with regard to the display of flags, and so forth, for this year. The Senate bill makes Pulaski Day a permanent thing.

Mr. KENNEY. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. KENNEY. Does not the gentleman think we ought to do that for a man who dedicated his life to us on the altar of freedom?

Mr. SUMNERS of Texas. Well, I was not talking about the altar of freedom yet. I was trying to explain the bill. I think the House ought to understand just what the bill means. The Senate bill makes this an annual matter, calling upon the President of the United States to issue a proclamation each year.

Mr. PETTENGILL. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. PETTENGILL. What reasonable objection is there to substituting the Senate resolution and making it a permanent matter? What is the objection?

Mr. SUMNERS of Texas. I am explaining what the bill is. It may turn out there will not be any objection. After all, we are comparatively a young country. General Pulaski rendered a great service to this country. I used to go to a town in Texas named Pulaski. All over this country are towns of this name. There are monuments erected to him, and he is honored in other ways.

Mr. KENNEY. Of course, the Revolutionary War was the most important war this Nation has fought, the war that gave us our independence, and General Pulaski was one of the greatest of our leaders who gave us our liberty.

From the day of his birth in Podolia, in 1748, until his tragic death at Savannah, Ga., in 1779, Casimir Pulaski breathed the air of liberty and knew what it was to battle the dread monster, oppression.

By honoring him we shall pay just tribute to a great patriot and, by so doing, shall recognize Poland's contribution to our liberty and civilization. It will be an example to our children of Polish extraction and all true Americans. His unselfish devotion to the cause of freedom and this liberty-loving land of ours will be the object of emulation by the younger generation, if we but now confer a belated honor to his memory by establishing Pulaski's Day not for a day, but for the years to come.

Congress now has the opportunity of making "the amend honorable", and I have the greatest faith that this body shall not fail to grasp it. Long ago Congress, by legislation, voted to erect a monument to his sacred memory, but, strange to relate, its action was never carried into effect. Pulaski did not fail our country; we shall not, I am sure, fail him now. Therefore, we must, if we act rightly, substitute the Senate bill or else reject the committee amendment so as to commemorate for all time this great general and hero of the Revolutionary War.

Coming to America in 1777 he presented himself to Gen. George Washington and offered his valued services to the Continental Army. He immediately showed his dash and brilliancy at Brandywine. Congress was quick to see his worth and made him a brigadier general and chief of cavalry. He was given command of his own legion—Pulaski Legion it was called—named for him. Valiantly he fought for 2 years, distinguished for bravery and military success. He won many laurels as is so well known by every school boy and girl. He was one of the foremost heroes of the war. Our debt to him is huge. Finally he gave up his life for our heritage, having been wounded mortally at Savannah, on October 11, 1779. Our purpose shall be, indisputably, to pay him a mark of respect, not only on that day of this year, but we shall authorize the President to issue his proclamation calling upon all officials of the Government to display our flag on all Government buildings on October 11 of this and each year in the future and inviting our people to observe the day in schools and churches, or other suitable places, with appropriate ceremonies or exercises in commemoration of the death of this great Polish-American hero.

My State of New Jersey has already honored Casimir Pulaski. The great highway structure erected between Jersey City and Newark, forming part of a great transcontinental highway, has been dedicated to his memory and is nationally known as the "General Pulaski Skyway." Honor to General Pulaski is honor where honor is due. He established a precedent for the great population of Polish people who came to America, a precedent and example that has had a salutary effect and is responsible in great measure for their love of America and its institutions and for their devotion and loyalty to this great country, whose citizenship they readily embrace. Let us pay all due respect and honor to the great Pole and American hero today, and for all time. It cannot be gainsaid that General Pulaski is one of the great heroes to whom we owe our independence and our liberty.

Mr. SUMNERS of Texas. The gentleman is correct.

Mr. COCHRAN. This bill does not create a national holiday.

Mr. SUMNERS of Texas. No; it does not.

Mr. COCHRAN. It simply provides recognition of this great patriot who came to our country and gave up his life that the country might be free. There are millions of people now citizens of this country who came here from Poland and who celebrate annually General Pulaski Day. I cannot, for the life of me, see any objection to making this an annual affair rather than an affair for just one year.

Mr. SUMNERS of Texas. I have no personal objection to it.

Mr. MEAD. I would suggest to the distinguished gentleman from Texas that we might as well settle this important question definitely right now. Otherwise the gentleman's committee will have a similar resolution to consider in the next session. I hope the Chairman of the Judiciary Committee will accept the Senate resolution which sets aside October 11 of each year to honor the memory of Gen. Casimir Pulaski, whose great service played such an important part in winning the War of the Revolution.

Mr. KOPPLEMANN. Mr. Speaker, House Joint Resolution 107, which sets aside October 11, 1935, as a national holiday in commemoration of Gen. Casimir Pulaski, while somewhat applauding the courage and daring of this Polish patriot, actually, because it necessitates a separate resolution each year, setting aside this holiday, seems to play a sort of game with the pride of the Polish people, who have embraced American citizenship, but whose natural affection for the heroes of their nation can never die out.

This resolution but weakly pays tribute to General Pulaski, who by his noble sacrifice in the cause of the American Colonies, has endeared himself forever in the hearts of Americans.

The resolution which would proclaim October 11, 1935, as General Pulaski's Memorial Day attempts to give recognition to the achievements of General Pulaski, and through them recognition of the contributions given to America by the Polish people. Why belittle our laudation by requiring separate legislative action each year in order to proclaim this holiday? At least 17 States have, through legislative enactment, designated October 11 of each year as General Pulaski's Memorial Day. The legislatures of other States have this matter up for similar consideration.

If the sentiment of so many individual States is for setting aside October 11 as a permanent holiday in memory of General Pulaski, Congress should also adopt the resolution which is now pending in the Senate and which would always make October 11 a holiday in memory of the man whose death was caused by wounds incurred while he was fighting for the Thirteen American Colonies. Surely his greatness, his suffering, his martyrdom to this country deserves that we take no half-way measures but instead freely acknowledge our debt to the Polish people by proclaiming the anniversary of his death permanently a holiday. It is only proper and just that we adopt the resolution which is now pending in the Senate.

The contribution of the Polish people to the American civilization is an important one. The Poles who have come to our shores have enriched our country in countless ways. A holiday in honor of one of their heroes who gave his all for our country will bring them pride and gratification, but that pride and gratification will be embittered unless we do the right thing—pay them the recognition which is due them by adopting a resolution calling for a permanent holiday on October 11 such as they themselves want.

I personally cannot support this resolution which requires separate legislative action each year to proclaim the anniversary of the date of the death of General Pulaski a holiday. It is a privilege to vote for the substitute Senate Joint Resolution No. 21, which is now before us, and which at once would designate this day for all time a day of commemoration and recognition to the Poles of America.

There being no objection, the Clerk read the Senate resolution, as follows:

Senate Joint Resolution 21

Joint resolution authorizing the President to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of West Virginia, Illinois, Michigan, Tennessee, Indiana, Wisconsin, New York, Nebraska, Texas, Minnesota, Delaware, Maryland, Arkansas, New Hampshire, Pennsylvania, Missouri, Ohio, Louisiana, Massachusetts, New Jersey, Kentucky, South Carolina, Connecticut, California, Nevada, and other States of the Union, through legislative enactment have designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas the Congress of the United States of America has by legislative enactment designated October 11, 1929; October 11, 1931; October 11, 1932; and October 11, 1934, to be General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the death of this great American hero of the Revolutionary War: Therefore be it

Resolved, etc., That the President of the United States is authorized and requested to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11 of each year, and inviting the people of the United States to observe the day in schools, churches, or other suitable places, with appropriate ceremonies commemorating the death of Gen. Casimir Pulaski.

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

A motion to reconsider was laid on the table.

House Joint Resolution 107 was laid on the table.

EXTENSION OF REMARKS

Mr. PETTENGILL. Mr. Speaker, in view of the fact a very large number of the Members of the House are interested in the resolution which has just been passed, I ask unanimous consent that all Members have 5 legislative days within which to extend their remarks on the resolution just passed.

Mr. SUMNERS of Texas. Mr. Speaker, I join in this request.

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

There was no objection.

Mr. FENERTY. Mr. Speaker, this resolution should not be limited by any amendment. The committee's amendment would restrict the observance of the memorial day to this year. This, I believe, is unjustly restrictive of the glory which the illustrious Polish-American soldier won for our infant Nation on the battlefields of the American Revolution. There can be no valid reason for limiting the commemoration of the virtues of such an outstanding and heroic figure to any one year. Just as his memory is greater than all the ages, so the observance of his achievements should be equally enduring and perpetual.

There is but one way to make this commemoration coextensive with his character. General Pulaski Memorial Day must occur in each and every year so that American children will constantly have before them the inspiration of his life and the memory of his heroic death at the siege of Savannah. Let us now substitute for this resolution the one that has already passed the Senate of the United States—Senate Joint Resolution 21—wherein it is provided that the memorial day commemorative of General Pulaski's death shall be observed in each year while the Nation lasts. There should not be a dissenting voice in this House in the overwhelming passage of this resolution.

Shortly after the opening of this session of Congress I introduced a resolution which not only directed the President to proclaim October 11 of each year as General Pulaski's Memorial Day but also authorized the Postmaster General to issue a special series of postage stamps in honor of the beloved Polish patriot. It is in every sense appropriate that we should thus extend merited recognition to the valorous son of a land that in 1932, during our celebration of the George Washington Bicentennial, issued a postage stamp with the engraving of the first President of our country. So, in honoring the courage and fidelity of Pulaski, we are similarly paying tribute to the brave land that gave him birth and gladly yielded him to us in our effort to liberate America from British rule.

The name of Pulaski was holy and revered even before he volunteered his services to the great American Commander in Chief. Even yet the Russian trembles as he reads of the death struggle at Okope. Mention the name of Pulaski within the gray old walls of the fortress of Czenstokow and each moss-covered stone and silent gun chamber becomes vocal with heroic praise. Speaking for himself and of himself, he says:

I regarded every moment as lost which was not employed in repelling the enemies of my country. I have endeavored to mark my course by an invincible fortitude. Neither the blood of one of my brothers, which was shed by the enemy before my eyes, nor the cruel servitude of another, nor the sad fate of so many of my relations and compatriots has shaken my patriotism. I declare before God and before all the powers of Europe that my heart is an utter stranger to crime. My thoughts and actions have had no other end than the good of my country.

Casimir Pulaski truly exemplified that love of liberty that has in every age characterized the Polish people and in other days made Poland the last refuge of Western civilization against the unrelenting destruction of the Turks. With the loss of his home, his fortunes, his family, with liberty crushed under the feet of a cruel invader, Pulaski looked from his own land across the seas and observed in the young republic of the West a new field for vindicating with his sword the same undying principles for which he had wielded it in his own fair land. Learning of his desire to follow the cause of Washington, Benjamin Franklin, who was then in Paris favored him with a letter to Washington, in which he said:

Count Pulaski, of Poland, an officer famous throughout Europe for his bravery and conduct in defense of the liberties of his country against the three invading powers of Russia, Austria, and Prussia, will have the honor of delivering this into your hands. The court here have encouraged and promoted his voyage from an opinion that he may be highly useful in our service.

Arriving in Philadelphia in the summer of 1777, he soon found service with Washington, Greene, Sullivan, and Lafayette at the Battle of the Brandywine.

To General Pulaski we owe the formation of our American Cavalry and the success of the American forces upon many a hard-fought field was in greatest measure due to his ability and his admired leadership. He was universally recognized as the most expert horseman in the American Army, and not the least among his contributions to the efficiency of Washington's cavalry was the knowledge of equestrianship that he imparted to it.

Mortally wounded at the siege of Savannah on October 9, 1779, the brave Pole died 2 days later on the ship, the *Wasp*, and his body was consigned with military honors to a watery grave, and today he sleeps where the ebbing tide of the Savannah commingles with the waves of the vast Atlantic. The best beloved of Mars, he sleeps in the arms of Neptune.

Such, Mr. Speaker, was the noble soul for whom we today plead for remembrance and honor. In the passage of this resolution it is little that we do, compared with that chivalry which led him, in the spirit of the crusader, to give to our country the last full measure of his devotion. As long as America lives, American hearts will thrill to the name and the fame of Poland's immortal son. As long as the sun shines on the waters of the Savannah, the spirit of Poland embodied in the memory of Casimir Pulaski shall stand on guard at the portals of the Republic he so devotedly loved.

Mr. CITRON. Mr. Speaker, under leave to extend my remarks concerning House Joint Resolution 107, a joint resolution authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, which resolution I introduced and which was passed today, substituted by Senate Joint Resolution 21, I am happy to state that it is a distinct honor to this hero of our Revolutionary War that the resolution passed without a dissenting vote.

I am particularly pleased that we have authorized the President to proclaim October 11 of each year a memorial

day, because it is a fitting tribute to one who gave up his life in the service of our country, as General Pulaski did.

The many citizens of our country who came to our shores from Poland, or whose ancestors came from that country, may well feel pride in knowing that their gallant countryman has been so signally honored by this Nation.

General Pulaski was not an adventurer; he was a true lover of freedom. He took part in early youth in the struggles for the liberation of Poland against the tyrannical governments who suppressed its liberties. Upon the failure of the efforts to free his native land from the yoke of a foreign country, General Pulaski left his native country and traveled on the Continent. At Paris he made the acquaintance of Benjamin Franklin, who narrated to him the struggles of our own Colonies for freedom. General Pulaski came to this country to assist in that struggle and to make it his homeland, just as many others have come to our shores ready and willing to make the sacrifices necessary while establishing themselves permanently in our land.

He reached America some time in 1777, and without waiting to be commissioned an officer in our Army, he joined the ranks as a private soldier. His bravery and ability were soon recognized. In Europe he had been reputed one of the greatest cavalry officers of his time, and it was not long after his entry into our forces that he showed he was entitled to this reputation. Students of history know his brilliant military record. Washington relied upon him in cavalry problems and soon recommended him to Congress for appointment as brigadier general in the following words:

> This gentleman has been, like us, engaged in defending the liberty and independence of his country and has sacrificed his fortune and his zeal for these objects. He derives from hence a title to our respect that ought to operate in his favor as far as the good of the service will permit.

It was shortly after his arrival that he was given this honor. He took charge of our cavalry, shared in its financial expenses, and raised its standard. It became one of the efficient arms of our military. The Pulaski Legion, named in his honor, was led by him with distinction in the southern sector. Heretofore our cavalry had been neglected, but under his leadership its value was apparent. It materially aided our troops through the remainder of the war.

On October 9, 1779, at the siege of Savannah, General Pulaski was leading a charge of his cavalry. He was mortally wounded and was taken aboard ship for transport to Charleston but died in transport. His burial was at sea near the shores of the country for which he made the supreme sacrifice.

A stranger and alien—his example is a chapter in the story of this Nation's struggle for independence and a lesson to mankind of sacrifice for an ideal. It is, therefore, only a just tribute to his name and memory that Congress should now declare October 11 as Pulaski's Memorial Day.

And when the flag of our country is flown on October 11, in honor of the deeds of such a man, may we not recognize in this country that its heroes came from all races and countries, that we live here in a spirit of friendship and brotherhood, all serving the common good and each doing his part for the public weal.

Mr. SMITH of Washington. Mr. Speaker, I have actively supported and am happy to have the privilege of voting for the passage of Senate Joint Resolution 21, authorizing the President to proclaim October 11 of each year Gen. Casimir Pulaski's Memorial Day.

It was on October 11, 1779, that the great Polish hero and patriot passed away from wounds received 2 days previously, on October 9, at the siege of Savannah, Ga.

General Pulaski, after having fought for Polish liberty in his native land, came to our country and tendered his services to George Washington in our contest for American liberty in the Revolutionary War, and rendered distinguished services in the Battle of Brandywine and in numerous engagements in South Carolina.

The Polish people have made a valuable contribution to the development and progress of the United States, and many of them are among the most-respected citizens we have in my district in the State of Washington. They are industrious, thrifty, and law-abiding, and a credit to the nation of their birth.

LEIF ERICSON DAY

Mr. Speaker, I urge that we also take up at an early day for consideration and passage House Joint Resolution 26, to fittingly observe and commemorate October 9 as Leif Ericson Day, in honor of the discovery of America in the year 1000 by that intrepid Norseman.

In the words of Prof. R. B. Anderson, of Madison, Wis., of the Leif Ericson Memorial Association, briefly the story of Leif Ericson's explorations follow:

> Then it happened that the oldest of Erik the Red's three sons, Leif by name, made a voyage to Norway in the year 999. There he became acquainted with Norway's famous King, Olaf Tryggvason. Olaf Tryggvason was himself a Christian, and had begun converting the people of Norway to Christianity. He had also persuaded the Parliament of Iceland to adopt Christianity as the religion of all Iceland. He persuaded Leif Ericson to accept the creed of the Galilean, and, when Leif was baptized, King Olaf was his godfather. Then King Olaf requested Leif to go as a missionary to Greenland to convert his father's colonists to Christianity. Leif accepted this mission; but he decided that he, on his way to Greenland, would look up and explore those lands which had been seen by his kinsman, Bjarne Herjulfson, in 986.
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> With his party of 36 men he reached first the land that Bjarne had seen last, that is Newfoundland. He went ashore, made some explorations, found that the country was covered with rocks, and named it Helluland. He then proceeded to the southwest and found the second land seen by Bjarne, found that it was heavily wooded, and named it Markland. Then he continued on his voyage and on discovering the first land seen by Bjarne he sailed in a bay, out of this bay into a river, out of this river into a lake, out of this lake into another river which he ascended as far as it was deep enough to float his ship. Then he and his men went ashore, built a large house and decided to spend the winter there. This description fits admirably Boston Bay, the Charles River between Boston and Cambridge, the Boston Back Bay, also between Boston and Cambridge, and the Charles River emptying into the Back Bay. It seems that then Leif Ericson and his party must have built their house at what is now called Gerry's Landing, not far from where Harvard University is now located. On account of the abundance of grapes found in this new land Leif decided to call the country Vinland.
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> After spending the winter in Vinland, Leif loaded his ship with Vinland products and arrived in Greenland in the spring of 1001, when the Parliament was in session, and prevailed upon it to pass a resolution declaring the country Christian. We know positively that he reached this continent in the year 1000 because it was the same year in which he was baptized in Norway, and the same year in which Christianity was adopted by the Iceland Parliament. There is much more to this interesting subject. There were several other expeditions from Greenland to Vinland. One by Leif's brother Thorvald, in 1002 (Thorvald was killed by an arrow from one of the natives in Vinland and was buried there); one by Leif's brother Thorstein in 1005 (he did not reach Vinland but died on the way); one by Thorfinn Karlsefne, in 1007, and his wife Gudrid, the widow of Thorstein. Thorfinn and Gudrid went with 3 ships and 161 men for the purpose of organizing a colony in Vinland. They remained there 3 years, but found the aborigines too numerous to maintain themselves against them and so abandoned the colony and returned to Greenland. In the year 1008 Gudrid gave birth to a son. They named him Snorre, and he was the first white child to see the light of day in the New World.
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> Voyages to Vinland, especially for the purpose of bringing timber to Greenland and Iceland, continued down to the middle of the fourteenth century. The sagas give a report of a ship that came from Markland to Iceland in the year 1347. This was just before the breaking out of the black plague, which crippled all Europe for a century. It reduced the population of Norway, for instance, from 2,000,000 to 300,000. About this time the Greenland colony disappeared probably as a result of the black plague.

Mr. Speaker, the Norwegian people who have come to our shores have proved their worth as thrifty, intelligent, law-abiding citizens, and have been a real factor in the building of the Pacific Northwest, and we should grant to their great forbear, Leif Ericson the discoverer of the North American Continent, this recognition and honor.

EMBASSY IN FINLAND

Mr. Speaker, for similar reasons I favor the enactment of H. R. 4448, to provide funds for the acquisition of a site, erection of buildings, and the furnishing thereof for the use of the diplomatic and consular establishments of the United States at Helsingfors, Finland.

Finland, the new Republic of the north, has in the past contributed richly to the culture, progress, and civilization of mankind; and many of her sons and daughters have been eminent in art, science, and literature. However, today she lifts aloft for the whole world the standard of "honesty, integrity, and good faith among nations", and is the only nation which has honorably discharged its obligations to the United States. I therefore favor the appropriation to provide adequate and dignified housing for our representation at Helsingfors so as to reflect credit upon the United States in Finland and serve to maintain the cordial relations which so happily exist between the American and Finnish people.

Mr. RABAUT. Mr. Speaker, Gen. Casimir Pulaski, although he spent scarcely more than a year on American soil, merits by his energetic and patriotic leadership the admiration and honor of the American people. The victory of the colonists, the founders of this great Nation, was partially due to his physical prowess, mental alertness, and fearless activity.

Reared under the shadow of a threatening war which became a reality in his youth, he became a guard of Duke Charles, and at the age of 25 his fiery ambition, his trained abilities, and his constant effort in behalf of the salvation of his fatherland made him the recognized leader of Poland. So great were the odds against him that his efforts and those of his countrymen were fruitless, and he was banished from his beloved land.

While traveling in Paris he met Benjamin Franklin, and through this acquaintance came to America, where, in 1777, he, a soldier famed throughout Europe, became a volunteer in the ranks of the pioneer army of George Washington. Here it was that his knowledge gained by practical experience in warfare made him a valuable man. Just as he had been a tireless worker in the Polish Army, so now he transferred his energy to the American cause. It was greatly through his effort that the rear attack by the British on the Colonial Army at Brandywine was not a success, and in recognition of his ability and his service after 2 months with the Army he was raised to the rank of brigadier commander of the cavalry. Perhaps his greatest work was the organizing of the Polish Legion, an independent corps under his command, which greatly aided in the success of the Revolution. General Pulaski had fought with daring fearlessness in the ranks of the Polish Army, and now, in like manner, amid the chaotic forces of the French and Americans facing the Redcoats at Savannah, Ga., he bounded forward, an inspiring figure, attempting to rally the American forces. It was in this attempt that he received a fatal wound. General Pulaski, renowned defender and leader of Poland; General Pulaski, stanch, patriotic, Colonial soldier of the New World; General Pulaski, an American hero, is truly deserving of the admiration and honor of the American people.

Mr. SWEENEY. Mr. Speaker, on April 1, 1935, the House of Representatives adopted Senate Joint Resolution 21, authorizing the President of the United States to proclaim October 11 of each year General Pulaski Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

I am glad to join with my colleagues of the Seventy-fourth Congress of the United States in making possible delayed tribute of respect and honor to a great soldier and a great Polish-American.

There is no more splendid element among the various nationality groups that make up the great melting pot we call the United States of America than the citizens of Polish extraction. The Polish immigrants and their early descendants were not only "the hewers of wood and the drawers of water", but rapidly took and are still taking their just and entitled places in the administrative, legislative, and industrial affairs of the Nation. The reputation of our Polish-American citizens as an industrious, law-abiding, and patriotic people cannot be assailed. In the religious, political, professional, and business fields Polish-American men and women are making worthwhile contributions to the welfare of our land.

Oppressed by alien oppressors in the homeland, they have given to the world a splendid example of family life, with its cultural and social background, together with their passionate devotion to the principles of religious and political liberty.

Gen. Casimir Pulaski was born in Poland of patriotic, liberty-loving parents. Many of his ancestors, his father, and his brother fought and died for Polish liberty. At an early age, after conferring with Benjamin Franklin in Paris, young Pulaski came to our shores and volunteered his services to our own immortal Washington in the Revolutionary War of 1777. Excellently trained in military tactics, he offered his services as a plain ordinary soldier, deeply in sympathy with the cause of the Revolution. His services were of such a high character that in the Battle of Brandywine he so impressed his military superiors that he was promoted by Congress to an important cavalry commander. In every battle, and especially during the siege of Savannah, Ga., he distinguished himself with valor. He was mortally wounded in action at Savannah, Ga., on October 9, and died October 11, 1779.

Gen. Casimir Pulaski belongs not only to the United States of America, but to every land where human beings are held in subjection and denied the inalienable right to "life, liberty, and the pursuit of happiness." Many cities and towns of the United States have been named in his honor. Boulevards and streets have been dedicated to his memory. In the State of New Jersey a splendid highway extending from the city of Newark to Jersey City, the gateway to New York, was erected and dedicated in his honor, and is known all over the world as the General Pulaski Skyway. Monuments have been erected by civic, fraternal, and religious organizations to the memory of this great soldier. It is only fitting that the Republic he aided in creating should set aside one day in the year when by official proclamation the President of the United States of America is authorized to call upon officials of the Government to display the flag of the United States on all Government buildings on October 11 of each year, and invite the people of the United States to observe the day in schools, churches, and other suitable places, in appropriate services commemorating the death of Gen. Casimir Pulaski.

After observing him in action upon the battlefields of the Revolutionary War, General Washington, in recommending him to Congress for appointment as brigadier general, said of him:

> This gentleman has been like us, engaged in defending the liberty and independence of his country, and sacrificed his fortune and his zeal for these objectives. He deserves from hence a title to our respect that ought to operate in his favor as far as the good of the service will permit.

On each succeeding Pulaski Memorial Day generations yet unborn will learn the story of General Pulaski's bravery and sacrifice given in behalf of the cause of liberty and will cherish the esteem in which he was held by the Father of his Country.

Mr. DORSEY. Mr. Speaker, I am pleased to speak for a resolution which has for its purpose the honoring of a man who lost his life in a brave effort to bring liberty to the American colonies. Gen. Casimir Pulaski's service in the cause of freedom should not be recognized by Presidential proclamation this year only, as is provided by the amended House Joint Resolution 107, but as a reminder of the sacrifices and devotion to the cause of liberty by those who made this Nation possible, the death of the great Pulaski should be observed and commemorated by such proclamation each year. I, therefore, favor the substitution of Senate Resolution 21, which will make possible this annual observance.

America has been referred to as "the land of freedom" and "the home of the homeless among the nations of the world." We find glory in such references but too seldom do we give consideration to the sacrifices of the men who laid the foundation for such sacrifices. Love of liberty and freedom was stamped on the very soul of America by men like General Pulaski who had the true spirit of liberty indelibly impressed upon their hearts through the form of

oppression which they suffered in the land of their nativity. In a letter to Col. R. H. Lee, August 13, 1778, General Pulaski expressed his deep-seated convictions, "Honor and a true desire of distinguishing myself in the defense of liberty was the only motive which fired my breast for the cause of the United States."

Even before his arrival in this country, General Pulaski was renowned throughout Europe for his services in defense of his native Poland. Through the intercession of his French friends, he was enlisted in the cause of the American Colonies by Benjamin Franklin, then in Paris, arriving in this country in August 1777. He early distinguished himself as a volunteer by his courage and exemplary conduct in the operations about my native Philadelphia. His distinguished service was soon recognized by Washington, who wrote as follows to Congress in commendation of his plan to raise a separate corps, "Count's valor and active zeal on all occasions have done him great honor."

On March 19, 1778, Congress sanctioned the formation of the corps, which has been known in history as the "Pulaski Legion." The operations and success of the celebrated corps are well known. When the Continental forces were hard pressed in their campaigns throughout New Jersey, particularly in the Egg Harbor section, and at Charleston, S. C., it was General Pulaski and his cavalry which snatched victory out of apparent defeat. Despite personal illness, General Pulaski, always displaying the courage, energy, and fortitude of a great soldier, rose to the defense of Savannah, and during the assault upon that city October 9, 1779, he received the wound which later caused his death.

General Pulaski lost his life embracing the cause of liberty, defending the principles so deeply rooted in his very nature. His services to a nation struggling for liberty demands the gratitude of a people who enjoy the freedom for which he gave his life.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DUNN of Mississippi, at the request of Mr. COLMER, indefinitely, on account of illness.

To Mr. THOMAS, at the request of Mr. GOODWIN, indefinitely, on account of illness.

To Mr. GRISWOLD, indefinitely, on account of illness.

Mr. TRUAX. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] Seventy-five Members are present.

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was rejected.

Mr. McREYNOLDS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 44]

Adair	Doutrich	Hess	McMillan
Allen	Doxey	Higgins, Conn.	McSwain
Andrew, Mass.	Dunn, Miss.	Holmes	Maverick
Bankhead	Eicher	Igoe	Meeks
Beam	Faddis	Jacobsen	Miller
Berlin	Ferguson	Johnson, Tex.	Mitchell, Ill.
Bolton	Fish	Johnson, W. Va.	Montague
Brennan	Flannagan	Kelly	Montet
Brooks	Focht	Kennedy, Md.	Norton
Buckler, Minn.	Ford, Calif.	Kennedy, N. Y.	O'Brien
Buckley, N. Y.	Fulmer	Kerr	Palmisano
Burch	Gambrill	Knutson	Parks
Burdick	Gavagan	Kocialkowski	Parsons
Casey	Gearhart	Lambertson	Patman
Celler	Gillette	Lamneck	Patton
Chapman	Gingery	Lee, Okla.	Perkins
Clark, Idaho	Goldsborough	Lehlbach	Peyser
Crowe	Granfield	Lemke	Polk
Crowther	Green	Lesinski	Quinn
Cummings	Greenway	Lundeen	Ramsay
Darrow	Greenwood	McAndrews	Rayburn
DeRouen	Griswold	McFarlane	Reece
Dickstein	Hamlin	McGehee	Richardson
Dies	Hancock, N. C.	McGroarty	Ryan
Dingell	Hart	McKeough	Sabath
Ditter	Hartley	McLeod	Sadowski
Sanders, La.	Somers, N. Y.	Thomas	Wilson, La.
Schaefer	Stack	Tobey	Wolfenden
Schuetz	Stubbs	Wadsworth	Woodrum
Shannon	Sweeney	White	
Snyder	Taylor, Tenn.	Wigglesworth	

The SPEAKER. Three hundred and nine Members have answered to their names, a quorum.

On motion of Mr. TAYLOR of Colorado, further proceedings under the call were dispensed with.

RIO GRANDE RIVER

Mr. McREYNOLDS. Mr. Speaker, I desire, if necessary, to move to suspend the rules and pass the bill (H. R. 6453) to amend the act of May 13, 1924, entitled "An act providing for a study regarding the equitable use of the waters of the Rio Grande", and so forth, as amended by the public resolution of March 3, 1927; but I think it will not be necessary; I think the matter can be disposed of by unanimous consent. The gentleman from New York [Mr. CULKIN] desires to offer an amendment, which is agreeable.

Mr. CULKIN. Mr. Speaker, reserving the right to object, I understand the gentleman will consent to this amendment?

Mr. McREYNOLDS. Absolutely; the gentleman's amendment is all right, as I understand it.

Mr. CULKIN. Limiting the scope of the bill?

Mr. McREYNOLDS. Yes.

Mr. CULKIN. With that understanding, I have no objection to the present consideration of the bill.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6453) to amend the act of May 13, 1924, entitled "An act providing for a study regarding the equitable use of the waters of the Rio Grande", and so forth, as amended by the public resolution of March 3, 1927.

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

Be it enacted, etc., That the act of May 13, 1924, entitled "An act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico", as amended by the public resolution of March 3, 1927, is hereby amended to read as follows:

"The Secretary of State, with the approval of the President, is hereby authorized to designate the American Commissioner on the International Boundary Commission, United States and Mexico, to cooperate with a representative or representatives of the Government of Mexico in a study regarding the equitable use of the waters of the lower Rio Grande and the lower Colorado and Tia Juana Rivers, for the purpose of obtaining information on which to base a treaty with the Government of Mexico relative to the use of the waters of these rivers and to matters closely related thereto. On completion of such study the results shall be reported to the Secretary of State.

"SEC. 2. The Secretary of State, acting through the American Commissioner, International Boundary Commission, United States and Mexico, is further authorized (a) to conduct technical and other investigations relating to the defining, demarcation, fencing, or monumentation of the land and water boundary between the United States and Mexico, to flood control, water resources, conservation, and utilization of water, sanitation and prevention of pollution, channel rectification, and stabilization and other related matters upon the international boundary between the United States and Mexico or upon a stream or water course constituting or crossing the boundary between the two countries and upon the tributaries of any such stream or water course where international matters are involved; (b) to construct any project or works which may be provided for in a treaty entered into with Mexico as contemplated in section 1 of this act, or which it may be appropriate to construct independently of a treaty with Mexico; and (c) to operate and maintain any project or works so constructed or, subject to such rules and regulations for continuing supervision by the said American Commissioner as the Secretary of State may promulgate, to turn over the operation and maintenance of such project or works to any Federal agency, or any State, county, municipality, district, or other political subdivision within which such project or works may be in whole or in part situated, upon such terms, conditions, and requirements as the Secretary of State may deem appropriate.

"SEC. 3. In order to carry out the provisions of this act, the Secretary of State is authorized, (a) in his discretion, to enter into agreements with any one or more of said political subdivisions, in connection with the construction of any project or works provided for in section 2 hereof, under the terms of which agreements there shall be furnished to the United States, gratuitously, except for the examination and approval of titles, the lands or easements in lands necessary for the construction, operation, and maintenance, in whole or in part, of any such project or works, or for the assumption by one or more of any such political subdivisions making such agreement, of the operation and maintenance of such project or

works, in whole or in part, upon the completion thereof: *Provided, however,* That when an agreement is reached that necessary lands or easements shall be provided by any such political subdivision and for the future operation and maintenance by it of a project or works or a part thereof, in the discretion of the Secretary of State, the title to such lands and easements for such projects or works need not be required to be conveyed to the United States but may be required only to be vested in and remain in such political subdivision; (b) to acquire by purchase, exercise of the power of eminent domain, or by donation, any real or personal property which may be necessary; (c) to request the withdrawal from sale, public entry or disposal of such public lands of the United States as the Secretary of State may find to be necessary, and upon receipt of any such request the Secretary of the Interior shall cause the lands so designated to be withdrawn from any public entry whatsoever, and from sale, disposal, location, or settlement under the mining laws or any other law relating to the public domain, and shall cause such withdrawal to appear upon the records in the appropriate land office having jurisdiction over such lands, and such lands may be used for carrying out the purposes of this act: *Provided,* That any such withdrawal may subsequently be revoked by the Secretary of the Interior with the approval of the Secretary of State; and (d) to make or approve all necessary rules and regulations and, in his discretion, to delegate to the American Commissioner, International Boundary Commission, United States and Mexico, any of his functions and powers provided for herein.

"SEC. 4. Any moneys contributed by or received from the United Mexican States for the purpose of cooperating or assisting in carrying out the provisions of section 1 of this act shall be available for expenditure in connection with any appropriation which may be made for the purposes of this act."

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

The Clerk read as follows:

Amendment by Mr. CULKIN: Strike out the semicolon after the word "Mexico" in line 5, page 3, and add the words: "and for the repair, protection, maintenance, or completion of works now existing or now under construction, or that may be constructed under the treaty provisions aforesaid, and to construct any project or works designed to facilitate compliance with the provisions of treaties between the United States of America and Mexico."

The amendment was agreed to.

The bill 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.

RESEARCH VESSEL FOR PACIFIC OCEAN FISHERIES

Mr. COLDEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the bill H. R. 3013 and to include a report of the Honorable Frank T. Bell, Commissioner of the Bureau of Fisheries.

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

There was no objection.

Mr. COLDEN. Mr. Speaker, concerning H. R. 3013, a bill introduced by myself and entitled "To provide for the construction and operation of a vessel for use in research work with respect to Pacific Ocean fisheries", I desire to submit to the Members of Congress a report upon said bill written by the Honorable Frank T. Bell, Commissioner Bureau of Fisheries, and transmitted by the Department of Commerce to the Committee on Merchant Marine and Fisheries of the House of Representatives.

The comments of Mr. Bell upon the importance of the fisheries resources of the high seas, and particularly those of the Pacific coast, are instructive and illuminating. The following are the comments of Mr. Bell on H. R. 3013:

DEPARTMENT OF COMMERCE,
BUREAU OF FISHERIES,
Washington, February 6, 1935.

Subject: Recommendation on H. R. 3013, being a bill "To provide for the construction and operation of a vessel for use in research work with respect to Pacific Ocean fisheries"

MEMORANDUM FOR THE SECRETARY OF COMMERCE

For the period from 1879 to 1932 the United States Bureau of Fisheries employed one or more specially constructed marine fishery research vessels capable of conducting studies of our important fishery resources on the high seas. At the present time the Bureau has no such research vessel, and the United States is now the only first-class maritime nation lacking such facilities.

The fisheries provide one of the basic food resources of the Nation, for foods come only from the land or from the sea. In 1932 the fisheries of the United States and Alaska provided 2,613,000,000 pounds of protein food, which modern researches have shown to be essential to the healthful diet of the Nation. The fisheries of the Pacific coast in that year yielded 1,038,802,000 pounds, or 45.8 percent of the total fish production, exclusive of shellfish, of the United States and Alaska. In addition to more than a score of minor fisheries, the yield of the three major fisheries of the Pacific coast—the salmons, the pilchard, and the tunas—approximated 40 percent of the entire United States production.

The salmon fisheries of the Pacific coast and Alaska are the greatest in the world, producing in 1932, 528,626,000 pounds, for which the fishermen received $8,160,000, ranking first in quantity and first in value among the Nation's fisheries. Second in national rank in quantity of production is the pilchard fishery, yielding 312,171,000 pounds, for which the fishermen received $825,000. Next in rank on the Pacific coast and sixth in rank for the entire country is the tuna fishery, producing 63,431,000 pounds, for which the fishermen received $2,406,000.

The financial return to the fishermen themselves represents but a small portion of the total valuation of these three great fisheries, for all of them support a vast shore industry, producing a staple food commodity of canned fish and great quantities of meal and oil used in human and animal feeding and in a wide variety of technological processes.

In 1932 the salmon industry produced 5,909,000 standard cases of canned fish, 1,389 tons of meal, and 154,000 gallons of oil, having a total evaluation of $26,512,000. Manufactured products of the pilchard fishery amounted to 954,000 standard cases of canned fish, 25,445 tons of meal, and 5,529,000 gallons of oil, having a manufactured value of $3,642,000. The tuna fishery produced 1,206,000 cases of canned fish, 4,123 tons of meal, and 31 gallons of oil, having a manufactured value of $6,280,000.

The total sales values of the products of these three fisheries, excluding the sales of fresh, frozen, and mild-cured salmon, which would considerably augment the total, amount to $47,825,000 in 1932, and this, of course, is considerably below the normal values of these products in previous years. It is apparent, therefore, that these three great Pacific fisheries are of considerable importance to the economic structure of the Nation and should be managed so as to be continually productive.

The fisheries, however, like the forests, are an exhaustible resource. The past 50 years has witnessed the commercial destruction of one valuable food fish species after another. The salmon fisheries in various of its branches are at present menaced by depletion. Competent scientists of the California Fish and Game Commission, after 10 years of exacting research, are seriously concerned over the possibility of depletion of both the pilchard and various species of tunas. The fishing industry in California is likewise aroused to the danger, for the pilchard fishery in that State has expanded so rapidly during the past 10 years that exploitation is now believed to have passed reasonable and safe limits. The most valuable species of tuna, the Albacore, has virtually disappeared, and the next most valuable species of tuna, the blue-fin tuna, has declined from 15,000,000 pounds in 1919 to 1,000,000 pounds in 1932. The yield of canned tuna has only been maintained by an increased utilization of less desirable species and by the extension of the fishery from the in-shore waters of southern California to beyond the Equator on the south and to the Hawaiian Islands on the west.

The experience of the International Halibut Commission demonstrates that high-seas fisheries suffering from depletion can be so regulated as to check the decline and to maintain the productivity of the resource. Governmental control, however, can only be based on sound and extensive scientific knowledge of the biology of the species concerned and the effects of the fishery upon its reproduction and survival. No single State is able to acquire such information for the salmon ranges from California to Alaska, the pilchard from Mexico to British Columbia, and the tunas over the eastern half of the Pacific Ocean from Puget Sound to the Equator. Research as a basis for control must therefore be conducted by the Federal Government.

A research vessel capable of going to sea and remaining for long periods of time is essential to such a program of research. It should be specially constructed so as to employ effective fishing gear of standard commercial size, as well as scientific equipment required for studies of currents, temperatures, and other conditions affecting the reproduction, survival, and movements of fish. As a result of a previous survey of existing facilities, the Bureau is convinced that no vessel suitable for this work exists that can be transferred from other Government services or purchased from commercial service. Based upon experience in the operation of the *Alabatross II,* a steam vessel engaged until its retirement in 1932 in a similar type of fisheries research on the Atlantic coast, and on plans and specifications developed for a new research vessel of the same type as the one herein contemplated, the operating cost, including vessel crews, repairs, and operations, will amount to about $54,000 per annum. In addition, the vessel will require a scientific staff of four fishery investigators and hydrographers at a total salary cost of $11,400 per annum, with subsistence and traveling and operating expense of $5,000, or a total operating cost for the projected fishery investigations utilizing the vessel amounting to $70,400 per year.

The amount authorized in the bill is regarded as adequate for the construction of such a vessel, and in view of the demonstrated need, the Bureau recommends the favorable report and passage of the bill.

FRANK T. BELL, *Commissioner.*

SOIL EROSION

Mr. JONES. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7054) to provide for the protection of land resources against soil erosion, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That it is hereby recognized that the wastage of soil and moisture resources on farm, grazing, and forest lands of the Nation, resulting from soil erosion, is a menace to the national welfare and that it is hereby declared to be the policy of Congress to provide for the control and prevention of soil erosion and thereby to preserve natural resources, control floods, prevent impairment of reservoirs, and maintain the navigability of rivers and harbors, protect public lands and relieve unemployment, and the Secretary of Agriculture, from now on, shall coordinate and direct all activities with relation to soil erosion and in order to effectuate this policy is hereby authorized, from time to time—

(1) To conduct surveys, investigations, and research relating to the character of soil erosion and the preventive measures needed, to publish the results of any such surveys, investigations, or research, to disseminate information concerning such methods, and to conduct demonstrational projects in areas subject to erosion by wind or water;

(2) To carry out preventive measures, including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land;

(3) To cooperate or enter into agreements with, or to furnish financial or other aid to, any agency, governmental or otherwise, or any person, subject to such conditions as he may deem necessary, for the purposes of this Act; and

(4) To acquire lands, or rights or interests therein, by purchase, gift, condemnation, or otherwise, whenever necessary for the purposes of this act.

SEC. 2. The acts authorized in section 1 (1) and (2) may be performed—

(a) On lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof; and

(b) On any other lands, upon obtaining proper consent or the necessary rights or interests in such lands.

SEC. 3. As a condition to the extending of any benefits under this act to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this act, require—

(1) The enactment and enforcement of local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for the prevention of soil erosion;

(2) Agreements and/or covenants as to the permanent use of such lands; and/or

(3) Contributions in money, services, materials, or otherwise to any operations conferring such benefits.

SEC. 4. For the purposes of this act the Secretary of Agriculture may—

(1) Secure the cooperation of any governmental agency;

(2) Subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of such officers and employees as he may deem necessary, except that employees of the organization heretofore established for the purpose of administering those provisions of sections 202 and 203 of the National Industrial Recovery Act which relate to the prevention of soil erosion may be continued without regard to the civil-service laws or regulations and the Classification Act for a period not to exceed 4 months from the date of this enactment; and any persons with technical and expert knowledge, connected with any educational or research institution, may be jointly employed and compensated under this act and by such institution on a basis to be determined by the Civil Service Commission; and

(3) Make expenditures for personal services and rent in the District of Columbia and elsewhere, for the purchase of law books and books of reference, for printing and binding, for the purchase, operation, and maintenance of passenger-carrying vehicles, and perform such acts, and prescribe such regulations, as he may deem proper to carry out the provisions of this act; and any violation of any such regulation shall be punishable by a fine of not to exceed $100.

SEC. 5. The Secretary of Agriculture shall establish an agency to exercise the powers conferred on him by this act and may utilize the organization heretofore established for the purpose of administering those provisions of sections 202 and 203 of the National Industrial Recovery Act which relate to the prevention of soil erosion, together with such personnel thereof as the Secretary of Agriculture may determine, and all unexpended balances of funds heretofore allotted to said organization which shall be available until June 30, 1937, and shall assume all obligations incurred by said organization prior to transfer to the Department of Agriculture. Funds provided in H. J. Res. 117, "An act making appropriation for relief purposes" (for soil erosion), shall be available for expenditure under the provisions of this act; and in order that there may be proper coordination of erosion-control activities the Secretary of Agriculture may transfer to the agency created under this act such functions, funds, personnel, and property of other agencies in the Department of Agriculture as he may from time to time determine.

SEC. 6. There are hereby authorized to be appropriated for the purposes of this act such sums as Congress may from time to time determine to be necessary.

The SPEAKER. Is a second demanded?

Mr. HOPE. Mr. Speaker, I demand a second.

Mr. JONES. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

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

There was no objection.

Mr. JONES. Mr. Speaker, this is a bill on which I think there will be practically no division of opinion. It provides for a soil-erosion service.

One of the big problems of this country is the conservation of soil. In recent months, as you all know, there has been a tremendous amount of soil erosion in the West and there has also been soil erosion by water in other sections of the country. This involves what, it seems to me, is a great national problem that calls for solution.

The Public Lands Committee had full hearings on this measure. The Committee on Agriculture has had brief hearings. Unanimous reports have been submitted by both committees. The bill is simple and easily understood. I am going to ask the gentleman from New Mexico [Mr. DEMPSEY] to explain the terms of the measure.

Mr. Speaker, I yield 5 minutes to the gentleman from New Mexico [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Speaker, this bill, H. R. 7054, is a conservation measure and probably one of the most important bills that has come before the House during the present session. It conserves the very life of our country—our soil and our moisture.

Studies have been made by several of the Government departments, namely, the Department of Agriculture and the Department of the Interior.

The Department of the Interior has at the head of this most important bureau Dr. Hugh H. Bennett, who is recognized as an authority on erosion in this country. About $14,000,000 were expended on approximately 40 projects. Those projects were largely in the arid regions, although the expenditure covered a survey of practically every county in the United States. If there has been any doubt of the necessity for a soil-erosion program, certainly the past 10 days or 2 weeks would eliminate any doubt in the mind of anybody.

Mr. MARTIN of Massachusetts. Will the gentleman yield?

Mr. DEMPSEY. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Will the gentleman tell the Members of the House how much money is involved in this bill?

Mr. DEMPSEY. This bill carries no appropriation.

Mr. MARTIN of Massachusetts. How much is the gentleman contemplating getting? I notice there is a clause that you are going to get some money out of the bill that we recommitted today. Has any amount been set aside for this purpose?

Mr. DEMPSEY. I have no knowledge of any amount that has been set aside, except there was originally $20,000,000 set aside, of which $14,000,000 has been expended. The other $6,000,000 I think has been temporarily loaned to relief agencies, such as the F. E. R. A. That money will be returned, I am advised, and will become a part of the funds necessary to carry out this erosion program.

Mr. MARTIN of Massachusetts. The gentleman anticipates, then, it will not cost more than $6,000,000 to carry out the provisions of this bill?

Mr. DEMPSEY. I may say to the gentleman from Massachusetts that it will cost much more than that amount of money. How much more the entire program will cost I have no idea. Under this bill there is no appropriation called for or set aside.

[Here the gavel fell.]

Mr. JONES. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Speaker, in answer to the question propounded by the gentleman from Massachusetts, I want to explain the part of the bill insofar as the appropriation is concerned. This bill will not cost a nickel extra money.

The only reason this bill is being passed at this time is to give the Soil Erosion Service permanency of life. There are no funds provided in the bill, and the money that will be spent through this service would have been spent anyway through the Soil Erosion Service temporarily as it is now set up in the Department of Agriculture.

Mr. MARTIN of Massachusetts. It is simply a transfer of authority?

Mr. NICHOLS. Yes; in making the department permanent.

The reason it is necessary to make the department permanent is this: Many of you will remember that the first speech I made on the floor of the House pointed to this very proposition to create a permanent department of government and coordinate all of the soil-erosion activities through that one department for the purpose of saving money and making count the money that is spent. We have been spending this money through about 14 departments. I have not very much time, but if you will listen to these figures I will show you how important it is that this measure pass immediately. There is not a single Member of Congress whose constituents will not be affected by the passage of this legislation; 125,000,000 acres have now been taken partially, at least, out of cultivation, because of erosion. The erosion is not caused by wind only. As a matter of fact, the wind erosion is the smallest part of the proposition. The erosion that is really stripping the country of its productive soil is water erosion.

It must be remembered that we have only from 7 to 8 inches of productive fertile soil on top in most of our cultivated areas. That is being washed away at the rate of about 100,000 acres annually. In other words, they have lost their fertility.

The bill now under consideration is H. R. 7054, and bears as its author the name of Mr. DEMPSEY, who is my friend, and a soil-erosion enthusiast, but I wish to submit in all fairness that this piece of legislation, which I am wholeheartedly supporting, should have borne my name as its author.

A perusal of the RECORD will show that on January 24, 1935, I offered an amendment to the $4,800,000,000 appropriation bill, providing that all moneys spent on soil erosion, out of that bill, should be spent through the Soil Erosion Service, then in the Department of the Interior. In that speech I pointed out that this department should be created as a permanent department and that all soil-erosion activities should be coordinated through it, instead of through the some five or six various departments who are spending soil-erosion money.

I believe a check of the CONGRESSIONAL RECORD will show that this was the first intimation made by any Member of the House, at least on the floor of Congress, advocating that all soil-erosion service be coordinated into this one department, and that the department be given permanent status.

Subsequent to that, on March 1, 1935, I prepared and introduced in the House, H. R. 6319, which was a bill to create a separate division in the Department of Agriculture, to be known as the "Soil Erosion Service." The purpose of this bill was to make of the Soil Erosion Service, a permanent department of Government, so that it might continue to operate and conserve the soils of the United States long after the present emergencies had expired.

Because this Service was at that time under the Department of the Interior, it was felt by some that the introduction of this bill, to put it under the Department of Agriculture, might cause a controversy between the two Departments.

On March 5, 1935, I prepared and introduced H. R. 6432, which provided that the Service be set up, with a permanent status, coordinating all soil-erosion activities in it, in the Department of the Interior.

My purpose in doing this was simply to show the world that I had no choice as to the department that took charge of this Service; that the thing that I was primarily interested in was that the Service have a permanent status and become a creature of Congress, so that it might continue to function as long as it was necessary in order to cope with the devastating results of erosion caused by both wind and water.

I believe that a check of the bills introduced in this Congress will show that these two bills were the first ones introduced attempting to accomplish this purpose.

You will notice that the present bill is H. R. 7054. I am not complaining that the present bill is not a good one. I simply wish to make the above observation, that the Congress and the people of the United States generally might know that I am entitled to at least a measure of the credit for the creation of this important department.

The bill that we are about to pass, H. R. 7054, is not adequate, in my judgment, and I shall attempt to have adopted, in the Senate committee, two amendments, which, in my opinion, will greatly benefit this legislation.

The first will be an amendment to subsection 2 of section 4 of the original bill, which amendment will provide that the personnel of this department shall be built up without regard to civil-service laws or regulations, and that civil-service laws and regulations will not apply to the personnel of said department until 6 months after the passage of the act.

It is my further opinion that the bill, in its present form, does not set up the Soil Erosion Service in the Department of Agriculture as a permanent division of the Department of Agriculture but simply provides that as long as the Secretary of Agriculture wants to keep it alive he may do so. Therefore, I propose to offer an amendment and attempt to have it adopted in the Senate committee, which will say in simple language that the Congress is hereby creating a separate division in the Department of Agriculture to be known as the "Soil Erosion Service."

I feel confident that as long as the present administration is in power it will be a policy of this administration to carry on the function of the Soil Erosion Service, but I am mindful of the fact that coming administrations may not feel so kindly toward the preservation of the soil of this Nation as does this administration.

Therefore, I think it imperative that we not leave it to the discretion of the Secretaries of Agriculture to follow as to whether or not this will be a permanent department of the Government, and the only way, in my judgment, this can be done is to amend the present bill. Both of my original bills took care of this contingency.

I want to now give a few reasons for supporting the present legislation.

In the first place, I am anxious to see it pass the House of Representatives and get speedily on its way to becoming enacted into law, and I feel confident that it can be as easily amended in the Senate as in the House.

The following figures will give some idea of how necessary it is that this all-important undertaking, which is being carried on under the able guidance and leadership of Dr. Bennett, be not hampered by the whims of some future Secretary of Agriculture, and that the department be given an unquestionably permanent status.

There are, normally, in the United States 350,000,000 acres which normally produced crops, and 75 percent of this amount is sloping enough to suffer seriously from water erosion. Two hundred and thirteen million acres are normally planted to clean, cultivated crops. In other words, to crops which are most susceptible to water and wind erosion. It is estimated that most of the top soil has now disappeared from 125,000,000 acres in the United States and 35,000,000 acres have now been abandoned as not being fit for cultivation, primarily because of wind and water erosion, and there are 100,000 acres being abandoned as being not fit for cultivation each year. It is again estimated that wind and water erosion costs the farmers of this Nation $400,000,000 annually.

Three billion tons of soil annually wash from our fields and pastures. It is estimated that 400 million tons of soil pass out through the mouth of the Mississippi River annually, which is enough to build 6 inches of soil on 2,500 Oklahoma farms of 160 acres each. On the basis of a Nation-

wide survey recently completed by the Soil Erosion Service, it is found that the area of formerly cultivated land essentially ruined by erosion is approximately 100 million acres. This is the equivalent of 625,000 farms of 160 acres each or an area nearly equal to the combined extent of Ohio, Illinois, Maryland, and North Carolina. In addition, and this is the most alarming aspect of the whole problem, an area of approximately 125 million acres of land now in cultivation, has lost all, or the greater part of the more productive topsoil, and as a result is from 2 to 10 times, and in some instances, 40 times less productive than was the virgin soil. And this is still not all. Still another 100 million acres are beginning to lose their priceless topsoil, which is the vital substance of the land.

Thus we have been living in a fool's paradise, with respect to the security of our most basic asset.

We have permitted hundreds of thousands of farmers to become tillers of subsoil, which usually amounts to bankrupt farming on bankrupt land.

Moreover, this virtual ruin of the soil is of a permanent character, jeopardizing the well-being of generations to follow by impoverishing the heritage of those who can do nothing about a present evil that is sweeping across the country like a prairie fire.

It is vitally necessary that the Government, at this juncture, do something to preserve the soil and to stop its eroding, because to build back the soil, after it has been eroded, is a task of well nigh impossible proportions, for under natural conditions of surface stabilization with vegetation, it takes from approximately 400 to more than 1,000 years to build a single inch of virgin topsoil.

Every year erosion removes from our fields around twenty times as much plant food as is taken off by crops. Plant food removed in crops can be restored in the form of fertilizer and soil-improving plants, but erosion takes not only the plant food constituents but the whole physical body of the soil, plant food, and all; and this soil cannot be hauled back into the fields. It is just as much lost, most of it, as if completely consumed with fire.

On the 11th of May 1934 a shadow of coming events swept across eastern United States in the form of a dust storm that originated in the plains of the trans-Mississippi.

For the first time in our history thousands of square miles of land and water along the eastern seaboard were showered with dust particles, blown from unprotected bare fields lying at the heart of the Nation; 300,000,000 tons of productive soil having been swept out of the fields of the stricken area. But that was not the last, because within the last 3 weeks we have seen the same thing, in increased proportions, again occur, increasing to such an extent that dust from the prairies of the Middle West hovered over the city of Washington, actually darkening the sun, causing the inhabitants of Washington to prepare themselves for rain, which they expected to fall out of the gathering clouds. Farmers of Oklahoma and Kansas were forced to abandon their homes. Travel was impaired, and in some instances traffic was paralyzed. The top soil of that great agricultural area was by the wind moved to other sections of the country in such proportion that in many instances growing crops, which were just peeping through the ground, were entirely submerged in dust and dirt. Many of the cattlemen of that section were forced to move their herds of thousands of head, hundreds of miles to new pastures, because the dust and dirt and productive top soil had completely covered the grass which provided sustenance for their cattle.

This is only the beginning, and unless the people of this Nation become awakened to the degree in which we are punishing our greatest resource, the soil, I warn you that ere long we will find ourselves in the condition that many of the old countries of Asia are now in, to wit, a country thickly populated, with not enough productive soil left to furnish foodstuff for its people.

This bill will undoubtedly pass today without hardly a dissenting vote, and I am truly hopeful that it will, with the amendments above suggested, pass the Senate in the same manner; and then I am truly hopeful that this administration will put enough of the funds appropriated by this Congress for relief into this service, that the men who have given a lifetime to the scientific study of means to prevent this devastating erosion may actively combat its destruction and thus keep for the present generation our millions of acres of fertile, productive land, to the end that we may pass down to a coming posterity a land in which they may continue to live, grow, and prosper.

I appeal to you ladies and gentlemen of the House to give this bill your support, and to lend to this department, after it is created, your hearty cooperation; and I sincerely trust that when this department sends its field men out into the field to work with and aid the farmers of this Nation that the farmers themselves will wholeheartedly cooperate with the problem as laid out by the Soil Erosion Service, so ably headed by Dr. Bennett in Washington, and so efficiently administered by Dr. Winters, in my own State of Oklahoma.

[Here the gavel fell.]

Mr. JONES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their own remarks in the RECORD on this bill.

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

There was no objection.

Mr. HOPE. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, I arise to pay a tribute to two men who for years have been largely responsible for the growth of sentiment with respect to soil erosion in the United States. I refer to H. H. Bennett and Samuel W. Phillips. These two men about 10 years ago engaged themselves in working on this proposition, with the result that today we see their work being recognized nationally and the soil-erosion work being transferred over to the Department of Agriculture, thereby recognizing this division as one of the most useful organizations in the entire Government service. Of these two men, I can say that one of them, Dr. H. H. Bennett, is the head of the soil-erosion department. He is the outstanding expert on this subject in America. He has studied this question in the various countries of the world. His writings are accepted as authority everywhere. Besides being an expert in a literary sense, he is a practical man and a man of good judgment. So long as he continues at the head of this work we have every reasonable assurance that the work will be done well. The other man, Samuel W. Phillips, was also a recognized leader in this field. Together these two men collaborated intelligently and industriously in their efforts to show the terribly destructive effect of erosion. Mr. Phillips was a man of great dynamic power. He had been well prepared scholastically, and but for his untimely death he would have achieved greater renown in the work in which his whole life was centered. Although a young man, his skill as an engineer as well as his thorough knowledge of the theory and practice of erosion work made him an invaluable man in field work. He it was who built the first Government erosion experiment station. He built all of the experiment stations built by the Government up until his death in 1934, which occurred while he was engaged in planning and erecting the modern station at Zanesville, Ohio.

The Government service lost a faithful and efficient servant when Mr. Phillip died, and the cause of erosion lost one of its two foremost exponents and advocates. The great sandstorms which are attracting the attention of the country now are true but tragic testimonials to the foresight of these two gentlemen. I hope that Dr. Bennett may live long to carry on the torch of progress flung to him by Mr. Phillips, and that their work may be a blessing to our country and our people as it now appears certain to be.

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

Mr. JENKINS of Ohio. I yield.

Mr. McSWAIN. Will not the gentleman look into the splendid services that have been performed by R. A. Winston in connection with this same problem. He will find that he is also entitled to be mentioned.

Mr. JENKINS of Ohio. I thank the gentleman for his kind suggestion and I hope that Mr. Winston may continue the good work that he is doing. [Applause.]

Mr. HOPE. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Speaker, I have asked for this brief time to indulge in the reflection as to whether or not this bill is really supernumerary. A few weeks ago there was an upheaval in the A. A. A. and all the pink gentlemen were ejected with the exception of Professor Tugwell. Now we learn that Tugwell is to be kicked upstairs and is to have $900,000,000 for the purpose of performing such functions as this bill provides. I am wondering if it is fair on the part of the House to interfere with the jurisdiction of this distinguished gentleman by passing this legislation. I am wondering why you gentlemen of the West do not welcome him with open arms and be content with his handling of this vast sum for this erosion purpose. I am also wondering how your people will feel when they learn into whose hands they have fallen.

Mr. JONES. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker, may I suggest to the gentlemen having to do with the utilization of surplus labor in this country that perhaps the best field into which it can be directed is the preservation of the ability of the generations that are to come to live. I want to congratulate the Committee on Agriculture and the other agencies for bringing in this item of legislation.

Mr. JONES. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Speaker, the pending measure proposing to give the Soil Erosion Service, which has already been set up and functioning in a satisfactory manner, a permanent status is, in my judgment, one of the most important bills that the House has considered during the present session.

I desire to congratulate the gentleman from New Mexico [Mr. DEMPSEY], who has been sponsoring this legislation.

Members of the Oklahoma delegation have also been active in sponsoring soil-erosion legislation, and are all enthusiastically supporting the pending measure. It is only natural for those of us in Western States, and especially citizens living in Oklahoma, to be extremely interested in the conservation of our soil.

Mr. Speaker, I am delighted to see such enthusiastic support for this legislation. I regret that there seems to be some little contention among certain Members of Congress who evidently feel they should be entitled to be named as authors of the pending bill. Although I introduced the first soil-erosion measure ever introduced in this House and have been sponsoring and advocating the conservation of soil for the past several years, I have no desire to claim the authorship of this bill. That is not important, but it is of vital importance that a comprehensive soil-erosion program be undertaken and carried out in my State at the earliest possible moment. Our people have finally become "soil erosion conscious", and they realize that it is impossible for the State, county, or local governments to cope with the situation without assistance from the Federal Government.

Today as we consider this bill as the first great step toward the prevention of soil erosion, we have reports of dust storms raging in several Western and Southwestern States. Oklahoma has not escaped this plague in the form of clouds of dust.

But as distressing as wind erosion is proving to be, it is not wasting our soil to the extent that water erosion does. The gentleman from Oklahoma [Mr. NICHOLS] a few moments ago gave us some of the figures, showing the thousands of acres of good tillable land that has been laid waste by erosion of the soil. When we take into consideration that 85 percent of the cultivated lands in the State of Oklahoma are suffering serious losses of soil and that nearly 2,000,000 acres of what was formerly good tillable fields have actually been abandoned, due entirely to the loss of topsoil and the washing of gullies, one is made to wonder why this Congress has so long delayed doing something about it.

Do you know, Mr. Speaker, that 440,000,000 tons of soil in the State of Oklahoma alone are annually being washed from cultivated fields and pastures into the streams of this country? Do you know that more soil went down the Mississippi River last year from the fields of 30 States of this Union than was excavated in the construction of the Panama Canal? Do you know that it would take a fleet of 4,200 trucks of 4,000 pounds capacity loading and unloading every 10 minutes and working 24 hours in each day for 365 days to haul back to those once productive Oklahoma fields the tremendous volume of soil that they lost last year by erosion?

The State of Oklahoma has been hit hardest, perhaps, than any other State of its size and population in the United States. Secretary Ickes, after an investigation, has reported that Oklahoma is the worst eroded State in the American Union. It is estimated that the total annual cost of soil erosion to Oklahoma, including the choking of stream channels, the filling up of reservoirs with silt, the damage to highways and railroads, and the contribution to the cost of flood control on the Mississippi, is at least $115,000,000 per year. Only the State of Texas, approximately three times the size of Oklahoma, has a greater annual loss, which is estimated in that State at $125,000,000 per year. Yet Oklahoma was one of the last States in the American Union opened for settlement. When I tell you that of the 16,000,000 acres of land under cultivation in Oklahoma that more than 13,000,000 acres have suffered serious losses of topsoil, and in a few years much of this land will become practically worthless, you will begin to understand the seriousness of the soil erosion in Oklahoma.

Mr. Speaker, a few moments ago I was pleased that the gentleman from Ohio [Mr. JENKINS] paid a splendid tribute to the head of the Soil Erosion Service here in Washington. I agree with him fully. Mr. Bennett is no doubt the greatest expert in America on soil erosion, and I feel is equal to the gigantic task that his organization has undertaken. I also appreciate the deserved compliment that the same gentleman, I believe, paid to Mr. Winston, one of his technical experts. In this connection, it is a genuine pleasure for me to pay a humble tribute to Dr. N. E. Winters, regional director of the Soil Erosion Service in Oklahoma. Dr. Winters is not only a real expert on the subject of soil erosion, but he knows how to get the job done. There is no question but what he has done more than any other dozen men in Oklahoma to arouse the citizens of my State to the need of combatting this giant enemy of the farmers of our State.

May I add here that in the past few weeks I have had two conferences with the President of the United States on the importance of this administration recognizing the necessity to combat soil erosion now. I feel that the country is fortunate, and that the State of Oklahoma is fortunate, that this problem of preserving our top soil has been turned over to such men as we have in our Soil Erosion Service.

I am glad, Mr. Speaker, that there is so little opposition to this bill. I had hoped there would be no opposition at all. Frankly, I am surprised at the statement just made a few moments ago by the distinguished gentleman from New York [Mr. CULKIN], who, because of his evident dislike for Dr. Tugwell, would actually go so far as to oppose this meritorious measure. At least that was the feeble excuse he offered.

Let us not quibble at this late hour over personalities. Let us not delay or camouflage the issue. There is no question as to the importance of this legislation. Let us do our duty now. [Applause.]

Mr. JONES. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Speaker, I can only reiterate in 2 minutes what my colleague from Oklahoma has said in regard to this bill, and the importance of it to Oklahoma.

I wish I had the time to give you a pen picture of what has happened in my part of Oklahoma, which is the central western part of the State.

That country has been in settlement for 43 years. We never had any trouble with this kind of wind erosion until within the last 2 years, when there has been such a scarcity of rainfall.

For instance, our annual rainfall is about 28 inches, and that is abundant to produce a great harvest. In my district, and it is an average district in size, we produce one-half of the total cotton of the State of Oklahoma. We have produced 15,000,000 bushels of wheat, but last year, due to the extreme drought, and a rainfall not exceeding 7 inches for 15 months, that district probably produced only 75,000 bales of cotton, and you will find that is so all over the country.

I think I can give the reason for the wind erosion. I have lived there long enough so that I know something about the soil.

[Here the gavel fell.]

Mr. JONES. I yield to the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Speaker, I rise to voice the assertion that I do not think this bill goes far enough. I am in hearty sympathy with the set-up. It is my belief that many other land problems should be taken away from the Department of the Interior and placed in the Department of Agriculture—in particular, all phases of land use involving production from the soil, tilled or untilled.

Mr. JONES. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS—SOIL-EROSION CONTROL

Mr. DEMPSEY. Mr. Speaker, under leave to extend my remarks, permit me to make a few observations.

A great deal has been said and written about soil erosion and its control in recent weeks. Spectacular dust storms in the Great Plains region focused the attention of the Nation upon this problem and the pressing need of action to combat it. We have heard much of the intensified program of erosion control to be undertaken by the Department of Agriculture, with the Soil Erosion Service as the basic agency.

But little has been said or written about the part already played by the Department of the Interior in this important field of erosion control. As a matter of fact it was the Department of the Interior that pioneered this work; it was in the Department of the Interior that the Soil Erosion Service was established 18 months ago to carry out the first organized campaign against soil erosion ever undertaken in this country. To the Department of the Interior should go whatever credit there may be—and I believe it is considerable—for the inception of the program which has now attracted the attention of the Nation.

It was Secretary of the Interior, Harold L. Ickes—an ardent conservationist—who caused the Soil Erosion Service to be created in September 1933. And it was Public Works Administrator Harold L. Ickes—the same ardent conservationist—who approved the allocation of $5,000,000 of public-works funds for prosecution of a Nation-wide erosion-control program, and who authorized additional allotments totaling $15,000,000 as the work progressed. Upon his recognition of the erosion problem and his initiative in taking entire steps to cope with it, I desire to congratulate the Secretary of the Interior.

During its 18 months under the Department of the Interior, the Soil Erosion Service set up a network of demonstration areas covering representative watersheds in the most important agricultural regions of the country. Within these projects, farmers are cooperating with the Service in a complete program of soil-erosion control under which every parcel of land is treated in accordance with its peculiar needs and adaptabilities.

Forty of these projects are under way in 32 States. Thirty-seven of them are essentially demonstrational in character and average about 200,000 acres in size; the remaining three are much larger, ranging from eight to sixteen million acres, and involve complete land rehabilitation programs on a large scale.

Since each of the demonstration projects is located in an area of acute erosion, and since conditions within the project are typical of those obtaining in the entire surrounding region, the erosion control work directed by the Service within the limits of each project constitutes a practical demonstration of the most effective measures of land conservation adaptable to the general locality. In the Piedmont region, for instance, measures applied to the land within each demonstration area are applicable in the Piedmont belt as a whole.

The 37 demonstration projects now in operation cover an aggregate of approximately 4,000,000 acres in the most severely eroded sections of the country. Each of the 37 projects, however, is representative of at least one million, and in some cases as much as ten million acres of surrounding territory, so that conservatively figured, the demonstration work being done by the Service has an influence for at least 37,000,000 acres outside of its demonstration areas.

To this vast acreage must be added, of course, the 35,700,000 acres actually covered by the three large land utilization projects being carried on by the Service in the Southwest.

In aggregate, therefore, the erosion-control work actually under way under the direction of the Soil Erosion Service is an influence on upwards of 75,000,000 acres, an appreciable segment of this Nation's agricultural land.

This impressive program has been in operation only 18 months and has cost to date less than $8,000,000. Although a total of $20,000,000 was allocated to the Service by the Public Works Administration, $6,000,000 was later impounded. Of the remaining $14,000,000 less than $8,000,000 has been actually expended or obligated, leaving slightly more than $6,000,000 available for completion of work in the 40 demonstration areas.

In the matter of employment the program has furnished constructive work for upward of 11,000 C. C. C. workers in the 51 E. C. W. camps assigned to the Soil Erosion Service. These youths have been given an opportunity not only to earn a living in the out-of-doors, but to learn the highly technical work of erosion control. Many of them, taken from city streets, have come for the first time in their lives into healthy contact with the land.

In addition to the C. C. C. workers, however, the Service has furnished employment to some 5,000 laborers and to some 1,000 so-called "white-collar workers" in supervisory and administrative capacities. When the C. W. A. program was in operation a considerable number of these workers were employed and some F. E. R. A. labor has also been used from time to time.

Moreover, the Service has inaugurated one of the most constructive employment plans in the Federal service. Cognizant of the need for highly trained personnel if the national program of erosion control was to be properly supervised and directed, the Service several months ago originated a unique work-training system for recent college graduates.

Under this plan some 800 young men just out of college and confronted with discouraging impossibility of obtaining employment, have been hired by the Service on a temporary basis at the prevailing P. W. A. wage for labor, ranging from 40 to 50 cents an hour. They were selected from lists of eligibles recommended by the agricultural and technical schools in each State. As a part of their jobs they are required to attend lecture courses after office hours several evenings a week, the object being to apply to the specific and highly technical problems of erosion control, the academic training the young men have received in agronomy, agricultural engineering, soils, and other subjects involved in erosion-prevention work. Indications are that the number of trainees eventually may reach 1,500.

In setting forth the actual accomplishments in land treatment achieved thus far by the Service, it should be pointed out that the primary objective of the program has been one of demonstration. The amount of work done on the land is relatively unimportant; what matters is the nature of the

work and its availability for profitable inspection by a large number of farmers having erosion problems comparable to those being treated by the Service in each major farm and grazing region.

Every indication points to the fact that the work of the Service on its 40 widely scattered projects probably has been the most important factor in awakening farmers of this country to the imminent menace of accelerated soil erosion. Conservative estimates place the number of visitors to the various projects during the past year and a half at close to a million. Editorial comment in the local and national press reflecting the attitude of the people has been uniformly commendatory.

In point of actual work done, moreover, the Service has obtained significant results during its comparatively brief period of existence. Nearly 7,000 miles of terraces have been constructed on lands suited to this type of control. These structures have been carefully engineered, in contrast to the haphazard terracing done by farmers themselves in certain localities in the past, and have demonstrated their reliability and sturdiness under conditions of severe stress. Some 5,000 terrace outlets have also been built in connection with the terracing. Nearly 200,000 check dams have been built to check the yawning gullies that have scarred and ruined millions of acres of crop and pasture lands. About 4,000,000 feet of gully bank has been sloped and prepared for the planting of erosion-control vegetation, and nearly 10,000,000 square yards of bank—roadside banks and gully banks—have been planted with soil-holding trees, shrubs, and grasses.

Of even more importance, probably, is the work called for under cooperative contracts between farmers and the Service. Some 200,000 acres, under these agreements, are to be strip cropped by their owners in accordance with the recommendations of the Soil Erosion Service experts. Some 325,000 acres are to be contour tilled, by agreement with the Service; 300,000 will be terraced; 416,000 acres will be planted in erosion-resisting crop rotations; and more than 100,000 acres will be permanently retired to pasture or forest.

Mr. MASSINGALE. Mr. Speaker, I can only reiterate in 2 minutes what my colleague from Oklahoma has said in regard to this bill and the importance of it to Oklahoma. I wish I had time to give you a pen picture of what has happened in my part of Oklahoma, which is the central western part of the State.

That country has been in settlement for 43 years. We have never had any trouble with this kind of wind erosion until the last 2 years, when there has been such a scarcity of rainfall.

For instance, our annual rainfall is about 28 inches, and that is abundant to produce a great harvest. In my district, and it is an average district in size, we produce one-half of the total cotton of the State of Oklahoma. We have produced 15,000,000 bushels of wheat, but last year, due to the extreme drought and a rainfall not exceeding 7 inches for 15 months, that district probably produced only 75,000 bales of cotton; and you will find that is so all over the country.

Western Oklahoma is an undulating prairie country, drained by the Canadian, Northfork, and Washita Rivers. Naturally, there are many small streams tributary to these rivers. The country has an unusually large area of arable land; and due to the rolling nature of the land, when heavy rainfalls occur, these smaller streams quickly overflow and the flood water is carried in great volume and with speed to the rivers. The banks of these streams are steep, and the only lowlands of consequence are in the river bottoms. When the waters from the tributaries are precipitated into the rivers they are soon filled and the overflows occur.

The rainfall in this country is not uniform, and is not evenly distributed throughout the seasons. It is a country where we have terrific downpours of rain, and it is not unusual for from 12 to 15 inches of rainfall to occur in a period of 24 hours. This may be expected to happen once within every year or so.

In order to conserve the moisture that we get from these rains, the farmers have adopted a system of mulching, by which I mean the ground is plowed frequently and to a shallow depth, thus creating a mulch of dust on the surface to prevent the escape of the moisture underneath this covering. It will readily be seen that if there is not sufficient rainfall to soak through this dust mulch or covering to unite it with the solid ground below, this mulch will be taken up by the winds and blown away. On the other hand, if there is a seasonable distribution of the rainfall and there is sufficient of it to wet the ground thoroughly, there would be no loose top soil of any consequence to be blown away.

Various kinds of experimentations have been made by the farmers for the protection of their land against wind erosion in ordinary times, such as listing the lands and, of course, planting the various coverage crops. There has also been a great deal of terracing done by the farmers themselves as well as small dams built by them for the protection of their lands and to assure them a supply of stock water.

From these experimental undertakings by the farmers they have learned that there is much value in terracing as well as in the building of dams or reservoirs as a protection against wind and water erosion of their farms.

Very naturally when sudden heavy rainfalls occur the water carries thousands of tons of loose topsoil down the small streams into the rivers, and as a consequence many thousands of acres of the very choicest farms have been rendered practically worthless by water erosion alone. There is not only the loss to the fertility of the land by reason of the washing away of this topsoil in times of storm, but each year thousands of dollars worth of property loss is sustained by reason of the floods.

The unprecedented drought, extending over the last 3 or 4 years, has brought an additional and very noticeable and material destructive agency to light so far as the soil is concerned, and that agency is the matter of wind action on the loose topsoil or mulch which I mentioned a while ago. Perhaps the damage from wind erosion had been of consequence for years, but it never became noticeably alarming until this unprecedented drought.

This section of the State of which I speak is adjacent to the level plains country of the Texas Panhandle on the west and is south of the Kansas plains, and there is very little protection from the devastating winds that have brought so much havoc to that part of the country since the beginning of this great drought period.

The irregular and spasmodic rainfalls, which are characteristic of the country, have been a problem for those interested in soil conservation for many years; and as I have stated heretofore, many undertakings have been made by the farmers to protect their lands against erosion from these heavy rainfalls. But this added menace gives to the people of my district the double problem of protecting their lands both from water and wind erosion, and with this goes the further question of protection from flood damage.

I believe, Mr. Speaker, that I may confidently say that my congressional district is the most productive one in the State of Oklahoma, and I doubt if there is any farm area of like dimensions in the United States that is capable of producing more crop values in normal times than the Seventh District of Oklahoma; in fact, just a few years ago the Department of Agriculture gave out the information that my home county, Washita, ranked first in the United States in the value of its farm products. That happened at a time when farmers received something like an adequate price for the crops they raised; and while I specifically mention my home county, the other counties of my district are very similar in their agricultural value to my home county.

There is no doubt, with such an agricultural country as I have described, the Congress could do no better than to give its most serious consideration to take steps to aid those people in saving those fertile lands from the continued and aggravated menaces that threaten their destruction; and I think it is absolutely necessary to put into effect immediately a vast program of land conservation, including terracing, reservoir construction, a sensible program of forestation by

planting trees where trees can be grown, and coupled with this there should be inaugurated a great educational program of farm cultivation so that in future years the people of America will have this reservoir of agricultural wealth to help support the Nation.

The experimentations made by numerous farmers so far have been of practical value, and have also been of incalculable value to the people of that section of the country. For instance, it is now well known that contour listing, terracing, planting of proper cover crops, and building water reservoirs have all greatly added to the conservation and productivity of the soil, and have furnished a large measure of protection against wind erosion.

There is no need to present any argument as to the importance of the educational program mentioned along the lines of proper farm cultivation, taking into consideration the natural wind and rain conditions that prevail in that section of the United States.

I have heard it stated that Oklahoma is the veritable battleground of the elements; that it is a country of great extremes in temperature and water fall and of extreme calms and fierce wind storms.

The authorities of the Agricultural and Mechanical College of Oklahoma have done a tremendous amount of very valuable work in connection with soil erosion and improved farming methods, and in this work they have taken into consideration the very weather conditions that I have mentioned, and with which, of course, those people are familiar. Dr. Winters, of the Agricultural and Mechanical College of Oklahoma, has been intensely interested in and has most intelligently directed the minds of the people of that State to the great importance of caring for the soil, and I believe under his further guidance and direction a sane, practical solution of this great problem will be brought about.

In the discussion of this bill on the floor of the House some startling figures have been submitted which show conclusively the importance of immediate enactment of legislation to put an end to the ravages of water and wind erosion throughout the Nation.

It is shown in these figures that approximately 125,000,000 acres of farm land have been stripped of their top soil, and, for practical uses, this land has disappeared from the Nation's assets. It is further shown that 35,000,000 acres have been abandoned, and this land is no longer fit for cultivation, because of the ravages of wind and water, and that approximately 100,000 acres are being abandoned each year. It is estimated that wind and water erosion is costing the Nation's farmers $400,000,000 a year, that 3,000,000,000 tons of soil are washed annually from our lands, that 400,000,000 tons of soil pass out through the mouth of the Mississippi River each year.

I do not know how accurate these estimates are, but they are alarming, to say the least of it; and to those of us who are interested in farm life and who know nothing else but farm life, the subject looms as of paramount importance from a national aspect.

In my opinion, the Congress cannot go too far in its efforts to remedy this terrible condition which threatens the foundation of agriculture.

The figures mentioned above are estimates of our national loss. I do not know whether or not estimates for our section of Oklahoma would be more alarming than for the Nation at large, but, knowing as I do the nature of the soil, and from a residence of nearly 40 years in that country and from daily observation of conditions there, I am constrained to the belief that there is a more imperative demand for speedy, lasting, and permanent legislation looking to the protection of that soil than in any other section of the country.

What I have said in regard to the Seventh District of Oklahoma is, I am informed, equally applicable to the entire State, as well as to southeastern Colorado, western Kansas, Nebraska, North and South Dakota, and the Texas Panhandle. I am sure that there is not any difference in the character of people that live in this vast farm area. They have all the courage, endurance, and perseverance of the American pioneer. They are home-loving people. They have their entire investments there. Their families live there and they are asking of the Congress to assist them in preserving their holdings and maintaining their homes until normal conditions in rainfall shall return.

The damage wrought in this area in the last few months from wind erosion cannot at this time even be approximately reckoned, but it is enormous, and an unfortunate aspect is that it has caused physical and mental suffering beyond the ability of any person not familiar with conditions to conceive.

I am impressed with the fact that if any effective aid is to be given in meeting and helping to solve this problem immediate action is of the utmost importance, and that any delay will not only cost another year's damage from soil losses and dust storms but will entail further physical distress to the thousands of people residing in that section of the United States.

ALLEVIATION OF THE HAZARDS OF OLD AGE, UNEMPLOYMENT, ILLNESS, ETC.

Mr. LAMBETH. Mr. Speaker, by direction of the Committee on Printing I send to the desk for immediate consideration House Concurrent Resolution 19.

The Clerk read as follows:

House Concurrent Resolution 19 (Rept. 573)

Resolved, etc., That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Ways and Means of the House of Representatives be, and is hereby, empowered to have printed for its use 2,000 copies of the hearings held before said committee relative to the bill (H. R. 4120) to alleviate the hazards of old age, unemployment, illness, and dependency, to establish a social-insurance board in the Department of Labor to raise revenue, and for other purposes, Seventy-fourth Congress, first session.

The resolution was agreed to.

The motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

LIMIT OF EXPENDITURES, REPAIR OF NAVAL VESSELS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4760) to increase the statutory limit of expenditure for repairs or changes to naval vessels, which I send to the desk.

The SPEAKER. Is there objection?

Mr. MARCANTONIO. Mr. Speaker, I object.

RECIPROCAL TRADE AGREEMENTS AND THE RECOVERY PROGRAM

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a speech made by Mr. Cordell Hull, the Secretary of State, and also a speech by Mr. Robert L. O'Brien, of the Tariff Commission, made over the radio a few days ago.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio addresses of Hon. Cordell Hull, Secretary of State, and Hon. Robert L. O'Brien, Chairman of the Tariff Commission, March 23, 1935:

ADDRESS OF HON. CORDELL HULL, SECRETARY OF STATE

The Chairman of the Tariff Commission, Mr. O'Brien, will explain to you the difference between the old and the new methods of tariff revision in this country. I hope, in the next few minutes, to show you how the trade-agreements program ties in with the administration's plan for domestic recovery and the promotion of friendly relations with other countries.

The international exchange of goods is of immediate and vital concern to every individual among us. An exchange of goods makes business move, and without this exchange there is stagnation and unemployment. Trade stimulates productivity at both ends of the transaction. In addition to the production of the goods themselves, work is created in the transportation of the export and in the transportation, distribution, and marketing of the import.

By the trade-agreements program, now well under way, we are seeking to persuade other countries to join us in breaking down excessive barriers to trade so that its movements may be less hampered and its volume increased. Agreements already concluded with Cuba, Brazil, and Belgium, and others which are in prospect, indicate that many other nations are willing to cooperate. The agreement with Cuba—in force 6 months—has resulted in a marked stimulation of trade and it is reasonable to expect that other agreements will have like consequences.

At the high mark of 1929, our exports were valued at over $5,000,000,000. Every State in the Union shared in this busi-

ness, some to the extent of hundreds of millions. And do not imagine that these huge exports were confined to coastal States. Interior States also participated heavily in our export trade in 1929. The export products of Ohio, Michigan, Wisconsin, Illinois, Indiana, Kentucky, Tennessee, Iowa, and Missouri were valued at over $1,000,000,000.

All States suffered severe losses in exports between the years 1929 and 1932. New York lost $708,000,000, Michigan $306,000,000, Texas $357,000,000, California $231,000,000, Illinois $172,000,000, and Pennsylvania, $240,000,000. Can anyone reasonably doubt that this drastic decline in our foreign trade from $5,000,000,000 in 1929 to only $1,600,000,000 in 1932 has swelled the tragic ranks of the unemployed and has meant a very definite lowering of the standard of living in this country? But the indirect losses are far greater. For example, the decline of exports of automobiles from Michigan resulted in a decline in urban employment and buying power, and thereby caused a loss of domestic markets for our agricultural population.

The improved business condition of the past year and a half has been intimately related to a revival of our export trade. From 1932 to 1934 the exports of the United States increased from $1,611,000,000 to $2,133,000,000, an increase of 32 percent. The exports of automobiles and machinery increased from $222,000,000 to $435,000,000. The export of copper increased threefold, and iron and steel semimanufactures fourfold.

These increases in exports have unquestionably contributed substantially to the measure of recovery of business and employment thus far achieved. And the effects are not to be limited to the direct increase in employment in the export industries. The expansion of the export industries has, in turn, had a cumulative effect upon related industries, resulting in an ever-widening expansion of economic activity and employment in the domestic sphere. For example, the increase of automobile exports and other metal manufactures including machinery and electrical equipment, constitutes an important part of the increased demand for iron and steel products, plate glass, lumber, and at least 20 other commodities, and the increased purchasing power of the additional workers in these fields in turn has created a larger demand for consumption goods of all sorts, including the demand for agricultural products.

I cite these facts with no easy optimism. We are confronting a crisis in our foreign trade. The recent expansion of foreign trade does not yet rest on secure foundations. And because of the close relationship of our foreign trade with fundamental and full domestic recovery this crisis concerns every one of us vitally interested in the continued development of domestic business revival and the expansion of employment.

In 1934 this country enjoyed an export merchandise surplus of $478,000,000. The service items, including tourist expenditures, immigrant remittances, interest, and dividend payments, were substantially in balance. It is clear that the merchandise export surplus rested upon the insecure, uncertain foundation of a vast inflow of gold.

Events of the last year should make every American realize the precarious situation of our export trade, particularly on the continent of Europe. Trade-control measures are becoming day by day increasingly complicated and restrictive. These measures are designed to protect the balance of payments of foreign countries, to prevent an abnormal outflow of gold. Of one thing we may be sure—so long as our merchandise export surplus is balanced by gold imports the signal is given to our foreign customers to impose ever-increasing restrictive measures against our exports. Day after day and week after week throughout the year nations caught in this serious dilemma are trying by desperate means on the one side to check imports and on the other side to force exports. An outstanding development of the past year has been the use of bargaining quotas allotted to various countries in return for forced expansion of exports. In many parts of the world, especially in central Europe, clearing-exchange agreements and trade-compensation arrangements have put international trade very nearly back to a state of outright barter. This means a decrease rather than an increase in the sum total. Some countries have allocated exchange on the basis of other countries' purchases of their products. In some countries export trade is wholly or in large part controlled by import monopolies or centralized trade-control boards.

The effect of all these measures has been to restrict and to canalize trade into abnormal channels and to force a diversion of trade. These measures tend toward bilateral balancing of trade, which for the United States would mean that our exports would be cut down to the low level of our merchandise imports. Economic nationalism has never inflicted upon nations more serious and lasting injuries, affecting the well-being of peoples, the stability of governments, and civilization itself, than during recent years.

It is, therefore, urgent in the interest of American trade and world recovery to exert a determined leadership in the direction of liberal commercial policies in order to restore the equality of treatment upon which alone our foreign commerce can thrive. It is for this reason that the administration is basing its trade-agreements program upon the principle of equality of treatment, or nondiscrimination, in opposition to special bargaining and preferential arrangements. It is for this reason that we stand for a revival and strengthening of the most-favored-nation principle and against the exclusive policies of strict and narrow quid pro quo arrangements. The very economic lives of more than 30 countries depend upon foreign trade, and their collapse has disastrous effects upon us, as we have seen since 1929.

We believe that foreign countries are already beginning to learn that all these various devices bring, in the final analysis, no relief to their trade position. Trade is diverted, but it is not increased. It is a striking fact that international trade has been most stagnant and suffered the severest reverses during the past year in those very areas where the rigorous control devices to which I have referred have been most extensively developed.

The United States stands at the crossways. Of all the countries in the world, it is in the freest position to assume a world leadership in the adoption of saner commercial policies.

What do the supporters of an excessive and prohibitive tariff have to say in favor of such excesses? One of the most used arguments is that such tariffs protect American workers against the "pauper labor of Europe and Asia" and the American people generally from a low standard of living. But does it? I may first remark that all agree to the maintenance of reasonable or moderate tariffs that will not allow excessive or unreasonable importations of competitive products. A study made of 36 typical industries which are on an export basis or not aided by the tariff and 36 industries whose products are highly protected shows that in 1929 the average remuneration of wage earners in the highly protected industries was $595 less than that of the worker in the industries which received no tariff benefits. The average annual income in the unprotected industries was $1,704, while that in the highly protected industries was $1,109.

Those who contend that a virtually prohibitive tariff is absolutely essential overlook or ignore certain basic facts. According to the census of 1930 there was approximately 50,000,000 gainful workers in the country. More than half of this number, employed in service industries, transportation, wholesale and retail business, public utilities, and building trades, are not only not helped by the tariff but, as consumers, actually hurt thereby. Ten million farmers, a large part of whose products are exported and sell at world market prices, are obliged to buy in a protected market. Of the remainder, a large proportion are engaged in industries that are on an export basis, such as the automobile industry, electric apparatus, industrial and agricultural machinery, and other mass-production industries, which get no assistance from the tariffs, and are, indeed, injured by it. Many others are engaged in industries of a distinctly domestic character not subject to foreign competition.

There is not a country which does not have one or more specialities in which it is peculiarly proficient and which contributes to the necessities and amenities of world society. International trade helps to stimulate and spread throughout the world scientific discoveries and inventions, to broaden the national horizon of every nation and every people, and to enrich life everywhere.

For 6 years nations have vainly striven separately to restore prosperity. But I would emphasize as strongly as I can the fact that these efforts at national recovery have not fully succeeded because of the destruction of international trade. It follows that a vigorous effort to rebuild that trade is essential if we do not wish the struggle back toward prosperity to be too long delayed.

It would be inexcusable if we did not make a vigorous effort to ameliorate the frictions and animosities which tend to produce wars and impede the progress of civilization, by attempting to remove one of the chief causes. In these days no nation can live wholly to itself without imposing upon its own people and the peoples of other countries unjustifiable deprivations and hardships. Therefore, despite all difficulties, and despite the artful propaganda of selfish interests, we intend to continue to strive for an economic cooperation among nations that will make the vast riches of the world more readily accessible to all, remove as far as possible the causes of envy and aggression, and so take a determined first step in the direction of greater economic well-being and universal peace.

ADDRESS OF HON. ROBERT LINCOLN O'BRIEN, CHAIRMAN UNITED STATES TARIFF COMMISSION

The United States has for generations been a leader among the trading nations. In colonial days it was an exporter of fine wooden ships, of spars for the King's navy, of tobacco, and ship stores. In the last century King Cotton, safe in his southern stronghold, shipped the fiber that filled the spindles of the world's looms; the bread basket of the Mississippi Valley fed all Europe; and scores of cattle ships carried the cargoes that put beef on the tables of Europe. The twentieth century saw a change. Still cotton, still wheat, and pork, and tobacco helped fill the ships that linked the resources of the United States with the markets of the world. But now newer products, from new industries, announced the rising industrial strength of the United States. Copper, petroleum, fruit, canned goods, automobiles, machinery, and electrical equipment—these are the latter-day goods with which America holds her own in world markets. Every American tourist wandering around foreign cities has felt a homely pleasure in the familiar names of familiar products in shop windows.

In 1929 the nations of the world exchanged over $33,000,000,000 worth of goods. Our share in that gigantic export trade was over $5,000,000,000—15 percent of all international commerce.

Five billion dollars is a lot of money—more than the President is requesting for the whole works-relief program for the next year. Yet, being told that those $5,000,000,000 in exports were not quite 10 percent of the total production of the United States in 1929, some people have hastily concluded that the whole parcel of export trade is hardly worth the worry, and that in domestic concerns lie the beginning and the end of all our prosperity. To the southerner, who knows that without cotton exports half the cotton acres

of the South will lie fallow, refutation of that doctrine is needless. The raiser of hogs, the grower of oranges and apples, the canner of fruit, the tobacco plantationist, the oil driller, the automobile manufacturer—all these and many more need no reminder of the importance of foreign markets.

By 1933 world exports were scarcely a third of their total in 1929. The United States had held its own; it still accounted for about 15 percent of that trade. But now, instead of $5,000,000,000, the export trade contributed only $1,674,000,000 to the national trade and income. What that shrinkage has meant to the South, to California, to the Pacific Northwest, to Detroit, and to all the other communities and regions whose prosperity is dependent in large measure upon a flourishing export trade is evident to us all.

A nation that has left few devices untried in the sad game of adding bricks to the top of tariff walls must not be surprised if the first result is strangled trade and the second result is new millions on the relief roles.

No one has ever assumed that the present restriction of output is anything more than a desperate and temporary expediency. No one has ever claimed that there is any solution for depression in a mass-production economy such as ours except mass production at a profit to worker and employer. That means markets, markets at home and abroad, extensive and intensive. The recapture of old and the creation of new foreign markets is the goal of the trade-agreements program, a goal whose achievement carries a promise of increased employment for every State in the Union.

The stalemate in world trade is not to be ended by good wishes or pious resolutions. It was created by the raising of trade barriers to insurmountable heights. It will be dissipated by skillful, patient negotiations to reduce some of those barriers to levels at which trade can be resumed. No one country can do the job alone and unaided. But in the belief that a great country can show the way to the council table, the United States has determined to assume the leadership.

Tariff making as Americans have known it is not a process which can be expected to increase foreign trade. Its aim has usually been to restrict imports; and if imports are restricted beyond a certain point, foreigners, starved for the dollars with which to buy, drop out of American markets as buyers. Tariff making in the past has been a congressional job. It is not a job Congress has relished. A session in which tariff revision was taking place was always a Roman holiday for lobbyists and petitioners. It was a time when every producer, every manufacturer, no matter how poor his claim, how high his costs, how wasteful his methods, or how small his industry, begged, cajoled, or demanded the added tariff which, he maintained, was necessary to keep his shop open. It mattered not if the process was ill-suited to American labor. It mattered not if the whole Nation was heavily taxed for the sake of a neighborhood. It mattered not if the exclusion of the foreign product lost us better customers abroad than ever the protected industry could offer. Nor could an overworked Congress be expected to give to tariff making that broad guardianship of national as against regional and special interests which the country has a right to demand.

A countless procession of special pleaders crowded the Committee on Ways and Means. Scarce a Congressman escaped pressure from some producer in his constituency. Every temptation existed for logrolling. Once thrown into the House the bill inevitably received scores of amendments which could not, under the circumstances, receive even the hurried consideration which the committee had given the rates in the bill it proposed. In the Senate unlimited amendment still further hammered at the proposed rates. It is a matter of small wonder that the resulting tariff act, instead of giving reasonable protection yet preserving the main channels of foreign trade, represented all too often a complex schedule of ill-considered subsidies.

The reciprocal tariff act with the trade program it has made possible proposes a sounder method of tariff making. It substitutes the national welfare for special favors. It offers fair hearing to every interest but permits no single one to be guiding. It provides, in an atmosphere removed from the inescapable turmoil of the political arena, for a study, by commodity experts and economists, of every tariff rate in whose preservation or change there is a promise of general gain.

The trade-agreements program seeks an increase in the trade of the United States. But it recognizes that trade is a business of both buying and selling, and that if we do not buy we cannot sell. The program begins, then, with the proposal to negotiate a series of commercial trade agreements with friendly countries. With three countries: Cuba, Brazil, and Belgium, agreements have already been concluded. With many others negotiations are in progress. It is altogether worth while for the American people to understand exactly how the American negotiators are equipped best to serve American interests at the council tables around which the terms of agreement are settled. This process has been called "Yankee horse trading." But if in that phrase there is any hint of hasty bargaining, it is proof that the whole program is misunderstood. Follow through, from beginning to end, this new making of tariffs.

It is decided to investigate the desirability of entering negotiations with, let us say, Belgium. The new interdepartmental trade-agreements committee organizes a Belgium committee, on which sit members of the Departments of State, Agriculture, Commerce, the Treasury, of the Tariff Commission, and of the office of the special adviser to the President on foreign trade. All the fact-finding resources of the Department of Commerce, Department of Agriculture, and of the Tariff Commission are put to work on an analysis of our exports to Belgium to determine which of our exports have been most important to American agriculture and industry in years past and which ones have been most grievously handicapped by Belgium tariffs, embargoes, or exchange restrictions. In the Tariff Commission, meanwhile, our imports from Belgium are subjected to an equally close scrutiny. Many things must be determined: How large have imports been in relation to domestic production both in Belgium and in the United States? What is the margin of protection accorded the American industry? How much of this protection is actually needed? Is the American industry strong, virile, successfully filling its place in American economy? For each American industry a patient, accurate survey is made by experts who have for many years studied that particular industry.

Equipped with these studies, the interdepartmental committee is able to determine which rates might be reduced with the clearest margin of gain to American industry, to American workers, and to American consumers, in return for reductions in Belgian duties on exports from the United States.

Meanwhile it has been publicly announced that preparations are in progress to begin negotiations with Belgium, and that all interested persons are invited to present briefs and to appear at public hearings. Two groups now come forward to offer their oral and written testimony. One group consists of those producers of products of farm, forest, and shop who, having lost foreign sales, petition the negotiators to obtain from Belgium the concessions by which they might be won back. The other is composed of all those producers and representatives of communities who fear that concessions to Belgium, which may increase our imports, will affect their interests adversely. It is the purpose of intelligent tariff making to reconcile these two points of view in the general interest. No important industry can be sacrificed for the sake of a few dollars' worth of exports. Nor, on the contrary, can the predictions of doom of an industry, fearing the threat of increased imports, be allowed to block a trade agreement which promises a clear margin of national gain through a revivified export trade. There is as much room for intelligently selective reciprocity between the United States and, say, Canada as between New York and California. There is as great a chance of gain to both regions in the one case as in the other.

Out of this mass of orderly data the contributing agencies of Government can now select two groups of items: One consisting of the concessions which, if granted by Belgium, promise the largest gain for American exports to that country; the other consisting of the concessions which the United States can safely make on the rates of duty on those imports which are supplied chiefly by Belgium.

There have been accusations that this is tariff making by star-chamber proceedings behind closed doors. Much of it is carried on in private, to be sure. Economic analysis of the patient, time-consuming sort which has been described, is not very amusing. It is not newsworthy. It is not done well in open committee under the watchful eye of the well-fed lobbyist. Nor are negotiations with foreign powers successfully started or completed under free-for-all conditions.

There are certain tests by which the American people must determine the validity of a tariff policy—the commercial policy—which their Government offers them. The American people must demand that the leaders of American policy be not swayed by political pressure; that they be not misled by the partial testimony of biased persons. They must be able to expect that no effort has been spared in the search for an accurate solution of the entire problem. They must be able to believe that the policy as it stands is a policy written in the interest of the whole people. The trade-agreements program has that ideal; it is being carried out in that spirit.

Certain irresponsible interests in this country have persisted in portraying the reciprocal trade-agreements program as a process in which a few light-hearted Government officials sit down with representatives of foreign governments and proceed to hand over American business to the foreigner, thus throwing American laborers out of work and destroying American investments. These statements, these implications, these innuendos, are flagrant untruths. I want to make it perfectly clear that the chief objectives of the reciprocal trade-agreement program are to create employment, to protect the interests of American industry and agriculture, to increase rather than decrease the worker's wage and standard of living. And you may rest assured that no proposed trade agreement ever reaches anywhere near adoption unless the best-qualified experts of the Tariff Commission, the Department of Commerce, the Department of Agriculture, the Treasury, and the Department of State, after months of detailed study, are in substantial agreement that those objectives of greater employment and greater return for labor, industry, agriculture, and commerce will be attained.

But there is a larger and a deeper reason for this attempt to liberalize the world's trade than even the material advantages which may reasonably be expected to follow. This larger reason lies in the contribution of widening trade and widening human relations to a better understanding of one another among the peoples of the world. After all, this is fundamental. I remember the morning nearly half a century ago when our class was graduated from Harvard College. We had been invited to breakfast at the home of the president, Charles William Eliot. The breakfast did not amount to much. That was not his long suit. But the words that he spoke to us have always seemed to me, as I have reflected on them in the years that followed, of the bread of the eternal life. He said that from that day forth our paths would

fall in countless directions. We would be in different political parties and in different religious bodies and of different vocations, interests, even hobbies; but in one thing we could remain united, and that was in our purpose to belong to the liberal and progressive elements of each and all of these groups in which we found ourselves, and through them and in them to exert our influence for a better world order, a better understanding of the nations to one another, and so strive for the ultimate triumph of those ideals which we believed basic to liberality and progress. My belief is that the trade-bargaining plan upon which the administration is now at work is in line with this great and inspiring mandate.

LIMIT OF EXPENDITURE, REPAIRS OF NAVAL VESSELS

Mr. VINSON of Georgia. Mr. Speaker, I renew my request for the present consideration of the bill H. R. 4760. The gentleman from New York withdraws his objection.

Mr. MARCANTONIO. Mr. Speaker, I withdraw my objection.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill, as follows:

A bill to increase the statutory limit of expenditure for repairs or changes to naval vessels.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object. There seems to be some confusion because this is a bill on the Consent Calendar. It is a departmental bill. It is made clear by the gentleman from Georgia what it is, and those who challenge bills on this side of the House agree with him that it would be proper to have it brought up at this time. I offer this explanation because there are others here who would like to have their bills in the same category but it cannot be done. This bill is a special bill with a special recommendation.

Mr. ZIONCHECK. Mr. Speaker, I reserve the right to object. Will the gentleman explain the effect of the bill?

Mr. VINSON of Georgia. Under the statute today, when a ship goes to a navy yard there can be expended only $300,000 in 1 year on repairs. The bill would permit a ship to go to a navy yard and permit an expenditure of $600,000 over a period of 2 years. It is in the interest of economy, because when a ship is in drydock it may develop that more than $300,000 worth of repairs will have to be made. The ship will then have to go back to the fleet and then come back again to the drydock the next year.

Mr. ZIONCHECK. Does this in any way affect the west coast ship repair work as compared with the east coast?

Mr. VINSON of Georgia. This will probably help the Bremerton Navy Yard in the gentleman's district.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object to state that there is a difference between this gentleman's bill and the other, because there was an understanding that this bill would be called up. My objection to the bill relative to the appointment of a clerk to a judge was made because I do not believe we ought to have a lot of small bills come up at this late hour.

The SPEAKER. Is there objection?

Mr. CONNERY. Mr. Speaker, I reserve the right to object. The gentleman spoke about a navy yard in the district of the gentleman from Washington.

Mr. VINSON of Georgia. Oh, the same thing applies to the Boston Navy Yard.

The SPEAKER. Is there objection?

There was no objection, and the Clerk read the bill, as follows:

Be it enacted, etc., That the total appropriation expenditures for repairs or changes to a vessel of the Navy undertaken in a navy yard shall not exceed $600,000 for any two consecutive fiscal years: *Provided*, That if, during the overhaul of a vessel, the estimated cost for such overhaul having been approved as within the limits herein imposed, accomplishment of essential items will involve expenditures in excess of such limits, the Secretary of the Navy may, and he is hereby authorized, appropriation otherwise being available, to complete the work, and it shall thereupon be his duty to report to the Congress at the next regular session thereof the expenditures from each of the appropriations involving expenditures in excess of the authorized limit for such work: *Provided further*, That such parts of the act for March 2, 1907, March 3, 1909, and August 29, 1916, contained in section 468, title 5 of the United States Code, as relate to statutory limit of expenditure for repairs or changes on naval vessels, are hereby repealed.

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

LEAVE TO ADDRESS THE HOUSE

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection?

There was no objection.

MAKES PLEA FOR FEDERAL AID FOR SCHOOLS

Mr. JOHNSON of Oklahoma. Mr. Speaker, a few days ago I attended hearings before the House Committee on Education, which committee has been considering bills proposing Federal aid for weak rural schools throughout the Nation. Among the bills proposing Federal aid for our schools was one introduced by me and is now pending before the Committee on Education. It is known as H. R. 1552.

Hon. Harry Hopkins, Administrator of the Federal Emergency Relief Administration, appeared before the House Committee on Education Thursday, March 21, at which time he gave the committee some very valuable information. I was present and heard his statement. I have since read his testimony, and I find that in some instances his statement with reference to rural schools was altogether misleading.

Administrator Hopkins, after telling the committee that all the rural schools in America last year only received $14,583,659 Federal aid, said, and I quote from his testimony, a copy of a portion of which I now hold in my hand:

We believe we were successful in keeping every rural school in America open during that school term.

Feeling that his statement was grossly misleading, I called Mr. Hopkins' hand at that time.

I will read a portion of the stenographic report of the hearing in question:

Mr. JOHNSON of Oklahoma. With reference to Mr. Hopkins' statement that no rural schools have closed in Oklahoma for lack of funds, I am advised that in one county of my congressional district there are more than 800 school children out of school now. These schools are closed. A number of rural schools have closed in every county in the district I represent in Congress.

Mr. HOPKINS. They are not closed because they do not have the money.

Mr. JOHNSON. The gentleman is certainly mistaken in that statement.

Mr. HOPKINS. I am sorry, but in Oklahoma we have guaranteed all of the money she needs to keep open every school in Oklahoma.

Mr. JOHNSON. You may have guaranteed that no schools would close. But it is like the fellow in jail. There may not be any law to put him there but he is in jail just the same. I tell you, Mr. Hopkins, many rural schools in Oklahoma have already closed their doors, because they don't have the money to keep going.

Mr. HOPKINS. It is up to the State superintendent of education.

Mr. JOHNSON. In Stephens County, Okla., for example, I am advised that in one consolidated school district, several hundred children are out of school. In Grady County, some 18 rural schools are closed, so I am told, because they do not have the money and cannot get the money on which to operate. The same situation prevails in a majority of the counties in the State of Oklahoma.

I do not want to be unfair to Mr. Hopkins and it is not my purpose to quarrel with him. It is true that he qualified his statement several times before he finished his testimony. The following is one of his qualifications, taken from the official record.

Mr. HOPKINS. I know of my own knowledge of no rural school in America that has actually closed other than a few schools that have a very small number of pupils and in some cases where there are other reasons.

Mr. Speaker, in support of my statement that many rural schools have actually closed in Oklahoma because of insufficient funds on which to operate, I desire to read a telegram from our State superintendent of public instruction, Hon. John Vaughan, addressed to me under date of March 25, 1935. It is as follows:

OKLAHOMA CITY, OKLA., *March 25, 1935.*

Hon. JED JOHNSON,
Congressman, Washington, D. C.:

One hundred and twenty-seven schools, having 8,600 pupils, actually closed. Four hundred and fifty schools taught 1 to 3

months, hoping to receive pay from some source. State emergency appropriation recently available for 7½ months. One thousand eight hundred and twenty-eight districts, having 6,700 teachers and 250,000 pupils, will close school short of normal term if Federal aid is not available. Applied for $1,600,000 Federal relief January 16. Was allocated $200,000, but none paid to date. This amount is not sufficient.

JOHN VAUGHAN,
State Superintendent.

I repeat, Mr. Speaker, that I have no disposition to engage in a controversy with Mr. Hopkins. I will go further and say that after hearing him testify I feel that he is reasonably friendly to the cause of education, but I am unwilling for the word to go out to the country that no rural schools have closed because of lack of sufficient funds on which to operate.

I desire also to say to this House and to the country that the tax-burdened, drought-stricken, but honest, patriotic citizens of Oklahoma have shouldered heavy loads of taxation in a desperate effort to keep our schools open. But they have gone their limit. Because of conditions over which they have no control, many of our good citizens are unable to pay their taxes. Many others have lost their homes, and I assume that similar conditions prevail in many other States of the Nation.

This Congress ought to do something about it. Too long have we delayed taking definite, affirmative action. The fact is, this Congress has been in session about 3 months and although schools have been closing almost daily throughout the land since last January, this Congress has made no serious effort to do anything about it.

This is one of the real problems facing the country. We must educate our children now or it will be too late. Many other things classed as emergency for which Congress has doled out millions could well afford to wait rather than our school boys and girls who will be the citizens of tomorrow.

Again I want to call your attention to my bill known as H. R. 4552, proposing what I believe to be a permanent solution of this problem. My bill was drawn in collaboration with the Schoolmasters Club of Grady County, Okla. It also has the endorsement of many of the leading educators as well as other prominent citizens and taxpayers of the State and Nation. I am hopeful that the Committee on Education will report out my bill, or some similar bill that will give immediate and permanent relief to this trying and perplexing problem.

Mr. Speaker, I ask unanimous consent to have printed in connection with my remarks a copy of my bill.

A bill to provide for the cooperation of the Federal Government with the several States, Territories, and the District of Columbia in maintaining the public-school system, and for other purposes

Be it enacted, etc., That the Congress hereby declares that the cooperation of the Federal Government with the several States, Territories, and the District of Columbia is necessary to prevent the premature closing of elementary and common schools in many communities, thereby resulting in wide-spread unemployment of teachers and depriving millions of children of those educational opportunities necessary for the training of citizens in a democratic government.

SEC. 2. There is hereby authorized and directed to be made available, out of any funds appropriated for the Federal Emergency Relief Administration for the fiscal year ending June 30, 1935, and for the fiscal year ending June 30, 1936, such funds as will enable the several States, Territories, and the District of Columbia to maintain their regular school terms as maintained during the school year of 1931 and previous years.

SEC. 3. (a) Funds made available under section 2 of this act shall be disbursed in accordance with such rules as may be made by the Administrator of the Federal Emergency Relief Administration.

(b) For the further cooperation of the Federal Government in maintaining the public educational system, the President of the United States is authorized and empowered to include, in the annual Budget, estimates for an appropriation equal to not less than $10 per enumerated school child in the elementary and secondary schools.

(c) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, an amount equal to not less than $10 per enumerated school child in the elementary and secondary schools, to be immediately available for expenditure by the Secretary of the Interior, such amounts to be allocated to each county treasurer in each State, or to some other official designated by the Governor, for the use of the schools.

(d) No school shall receive any of the assistance as provided in subsection (c) of this section unless such school is unable by taxation, or the use of other public funds that may be available, to maintain a standard school for a term of 9 months; and in case the Secretary finds that only part of the assistance provided in subsection (c) of this section is necessary to maintain a standard school for a term of 9 months, then only such part of such assistance shall be provided as is necessary to maintain a standard school for a term of 9 months.

SEC. 4. After the passage and approval of this act all school warrants or other certificates of indebtedness for payments of teachers' salaries or salaries of other employees in the public schools of the United States, regularly issued by the proper officials, and unpayable for the reason that necessary taxes, assessments, or other revenues have not been collected, shall be eligible, when properly endorsed by the payee, for purchase or loans by the Reconstruction Finance Corporation. Loans on all such warrants or certificates of indebtedness shall be made at their face value at rates of interest not to exceed 1 percent per annum.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 83. An act to provide for the conservation and settlement of estates of absentees and absconders in the District of Columbia, and for other purposes;

H. R. 340. An act for the relief of Louis Zagata;

H. R. 816. An act for the relief of Logan Mulvaney;

H. R. 829. An act granting 6 months' pay to Hester Hamilton;

H. R. 2117. An act for the relief of Cora A. Snyder;

H. R. 2569. An act for the relief of the estate of R. A. Wallace Treat;

H. R. 2678. An act for the relief of Carl L. Bernau;

H. R. 3477. An act relating to the incorporation of Trinity College of Washington, D. C., organized under and by virtue of a certificate of incorporation pursuant to the incorporation laws of the District of Columbia, as provided in subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia;

H. R. 4538. An act to change the designation of Leffler Place to Second Place;

H. R. 5032. An act for the relief of the dependents of Carl Lindow, known also as Carl Lindo; and

H. R. 5913. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes.

The SPEAKER announced his signature to bills of the Senate of the following titles:

S. 404. An act to provide for the acquisition of land in the District of Columbia in excess of that required for public projects and improvements, and for other purposes;

S. 488. An act for the relief of Michael Ilitz;

S. 747. An act for the relief of Joe G. Baker; and

S. 1856. An act for the relief of Arthur Smith.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, a joint resolution and bills of the House of the following titles:

On March 29, 1935:

H. J. Res. 174. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the California-Pacific International Exposition, San Diego, Calif., to be admitted without payment of tariff, and for other purposes.

On April 1, 1935:

H. R. 83. An act to provide for the conservation and settlement of estates of absentees and absconders in the District of Columbia, and for other purposes;

H. R. 340. An act for the relief of Louis Zagata;

H. R. 816. An act for the relief of Logan Mulvaney;

H. R. 829. An act granting 6 months' pay to Hester Hamilton;

H. R. 2117. An act for the relief of Cora A. Snyder;

H. R. 2569. An act for the relief of the estate of R. A. Wallace Treat;

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of a certificate of incorporation pursuant to the incorporation laws of the District of Columbia, as provided in subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia;

H. R. 4538. An act to change the designation of Leffler Place to Second Place;

H. R. 5032. An act for the relief of the dependents of Carl Lindow, known also as Carl Lindo; and

H. R. 5913. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes.

ADJOURNMENT

Mr. TAYLOR of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned until tomorrow, April 2, 1935, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(Tuesday and Wednesday, Apr. 2 and 3, 10 a. m.)

Committee will hold hearings on bill (H. R. 7120) to provide for the exclusion and expulsion of alien Fascists and Communists. Room 445, Old House Office Building.

COMMITTEE ON THE PUBLIC LANDS

(Tuesday, Apr. 2, 10:30 a. m.)

Committee will hold hearings for consideration of H. R. 6670 and 6734.

COMMITTEE ON THE POST OFFICE AND POST ROADS

(Tuesday, Apr. 2, 10 a. m.)

Subcommittee will hold hearings on bill (H. R. 6452) regarding insurance.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

285. A letter from the Chief Scout Executive of the Boy Scouts of America, transmitting Twenty-fifth Annual Report of the Boy Scouts of America (H. Doc. No. 21); to the Committee on Education and ordered to be printed, with illustrations.

286. A letter from the Secretary of the Navy, transmitting draft of a proposed bill to amend the act of June 6, 1924, entitled "An act to amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes"; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. FERNANDEZ: Committee on Naval Affairs. H. R. 6204. A bill to authorize the assignment of officers of the line of the Navy for aeronautical engineering duty only, and for other purposes; without amendment (Rept. No. 541). Referred to the Committee of the Whole House on the state of the Union.

Mr. FADDIS: Committee on Military Affairs. H. R. 6674. A bill to create the Reserve Division of the War Department, and for other purposes; without amendment (Rept. No. 542). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEMPSEY: Committee on Irrigation and Reclamation. H. R. 6142. A bill providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles; without amendment (Rept. No. 546). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLOOM: Committee on Foreign Affairs. House Joint Resolution 210. Joint resolution for the participation of the United States in a universal and international exhibition at Brussels, Belgium, in 1935; without amendment (Rept. No. 548). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 7050. A bill to amend the Judicial Code; with amendment (Rept. No. 549). Referred to the Committee of the Whole House on the state of the Union.

Mr. GREGORY: Committee on the Judiciary. H. R. 5452. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; with amendment (Rept. No. 570). Referred to the House Calendar.

Mr. BRUNNER: Committee on the Post Office and Post Roads. H. R. 5159. A bill to authorize the Postmaster General to construct for air mail service to Alaska; without amendment (Rept. No. 571). Referred to the Committee of the Whole House on the state of the Union.

Mr. THOMASON: Committee on Military Affairs. S. 1095. An act for the relief of the officers of the Russian Railway Service Corps organized by the War Department under authority of the President of the United States for service during the war with Germany; without amendment (Rept. No. 572. 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. WOOD: Committee on War Claims. H. R. 402. A bill for the relief of the Union Shipping & Trading Co., Ltd.; without amendment (Rept. No. 543). Referred to the Committee of the Whole House.

Mr. WOOD: Committee on War Claims. H. R. 2713. A bill granting jurisdiction to the court of claims to hear the case of David A. Wright; without amendment (Rept. 544). Referred to the Committee of the Whole House.

Mr. BEITER: Committee on War Claims. H. R. 3694. A bill for the relief of Florence Byvank; without amendment (Rept. No. 545). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 2086. A bill for the relief of Walter C. Holmes; with amendment (Rept. No. 550). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 2087. A bill for the relief of the Delaware Bay Shipbuilding Co.; without amendment (Rept. No. 551). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 2163. A bill for the relief of William Sulem; without amendment (Rept. No. 552). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 3286. A bill for the relief of Albert W. Wright; with amendment (Rept. No. 553). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3348. A bill for the relief of Nathan A. Buck; with amendment (Rept. No. 554). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3573. A bill for the relief of Jens H. Larsen; with amendment (Rept. No. 555). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 4822. A bill for the relief of Thomas F. Olsen; without amendment (Rept. No. 556). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 4824. A bill for the relief of Capt. George W. Steele, Jr., United States Navy; without amendment (Rept. No. 557). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 4827. A bill for the relief of Don C. Fees; without amendment (Rept. No. 558). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 4828. A bill for the relief of John L. Summers, disbursing clerk, Treasury Department, and for other purposes; without amendment (Rept. No. 559). Referred to the Committee of the Whole House.

Mr. DALY: Committee on Claims. S. 38. An act for the relief of Winifred Meagher; without amendment (Rept. No. 560). Referred to the Committee of the Whole House.

Mr. DALY: Committee on Claims. S. 209. An act for the relief of Carmine Sforza; with amendment (Rept. No. 561). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. S. 416. An act for the relief of Las Vegas Hospital Association, Las Vegas, Nev.; with amendment (Rept. No. 562). Referred to the Committee of the Whole House.

Mr. BEITER: Committee on War Claims. S. 546. An act for the relief of Miles Thomas Barrett; without amendment (Rept. No. 547). Referred to the Committee of the Whole House.

Mr. DALY: Committee on Claims. S. 694. An act for the payment of the claims of the Fidelity Trust Co. of Baltimore, Md., and others; without amendment (Rept. No. 563). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. S. 760. An act for the relief of Harry P. Holliidge; with amendment (Rept. No. 564). Referred to the Committee of the Whole House.

Mr. DALY: Committee on Claims. S. 781. An act for the relief of the estate of George B. Spearin, deceased; with amendment (Rept. No. 565). Referred to the Committee of the Whole House.

Mr. EKWALL: Committee on Claims. S. 1008. An act for the relief of the Fairmont Creamery, of Omaha, Nebr.; without amendment (Rept. No. 566). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. S. 1325. An act for the relief of Dino Carbonell; with amendment (Rept. No. 567). Referred to the Committee of the Whole House.

Mr. EKWALL: Committee on Claims. S. 1360. An act for the relief of Teresa de Prevost; without amendment (Rept. No. 568). Referred to the Committee of the Whole House.

Mr. EKWALL: Committee on Claims. S. 1392. An act conferring upon the United States District Court for the Northern District of California, southern division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad; without amendment (Rept. No. 569). 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. FENERTY: A bill (H. R. 7151) to incorporate the Military Order of the Purple Heart; to the Committee on the Judiciary.

By Mrs. GREENWAY: A bill (H. R. 7152) to amend section 80 of chapter 9 of an act to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898; to the Committee on the Judiciary.

By Mrs. JENCKES of Indiana: A bill (H. R. 7153) to prescribe the qualifications for chief engineer and others in the fire department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. McGROARTY: A bill (H. R. 7154) to provide for the general welfare of the United States by supplying to the people a more liberal distribution and increase of purchasing power, retiring certain citizens from active gainful employment, improving and stabilizing gainful employment for other citizens, stimulating agricultural and industrial production and general business, and alleviating the hazards and insecurity of old age; to provide a method whereby citizens shall contribute to the purchase of and receive a retirement annuity; and for the raising of the necessary revenue to operate a continuing plan therefor; and to provide for the proper administration of this act; and for other purposes; to the Committee on Ways and Means.

By Mr. MAAS: A bill (H. R. 7155) to protect laborers in the Railway Mail Service; to the Committee on the Post Office and Post Roads.

By Mr. SCRUGHAM: A bill (H. R. 7156) to authorize the erection of a Veterans' Administration Hospital in the State of Nevada; to the Committee on World War Veterans' Legislation.

By Mr. SMITH of Connecticut: A bill (H. R. 7157) to incorporate the Military Order of the Purple Heart; to the Committee on the Judiciary.

By Mr. TABER: A bill (H. R. 7158) to authorize the erection of an addition to the existing Veterans' Administration facility at Canandaigua, N. Y.; to the Committee on World War Veterans' Legislation.

By Mr. WADSWORTH: A bill (H. R. 7159) to authorize the erection of an addition to the existing Veterans' Administration facility at Batavia, N. Y.; to the Committee on World War Veterans' Legislation.

By Mr. JONES: A bill (H. R. 7160) to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges; to the Committee on Agriculture.

By Mr. CONNERY: A bill (H. R. 7161) to widen the employment opportunities of American musicians and other artists; to the Committee on Labor.

By Mr. DEAR: A bill (H. R. 7162) to authorize the erection of additional facilities to the existing United States Veterans' Administration facility at Alexandria, La.; to the Committee on World War Veterans' Legislation.

By Mr. FENERTY: A bill (H. R. 7163) to authorize the erection of an addition to the existing Veterans' Administration facility in the District of Columbia; to the Committee on World War Veterans' Legislation.

By Mr. MOTT: A bill (H. R. 7164) to add certain lands to the Siskiyou National Forest in the State of Oregon; to the Committee on the Public Lands.

By Mr. ROGERS of Oklahoma (by departmental request): A bill (H. R. 7165) relating to the tribal and individual affairs of the Osage Indians of Oklahoma; to the Committee on Indian Affairs.

By Mr. WHITE: A bill (H. R. 7166) to amend the Securities Act, 1933; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLENBOGEN: A bill (H. R. 7167) to provide for unemployment compensation in the District of Columbia, authorize appropriations, and for other purposes; to the Committee on the District of Columbia.

By Mr. BIERMANN: A bill (H. R. 7168) to protect producers, manufacturers, and consumers from the unrevealed presence of substitutes and mixtures in woven or knitted fabrics and in garments or articles of apparel made therefrom, manufactured in any territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHURCH: A bill (H. R. 7169) to authorize the erection of an addition to the existing Veterans' Administration facility at North Chicago, Ill.; to the Committee on World War Veterans' Legislation.

By Mr. LEA of California: A bill (H. R. 7170) to authorize the naturalization of certain resident alien World War veterans; to the Committee on Immigration and Naturalization.

By Mr. MAHON: A bill (H. R. 7171) to amend section 108 of the Judicial Code to create a new judicial district for the State of Texas; to the Committee on the Judiciary.

By Mr. MEAD: A bill (H. R. 7172) to provide for the appointment and promotion of substitute postal employees, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. LLOYD: A bill (H. R. 7173) relating to interest and usury affecting parties under the jurisdiction of courts of the United States functioning in countries where the United States exercises extraterritorial jurisdiction; to the Committee on the Judiciary.

By Mr. PLUMLEY: A bill (H. R. 7174) to authorize the erection of a Veterans' Administration hospital in the State of Vermont; to the Committee on World War Veterans' Legislation.

By Mr. COLMER: A bill (H. R. 7175) providing for the appointment of a commissioner to hear cases arising under contracts of war-risk insurance in the district courts for the northern and southern districts of Mississippi; to the Committee on the Judiciary.

By Mr. HIGGINS of Massachusetts: Resolution (H. Res. 179) requesting the Senate to adopt the resolution now pending before that body protesting the antireligious practices of the present rulers of Mexico; to the Committee on Foreign Affairs.

By Mr. MAAS: Resolution (H. Res. 180) calling upon the Interstate Commerce Commission for information concerning rates of compensation for transportation of mail by airplane; to the Committee on the Post Office and Post Roads.

Also, resolution (H. Res. 181) calling upon the Postmaster General for information concerning contracts for transportation of mail by airplane; to the Committee on the Post Office and Post Roads.

By Mr. TREADWAY: Resolution (H. Res. 182) requesting the Attorney General of the United States to take action in a certain suit involving the National Industrial Recovery Act; to the Committee on the Judiciary.

By Mr. COX: Resolution (H. Res. 183) requesting the Attorney General of the United States to take action in a certain suit involving the National Industrial Recovery Act; to the Committee on the Judiciary.

By Mr. BACON: Resolution (H. Res. 184) providing for a special committee of the House to investigate certain published charges relating to the staying of certain mandatory deportation orders; to the Committee on Rules.

By Mr. McLEOD: Resolution (H. Res. 185) directing the Secretary of the Treasury to transmit to the House of Representatives certain information relating to closed banks; to the Committee on Banking and Currency.

By Mr. VINSON of Georgia: Resolution (H. Res. 186) for the consideration of H. R. 5382; to the Committee on Rules.

Also, resolution (H. Res. 187) for the consideration of H. R. 6204; to the Committee on Rules.

Also, resolution (H. Res. 188) for the consideration of H. R. 4760; to the Committee on Rules.

By Mr. SIROVICH: Resolution (H. Res. 189) to amend and extend paragraph 1b of rule XXVIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. FISH: Joint resolution (H. J. Res. 232) authorizing the erection of an equestrian statue of Gen. Robert E. Lee in the Arlington National Cemetery; to the Committee on the Library.

By Mrs. NORTON: Joint resolution (H. J. Res. 233) authorizing the appropriation of funds for the maintenance of public order and the protection of life and property during the convention of the Imperial Council of the Mystic Shrine in the District of Columbia June 8, 1935, to June 17, 1935, both inclusive, etc.; to the Committee on the District of Columbia.

By Mr. TINKHAM (by request): Joint resolution (H. J. Res. 234) to create a commission to study and report on the feasibility of constructing the Mexican canal; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, regarding the allocation of funds to schools in the United States; to the Committee on Appropriations.

Also, memorial of the Legislature of the Territory of Hawaii, concerning unemployment insurance; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 7176) granting an increase of pension to Lemial S. Darr; to the Committee on Pensions.

By Mr. BIERMAN (by request): A bill (H. R. 7177) granting a pension to Clarissa M. Eck; to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 7178) granting a pension to Ruby A. Hampton; to the Committee on Pensions.

By Mr. COFFEE: A bill (H. R. 7179) granting an increase of pension to Hattie I. Lusk; to the Committee on Invalid Pensions.

By Mr. DARDEN: A bill (H. R. 7180) directing the Court of Claims to reopen certain cases and to correct the errors therein, if any, by additional judgments against the United States; to the Committee on the Judiciary.

By Mr. FOCHT: A bill (H. R. 7181) granting a pension to Anna M. Wilson; to the Committee on Invalid Pensions.

By Mr. GASSAWAY: A bill (H. R. 7182) granting a pension to Taylor Pinkston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7183) granting a pension to William L. Collett; to the Committee on Invalid Pensions.

By Mr. HOPE: A bill (H. R. 7184) granting a pension to Angeline Toland; to the Committee on Invalid Pensions.

By Mr. KRAMER: A bill (H. R. 7185) for the relief of Martha R. McCoy; to the Committee on Claims.

Also, a bill (H. R. 7186) for the relief of Joseph A. Howell; to the Committee on Claims.

Also, a bill (H. R. 7187) to place Arthur King on the emergency officers' retirement list; to the Committee on Military Affairs.

Also, a bill (H. R. 7188) for the relief of Douglas Aron Copley; to the Committee on Military Affairs.

By Mr. LAMNECK: A bill (H. R. 7189) granting an increase of pension to Emma J. Field; to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 7190) for the relief of Royal Terry, Chris Larsen, Joe Pargis, and S. L. Hinckley; to the Committee on Claims.

By Mr. PEARSON: A bill (H. R. 7191) granting a pension to Sarah E. Nolen; to the Committee on Invalid Pensions.

By Mr. POLK: A bill (H. R. 7192) granting a pension to Clara Alice Willburn; to the Committee on Invalid Pensions.

By Mr. RABAUT: A bill (H. R. 7193) for the relief of Walter Storsberg; to the Committee on Claims.

Also, a bill (H. R. 7194) to provide for the bestowal of the Congressional Medal of Honor upon George S. Downing; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 7195) authorizing the President of the United States to reinstate Wallace F. Safford to the position and rank of captain in the Army of the United States; to the Committee on Military Affairs.

By Mr. ZIONCHECK: A bill (H. R. 7196) for the relief of the Western Construction Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5868. By Mr. ROGERS of Oklahoma: Petition of Annie Bullick and numerous other citizens resident of Fergus Fall, Minn., urging immediate action of Congress on House bill 2856, embracing a Federal system of old-age pensions of $30 per month to citizens of the United States above the age of 55 years who are not engaged in the field of competitive earning; to the Committee on Ways and Means.

5869. Also, petition of Anna C. Grove, Centre Hall, Pa., urging immediate action of Congress on House bill 2856, embracing a Federal system of old-age pensions of $30 per month for citizens of the United States above the age of 55 years who are not engaged in the field of competitive earning; to the Committee on Ways and Means.

5870. Also, petition headed by Joseph Wright, of Earl, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5871. Also, petition headed by G. A. Brooks, of Minden, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5872. Also, petition headed by Henry Richardson, of Luber, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5873. Also, petition headed by F. Claiborne, of Mansfield, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5874. Also, petition headed by Luther Marcontel, of Dequincy, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5875. Also, petition headed by J. Brumfield, of McComb, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5876. Also, petition headed by C. A. Gaines, of Huntsville, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5877. Also, petition headed by M. O. Kalb, of Seminole, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5878. Also, petition headed by N. M. Holt, of Kiefer, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5879. Also, petition headed by Hartwell Galbert, of Stratford, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5880. Also, petition headed by R. I. McEfee, of Drumright, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5881. Also, petition headed by M. L. Bohannon, of Drumright, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5882. Also, petition headed by M. Galbert, of Stratford, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5883. Also, petition headed by L. W. Hutson, of Wewoka, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5884. Also, petition headed by W. T. Arnold, of Henry, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5885. Also, petition headed by Alford Flowers, of Montgomery, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5886. Also, petition headed by Milton McGovern, of Mountain Creek, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5887. Also, petition headed by Charles H. Smith, of Beloit, Wis., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5888. Also, petition headed by N. R. Hudgins, of Falkville, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5889. Also, petition headed by D. S. Small, of Caruthersville, Mo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5890. Also, petition headed by Charlie McWhorter, of Union Point, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5891. Also, petition headed by Emmett Wales, of Osyka, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5892. Also, petition headed by Robert Ross, of Binger, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5893. Also, petition headed by J. T. Steed, of Ryan, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5894. Also, petition headed by S. G. Odom, of Ringling, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5895. Also, petition headed by Charles Cox, of Walters, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5896. Also, petition headed by R. Duncan, of Chickasha, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5897. Also, petition headed by Granville Gibson, of Ringling, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5898. Also, petition headed by B. Graham, of Chattanooga, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5899. Also, petition headed by W. A. Stiffer, of Wewoka, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5900. Also, petition headed by E. G. Barrett, of Mounds, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5901. Also, petition headed by Paul T. Burgess, of Mounds, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5902. Also, petition headed by O. H. Chambers, of Oilton, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5903. Also, petition headed by L. H. Logan, of Boley, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5904. Also, petition headed by A. Dixon, of Stroud, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5905. Also, petition headed by E. M. Pritchett, of Newby, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions

of $30 to $50 a month; to the Committee on Ways and Means.

5906. Also, petition headed by John Davis, of Wewoka, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5907. Also, petition headed by J. T. Johnson, of Shamrock, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5908. Also, petition headed by R. E. McClure, of Atwood, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5909. Also, petition headed by George Haynes, of Castle, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5910. Also, petition headed by W. L. Hardison, of Bristow, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5911. Also, petition headed by A. Blanton, of Drumright, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5912. Also, petition headed by H. C. Powell, of Tuskahoma, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5913. Also, petition headed by Charlie C. Corlin, of Maud, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5914. Also, petition headed by Oscar Perry, of Bristow, Okla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5915. Also, petition headed by J. W. Bowen, of Friendship, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5916. Also, petition headed by Isum Henley, of Wyatt, Mo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5917. Also, petition headed by D. Ashford, of La Center, Ky., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5918. Also, petition headed by A. Turnbow, of Ethel, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5919. Also, petition headed by J. W. Gray, of Reeds Spring, Mo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5920. Also, petition headed by L. Jackson, of Adger, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5921. Also, petition headed by N. Evans, of Ardmore, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5922. Also, petition headed by P. C. Moore, of Inman, S. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5923. Also, petition headed by J. J. Bagwell, of Crossville, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5924. Also, petition headed by W. R. White, of Princeton, W. Va., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5925. Also, petition headed by A. Rayford, of Roanoke, Va., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5926. Also, petition headed by V. Wilson, of Kenner, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5927. Also, petition headed by M. Adoma, of Value, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5928. Also, petition headed by J. C. Freeman, of Gainesvile, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5929. Also, petition headed by G. Mills, of Jasper, Fla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5930. Also, petition headed by S. Devine, of Dallas, N. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5931. Also, petition headed by G. V. Butler, of Gloster, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5932. Also, petition headed by A. Ralls, of Culloden, Ga., favoring House bill 2856, by Congresman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5933. Also, petition headed by W. R. Wilder, of Jennings, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5934. Also, petition headed by D. Cuenas, of Pass Christian, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5935. Also, petition headed by L. E. Green, of Chattanooga, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5936. Also, petition headed by John Segrest, of Rison, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5937. Also, petition headed by F. Cain, of West, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5938. Also, petition headed by K. Caldwell, of Wilton, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5939. Also, petition headed by J. Dooley, of Lepanto, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5940. Also, petition headed by P. Braxton, of Swiftown, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5941. Also, petition headed by James White, of Equality, Ill., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5942. Also, petition headed by B. A. Minor, of Berlin, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5943. Also, petition headed by P. Witherspoon, of Uniontown, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5944. Also, petition headed by George Lewis, of Jeanerette, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5945. Also, petition headed by L. McKinley, of Louisville, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5946. Also, petition headed by Clay Exum, of Bemis, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5947. Also, petition headed by William Stein, of Loxley, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5948. Also, petition headed by Washington Taylor, Hollywood, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5949. Also, petition headed by M. More, of Schlater, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5950. Also, petition headed by M. Eatmon, of Millport, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5951. Also, petition headed by Robert Williams, of Hampshire, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5952. Also, petition headed by M. Nelson, of Ozan, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5953. Also, petition headed by Dan Daniel, of Gary, Ind., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5954. Also, petition headed by Hilard Kelley, of Renlora, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5955. Also, petition headed by M. Burren, of Milton, N. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5956. Also, petition headed by R. Tandy, of Hopkinsville, Ky., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5957. Also, petition headed by Robert Coldmon, of Silver City, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5958. Also, petition headed by N. Parker, of Copperhill, Tex., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5959. Also, petition headed by W. J. Kirkham, of Noeton, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5960. Also, petition headed by J. D. Daugherty, of White Bluff, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5961. Also, petition headed by M. R. Fowler, of Moundsville, W. Va., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5962. Also, petition headed by M. A. Lousk, of Sale Creek, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5963. Also, petition headed by L. Jones, of Chicago, Ill., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5964. Also, petition headed by P. Patterson, of Locust Hill, Ky., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5965. Also, petition headed by R. Hammett, of Alcolu, S. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5966. Also, petition headed by Dock Osborne, of Amherstdale, W. Va., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5967. Also, petition headed by I. Hicks, of Ware Shoals, S. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5968. Also, petition headed by S. L. Brow, of Salem, S. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5969. Also, petition headed by John Bradford, of Sherwood, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5970. Also, petition headed by John Hancock, of Owenton, Ky., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5971. Also, petition headed by B. Gregory, of Coopersville, Ky., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5972. Also, petition headed by E. Davis, of Rock Island, Ill., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5973. Also, petition headed by John Hampton, of Armorel, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5974. Also, petition headed by Levy Cheek, of Chicopee, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5975. Also, petition headed by Lou Blue, of Savannah, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5976. Also, petition headed by E. Milton, of Tallahassee, Fla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5977. Also, petition headed by Joe Owens, of Brewton, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5978. Also, petition headed by Isaac Johnson, of Cartersville, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5979. Also, petition headed by C. Millsapp, of Adairsville, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5980. Also, petition headed by Noah Walker, of Andalusia, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5981. Also, petition headed by John A. Coats, of Murry Cross, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5982. Also, petition headed by C. J. Wiggins, of Atmore, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5983. Also, petition headed by A. Marrs, of Phillipsburg, Mo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5984. Also, petition headed by Jacob Thirdkill, of Robinsonville, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5985. Also, petition headed by James A. Wingo, of Empire, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5986. Also, petition headed by F. J. Terry, of Rome, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5987. Also, petition headed by Walter Smoot, of Wayside, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5988. Also, petition headed by John Gilnos, of Hollandale, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5989. Also, petition headed by F. P. Richardson, of Woodstock, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5990. Also, petition headed by J. Vales, of Corinth, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5991. Also, petition headed by S. Taylor, of Lyon, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5992. Also, petition headed by Ott Hermanson, of Danville, Ill., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5993. Also, petition headed by M. Randerson, of Beatrice, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5994. Also, petition headed by M. S. Walker, of Charlottesville, Va., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5995. Also, petition headed by M. McQueen, of Letohatchie, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5996. Also, petition headed by P. May, of Columbus, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5997. Also, petition headed by Charlie Austin, of Pulaski, Va., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5998. Also, petition headed by Albert Seay, of Camden, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

5999. Also, petition headed by P. Ward, of Proctor, Ark., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6000. Also, petition headed by J. F. Dowdell, of Auburn, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6001. Also, petition headed by E. Templeton, of Point Blank, Tex., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6002. Also, petition headed by K. Johnson, of Caryville, Fla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6003. Also, petition headed by O. F. Shelton, of Bush, Ill., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6004. Also, petition headed by E. B. Reese, of New London, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6005. Also, petition headed by J. B. Clay, of Atlanta, Ga., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6006. Also, petition headed by A. J. Jones, of McLeansboro, Ill., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6007. Also, petition headed by T. L. Hunter, of Thackeray, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6008. Also, petition headed by F. Griffin, of Troy, Ala., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6009. Also, petition headed by A. Yancy, of Hannibal, Mo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6010. Also, petition headed by J. Maxwell, of Selmer, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6011. Also, petition headed by H. Byrd, of Bartow, Fla., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6012. Also, petition headed by L. Miller, of Wilson, N. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6013. Also, petition headed by J. H. Conrad, of Mangham, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6014. Also, petition headed by W. H. Osborn, of Walnut Grove, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6015. Also, petition headed by S. E. Haley, of Harrisville, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6016. Also, petition headed by H. McDonald, of Lane, S. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6017. Also, petition headed by William Benton Little, of Rochester Mills, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6018. Also, petition headed by Louis Reedus, of Prospect, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6019. Also, petition headed by Hardy Glenn, of Pottsville, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6020. Also, petition headed by Eugene S. W. Reed, of Pittsburgh, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6021. Also, petition headed by Calvin Daniels, of Philadelphia, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6022. Also, petition headed by L. Deshong, of Orbisonia, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6023. Also, petition headed by James N. Wandless, of New Alexandria, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6024. Also, petition headed by F. Rutherford, of New Galilee, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6025. Also, petition headed by John R. McPhail, of Meyersdale, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6026. Also, petition headed by Charles Burner, of Masontown, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6027. Also, petition headed by Charles Stewart, of McDonald, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6028. Also, petition headed by B. Perry, of Lock No. 4, Pa., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6029. Also, petition headed by F. Morrison, of Paola, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6030. Also, petition headed by Frank Hazley, of Oswego, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6031. Also, petition headed by I. B. Buckner, of Osage City, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6032. Also, petition headed by John P. Degand, of North Topeka, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6033. Also, petition headed by E. M. George, of Newton, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6034. Also, petition headed by D. C. Bryson, of Neodesha, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6035. Also, petition headed by V. E. Hahn, of Mound City, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6036. Also, petition headed by Theodore Partridge, of Marysville, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6037. Also, petition headed by I. M. Trumpower, of Madison, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6038. Also, petition headed by W. J. Griffin, of Logan, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6039. Also, petition headed by James Monroe, of Little River, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6040. Also, petition headed by J. J. McNickles, of Leon, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6041. Also, petition headed by Alex Camren, of Lenora, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6042. Also, petition headed by Phillip Thorp, of Lawrence, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6043. Also, petition headed by Rufus Burgess, of Kansas City, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6044. Also, petition headed by John Romenski, of Junction City, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6045. Also, petition headed by W. L. Baysinger, of Iola, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6046. Also, petition headed by J. T. Bays, of Independence, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6047. Also, petition headed by Andrew Schroeder, of Hutchinson, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6048. Also, petition headed by J. W. Davis, of Hunnewell, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6048½. Also, petition headed by L. Tidd, of Neosho Falls, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6049. Also, petition headed by John Robison, of Hillsdale, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6049½. Also, petition headed by Simon F. Faison, of Turkey, N. C., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6050. Also, petition headed by C. Potter, of Harper, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6050½. Also, petition headed by Wash Dunigan, of West Memphis, Ark., favoring House bill 2856, by Congressman

WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6051. Also, petition headed by J. G. Mathis, of Liberty, Kans., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6052. Also, petition headed by M. T. Christenson, of Webster City, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6053. Also, petition headed by Frank M. Ewalt, of Waterloo, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6054. Also, petition headed by G. Osbund, of Stratford, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6055. Also, petition headed by E. C. Rood, of Slater, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6056. Also, petition headed by D. W. White, of Spirit Lake, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6057. Also, petition headed by A. F. Schock, of Russell, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6058. Also, petition headed by J. Coughlin, of Ottumwa, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6059. Also, petition headed by N. E. Oden, of Oskaloosa, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6060. Also, petition headed by W. H. Gross, of Onawa, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6061. Also, petition headed by Anton L. Lindahl, of Ogden, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6062. Also, petition headed by Tom Anderson, of New Market, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6063. Also, petition headed by S. Keith, of Mt. Pleasant, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6064. Also, petition headed by S. Baker, of Minburn, Iowa, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6065. Also, petition headed by E. S. Olquin, of Weston, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6066. Also, petition headed by I. Ortega, of Villa Grove, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6067. Also, petition headed by N. Rhoads, of Two Buttes, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6068. Also, petition headed by Abel Gurule, of Trinidad, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6069. Also, petition headed by Francisco DeHerrera, of Tiffany, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6070. Also, petition headed by A. Sesnero, of Segundo, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6071. Also, petition headed by R. Gallegos, of San Luis, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6072. Also, petition headed by A. Garcia, of Salida, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6073. Also, petition headed by Jose Esau Abachidhia, of Saguache, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6074. Also, petition headed by Andy Davidson, of Rico, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6075. Also, petition headed by Antonio L. Valdez, of Pagose Springs, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6076. Also, petition headed by Antonio Chavez, of Pagosa Junction, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6077. Also, petition headed by R. M. Quintana, of Ortiz, Colo., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6078. Also petition headed by Foster M. Hartley, of Wapato, Wash., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6079. Also, petition headed by A. B. Suttles, of Vancouver, Wash., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6080. Also, petition headed by Benjamin Woffard Jordan, of Twisp, Wash., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6081. Also, petition headed by C. B. Murphy, of Tonasket, Wash., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6082. Also, petition headed by Milton Cox, of Synarep, Wash., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6083. Also, petition headed by R. A. Ellington, of Seattle, Wash., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6084. Also, petition headed by B. E. Roseberry, of Republic, Wash., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6085. Also, petition headed by C. A. Frick, of Williamsport, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6086. Also, petition headed by William C. Allen, of Towson, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6087. Also, petition headed by M. E. Devilbiss, of Thurmont, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6088. Also, petition headed by S. A. Mirley, of Sandy Hook, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6089. Also, petition headed by Samuel B. Dennis, of Princess Anne, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6090. Also, petition headed by Thomas L. Ashby, of Oakland, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6091. Also, petition headed by G. A. Cooper, of McHenry, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6092. Also, petition headed by C. H. Smith, of Lonaconing, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6093. Also, petition headed by M. E. Hensley, of Hancock, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6094. Also, petition headed by H. E. Boteler, of Knoxville, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6095. Also, petition headed by W. B. Baker, of Hagerstown, Md., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6096. Also, petition of George Daniels and numerous other citizens of the county of Washington, in the State of Tennessee, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6097. Also, petition of Rev. James E. Lightle and numerous other citizens of Johnson City, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6098. Also, petition of Thomas Boyd and numerous other citizens of the county of Ballard, in the State of Kentucky, favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6099. Also, petition of Guy N. Norton and numerous other citizens of Kevil, Ky., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6100. Also, petition of James Dotson and numerous other citizens of McCool, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6101. Also, petition of Ben Washington and numerous other citizens of Ethel, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6102. Also, petition of Matthew Brooks and numerous other citizens of Gloria, La., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6103. Also, petition of James B. Wallace and numerous other citizens of Chattanooga, Tenn., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6104. Also, petition of O. F. Thorn and numerous other citizens of Vicksburg, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6105. Also, petition of W. A. Dawson and numerous other citizens of Balton, Miss., favoring House bill 2856, by Congressman WILL ROGERS, the Pope plan for direct Federal old-age pensions of $30 to $50 a month; to the Committee on Ways and Means.

6106. By Mr. AYERS: Resolution of the Senate of the Twenty-fourth Legislative Assembly of the State of Montana, 1935, requesting the enactment by Congress of Senate bill 266, being a bill to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery in Montana; to the Committee on Military Affairs.

6107. Also, resolution of the Senate of the Twenty-fourth Legislative Assembly of the State of Montana, requesting that congressional action be taken respecting an investigation of the activities and affairs of smelters, and further requesting that adequate appropriations be made for the United States Bureau of Mines; to the Committee on Mines and Mining.

6108. Also, resolution of the Senate of the Twenty-fourth Legislative Assembly of Montana of 1935, requesting the Congress of the United States to enact the necessary legislation to restore the United States assay office at the city of Helena, Mont.; to the Committee on Appropriations.

6109. By Mr. BACHARACH: Resolutions of the Friendly Sons of St. Patrick, of South Jersey, and the Ocean City Council, No. 2560, Knights of Columbus, Ocean City, N. J., approving bill providing for the issuance of a special commemorative postage stamp in honor of Commodore John Barry, the father of the American Navy; to the Committee on the Post Office and Post Roads.

6110. By Mr. BLAND: Petition of five citizens of Westmoreland County, Va., favoring old-age-pension legislation that must be adopted by the States before any Federal aid or relief is available; to the Committee on Ways and Means.

6111. By Mr. BOYLAN: Resolution adopted unanimously by the Stuyvesant Post, No. 98, Veterans of Foreign Wars, New York City, favoring the cash payment of adjusted-service certificates, known as the "Patman bill (H. R. 1)"; to the Committee on Ways and Means.

6112. By Mr. CITRON: Petition of the city of Middletown, asking Congress to make General Pulaski Day a memorial day; to the Committee on the Judiciary.

6113. By Mr. CLARK of Idaho: Joint Memorial No. 7 of the Department of State of Idaho; to the Committee on Irrigation and Reclamation.

6114. Also, Joint Memorial No. 5 of the Department of State of Idaho; to the Committee on Ways and Means.

6115. Also, House Joint Memorial No. 1 of the Department of State of Idaho; to the Committee on Ways and Means.

6116. Also, joint memorial of the Legislature of the State of Nevada; to the Committee on Interstate and Foreign Commerce.

6117. Also, Senate Joint Memorial No. 12 from secretary of state of Idaho; to the Committee on Mines and Mining.

6118. Also, Senate Joint Memorial No. 3 from the secretary of state of Idaho; to the Committee on Agriculture.

6119. Also, Senate Joint Memorial No. 7 of the Department of State of Idaho; to the Committee on Agriculture.

6120. Also, House Joint Memorial No. 8 of the Department of State of Idaho; to the Committee on Ways and Means.

6121. Also, Senate Joint Memorial No. 9 of the State Department of Idaho; to the Committee on the Public Lands.

6122. Also, Senate Joint Memorial No. 8 of the Department of State of Idaho; to the Committee on Merchant Marine and Fisheries.

6123. Also, Senate Joint Memorial No. 6 of the Department of State of Idaho; to the Committee on Coinage, Weights, and Measures.

6124. By Mr. COLLINS: Assembly Joint Resolution No. 39, adopted by the California State Legislature, memorializing the Congress of the United States to incorporate in a national old-age-pension plan the principles and objectives of the Townsend old-age-pension plan; to the Committee on Ways and Means.

6125. By Mr. DELANEY: Petition of the Delson Chemical Co., Inc., of Brooklyn, N. Y., expressing disapproval of Senate bill 5 and House bill 3972, revising the laws regulating the manufacture of food, drugs, and cosmetics; to the Committee on Interstate and Foreign Commerce.

6126. By Mr. ENGLEBRIGHT: Assembly Joint Resolution No. 39, adopted by the California State Legislature, referring to old-age pensions; to the Committee on Ways and Means.

6127. By Mr. FITZPATRICK: Petition signed by Margaret Torpey, secretary of the Joe McKelvey Council, A. A. R. I. R., of Yonkers, N. Y., urging the passage of House Joint Resolution No. 193; to the Committee on the Judiciary.

6128. Also, petition of Gmina, No. 112, of the Polish National Alliance of the United States of North America, signed by the president, Vincent Jendrzyenslli, urging the passage of House Joint Resolution 81, to proclaim October 11 of each year General Pulaski Memorial Day; to the Committee on the Judiciary.

6129. By Mr. GOODWIN: Petition of the Lions Club of Germantown, N. Y., urging Congress to protect the copper mines and its industry through the medium of a tax levy; to the Committee on Mines and Mining.

6130. By Mr. GRANFIELD: Petition of the Chamber of Commerce, Chicopee, Mass., requesting Congress to enact legislation to restrict importation of cotton textile products; to the Committee on Ways and Means.

6131. By Mr. KIMBALL: Resolution of the city of Albion, State of Michigan, favoring legislation providing for regulation of motor carriers operating in interstate or foreign commerce; to the Committee on Interstate and Foreign Commerce.

6132. By Mr. LESINSKI: Resolution of the Metropolitan Post, No. 185, of the American Legion, petitioning the President of the United States and the Congress of the United States to authorize and appropriate sufficient moneys to build a Veterans' Administration hospital of 500-bed capacity in the Detroit area; to the Committee on World War Veterans' Legislation.

6133. Also, resolution of Slovak Democratic League, of Detroit, Mich., urging the enactment of the Workers' Unemployment, Old Age, and Social Insurance Act (H. R. 2827); to the Committee on Labor.

6134. Also, resolution of Slovak Evangelical Union Augsburg Confession of America, Branch 245, urging the enactment of the Workers' Unemployment, Old Age, and Social Insurance Act (H. R. 2827); to the Committee on Labor.

6135. Also, House Concurrent Resolution No. 26 of the Michigan State Legislature at Lansing, Mich., memorializing President Franklin D. Roosevelt and the Congress of the United States to provide for the relief of unemployed women and girls in the various States of the Union and recommending that the Congress of the United States, or such governmental agency to which power may have been designated, enact the necessary legislation or make provision to provide a governmental department to function in correlation with the Civilian Conservation Corps to provide employment and occupation for the women and girls of the Nation in the interest of their physical and moral safety and the resultant benefit to posterity; to the Committee on Agriculture.

6136. Also, resolution of the Rumanian American Democratic Club, of Detroit, Mich., urging and requesting the enactment of the Lundeen unemployment insurance bill; to the Committee on Labor.

6137. By Mr. LUCAS: Resolution of the Cass County (Ill.) Board of Supervisors relative to the administration of Federal relief; to the Committee on the Judiciary.

6138. By Mr. MARTIN of Massachusetts: Petition of the Governor and Executive Council of the State of Massachusetts, advocating tariff protection for the fishing industry; to the Committee on Ways and Means.

6139. By Mr. MURDOCK: Resolution of the United Mine Workers of America, Local Union No. 6508, Latuda, Utah, favoring the enactment of the Lundeen workers unemployment insurance bill (H. R. 2827); to the Committee on Labor.

6140. By Mr. PETTENGILL: Resolution signed by Groups Nos. 2347 and 2263 of the Polish National Alliance of the United States of North America, memorializing Congress to enact House Joint Resolution 81, introduced by himself, directing the President of the United States to proclaim October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

6141. Also, resolution signed by Group 177 of the Polish National Alliance of the United States of North America and selectmen of the town of Concord, Mass., Common Councils of the borough of Mount Oliver, Pa., and of the city of Elko, Nev., memorializing Congress to enact House Joint Resolution 81, introduced by himself, directing the President of the United States to proclaim October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

6142. Also, resolution signed by Groups Nos. 2654, 2519, and 96 of the Polish National Alliance of the United States of North America, the City Councils of Attica, Ind., Gardner, Mass., and the Board of Village Trustees of Washington Park, Ill., and the Polish Business and Professional Club of Michigan City, Ind., memorializing Congress to enact House Joint Resolution 81, introduced by himself, directing the President of the United States to proclaim October 11 each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

6143. Also, petitions signed by Groups Nos. 2387, 850, 2350, 452, 2712, and 2511 of the Polish National Alliance of the United States of North America, the City Council of the City of Monterey Park, Calif., the Village Board of the Village of Madison, Ill., and the Common Council of the City of Stillwater, Minn., memorializing Congress to enact House Joint Resolution 81, directing the President of the United States to proclaim October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

6144. Also, resolutions signed by Groups Nos. 2523 and 1120 of the Polish National Alliance of the United States of North America, the Common Council of the City of Noblesville, Ind., and the Common Council of the City of Murphysboro, Ill., memorializing Congress to enact House Joint Resolution 81, introduced by himself, directing the President of the United States to proclaim October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

6145. By Mr. PFEIFER: Petition of the Izaak Walton League of America, East Chicago, Ind., concerning House bill 163; to the Committee on Merchant Marine and Fisheries.

6146. Also, petition of the Legislature of the State of New Jersey, concerning a bill to provide for the relief to depositors in closed national banks, etc.; to the Committee on Banking and Currency.

6147. Also, petition of the Gleason-Tiebout Glass Co., 99 Commercial Street, Brooklyn, N. Y., concerning the Rayburn-Wheeler public-utilities bill; to the Committee on Interstate and Foreign Commerce.

6148. Also, petition of S. Tully Wilson, of William Vogel & Bros., Inc., Brooklyn, N. Y., concerning the Rayburn-Wheeler bill; to the Committee on Interstate and Foreign Commerce.

6149. Also, petition of A. Mureika, chairman Lithuanian Workers, 46 Ten Eyck Street, Brooklyn, N. Y., concerning the Lundeen bill (H. R. 2827); to the Committee on Labor.

6150. By Mr. RABAUT: Resolution of the American-Jugoslav Educational League, being directly or indirectly dependent upon copper mining for a living, petitioning the Congress of the United States to not only sustain the present excise tax on copper but to increase same to 8 cents per pound or to put an embargo on all foreign copper; to the Committee on Ways and Means.

6151. Also, resolution of the executive board of Slovenic-Croatian Union, recommending the enactment of such legislation as is necessary to prohibit the importation of any foreign-produced copper; to the Committee on Ways and Means.

6152. Also, Michigan State Legislature House Concurrent Resolution No. 26, memorializing President Franklin D. Roosevelt and the Congress of the United States to provide for the relief of unemployed women and girls in the various States of the Union; to the Committee on Labor.

6153. Also, resolution of the Holy Name Society of St. Gregory's Roman Catholic Church, of the city of Detroit, protesting against the persecution of Americans in Mexico; to the Committee on Foreign Affairs.

6154. Also, resolution of the Abraham Lincoln Society, a beneficial and cultural society, of Detroit, Mich., urging the adoption of the Lundeen bill; to the Committee on Ways and Means.

6155. Also, petition of Joe W. Henley and 29 other citizens of Detroit, Mich., favoring the passage of the Townsend plan of old-age revolving pensions; to the Committee on Ways and Means.

6156. Also, petition of Guild of Engineers and Architects of Michigan, favoring the prevailing-wage amendment of the work-relief bill and unqualifiedly supporting the work-relief bill and denouncing the alternative proposal of the dole; to the Committee on Ways and Means.

6157. Also, resolution of Detroit Federation of Post Office Clerks, favoring the passage of House bill 4340, as introduced by Congressman GEORGE G. SADOWSKI; to the Committee on Immigration and Naturalization.

6158. Also, resolution of the Detroit Federation of Post Office Clerks, Local No. 295, condemning the curtailment of the postal service in Detroit and making for an increase in the regular personnel; to the Committee on the Post Office and Post Roads.

6159. Also, petition of General Russell A. and Colonel Frederick M. Alger Post, No. 995, Veterans of Foreign Wars, petitioning the President of the United States and the Congress of the United States to authorize and appropriate sufficient moneys to build a Veterans' Administration hospital of 500-bed capacity in the Detroit area; to the Committee on World War Veterans' Legislation.

6160. Also, resolution of Metropolitan Post, No. 185, of the American Legion, petitioning for the erection of a Veterans' Administration hospital of 500-bed capacity in the Detroit area; to the Committee on World War Veterans' Legislation.

6161. Also, resolution of the Common Council of the city of Detroit, petitioning the President of the United States and the Congress of the United States to authorize and appropriate sufficient moneys to build a Veterans' Administration hospital of 500-bed capacity in the Detroit area; to the Committee on World War Veterans' Legislation.

6162. Also, resolution of the Roosevelt Post, No. 130, American Legion, of Detroit, Mich., petitioning the President of the United States and the Congress of the United States to authorize and appropriate sufficient moneys to build a Veterans' Administration hospital of 500-bed capacity in the Detroit area; to the Committee on World War Veterans' Legislation.

6163. Also, resolution of Fairview Post, No. 393, Veterans of Foreign Wars of the United States, petitioning the President of the United States and the Congress of the United States to authorize and appropriate sufficient moneys to build a Veterans' Administration hospital of 500-bed capacity in the Detroit area; to the Committee on World War Veterans' Legislation.

6164. Also, resolution of the Slovene National Benefit Society, Lodge No. 121, favoring enactment of House bill 2827, entitled "Workmen's Unemployment, Old Age, and Social Insurance Act"; to the Committee on Ways and Means.

6165. By Mr. REED of Illinois: Petition of Herman J. Byrd and 42 others, requesting the adoption of the Townsend old-age revolving-pension plan; to the Committee on Ways and Means.

6166. Also, petition signed by Marjorie Crane Nehring and 48 others, requesting the adoption of the Townsend old-age revolving-pension plan; to the Committee on Ways and Means.

6167. By Mrs. ROGERS of Massachusetts: Petition of the Governor and Council of the Commonwealth of Massachusetts, urging the adoption of such tariff schedules and other limitations as will exclude fish products of other countries; to the Committee on Ways and Means.

6168. By Mr. RUDD: Petition of the Legislature of the State of New Jersey, concerning relief to depositors in closed national banks; to promote resumption of industrial activity, increase employment, and restore confidence by fulfillment of the implied guaranty by the United States Government of deposit safety in national banks; to the Committee on Banking and Currency.

6169. Also, petition of the New York State Brewers' Association, concerning the McNary bill making hops a basic commodity; to the Committee on Agriculture.

6170. By Mr. SMITH of Washington: Petition for adequate national defense, signed by 174 residents of the Third Congressional District, State of Washington; to the Committee on Military Affairs.

6171. By Mr. TINKHAM: Petition of residents of Boston, Mass., favoring the Townsend old-age-pension plan; to the Committee on Ways and Means.

6172. Also, resolutions of Mission Hill Boston College Club, urging action by the United States in relation to religious persecution in Mexico; to the Committee on Foreign Affairs.

6173. Also, petition of residents of Massachusetts favoring the Townsend plan of old-age revolving pensions; to the Committee on Ways and Means.

6174. By Mr. TRUAX: Petition of Sheet Metal Workers' International Association, Local Union 143, Galion, Ohio, by their secretary, Elza Hiemlich, urging support of the Wagner and Connery bills and the Black 30-hour-week bill; to the Committee on Labor.

6175. Also, petition of organized labor of Massillon and western Stark County, Ohio, by their secretary, Robert J. Siffrin, urging support of the Connery bill; to the Committee on Labor.

6176. Also, petition of United Rubber Workers Federal Labor Union, Local 18319, by their recording secretary, H. C. Anthony, Akron, Ohio, urging support of the Connery labor-disputes bill; to the Committee on Labor.

6177. Also, petition of Milk and Ice-Cream Drivers and Dairy Employees, Local Union 497, Akron, Ohio, urging passage of Wagner labor bill; to the Committee on Labor.

6178. Also, petition of International Association of Machinists, Lodge 463, Newark, Ohio, by their legislative chairman, Ernest F. Thoma, urging support of Wheeler-Rayburn bill for wiping out holding companies, Wagner-Connery labor-disputes bill, and Black 30-hour work week bill; to the Committee on Labor.

6179. By Mr. WALTER: Petition of Legislature of State of New Jersey; to the Committee on Banking and Currency.

SENATE

TUESDAY, APRIL 2, 1935

(Legislative day of Wednesday, Mar. 13, 1935)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Monday, April 1, 1935, was dispensed with, and the Journal was approved.