

to designate Armistice Day as a holiday; to the Committee on Military Affairs.

2756. Also, Senate Joint Resolution No. 24 of the Department of State of the State of California, relative to memorializing the President and Congress to enact legislation relative to the conscription of wealth and industry in wartime and the effective barring of war profits; to the Committee on Foreign Affairs.

2757. Also, Senate Joint Resolution No. 6 of the Department of State of the State of California, relative to memorializing the President and Congress of the United States to enact legislation that would result in financial aid in the construction of a neuropsychopathic hospital for veterans of the World War; to the Committee on World War Veterans' Legislation.

2758. Also, Assembly Joint Resolution No. 51 of the Department of State of the State of California, relative to memorializing the President and Congress to take such steps as may be necessary to cut a channel through the southerly end of the Coronado Silver Strand to allow seagoing vessels to enter the bay of San Diego at its southerly end; to the Committee on Rivers and Harbors.

2759. Also, petition of the California Federation of Women's Clubs, protesting against any change in the United States Supreme Court; to the Committee on the Judiciary.

2760. Also, Assembly Joint Resolution No. 52 of the Department of State of the State of California, relative to Federal aid to State or Territorial veterans' homes; to the Committee on World War Veterans' Legislation.

2761. Also, petition of the California Veterans' Committee, protesting against any change in the United States Supreme Court; to the Committee on the Judiciary.

2762. Also, Assembly Joint Resolution No. 26 of the Department of State of the State of California, urging that Congress and the Federal Relief Administration direct their consideration to the wages of employees on work-relief projects; to the Committee on Ways and Means.

2763. Also, petition of the California Federation of Women's Clubs, recommending that Congress change the naturalization law to the end that an alien be allowed to take out first papers once only if he does not pursue his case; to the Committee on Immigration and Naturalization.

2764. Also, Senate Joint Resolution No. 14 of the Department of State of the State of California, relative to memorializing the President and the Congress of the United States to enact House bill 4009, which proposes to appropriate \$50,000,000 to cooperate with the States of the United States in the eradication of noxious weeds, and urging the Secretary of Agriculture to expedite consideration favorable to said bill; to the Committee on Agriculture.

2765. Also, Senate Joint Resolution No. 26 of the Department of State of the State of California, relative to memorializing the President and the Congress of the United States to extend the life of the Federal Public Works Administration for a period of 2 years after next June 30, and further memorializing Congress to earmark the sum of \$350,000,000 of the pending farm relief appropriation for a continuance of loans and grants under Public Works Administration to local communities; to the Committee on Ways and Means.

2766. Also, Assembly Joint Resolution No. 18 of the Department of State of the State of California, relative to memorializing the President and the Congress of the United States to amend the Social Security Act so as to enable such States as may desire to do so to bring the employees of such State and the employees of its counties, cities, and other political subdivisions within the provisions of such act relating to old-age benefits; to the Committee on Banking and Currency.

2767. By Mr. KENNEY: Petition of the New Jersey Federation of Business and Professional Women's Clubs, Inc., urging the speedy repeal of section 213 of the National Economy Act; to the Committee on Appropriations.

2768. By Mr. KEOGH: Petition of the Retail Tobacco Dealers of America, Inc., New York, concerning the Peterson

bill (H. R. 6791), which proposes to amend paragraph 1798 of the Tariff Act of 1930; to the Committee on Ways and Means.

2769. Also, petition of the Brooklyn Chamber of Commerce, Brooklyn, N. Y., concerning the Black-Connery wages-and-hours bill (S. 2475 and H. R. 7200); to the Committee on Labor.

2770. By Mr. KRAMER: Resolution of the Senate and Assembly of the State of California, relative to memorializing the President and Congress to enact legislation relative to the conscription of wealth and industry in wartime and the effective barring of war profits; to the Committee on Foreign Affairs.

2771. Also, resolution of the Assembly and Senate of the State of California, relative to memorializing the President and Congress to take such steps as may be necessary to cut a channel through the southerly end of the Coronado Silver Strand to allow seagoing vessels to enter the bay of San Diego at its southerly end; to the Committee on Rivers and Harbors.

2772. By Mr. LANZETTA: Resolution adopted by the Board of Estimate and Apportionment of the City of New York on June 18, 1937, approving and urging passage of House bill 6841, to extend the time for filing claims for refunds under section 15 (c) of the Agricultural Adjustment Act; to the Committee on Agriculture.

2773. By Mr. O'NEAL of Kentucky: Petition of citizens of Jefferson County, Ky., in behalf of House bill 2257; to the Committee on Ways and Means.

2774. By Mr. PFEIFER: Petition of the Melrose Slipper Co., Inc., Little Falls, N. Y., concerning the proposed reciprocal trade agreement with Czechoslovakia; to the Committee on Agriculture.

2775. Also, petition of the Retail Tobacco Dealers of America, Inc., New York, concerning House bill 6791, to amend paragraph 1798 of the Tariff Act of 1930; to the Committee on Ways and Means.

2776. By the SPEAKER: Petition of the third annual department encampment at Anniston, Ala.; to the Committee on Immigration and Naturalization.

SENATE

MONDAY, JUNE 28, 1937

(Legislative day of Tuesday, June 15, 1937)

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 Thursday, June 24, 1937, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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

On June 18, 1937:

S. 1112. An act awarding a Navy Cross to John W. Thomason and Robert Slover.

On June 19, 1937:

S. 665. An act for the relief of the estate of Everett P. Sheridan.

On June 24, 1937:

S. 102. An act to authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Antietam; and

S. 187. An act providing for the suspension of annual assessment work on mining claims held by location in the United States.

CALL OF THE ROLL

Mr. LEWIS. At the suggestion of the leader, I note the absence of a quorum and ask for a roll call.

The PRESIDENT pro tempore. The clerk will call the roll.

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

Adams	Connally	Lee	Robinson
Andrews	Copeland	Lewis	Russell
Ashurst	Davis	Lodge	Schwartz
Austin	Dieterich	Logan	Schwellenbach
Bailey	Donahey	Loneragan	Sheppard
Bankhead	Ellender	Lundeen	Shipstead
Barkley	Frazier	McAdoo	Smathers
Berry	George	McCarran	Steiwer
Bilbo	Gerry	McGill	Thomas, Okla.
Black	Glass	McKellar	Thomas, Utah
Bone	Green	McNary	Townsend
Borah	Guffey	Minton	Truman
Bridges	Hale	Murray	Tydings
Bulkley	Harrison	Neely	Vandenberg
Bulow	Hatch	Nye	Van Nuys
Burke	Hayden	O'Mahoney	Wagner
Byrd	Hitchcock	Overton	Walsh
Byrnes	Holt	Pepper	Wheeler
Capper	Hughes	Pittman	White
Caraway	Johnson, Colo.	Pope	
Chavez	King	Radcliffe	
Clark	La Follette	Reynolds	

Mr. LEWIS. I announce that the Senator from Connecticut [Mr. MALONEY] is absent because of illness.

The Senator from Michigan [Mr. BROWN], the Senator from New Hampshire [Mr. BROWN], the Senator from Wisconsin [Mr. DUFFY], the Senator from Iowa [Mr. GILLETTE], the Senator from New Jersey [Mr. MOORE], and the Senator from South Carolina [Mr. SMITH] are detained from the Senate on important public business.

The Senator from Iowa [Mr. HERRING] is absent, having been called back to his State on important official matters.

Mr. AUSTIN. I announce that my colleague the junior Senator from Vermont [Mr. GIBSON] is necessarily absent.

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

REPORT FILED BY COMMITTEE ON APPROPRIATIONS DURING THE RECESS

Under authority of the order of the Senate of the 24th instant, Mr. HAYDEN, from the Committee on Appropriations, to which was referred the bill (H. R. 6958) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes, reported it on the 26th instant with amendments, and submitted a report (No. 817) thereon.

AMENDMENT OF ADJUSTED COMPENSATION PAYMENT ACT

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Adjusted Compensation Payment Act, 1936, to provide for the escheat to the United States of certain amounts, which, with the accompanying paper, was referred to the Committee on Finance.

RESOLUTION OF MUNICIPAL COUNCIL OF ST. THOMAS AND ST. JOHN

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a resolution adopted by the Municipal Council of St. Thomas and St. John, Virgin Islands, for the purchase by E. Beresford Cancryn of a certain strip of land belonging to the municipality of St. Thomas and St. John, west of property no. 17, Murphy Gade, Queens Quarter, which, with the accompanying paper, was referred to the Committee on Territories and Insular Affairs.

TRANSFER OF UNUSED LIGHTHOUSE SITES ON ISLAND OF MAUI, TERRITORY OF HAWAII

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Secretary of Commerce to transfer two unused lighthouse sites in Kahului town site, island of Maui, Territory of Hawaii, in exchange for two plots of land located in the same town site and now occupied for lighthouse purposes under permission from the respective owners, which, with the accompanying papers, was referred to the Committee on Commerce.

RELIEF OF VIRGIL D. ALDEN AND OTHERS

The PRESIDENT pro tempore laid before the Senate a letter from the Assistant Administrator of the Federal Emergency Administration of Public Works, transmitting a

draft of proposed legislation for the relief of Virgil D. Alden and others in connection with their transfer of headquarters, which, with the accompanying papers, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate the following joint resolution of the Legislature of the State of California, which was referred to the Committee on Public Lands and Surveys:

Senate joint resolution relative to memorializing the President and the Congress of the United States to protect the rights of the State of California to its tidelands and the coastal area lying seaward of the State of California

Whereas there has been introduced in the Congress of the United States and in the Senate thereof by the Honorable Senator NYE, S. 2164, which bill declares land under the territorial waters of continental United States to be a part of the public domain, and for other purposes; and

Whereas said bill provides that all submerged lands are declared to be a portion of the public domain and are withdrawn from settlement, location, sale, entry, occupation, encroachment, or acquisition; and

Whereas the bill further provides that wherever the submerged lands shall be found to contain oil or petroleum deposits they shall be reserved to and included in a naval reserve; and

Whereas the State of California, since its admission to the Union in 1850, has had as its westerly boundary the Pacific Ocean and has, during all of those years succeeding 1850, exercised ownership, dominion, jurisdiction, and control over the seacoast lying on the westerly side of the State of California, including the tide and submerged lands; and

Whereas the State of California has at various times granted to cities and counties and to port boards of commissioners jurisdiction over certain tide and submerged lands of the State of California, and said cities and counties and port boards have spent many millions of dollars in the occupation, control, management, improvement, and preservation and defense of the seacoast and tide and submerged lands of the State of California; and

Whereas the State of California, as a body politic, has spent a great deal of money belonging to its citizens in the protection of the seacoast and the acquisition and purchase of many strips of land along the seacoast and has established thereon parks and playgrounds for the benefit not only of the people of the State but of the multitude of visitors and tourists who annually enter the borders of the State of California and frequent its seashore; and

Whereas by virtue of the development of said seacoast and the tide and submerged lands, many businesses, occupations, and trades are conducted and practiced and engaged in along said shore line, under lease, option, or agreement with the State of California, and great industrial plants depending upon products as produced from said tide and submerged lands of the State have become a portion and part of the business life of the seacoast of California; and

Whereas said businesses as conducted, both on shore as a result of the products produced from the tide and submerged lands and the product itself as produced from the same, do make up and form a large taxable portion of the tax-bearing burden of the respective counties facing on the tidal section of the State of California; and

Whereas there exists offshore and in the tide and submerged lands of the State of California various places where deposits of mineral and oil and gas are known to exist and other places where they may exist, and some of which are now being developed to the benefit of the State of California and to the citizens of this State, and are contributing largely to the support of various portions of the State and providing to the respective counties and cities in the immediate vicinity an asset for the purpose of local taxation and improvement of conditions in the respective localities; and

Whereas the adoption of S. 2164 would cast a cloud upon the right, title, and interest of the State of California in and to its tide and submerged lands and prevent private capital or public institutions or corporations from expending money or developing the tideland or submerged area of the State of California and discourage commerce and navigation and industry from investing money or expending effort in the development of the same; and

Whereas there have been developed many great harbors on the coast, one at San Francisco by the State of California, one at Los Angeles by the city of Los Angeles, one in Oakland by the board of port commissioners of Oakland, and many others up and down the coast line of the State, the title to which property would be clouded by the passage of said bill: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That this Legislature of the State of California in regular session assembled, urgently petitions and requests that S. 2164 be defeated; and be it further

Resolved, That the Governor be and is hereby directed to transmit copies of this resolution to the President of the United States, to the Vice President thereof, to each Senator and Representative in Congress of the State of California, to Hon. Senator NYE, and to the respective members of the Committee on Public Lands and Surveys.

The PRESIDENT pro tempore also laid before the Senate a resolution adopted by members of the Farmers Union at Sheyenne, N. Dak., protesting against the enactment of the

bill (S. 25) to prevent profiteering in time of war and to equalize the burdens of war and thus provide for the national defense, and promote peace, which was referred to the Committee on Finance.

He also laid before the Senate the memorial of (Mrs.) Cecil Sloane, of Brooklyn, N. Y., remonstrating against the ratification of the "additional protocol between American Republics relative to nonintervention", negotiated at the Inter-American Conference for the Maintenance of Peace, held at Buenos Aires, December 1-23, 1936, particularly in regard to its application to Peru, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution adopted by the Washington County Unit Farmers Union of Oregon, assembled at Hillsboro, Oreg., favoring the enactment of legislation providing for the submission of a proposed declaration of war to a referendum of the people, except in case of invasion, which was referred to the Committee on the Judiciary.

He also laid before the Senate a letter in the nature of a petition from J. L. Smith, Jr., of Circleville, Ohio, praying for the construction and completion of flood-control projects on the Scioto and Sandusky Rivers, which was ordered to lie on the table.

He also laid before the Senate a resolution adopted by the San Francisco (Calif.) Save W. P. A. Committee, favoring the carrying out of the W. P. A. program without cuts in the personnel, and also the making of additional appropriation for the W. P. A. when present appropriations are exhausted, which was ordered to lie on the table.

Mr. LODGE presented petitions, numerous signed, of sundry citizens of the State of Massachusetts, praying for the abolition of the Federal Reserve System as at present constituted, and also praying that Congress exercise its constitutional right to coin money and regulate the value thereof, which were referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (S. 2482) to provide for the assignment of officers of the Navy for duty under the Department of Commerce and appointment to positions therein, reported it with amendments and submitted a report (No. 819) thereon.

He also, from the Committee on Education and Labor, to which was referred the joint resolution (S. J. Res. 137) granting the consent of Congress to the minimum-wage compact ratified by the Legislatures of Massachusetts, New Hampshire, and Rhode Island, reported it without amendment and submitted a report (No. 820) thereon.

Mr. THOMAS of Utah, from the Committee on Education and Labor, to which was referred the bill (S. 2403) to prohibit the transportation of certain persons in interstate or foreign commerce during labor controversies, and for other purposes, reported it without amendment and submitted a report (No. 821) thereon.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 6496) granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Mont., reported it without amendment and submitted a report (No. 822) thereon.

Mr. HATCH, from the Committee on the Judiciary, to which was referred the bill (S. 2381) to amend the Criminal Code by providing punishment for impersonation of officers and employees of Government-owned and Government-controlled corporations, reported it without amendment and submitted a report (No. 823) thereon.

Mr. PITTMAN, from the Committee on the Judiciary, to which was referred the bill (S. 2387) to authorize certain officers and employees of Federal penal and correctional institutions to administer oaths, reported it without amendment and submitted a report (No. 824) thereon.

Mr. GUFFEY, from the Committee on Finance, to which was referred the bill (H. R. 6737) to amend the stamp provi-

sions of the Bottling in Bond Act, reported it without amendment and submitted a report (No. 825) thereon.

Mr. CONNALLY, from the Committee on the Judiciary, to which was referred the bill (S. 2386) to give precedence to certain proceedings to which the United States is a party, and for other purposes, reported it without amendment and submitted a report (No. 826) thereon.

Mr. NEELY, from the Committee on the Judiciary, to which was referred the bill (H. R. 6208) to amend an act of Congress entitled "An act to provide for the appointment of an additional district judge for the northern and southern districts of West Virginia", approved June 22, 1936, by changing the times provided therein for holding the United States district court at various places now fixed by law in the State of West Virginia, reported it without amendment.

TAXES TO EFFECTUATE RAILROAD EMPLOYEES' RETIREMENT LEGISLATION

Mr. CLARK. I ask unanimous consent to report favorably from the Committee on Finance, without amendment, House bill 7589, and to submit a report (No. 818) thereon. I propose to ask for the immediate consideration of the bill.

The PRESIDENT pro tempore. Without objection, the report will be received.

Mr. CLARK. I may say, Mr. President, that this is a companion bill to the railroad employees' pension bill which passed the House and the Senate and was signed by the President last week. The bill for the consideration of which I now ask unanimous consent provides for the taxes to effectuate the act referred to. In view of the importance of the matter, I ask unanimous consent for the immediate consideration of the bill.

Mr. McNARY. Mr. President, may the title of the bill be read? I did not hear the first remarks of the Senator from Missouri.

Mr. CLARK. May I explain again to the Senator from Oregon that this is a companion bill to the railroad employees' pension bill passed by both Houses of Congress last week. This is the bill providing taxes to effectuate the purposes of that act, and, in view of the early approach of the 1st of July and the fact that a great many accounting matters will naturally take up the time to the 1st of July, I ask unanimous consent for the present consideration of the bill.

Mr. McNARY. I should not want to grant permission at this time. Let the bill go over until after the call of the calendar, and I will look into it in the meantime.

Mr. ROBINSON. May I ask if the bill has passed the House?

Mr. CLARK. It has passed the House and been reported to the Senate without amendment from the Committee on Finance.

The PRESIDENT pro tempore. Objection is made to the present consideration of the bill.

Mr. McNARY subsequently said: Mr. President, let me say to the Senator from Missouri that I have discussed with several Republican members of the Finance Committee the proposal made by him, and have no objection to the immediate consideration of the bill which he desires to have considered.

Mr. CLARK. Then, Mr. President, I renew my request for unanimous consent that the Senate consider House bill 7589 at this time.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the bill (H. R. 7589) to levy an excise tax upon carriers and certain other employers and an income tax upon their employees, and for other purposes, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc.,

DEFINITIONS

SECTION 1. That as used in this act—

(a) The term "employer" means any carrier (as defined in subsection (1) of this section), and any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service, and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported

by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such employer: *Provided, however*, That the term "employer" shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is hereby authorized and directed upon request of the Commissioner of Internal Revenue, or upon complaint of any party interested, to determine after hearing whether any line operated by electric power falls within the terms of this proviso. The term "employer" shall also include railroad associations, traffic associations, tariff bureaus, demurrage bureaus, weighing and inspection bureaus, collection agencies and other associations, bureaus, agencies, or organizations controlled and maintained wholly or principally by two or more employers as hereinbefore defined and engaged in the performance of services in connection with or incidental to railroad transportation; and railway labor organizations, national in scope, which have been or may be organized in accordance with the provisions of the Railway Labor Act, as amended, and their State and National legislative committees and their general committees and their insurance departments and their local lodges and divisions, established pursuant to the constitution and bylaws of such organizations.

(b) The term "employee" means any person in the service of one or more employers for compensation: *Provided, however*, That the term "employee" shall include an employee of a local lodge or division defined as an employer in subsection (a) only if he was in the service of or in the employment relation to a carrier on or after August 29, 1935. An individual is in the employment relation to a carrier if he is on furlough, subject to call for service within or outside the United States and ready and willing to serve, or on leave of absence, or absent on account of sickness or disability; all in accordance with the established rules and practices in effect on the carrier: *Provided further*, That an individual shall not be deemed to have been on August 29, 1935, in the employment relation to a carrier not conducting the principal part of its business in the United States unless during the last pay-roll period in which he rendered service to it prior to said date, he rendered service to it in the United States.

(c) The term "employee representative" means any officer or official representative of a railway labor organization other than a labor organization included in the term "employer" as defined in section 1 (a), who before or after the enactment hereof was in the service of an employer as defined in section 1 (a) and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, as amended, and any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his office.

(d) An individual is in the service of an employer whether his service is rendered within or without the United States if he is subject to the continuing authority of the employer to supervise and direct the manner of rendition of his service, which service he renders for compensation: *Provided, however*, That an individual shall be deemed to be in the service of an employer not conducting the principal part of its business in the United States only when he is rendering service to it in the United States.

(e) The term "compensation" means any form of money remuneration earned by an individual for services rendered as an employee to one or more employers, or as an employee representative, including remuneration paid for time lost as an employee, but remuneration paid for time lost shall be deemed earned in the month in which such time is lost. Such term does not include tips, or the voluntary payment by an employer, without deduction from the remuneration of the employee, of the tax imposed on such employee by section 2 of this act. Compensation which is earned during the period for which the Commissioner of Internal Revenue shall require a return of taxes hereunder to be made and which is payable during the calendar month following such period shall be deemed to have been paid during such period only.

(f) The term "United States" when used in a geographical sense means the States, Alaska, Hawaii, and the District of Columbia.

(g) The term "company" includes corporations, associations, and joint-stock companies.

(h) The term "employee" includes an officer of an employer.

(i) The term "carrier" means an express company, sleeping-car company, or carrier by railroad, subject to part I of the Interstate Commerce Act.

(j) The term "person" means an individual, a partnership, an association, a joint-stock company, or a corporation.

INCOME TAX ON EMPLOYEES

SEC. 2. (a) In addition to other taxes, there shall be levied, collected, and paid upon the income of every employee a tax equal to the following percentages of so much of the compensation of such employee as is not in excess of \$300 for any calendar month, earned by him after December 31, 1936—

1. With respect to compensation earned during the calendar years 1937, 1938, and 1939, the rate shall be 2½ percent;
2. With respect to compensation earned during the calendar years 1940, 1941, and 1942, the rate shall be 3 percent;
3. With respect to compensation earned during the calendar years 1943, 1944, and 1945, the rate shall be 3¼ percent;
4. With respect to compensation earned during the calendar years 1946, 1947, and 1948, the rate shall be 3½ percent;

5. With respect to compensation earned after December 31, 1948, the rate shall be 3¾ percent;

(b) The tax imposed by this section shall be collected by the employer of the taxpayer by deducting the amount of the tax from the compensation of the employee as and when paid. If an employee is paid compensation by more than one employer with respect to any calendar month, then, under regulations made under this act, the Commissioner of Internal Revenue may prescribe the proportion of the tax to be deducted by each employer from the compensation paid by him to the employee with respect to such month. Every employer required under this subsection to deduct the tax is hereby made liable for the payment of such tax and shall not be liable to any person for the amount of any such payment.

(c) If more or less than the correct amount of tax imposed by this section is paid with respect to any compensation payment, then, under regulations made under this act by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, proper adjustments, with respect both to the tax and the amount to be deducted, shall be made, without interest, in connection with subsequent compensation payments to the same employee by the same employer.

EXCISE TAX ON EMPLOYERS

SEC. 3. (a) In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of so much of the compensation as is not in excess of \$300 for any calendar month paid by him to any employee for services rendered to him after December 31, 1936: *Provided, however*, That if an employee is paid compensation by more than one employer with respect to any such calendar month, the tax imposed by this section shall apply to not more than \$300 of the aggregate compensation paid to said employee by all said employers with respect to such calendar month, and each such employer shall be liable for that proportion of the tax with respect to such compensation which his payment to the employee with respect to such calendar month bears to the aggregate compensation paid to such employee by all employers with respect to such calendar month:

1. With respect to compensation paid to employees for services rendered during the calendar years 1937, 1938, and 1939, the rate shall be 2¾ percent;

2. With respect to compensation paid to employees for services rendered during the calendar years 1940, 1941, and 1942, the rate shall be 3 percent;

3. With respect to compensation paid to employees for services rendered during the calendar years 1943, 1944, and 1945, the rate shall be 3¼ percent;

4. With respect to compensation paid to employees for services rendered during the calendar years 1946, 1947, and 1948, the rate shall be 3½ percent;

5. With respect to compensation paid to employees for services rendered after December 31, 1948, the rate shall be 3¾ percent.

(b) If more or less than the correct amount of the tax imposed by this section is paid with respect to any compensation payment then, under regulations made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, proper adjustments with respect to the tax shall be made, without interest, in connection with subsequent excise-tax payments made by the same employer.

REFUNDS AND DEFICIENCIES

SEC. 4. If more or less than the correct amount of the tax imposed by section 2 (a) or 3 (a) of this act is paid or deducted with respect to any compensation payment and the overpayment or underpayment of the tax cannot be adjusted under section 2 (c) or 3 (b), the amount of the overpayment shall be refunded, or the amount of the underpayment shall be collected in such manner and at such times (subject to the statute of limitations properly applicable thereto) as may be prescribed by regulations under this act as made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

INCOME TAX ON EMPLOYEE REPRESENTATIVES

SEC. 5. In addition to other taxes, there shall be levied, collected, and paid upon the income of each employee representative a tax equal to the following percentages of so much of the compensation of such employee representative as is not in excess of \$300 for any calendar month, earned by him after December 31, 1936:

1. With respect to compensation earned during the calendar years 1937, 1938, and 1939, the rate shall be 5½ percent;

2. With respect to compensation earned during the calendar years 1940, 1941, and 1942, the rate shall be 6 percent;

3. With respect to compensation earned during the calendar years 1943, 1944, and 1945, the rate shall be 6½ percent;

4. With respect to compensation earned during the calendar years 1946, 1947, and 1948, the rate shall be 7 percent;

5. With respect to compensation earned after December 31, 1948, the rate shall be 7½ percent.

The compensation of an employee representative for the purpose of ascertaining the tax thereon shall be determined in the same manner and with the same effect as if the employee organization by which such employee representative is employed were an employer as defined in section 1 (a) of this act.

DEDUCTIBILITY FROM INCOME TAX

SEC. 6. For the purposes of the income tax imposed by title I of the Revenue Act of 1936 or by any act of Congress in substitution therefor, the taxes imposed by sections 2 and 5 of this act shall

not be allowed as a deduction to the taxpayer in computing his net income.

COLLECTION AND PAYMENT OF TAXES

SEC. 7. (a) The taxes imposed by this act shall be collected by the Bureau of Internal Revenue and shall be paid into the Treasury of the United States as internal-revenue collections.

(b) The taxes imposed by this act shall be collected and paid quarterly or at such other times and in such manner and under such conditions not inconsistent with this act as may be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury. If a tax imposed by this act is not paid when due, there shall be added as part of the tax (except in the case of adjustments made in accordance with the provisions of this act) interest at the rate of 6 percent per annum from the date the tax became due until paid.

(c) All provisions of law, including penalties, applicable with respect to any tax imposed by section 600 or section 800 of the Revenue Act of 1926, and the provisions of section 607 of the Revenue Act of 1934, insofar as applicable and not inconsistent with the provisions of this act, shall be applicable with respect to the taxes imposed by this act.

(d) In the payment of any tax under this act, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

(e) Any tax paid under this act by a taxpayer with respect to any period with respect to which he is not liable to tax under this act shall be credited against the tax, if any, imposed by title VIII of the Social Security Act upon such taxpayer, and the balance, if any, shall be refunded. Any tax paid under title VIII of the Social Security Act by a taxpayer with respect to any period with respect to which he is not liable to tax under such title VIII shall be credited against the tax, if any, imposed by this act upon such taxpayer, and the balance, if any, shall be refunded.

COURT JURISDICTION

SEC. 8. The several district courts of the United States and the District Court of the United States for the District of Columbia, respectively, shall have jurisdiction to entertain an application by the Attorney General on behalf of the Commissioner of Internal Revenue to compel an employee or other person residing within the jurisdiction of the court or an employer subject to service of process within its jurisdiction to comply with any obligations imposed on such employee, employer, or other person under the provisions of this act. The jurisdiction herein specifically conferred upon such Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by such courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this act.

SOCIAL SECURITY ACT

SEC. 9. (a) The term "employment", as defined in subsection (b) of section 811 of title VIII of the Social Security Act, shall not include service performed by an individual as an employee as defined in section 1 (b) or service performed as an employee representative as defined in section 1 (c).

(b) The Secretary of the Treasury at intervals of not longer than 3 years shall estimate the reduction in the amount of taxes collected under title VIII of the Social Security Act by reason of the operation of subsection (a) of this section and shall include such estimate in his annual report.

SEPARABILITY

SEC. 10. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

REPEAL OF PRIOR TAX ACT

SEC. 11. The provisions of this act are in substitution for the provisions of the act of August 29, 1935, as amended, entitled "An act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", which is hereby repealed. All moneys payable as and for taxes under such act of August 29, 1935, and not heretofore paid shall cease to be payable and all proceedings pending for the recovery of any such moneys shall be terminated. All sums paid into the Treasury of the United States as and for taxes under such act shall be refunded, except so much of the sums so paid as and for taxes with respect to compensation earned after December 31, 1936, as equals the taxes imposed by this act with respect to the same persons and the same period, and the sums not required to be so refunded shall be retained in the Treasury of the United States and credited on taxes due and payable under this act. All sums deducted by employers from the compensation of employees as and for taxes under such act of August 29, 1935, which have not been paid into the Treasury of the United States shall be repaid by such employers to such employees, except so much of the sums so deducted as and for taxes in respect of compensation earned after December 31, 1936, as equals the taxes imposed and required to be deducted by this act with respect to the same persons and the same period, and the sums not required to be so repaid shall be paid into the Treasury of the United States and thereupon shall be credited on taxes due and payable under this act. No interest shall be allowed or paid with respect to any sum refunded, credited, or repaid under the provisions of this section.

RULES AND REGULATIONS

SEC. 12. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make and publish

such rules and regulations as may be necessary for the enforcement of this act.

SHORT TITLE

SEC. 13. This act may be cited as the "Carriers' Taxing Act of 1937."

BILLS INTRODUCED

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

By Mr. LONERGAN:

A bill (S. 2708) to declare Burr Creek, from Fairfield Avenue southward to Yacht Street, in the city of Bridgeport, Conn., a nonnavigable stream; to the Committee on Commerce.

By Mr. GUFFEY:

A bill (S. 2709) for the relief of Mr. and Mrs. Joseph Konderish; to the Committee on Claims.

By Mr. WAGNER:

A bill (S. 2710) for the relief of Ernestine Huber Neuheller (nee Ernestine Huber); to the Committee on Immigration.

By Mr. VANDENBERG:

A bill (S. 2711) granting a pension to George Austin; to the Committee on Pensions.

(Mr. VANDENBERG also introduced Senate bill 2712, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

By Mr. MURRAY:

A bill (S. 2713) to provide funds for the initiation of a mapping program in the State of Montana; to the Committee on Commerce.

By Mr. PEPPER:

A bill (S. 2714) to create a Division of Aviation Education in the Office of Education; to the Committee on Education and Labor.

By Mr. BULKLEY:

A bill (S. 2715) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the founding of the city of Toledo, Ohio; to the Committee on Banking and Currency.

A bill (S. 2716) for the relief of Christine Yerges Conway; to the Committee on Claims.

By Mr. McKELLAR:

A bill (S. 2717) for the relief of the Canvas Decoy Co.; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 2718) granting a pension to Eliza Lightle (with accompanying papers); to the Committee on Pensions.

By Mr. HARRISON:

A bill (S. 2719) granting a pension and hospitalization benefits to William T. Dugard; to the Committee on Pensions.

By Mr. McCARRAN:

A bill (S. 2720) to authorize the coinage of silver coins in commemoration of the seventy-fifth anniversary of the admission of the State of Nevada to the Union; to the Committee on Banking and Currency.

AMENDMENT OF NATIONAL LABOR RELATIONS ACT

Mr. VANDENBERG. I ask unanimous consent to introduce a bill proposing certain amendments to the so-called Wagner Labor Act. I ask that the bill be referred to the Committee on Education and Labor. I ask also that it be printed in the RECORD, together with a statement in connection with it and concerning it.

The PRESIDENT pro tempore. Without objection, the bill will be received and referred as requested by the Senator from Michigan, and the bill and statement will be printed in the RECORD.

The bill (S. 2712) to amend the National Labor Relations Act, was read twice by its title, referred to the Committee on Education and Labor, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) so much of the first paragraph of section 1 of the National Labor Relations Act as reads "The denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining lead to strikes and other forms of industrial unrest" is amended to read

as follows: "The denial of or interference with the right of employees to organize, the refusal to accept the procedure of collective bargaining, and the failure to perform the terms and conditions of collective bargaining agreements lead to strikes and other forms of industrial unrest."

(b) Section 1 of such act is further amended by inserting after the third paragraph thereof the following new paragraph:

"The protection of the right of employees to organize and bargain collectively requires (1) that the right to organize be exercised voluntarily and free from coercion, (2) that collective bargaining be conducted by employers and responsible representatives of the employees' own choosing, and (3) that employers and employees perform faithfully the terms and conditions of agreements reached through the practice and procedure of collective bargaining."

SEC. 2. Paragraph (1) of section 2 of the National Labor Relations Act is amended by inserting after the word "associations" a comma and the word "organizations."

SEC. 3. Section 8 of the National Labor Relations Act is amended by inserting after "Sec. 8," at the beginning thereof, the letter "(a)" and by adding at the end thereof the following new subsection:

"(b) It shall be an unfair labor practice—

"(1) For any person to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7, or to induce or compel or attempt to induce or compel any employee to become a member of any labor organization by means of any threat, intimidation, or coercion or by the use of physical violence.

"(2) For any person, in connection with any labor dispute, to interfere with the free exercise or enjoyment by any person of any right or privilege secured to him by the Constitution or laws of the United States, or to damage or destroy the property of any person, or to violate or interfere with the exercise of any person's rights in real or personal property.

"(3) For any labor organization to make any compulsory assessment or require any contribution for political purposes.

"(4) For persons other than citizens of the United States to act as officers, agents, or representatives of labor organizations.

"(5) For any person to engage in any strike unless such strike has been voted for by a majority of the employees in the appropriate unit for collective bargaining.

"(6) For any person to engage in any strike for the purpose of inducing or forcing any person to violate any contract or any law of a State or the United States.

"(7) For any person to refuse to sign a written contract or agreement embodying the terms and conditions of any agreement between an employer and employees, or their representatives, reached as the result of collective bargaining, or to violate the provisions of any such written contract or agreement."

SEC. 4. Subsection (c) of section 9 of the National Labor Relations Act is amended by adding at the end thereof the following new sentences: "Investigations may be undertaken and secret ballots taken under this section upon the request of any employees, employer, or labor organization directly interested in any such question or controversy; and a new investigation may be undertaken and a new ballot taken upon such request at any time after the expiration of any agreement or contract entered into by an employer and representatives of employees certified under this act or at any time when the Board finds that any provision of any such contract has been violated by any of the parties thereto. When a request has been properly made for an investigation under this section, no person shall be recognized as a representative of the employees affected until the name of such person shall have been certified as such representative by the Board."

SEC. 5. The third sentence of subsection (c) of section 10 of the National Labor Relations Act is amended to read as follows: "If upon all the testimony taken the Board shall be of the opinion that any person named in the complaint has engaged in or is engaging in any such unfair labor practice, then the Board shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair labor practice; and if in the opinion of the Board it is necessary in order to effectuate the policies of this act, such order may also (1) require reinstatement of employees with or without back pay; (2) suspend any right or privilege conferred upon such person by this act; and (3) in the case of a labor organization, suspend or prohibit the collection or receipt of any dues, assessment, contribution, or other thing of value."

SEC. 6. Section 13 of the National Labor Relations Act is amended by inserting before the period at the end thereof a comma and the following: "except as specifically provided herein."

The statement presented by Mr. VANDENBERG in reference to the bill is as follows:

Senator VANDENBERG announced that early this week he will offer in the Senate a series of amendments to the Wagner Labor Act. "Their purpose," he declared, "is to broaden the act and to invite an immediate study of an expanded formula under which legalized collective bargaining may hope to produce more effective industrial peace and prosperity for labor and everyone else. I believe that it is only in some such fashion that legitimate labor organization can protect itself against excesses from within and reprisals from without. There are four parties to a collective-bargaining dispute under the Wagner Act—the majority employees, the minority employees, the employer, the pub-

lic. The Wagner Act ably defends the first. It seems to me that it now must acknowledge the rights of the other three."

The first amendment to be proposed by Senator VANDENBERG will permit employers to share with employees the right to demand elections to determine majority rule for the purpose of establishing collective-bargaining representatives. It would also permit subsequent repeated elections at the option of either party upon the termination or the breach of a contract. It would further require that an election must precede the assertion of any right of representation, thus obviating contentious claims respecting authority to act.

The second amendment would require the agreement resulting voluntarily from collective bargaining to be set down in writing. But it would require that strikes may be called only by a majority vote of all employees; and it would provide that any breach of contract, if not corrected upon order of the National Labor Relations Board, shall suspend the right of representation and shall subject the offender to whatever penalty the National Labor Relations Board may direct in respect to the exercise of further rights under the Wagner Act—plus the right of the Board to stop the collection of union dues and assessments during the period of discipline.

The third amendment would parallel the existing "fair practice code" for employers with a "fair practice code" for labor, including the following: (a) Prohibit compulsory political assessments upon union members; (b) require that all officers, agents, and representatives of unions shall be citizens of the United States; (c) make it "unfair practice", subject to the regular penalties of the Wagner Act "to force any worker to join any labor organization by means of threats, intimidation, coercion, or physical violence" or "to injure, damage, or destroy the property of any person or to violate any person's rights in real or personal property" or "to strike for the purpose of coercing or forcing any person to violate any contract or the laws of any State or of the United States."

"I make no claim that this is a final answer to some of the difficulties that have arisen—difficulties which responsible labor leaders are eager to join in helping correct", said Senator VANDENBERG. "I may have gone too far in some directions and not far enough in others. But I am convinced that the best welfare of labor itself requires a conclusive study of this whole related problem. Moderate protections now may prevent radical restraints later. I believe that labor is entitled to a constantly broadening share in the fruits of its own production. But it will do labor no good to achieve these benefits if a profitable economy and an orderly society in which to enjoy them is jeopardized or destroyed. In the final analysis, the public interest is paramount. There can be but one sovereignty—the sovereignty of government—in this country."

AMENDMENT TO THIRD DEFICIENCY APPROPRIATION BILL

Mr. ROBINSON submitted an amendment intended to be proposed by him to the third deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill to insert the following:

"PUBLIC HEALTH SERVICE

"Division of Venereal Diseases: For the maintenance and expenses of the Division of Venereal Diseases, established by sections 3 and 4, chapter 15, of the act approved July 9, 1918 (U. S. C., title 42, secs. 24 and 25), including additional facilities and services at the Hot Springs Transient Medical Center and Infirmary, \$189,000, said funds to be disbursed by the United States Public Health Service upon invitation of the public agency owning the physical property. It is further provided that the Secretary of the Interior is authorized to accept title to this property as a part of the Hot Springs National Park."

AGRICULTURAL DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. RUSSELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6523) making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 6, 7, 8, 9, 10, 11, 14, 16, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 36, 39, 41, 44, 49, 51, 58, 60, 68, 74, 77, 79, 80, 82, 83, 84, 87, 89, 93, 96, 97, 99, 101, 102, 103, 104, 110, 112, 114, 115, 118, 121, 122, 123, 128, 129, 135, and 136.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 15, 32, 35, 40, 42, 46, 47, 48, 52, 53, 55, 56, 57, 62, 65, 67, 70, 71, 72, 75, 76, 92, 94, 95, 107, 108, 109, 111, 113, 120, 127, 130, and 133, and agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$887,650"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the

sum proposed insert "\$1,254,130"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,232,500"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,463,546"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,342,870"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,190,179"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,703,049"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$633,199"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$703,694"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "including not exceeding \$80,000 for acquisition of additional land, notwithstanding the limitations of said act of March 4, 1927"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$122,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$4,833,048"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$638,403"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$14,116,596"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$75,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$18,892,182"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$196,243"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$1,425,431"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$75,000"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$460,860"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$5,711,398"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$171,149"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and

agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$2,127,840"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$48,785"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$423,169"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$460,769"; and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$6,162,698"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$6,212,698"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$500,000"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$190,000"; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$22,175,000"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$24,390,780"; and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$100,000"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "And provided further, That the funds provided by section 32 of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes', approved August 24, 1935 (U. S. C., Supp. II, title 7, sec. 612c), shall be available during the fiscal year 1938 for administrative expenses in such sums as the President may direct in carrying out the provisions of said section, including the employment of persons and means in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by Agricultural Adjustment Administration"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$12,500,000"; and the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$7,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 88, 124, 126, and 134.

RICHARD B. RUSSELL, Jr.,
CARL HAYDEN,
ROYAL S. COPELAND,
E. D. SMITH,
GERALD P. NYE,

Managers on the part of the Senate.

CLARENCE CANNON,
M. C. TARTER,
WILLIAM B. UMSTEAD,
WILLIAM R. THOM,
CHAS. H. LEAVY,
W. D. MCFARLANE,
EVERETT M. DIRKSEN,

Managers on the part of the House.

Mr. RUSSELL. As this is a privileged matter, I ask for the present consideration of the report.

The report was considered and agreed to.

DEDICATION OF THE ROSCOE P. COPELAND AUDITORIUM—ADDRESS BY SENATOR COPELAND

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD an address delivered by Senator Copeland at Dexter, Mich., June 13, 1937, on the occasion of the

dedication of the Roscoe P. Copeland Auditorium, which appears in the Appendix.]

NECESSARY FARM LEGISLATION—ADDRESS BY SENATOR POPE

[Mr. BONE asked and obtained leave to have printed in the RECORD a radio address delivered by Senator POPE on June 24, 1937, on the subject "Necessary Farm Legislation", which appears in the Appendix.]

REORGANIZATION OF FEDERAL JUDICIARY—ARTICLE BY SENATOR GREEN

[Mr. ASHURST asked and obtained leave to have printed in the RECORD an article by Senator GREEN, relative to the reorganization of the Federal judiciary, published in the American Bar Association Journal for June 1937, which appears in the Appendix.]

TEMPLE UNIVERSITY COMMENCEMENT—ADDRESS BY JESSE H. JONES

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD an address delivered on June 10, 1937, in Philadelphia, Pa., by Jesse H. Jones, Chairman of the Reconstruction Finance Corporation, at the fifty-first annual commencement of Temple University, which appears in the Appendix.]

UNEMPLOYMENT RELIEF—CHRISTIAN SCIENCE MONITOR EDITORIAL

[Mr. BAILEY asked and obtained leave to have printed in the RECORD an editorial headed "Time for Facts About Relief", published in the Christian Science Monitor of June 17, 1937, which appears in the Appendix.]

ITALY AND SPAIN—WASHINGTON POST EDITORIAL

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial headed "Out in the Open", published in the Washington Post of June 28, 1937, which appears in the Appendix.]

CONSIDERATION OF UNOBTAINED BILLS ON CALENDAR

The PRESIDENT pro tempore. Under the unanimous-consent agreement entered into on Thursday last, the Senate will now proceed to consider unobjected bills on the calendar, which will be stated in their order.

RESOLUTION PASSED OVER

The resolution (S. Res. 8) limiting debate on general appropriation bills, was announced as first in order.

Mr. VANDENBERG. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will be passed over.

BOARD OF SHORTHAND REPORTING

The bill (S. 1435) to create a board of shorthand reporting, and for other purposes, was announced as next in order.

Mr. ROBINSON. Over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. CONNALLY. Mr. President, I ask unanimous consent to return to Calendar No. 149, being Senate bill 1435. I do not think there is now any objection to that bill.

The PRESIDENT pro tempore. The Chair understood the Senator from Arkansas to object.

Mr. ROBINSON. I do not now object.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas to return to Senate bill 1435 and consider it at this time?

There being no objection, the bill (S. 1435) to create a board of shorthand reporting, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby established a National Board of Shorthand Reporting (hereinafter referred to as the Board) to be composed of three members to be appointed by the President, by and with the consent of the Senate. The members of the Board, with the exception of the members first to be appointed, shall be holders of certificates issued under the provisions of this act. The members first appointed shall be skilled in the art and practice of shorthand reporting and shall have been actively and continuously engaged as professional shorthand reporters within the United States for at least 5 years preceding their appointments. The members shall hold office for a term of 3 years, except that (1) any member appointed to fill a vacancy

occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and (2) the terms of office of the members first taking office after the date of enactment of this act shall expire, as designated by the President at the time of nomination, one at the end of 1 year, one at the end of 2 years, and one at the end of 3 years after such date. The Board shall elect one of its members as chairman and one as secretary-treasurer, who shall hold their respective offices for 1 year. The Board shall make all necessary rules and regulations to carry out the provisions of this act. Any two members shall constitute a quorum for the transaction of business.

SEC. 2. Any person who has received from the Board a certificate of his qualifications to practice as a shorthand reporter shall be known and styled as a "Federal certified shorthand reporter", and no other person, and no partnership, all of the members of which have not received such certificate, and no corporation shall assume such title or the abbreviation "F. C. S. R.", or any other words, letters, or abbreviations tending to indicate that the person, partnership, or corporation so using the same is a Federal certified shorthand reporter.

SEC. 3. The Board shall grant a certificate as a Federal certified shorthand reporter to any citizen of the United States (a) who is over the age of 21 years, is of good moral character, and is a graduate of a high school or has had an equivalent education; and (b) who has, except as provided in section 5 of this act, successfully passed an examination in shorthand reporting under such rules and regulations as the Board may prescribe.

SEC. 4. The Board shall hold regular meetings for the examination of applicants for certificates under this act beginning on the third Monday of June and December of each year, and additional meetings at such times and places as it shall determine but not to exceed once every 3 months. The time and place of holding such examinations shall be advertised in a periodical to be selected by the Board at least 30 days prior to the date of each examination. The Civil Service Commission is authorized to conduct such examinations for the Board.

SEC. 5. The Board may, in its discretion, waive the examination provided for in this act and issue a certificate as a Federal certified shorthand reporter to any person submitting an application within 1 year after the appointment of the members of the Board (a) who possesses the qualifications set out in section 3, (b) who has been actively engaged in the practice of shorthand reporting for more than 5 years next preceding the date of enactment of this act, and (c) who is competent, in the opinion of the Board, to perform the duties of a Federal certified shorthand reporter.

SEC. 6. The Board may revoke any certificate issued under this act for unprofessional conduct or other sufficient cause after appropriate notice and opportunity for hearing. Said notice shall state the cause of such contemplated revocation and the time and place of such hearing and shall be mailed to the registered address of the holder of such certificate at least 30 days before such hearing. Each member of the Board shall be empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records concerning any matter within the jurisdiction of the Board.

SEC. 7. Upon the filing of an application for an examination or a certificate under this act, the Board shall charge a fee of \$25. Should the applicant fail to pass the required examination he shall be entitled to take subsequent examinations after the expiration of 6 months and within 2 years without the payment of an additional fee.

SEC. 8. Each member of the Board shall receive \$25 for each day actually employed in the discharge of his official duties and in addition thereto all necessary expenses incurred by him in executing his functions under this act. The compensation and expenses of the members of the Board and the expenses of the Board that are necessary to carry out the provisions of this act shall be paid from the fees collected under section 7. *Provided*, That such compensation and expenses shall not exceed the amount so collected as fees.

SEC. 9. On and after July 1, 1937, no person shall be employed for shorthand reporting in the judicial or executive branches or by any independent agency of the Government unless said person is the holder of a certificate provided for in this act: *Provided*, That nothing in this act shall be construed to prohibit the temporary employment of a shorthand reporter not holding a certificate until a reporter holding a certificate shall be available: *Provided further*, That the provisions of this act shall not apply to any person not employed for the shorthand reporting of such proceedings as are described and defined in section 10 hereof: *And provided further*, That the provisions of this act shall not apply to persons regularly employed in any department under provisions of the civil-service laws.

SEC. 10. When used in this act the term "shorthand reporting" means the making, by use of symbols or abbreviations, of a verbatim record of any oral testimony, proceeding, hearing, or trial before a court, commission, independent agency of the Government, master, referee, convention, deliberative assembly, or proceedings of like character.

SEC. 11. If after July 1, 1937, any person shall represent himself as having received a certificate as provided for in this act or shall practice as a Federal certified shorthand reporter without having received such certificate, or after having his certificate revoked shall continue to practice as a Federal certified shorthand reporter, or shall use any title or abbreviation that indicates that the person

using the same is a Federal certified shorthand reporter, or shall violate any of the provisions of this act, said person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$500.

BILLS PASSED OVER

The bill (S. 1436) providing for the employment of skilled shorthand reporters in the executive branch of the Government was announced as next in order.

Mr. ROBINSON. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 419) to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public education was announced as next in order.

Mr. LODGE. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 847) to prevent the use of Federal official patronage in elections and to prohibit Federal officeholders from misuse of positions of public trust for private and partisan ends was announced as next in order.

Mr. ROBINSON. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 100) to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890, was announced as next in order.

Mr. ROBINSON. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1261) to amend the Interstate Commerce Act, as amended, and for other purposes, was announced as next in order.

Mr. McKELLAR. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 69) to amend an act entitled "An act to regulate commerce", approved February 4, 1887, as amended and supplemented, by limiting freight or other trains to 70 cars, was announced as next in order.

Mr. McKELLAR. Let that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 4276) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia, and for other purposes", was announced as next in order.

Mr. COPELAND. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2106) for the allowances of certain claims not heretofore paid, for indemnity for spoiliations by the French, prior to July 31, 1801, was announced as next in order.

Mr. SCHWELLENBACH. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

JOHN L. SUMMERS

The bill (H. R. 4679) for the relief of John L. Summers, former disbursing clerk, Treasury Department; and Frank White, G. F. Allen, H. T. Tate, and W. O. Woods, former Treasurers of the United States was considered, ordered to a third reading, read the third time, and passed.

DISPOSAL OF CERTAIN LANDS OF PANAMA RAILROAD CO.

The joint resolution (H. J. Res. 41) authorizing the disposal of certain lands held by the Panama Railroad Co. on Manzanillo Island, Republic of Panama, was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Panama Railroad Co. be, and is hereby, authorized to sell, and convey in whole or in part, at public or private sale, at not less than the appraised value to be fixed as hereinafter provided, all of its right, title, and interest in and to the lands situated within that portion of Manzanillo Island,

Republic of Panama, lying within the area bounded by a line described as follows:

Beginning at the point where the Canal Zone-Republic of Panama (city of Colon) boundary line intersects the western shore line of the arm of Manzanillo Bay known as "Boca Chica" or "Folks River"; thence following the Canal Zone-city of Colon boundary line northerly to Eleventh Street and westerly on Eleventh Street to the center of Front Avenue; thence northerly along the center of Front Avenue and its prolongation to the center of Second Street; thence easterly along the center of Second Street to the center of Melendez Avenue ("G" Street); thence southerly along the center of Melendez Avenue to the center of Seventh Street; thence easterly along the center of Seventh Street to the center of Roosevelt Avenue; thence southerly along the center of Roosevelt Avenue to the center of Ninth Street; thence easterly along the center of Ninth Street to the shore line of Manzanillo Bay; thence southerly along the shore line of Manzanillo Bay to the intersection with the center of Eleventh Street prolonged; thence westerly along the center of Eleventh Street to the center of Melendez Avenue; thence southerly along the center of Melendez Avenue to the center of Sixteenth Street; thence easterly along the center of Sixteenth Street to the shore line of Folks River; thence southerly, westerly, northwesterly, and southerly along the shore line of Folks River to the point of beginning; excepting, however, lot 22, block 26, as shown on Panama Canal drawing 2021-6, and lot 1189, as shown on Panama Canal drawing 7/019, which lie within the said area.

Sec. 2. The Secretary of War shall designate a board of three appraisers, who shall appraise the value of each tract or lot within the said area separately, and file the same with the president of the Panama Railroad Co. From time to time, at intervals of not less than 1 year, the Secretary of War, if deemed advisable by him, may, through a similar board, order a reappraisal of the unsold tracts. Such appraisal and any reappraisal shall be open to public inspection.

Sec. 3. The Panama Railroad Co. is also authorized, with the approval of the President of the United States, to convey in whole or in part all its right, title, and interest in and to the said lands, in exchange for a grant by the Republic of Panama to the United States of all the rights, power, and authority within various other areas situated on Manzanillo Island which the United States would possess and exercise if it were the sovereign of the territory included within the said areas, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority.

Sec. 4. Any conveyance of any lot or tract by the Panama Railroad Co., as aforesaid, shall be deemed to release any and all reversionary rights of the United States in said property.

Sec. 5. The Panama Railroad Co. shall, on or before August 16, 1966, deposit the net proceeds from sales of the land in question in the Treasury of the United States to the credit of "Miscellaneous receipts."

The preamble was agreed to.

AMENDMENT OF CANAL ZONE CODE

The Senate proceeded to consider the bill (H. R. 4597) to amend the Canal Zone Code, which had been reported from the Committee on Inter-oceanic Canals with an amendment, on page 5, after line 19, to insert a new section 10, as follows:

SEC. 10. That section 222 of title 2 of the Canal Zone Code is hereby amended to read as follows:

"222. Carriage by Panama Railroad Co. of marine and fire insurance: The Panama Railroad Co. shall carry no insurance to cover marine or fire losses: *Provided*, That this section shall not prohibit the company from carrying insurance to cover shipments of its own funds and securities."

So as to make the bill read:

Be it enacted, etc., That section 62 of title 2 of the Canal Zone Code approved June 19, 1934 (48 Stat. 1122), is hereby amended to read as follows:

"62. Offenses in relation to entry or importation of articles or merchandise: Any person who shall—

"(a) Enter or import, or attempt to enter or import, any articles or merchandise into the Canal Zone before the entry or importation of such article or merchandise has been approved by the proper officers of the Canal Zone;

"(b) Pass, or attempt to pass, any false, forged, or fraudulent invoice, bill, or other paper, for the purpose of securing the entry or importation of any articles or merchandise into the Canal Zone in violation of the rules and regulations established under the authority of the next preceding section; or

"(c) Violate any of the rules and regulations established under the authority of the next preceding section;

"Shall be punished by a fine of not more than \$100 or by imprisonment in jail for not more than 30 days, or by both."

SEC. 2. That section 323 of title 2 of the Canal Zone Code, relative to the violation of regulations governing roads, highways, and self-propelled vehicles, is amended to read as follows:

"323. Violation of regulations; punishment: Any person who violates any rule or regulation established under the authority of the two next preceding sections shall be punished by a fine of not more than \$100 or by imprisonment in jail for not more than 30 days, or by both."

SEC. 3. That paragraph (a) of section 61 of title 3, Canal Zone Code, is amended to read as follows:

"61. Application for and issuance of license; fee: (a) No marriage shall be celebrated in the Canal Zone unless a license to marry has first been secured from the office of the clerk of the district court in either division. In cases where both parties to a proposed marriage are residents of the Republic of Panama and neither is an American citizen, no license shall issue in the Canal Zone unless the parties have previously obtained a license to marry from the proper authorities in the Republic of Panama. No marriage license shall be issued to a leper except upon a certificate of approval by the chief health officer of the Canal Zone. All licenses when issued shall be accompanied by a marriage certificate to be executed by the person celebrating the marriage."

SEC. 4. That article 3, chapter 39, title 3, Canal Zone Code, relative to loan of money, is amended by adding at the end of said article a new section no. 1270 and reading as follows:

"1270. Interest of judgments: Judgments shall bear interest at the rate of 6 percent per annum from the date of entry thereof."

SEC. 5. That section 1312 of title 3 of the Canal Zone Code is amended by substituting the word "default" for the word "defraud" appearing in the proviso in said section.

SEC. 6. That paragraph (b) of section 182, title 4, Canal Zone Code, relative to process in proceedings for divorce, is amended to read as follows:

"(b) Upon application of the plaintiff, accompanied by the affidavit required by subdivision (c), if the summons has not been served as provided in subdivision (a), the court, or the judge thereof, shall enter an order directing service of a summons by publication if it appears to the satisfaction of such court or judge—

"(1) That the defendant cannot be found in the Canal Zone; and
 "(2) That a proper cause for divorce is alleged in favor of the plaintiff."

SEC. 7. That article 2, chapter 11, title 5, Canal Zone Code, relative to crimes in relation to motor and other vehicles, is amended by adding at the end of said article a new section no. 514 and reading as follows:

"514. Driving motor vehicle recklessly causing bodily injury: Any person who shall operate a motor vehicle recklessly, thereby causing great bodily injury to the person of another, shall be punishable by imprisonment in jail for not more than 1 year or by a fine of not more than \$1,000, or by both."

SEC. 8. That section 571 of title 6 of the Canal Zone Code, relative to bail upon being held to answer before information, is amended to read as follows:

"571. Admission to bail in such case: When the defendant has been held to answer upon a preliminary hearing for a public offense, the admission to bail may be by the magistrate by whom he is so held, or by any judge who has power to issue the writ of habeas corpus. The power of the said magistrate to admit to bail in such case shall extend to the time of filing of an information, and the magistrate shall likewise have power either to increase or reduce the amount of such bail in the manner provided in section 582 of this title."

SEC. 9. That section 43 of title 7 of the Canal Zone Code is amended to read as follows:

"43. Public defender: The Governor of the Panama Canal shall appoint a duly qualified member of the bar of the Canal Zone as a public defender, whose duty it shall be to represent, in the district court, any person charged with the commission of a crime within the original jurisdiction of that court who is unable to employ counsel for his defense. The public defender shall receive such compensation, and such of the privileges of a Canal employee, as shall be fixed and granted by the President or by his authority."

SEC. 10. That section 222 of title 2 of the Canal Zone Code is hereby amended to read as follows:

"222. Carriage by Panama Railroad Co. of marine and fire insurance: The Panama Railroad Co. shall carry no insurance to cover marine or fire losses: *Provided*, That this section shall not prohibit the company from carrying insurance to cover shipments of its own funds and securities."

Mr. McKELLAR. Mr. President, will the Senator from Missouri [Mr. CLARK] give us an explanation of the bill?

Mr. CLARK. Mr. President, the code of laws in existence in the Canal Zone has been found defective in several particulars. There are several different provisions involved.

Mr. McKELLAR. Was there any objection from any source?

Mr. CLARK. The bill which is recommended by the Canal Zone authorities and approved by the War Department passed the House of Representatives unanimously and has been unanimously approved by the Committee on Inter-oceanic Canals.

Mr. McKELLAR. I have no objection.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AIR NAVIGATION IN CANAL ZONE

The bill (H. R. 6144) to amend the Canal Zone Code was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That chapter 1 of title 2, Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended by adding at the end of said chapter a new section no. 14 and reading as follows:

"14. Air navigation: The Government of the United States is hereby declared to possess, to the exclusion of all foreign nations, sovereign rights, power, and authority over the air space above the lands and waters of the Canal Zone. Until Congress shall otherwise provide, the President is authorized to make rules and regulations, and to alter and amend the same from time to time, governing aircraft, air navigation, air-navigation facilities, and aeronautical activities within the Canal Zone. Any person who shall violate any of the rules or regulations issued in pursuance of the authority contained in this section shall be punishable by a fine of not more than \$500 or by imprisonment in jail for not more than 1 year, or by both."

SEC. 2. That chapter 3 of title 2, Canal Zone Code, relative to administering oaths and summoning witnesses, is amended by adding at the end of said chapter a new section no. 44, and reading as follows:

"44. Administering oaths in inquests and in deportation proceedings: Officers of the Panama Canal designated by the Governor or by his authority to act as coroner and deputy coroners and authorized to hold inquests in the Canal Zone, and officers designated by such authority to conduct hearings in reference to the exclusion and deportation of persons from the Canal Zone, are hereby authorized to administer oaths in the conduct of such proceedings."

SEC. 3. That section 81 of title 2 of the Canal Zone Code is amended so as to read as follows:

"81. Appointment, removal, and compensation of necessary persons: All persons, other than the Governor of the Panama Canal, necessary for the care, management, maintenance, sanitation, government, operation, and protection of the Canal and Canal Zone shall—

"(a) Be appointed by the President or by his authority;
 "(b) Be removable at the pleasure of the President; and
 "(c) Receive such compensation as shall be fixed by the President or by his authority until such time as Congress may by law regulate the same;

and such persons shall be employed and shall serve under such conditions of employment, including matters relating to transportation, medical care, quarters, leave and the commutation thereof, and office hours and hours of labor as have been or shall hereafter be prescribed by the President: *Provided, however*, That salaries or compensation fixed by the President hereunder shall in no instance exceed by more than 25 percent the salary or compensation paid for the same or similar services to persons employed by the Government in continental United States: *And provided further*, That nothing contained in this section shall affect the application to employees of the Panama Canal of the provisions of section 23 of the Independent Offices Appropriation Act, 1935 (48 Stat. 522)."

RELIEF OF CERTAIN EMPLOYEES OF PANAMA CANAL

The bill (H. R. 6436) authorizing cash relief for certain employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Governor of the Panama Canal, under such regulations as may be prescribed by the President of the United States, may pay cash relief to such employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act as may become unfit for further useful service by reason of mental or physical disability resulting from age or disease, and also to such former employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act as have within 3 years prior to the date of enactment of this act been separated from the service because of unfitness for further useful service by reason of such disability: *Provided*, That such cash relief shall not exceed \$1 per month for each year of service of the employee so furnished relief, with a maximum of \$25 per month, nor be granted to any employee having less than 10 years' service with the Panama Canal, including any service with the Panama Railroad Co. on the Isthmus of Panama.

SEC. 2. That there is hereby authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this act.

CITIZENSHIP OF CERTAIN PERSONS BORN IN CANAL ZONE

The Senate proceeded to consider the bill (S. 2416) relative to the citizenship of certain classes of persons born in the Canal Zone or the Republic of Panama, which was read, as follows:

Be it enacted, etc., That any person born in the Canal Zone on or after February 26, 1904, and whether before or after the effec-

tive date of this act, whose father or mother or both at the time of the birth of such person was or is a citizen of the United States, is declared to be a citizen of the United States.

SEC. 2. Any person born in the Republic of Panama on or after February 26, 1904, and whether before or after the effective date of this act, whose father or mother or both at the time of the birth of such person was or is a citizen of the United States employed by the Government of the United States or by the Panama Railroad Co., is declared to be a citizen of the United States.

Mr. ROBINSON. Mr. President, what change in existing law does the bill propose to make?

Mr. CLARK. Mr. President, it merely provides that any person born in the Canal Zone after a certain date, whose father or mother or both at the time of the birth of such person was or is a citizen of the United States, shall be declared to be a citizen of the United States. The existing law is changed in that respect as to children born on or after February 26, 1904.

Mr. ROBINSON. How many persons would it add to our citizenship?

Mr. CLARK. I can best answer the Senator by reading from the letter of the Secretary of War set forth in the report, as follows:

The citizenship status of persons born in the Canal Zone has never been defined either by constitution, treaty, or congressional enactment. The resulting questions which have arisen are of considerable importance because there are in the Canal Zone some 3,000 citizens of the United States employed by the Government on the Panama Canal, and some 10,000 citizens of the United States constituting the personnel of the Army and Navy units stationed in the Canal Zone. These classes of persons, with their families, comprise the whole body of American citizens in the Canal Zone with the exception of a negligible number employed by steamship, oil, and cable companies which are fairly closely allied with the Panama Canal enterprise. The population of the Canal Zone, other than citizens of the United States, consists of some 21,000 inhabitants of diverse nationality, many of whom were born in the Canal Zone subsequent to February 26, 1904.

The questions involved are of greater concern to those affected because of the fact that, in a number of cases which is constantly increasing, children born in the Canal Zone of American fathers who are employees of the Government of the United States are themselves reaching maturity, entering the Government service, and becoming the parents of children, without ever having resided elsewhere than in the Canal Zone. One of the most important questions involved, therefore, concerns the citizenship status of children born in the Canal Zone of these second generation citizens of the United States in those cases where a parent capable of transmitting citizenship has not resided in the United States previous to the birth of such a child.

Problems similar to the above have arisen with respect to the status of children born in the hospitals maintained by the Government of the United States in Colon, Republic of Panama. In the latter class of cases the parent is employed in the Government service and works in the Canal Zone. In a number of these cases the parents of the child actually reside in the Canal Zone. The United States Government hospital in which the child is born is adjacent to the Canal Zone but actually within the political jurisdiction of the Republic of Panama.

The draft of bill attached was prepared under the direction of the Governor of the Panama Canal after extensive studies had been made of the subject matter, and it is recommended that this legislation be given favorable consideration.

In other words, as I understand, the hospital to which Government employees in the Canal Zone naturally go, and to which their wives go and in which their children are born, lies outside the jurisdiction of the Canal Zone but in the Republic of Panama. The bill is merely to take care of the citizenship of children so born.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

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

BILLS PASSED OVER

The bill (S. 1760) to promote the safety of scheduled air transportation was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 2) to amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by aircraft in interstate commerce and for other purposes, was announced as next in order.

Mr. McKELLAR. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 892) to repeal the act entitled "An act relating to Philippine currency reserves on deposit in the United States" was announced as next in order.

Mr. ROBINSON. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

ADDITIONAL JUDGE FOR SOUTHERN DISTRICT OF OHIO

The bill (S. 2010) to authorize the appointment of an additional judge for the southern district of Ohio was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President hereby is authorized to appoint, by and with the advice and consent of the Senate, one district judge for the southern district of Ohio in addition to those now authorized by law. Said additional judge shall be entitled to receive the same salary payable in the same manner as is now provided for district judges in said district. This additional district judge shall reside within said district and shall be subject to the general provisions of law relating to district judges of the United States.

SEC. 2. This act shall take effect immediately upon the approval thereof by the President of the United States.

WARTIME RANK OF RETIRED OFFICERS OF ARMY, NAVY, ETC.

The bill (S. 2279) to amend section 2 of the act entitled "An act to give wartime rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930, so as to prohibit persons who have been subsequently separated from the service under other than honorable conditions from bearing the official title and upon occasions of ceremony wearing the uniform of the highest grade held by them during their war service, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to give wartime rank to retired officers and former officers of the Army, Navy, Marine Corps, and/or Coast Guard of the United States", approved June 21, 1930 (46 Stat. 793; U. S. C., title 10, sec. 1028-b), is hereby amended to read as follows:

"SEC. 2. All persons who have served honorably in the Army, Navy, Marine Corps, and/or Coast Guard of the United States during war shall, when not in the active military and/or naval service of the United States, be entitled to bear the official title and upon occasions of ceremony, to wear the uniform of the highest grade held by them during their war service: *Provided*, That their subsequent service and their separation from the service have been honorable and that they have not been sentenced by court martial or by civil authorities to confinement in a State or Federal penitentiary as a result of a conviction for a felony: *Provided further*, That persons other than regular members thereof shall not bear the official title of any of the above services except as authorized by this or other acts, and anyone who offends against the provisions of this section shall be punished in the same manner and to the same extent as is provided by law for persons who offend against prohibitions of law making it unlawful to wear duly prescribed uniforms of said services or parts thereof."

JAMES PHILIP COYLE

The bill (H. R. 2404) for the relief of James Philip Coyle, was considered, ordered to a third reading, read the third time, and passed.

TIMOTHY JOSEPH M'CARTHY

The bill (H. R. 3002) for the relief of Timothy Joseph McCarthy, was considered, ordered to a third reading, read the third time, and passed.

CLAIMS OF FIVE CIVILIZED TRIBES

The Senate proceeded to consider the bill (S. 1379) authorizing the Five Civilized Tribes, in suits heretofore filed under their original jurisdictional acts, to present claims to the United States Court of Claims, by amended petitions to conform to the evidence; and authorizing said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original jurisdictional acts, which had been reported from the Committee on Indian Affairs, with amendments, on page 1, line 3, before the word "suits", to insert "any"; on page 1, line 4, after the words "claims by", to strike out "the Five Civilized Tribes under

their respective jurisdictional acts (Cherokee Nation, act approved Mar. 19, 1924, 43 Stat. 27; Seminole Nation, act approved May 20, 1924, 43 Stat. 133; Creek Nation, act approved May 24, 1924, 43 Stat. 139; Choctaw and Chickasaw Nations, act approved June 7, 1924, 43 Stat. 537, as amended by joint resolutions approved May 19, 1926, 44 Stat. 568, and Feb. 19, 1929, 45 Stat. 1229)" and to insert "any nation, tribe, or band of Indians"; and, on page 2, line 14, after the words "Indian nations", to insert "tribes, or bands", so as to make the bill read:

Be it enacted, etc., That in any suits heretofore filed in the United States Court of Claims by any nation, tribe, or band of Indians, plaintiffs therein, at any time before the final submission of said suits, shall have the right to amend their petitions to conform to any evidence filed in said suits, whether such amended petitions develop original claims or present new claims based upon said evidence; and jurisdiction be, and is hereby, conferred upon said Court of Claims, notwithstanding the lapse of time or statute of limitations, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which may have been presented by said Indian nations, tribes, or bands in any amended petitions heretofore filed, or which may be filed under the terms of this act; and claims so presented shall be adjudicated by said court upon their merits as though presented by petitions filed within the time limited by said respective original jurisdictional acts, as amended; and any case presenting claims which may have been dismissed upon the ground that new claims were set up by amended petition, after the expiration of the time limitation fixed in said original jurisdictional acts, as amended, shall be reinstated and retried by said court on their merits, upon the same pleadings, findings of fact, and under the same law in force when originally tried.

The amendments were agreed to.

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

The title was amended so as to read: "A bill authorizing any nation, tribe, or band of Indians, in suits heretofore filed under their original jurisdictional acts, to present claims to the United States Court of Claims, by amended petitions at any time before final submission of said suits, to conform to the evidence; and authorizing the said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original jurisdictional acts."

INDIANS OF QUINALALT RESERVATION, WASH.

The Senate proceeded to consider the bill (S. 1517) authorizing the payment of necessary expenses incurred by certain Indians allotted on the Quinalalt Reservation, State of Washington, which had been reported from the Committee on Indian Affairs, with an amendment, on page 2, line 8, after the words "sale of", to strike out "timber on his or her allotment" and insert "his allotment or of timber thereon", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay the attorneys of record for those Quinalalt Indians who received their allotments on the Quinalalt Reservation, State of Washington, pursuant to an order of a United States district or appellate court in a case wherein they were named parties plaintiff, the reasonable and fair value of the services rendered and expenses incurred, as heretofore fixed and determined by said Secretary; and the sum of \$55,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to make said payments, the amount so paid for the account of each such allottee to be reimbursed to the United States out of any funds now or hereafter accruing to the account of each such Indian allottee from the sale of his allotment or of timber thereon.

The amendment was agreed to.

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

The title was amended so as to read: "A bill authorizing the payment of attorney fees contracted to be paid by certain Indians allotted on the Quinalalt Reservation, State of Washington, and for other purposes."

BILL PASSED OVER

The bill (S. 1392) to reorganize the judicial branch of the Government was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

WABASH RIVER BRIDGE, INDIANA

The bill (H. R. 5848) to extend times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind., was considered, ordered to a third reading, read the third time, and passed.

POTOMAC RIVER BRIDGE AT SHEPHERDSTOWN, MD.

The bill (H. R. 6285) authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River in Washington County, Md., at or near a point opposite Shepherdstown, W. Va., and a point at or near Shepherdstown, Jefferson County, W. Va., to take the place of a bridge destroyed by flood, was considered, ordered to a third reading, read the third time, and passed.

POTOMAC RIVER BRIDGE AT HANCOCK, MD.

The bill (H. R. 6286) authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Hancock, in Washington County, Md., and a point near the north end of Morgan County, W. Va., to take the place of a bridge destroyed by flood, was considered, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE NEAR NIOBRARA, NEBR.

The bill (H. R. 6292) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebr., was considered, ordered to a third reading, read the third time, and passed.

SNAKE RIVER BRIDGE, WASHINGTON-IDAHO

The bill (H. R. 6494) to extend the times for commencing and completing the construction of a bridge across the Snake River between Clarkston, Wash., and Lewiston, Idaho, was considered, ordered to a third reading, read the third time, and passed.

DISABILITY OR DEATH BENEFITS IN EVENT OF WAR

The bill (S. 2113) to provide benefits on account of disability or death due to service in the armed forces of the United States in the event of war, and for other purposes, was announced as next in order.

Mr. VANDENBERG. Mr. President, let us have an explanation of the bill.

The PRESIDENT pro tempore. The Senator from Michigan desires an explanation of the bill.

Mr. REYNOLDS. Mr. President, this is a bill which I was instructed to report from the Committee on Military Affairs. Its title discloses its purpose. I should like to bring to the attention of the Senate and particularly to the attention of the Senator from Michigan the fact that the bill was considered by a subcommittee of the Committee on Military Affairs and was later considered by the full committee and reported favorably to this body.

Mr. VANDENBERG. I am simply asking the Senator to indicate what the bill provides.

Mr. REYNOLDS. It merely provides benefits for the widows of soldiers of future wars, and likewise compensation to soldiers for services rendered in war, not in excess of compensation being derived by veterans of the World War at the present time.

Mr. VANDENBERG. Is there any recommendation from the War Department or the Veterans' Bureau in connection with the bill?

Mr. REYNOLDS. As a matter of fact, my recollection is that the War Department recommended adversely. The War Department, in addressing the members of the Committee on Military Affairs under date of May 11, 1937, had the following to say to the chairman of the committee:

DEAR SENATOR SHEPPARD: Careful consideration has been given to the bill (S. 2113) to provide benefits on account of disability or death due to service in the armed forces of the United States in the event of war, and for other purposes, which you referred to the

War Department under date of April 10, 1937, with request for information and the views of the Department relative thereto.

This proposed legislation appears to have reference to laws which are administered primarily, if not entirely, by the Veterans' Administration. The records of the War Department do not include information regarding the subject matter of the bill. This Department therefore feels that, out of deference to the Veterans' Administration, it should refrain from expressing an opinion as to the merits of the measure.

This report was submitted to the Bureau of the Budget, which advises that there would be no objection to the submission to Congress of the proposed report on S. 2113.

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

Mr. VANDENBERG. What is the attitude of the Veterans' Administration?

Mr. REYNOLDS. In view of the fact that the matter is one with which the Veterans' Administration would have to do, the War Department advised that they would not comment further upon the bill.

Mr. VANDENBERG. The Veterans' Administration themselves commented on the bill, did they not?

Mr. REYNOLDS. I think they did.

Mr. VANDENBERG. What did they say?

Mr. McKELLAR. Mr. President, as I understand, they did not recommend the bill, nor did the Navy Department.

Mr. REYNOLDS. General Hines commented upon the bill as follows:

This is with further reference to your request of April 10, 1937, for a report on S. 2113, Seventy-fifth Congress, a bill to provide benefits on account of disability or death due to service in the armed forces of the United States in the event of war, and for other purposes, which provides—

Mr. ROBINSON. Mr. President, I notice that in the report from the Secretary of the Navy it is stated:

However, in the opinion of the Navy Department it would be better to provide benefits based on conditions existing when the future war comes, or, if it is desired to enact such legislation now, to enumerate those it is desired to perpetuate.

I, myself, do not see the necessity at this time of legislating benefits for soldiers in future wars. It seems to me that if we are to take it for granted that a necessity for such legislation will arise, we may well consider the legislation when the necessity does arise; so I think the measure had better go over.

Mr. VANDENBERG. Mr. President, at least we are not going to have a war before we have another call of the calendar; and I suggest that the bill go over until that time, in any event.

Mr. ROBINSON. Yes.

The PRESIDENT pro tempore. Objection being made, the bill will be passed over.

FORT NIAGARA MILITARY RESERVATION, N. Y.

The bill (H. R. 3123) to authorize the Secretary of War to lease to Old Fort Niagara Association, Inc., portions of the Fort Niagara Military Reservation, N. Y., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to lease to Old Fort Niagara Association, Inc., a nonprofit membership corporation incorporated under the laws of the State of New York, that portion of the Fort Niagara Military Reservation, N. Y., known as Old Fort Niagara, including all grounds, buildings, and fortifications pertaining thereto which have been restored and rehabilitated by Old Fort Niagara Association, Inc., and the United States of America, together with such additional adjacent areas and/or buildings as, in the discretion of the Secretary of War, may be or become necessary for such term or terms and subject to such conditions as, in the discretion of the Secretary of War, shall be advisable: *Provided, however,* That the consideration for any lease executed pursuant to this act shall be the maintenance by said Old Fort Niagara Association, Inc., of said premises in accordance with the terms of such lease, and every such lease shall be revocable at will by the Secretary of War.

FORT DONELSON NATIONAL MILITARY PARK, TENN.

The bill (S. 2026) to provide for the addition of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes, was considered,

ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the following-described tracts or parcels of land, lying and being within the seventh civil district of Stewart County, Tenn., are hereby transferred from the jurisdiction of the Secretary of War to the jurisdiction of the Secretary of the Interior as additions to the Fort Donelson National Military Park, and shall hereafter be subject to all laws and rules and regulations applicable to said park:

Tract no. 1, a right-of-way, 50 feet wide, lying 25 feet on each side of a center line, beginning at a point in the southerly boundary line of lock D reservation, 734.8 feet from the southwest corner of this reservation; thence south 31°5' W. 77.1 feet; thence south 86°21' W. 479.9 feet; thence south 63°53' W. 262.3 feet; thence south 39°36' W. 186.7 feet; thence south exactly 40° E. exactly 194 feet; thence south 30°58' E. 314.5 feet; thence south 28°15' E. exactly 85 feet; thence south 28°37' E. 250.5 feet; thence south 4°6' E. 261.7 feet; thence south 36°27' E. 282.3 feet; thence south 23°45' E. 178.3 feet to center of line of county road, reserving, however, to the War Department the right to the continued use of the road over this tract as a means of access to lock D.

Tract no. 2, beginning at a point in the southern boundary line of lock D reservation 753.5 feet from the southwest corner of this reservation, thence north 74°28' E. 191.98 feet, thence south 85°12' E. 52.9 feet, thence south 51°36' E. 32.9 feet, thence south 9°33' E. 117.02 feet, thence south 31°3' W. 69.82 feet, thence north 58°57' W. 288.08 feet to beginning.

Tract no. 3, beginning at a point in the southern boundary line of lock D reservation, 590 feet from the southwest corner of this reservation, this point being marked by an iron fence post, thence north 58°57' W. 590 feet along the southern boundary line of lock D reservation, thence north 31°3' E. 488 feet along the western boundary line of the lock D reservation to low-water mark on bank of Cumberland River, thence along low-water line of Cumberland River in a southeasterly direction 335 feet, thence south 35°5' W. 123 feet to an iron pin, thence south 55°55' E. 307.5 feet to an iron pin, thence south 40°5' W. 310.5 feet to beginning.

Sec. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within a distance of 1 mile from the boundaries of said Fort Donelson National Military Park, as hereby extended, and donations of funds for the purchase or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable or by condemnation, such tracts of land within a distance of 1 mile from the boundaries of the said national military park as may be necessary for the completion thereof. Upon the acquisition of such land the same shall become a part of the Fort Donelson National Military Park and shall be subject to the laws and rules and regulations applicable to said park.

Sec. 3. The administration, protection, and development of the lands hereby authorized to be added to the Fort Donelson National Military 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 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes", as amended.

INTERSTATE COMMERCE IN PRODUCTS OF CHILD LABOR

The bill (S. 2226) to regulate interstate commerce in the products of child labor, and for other purposes, was announced as next in order.

Mr. ROBINSON. Mr. President, that is an important bill. I do not wish to object to its consideration, but I think the bill should receive more attention than it is possible to give it at this time. Let the bill be read.

The PRESIDENT pro tempore. The bill will be read.

The Chief Clerk proceeded to read the bill.

Mr. BLACK. Mr. President, I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

COMPENSATION OF OFFICERS AND EMPLOYEES OF CORPORATIONS

The bill (H. R. 6215) to repeal provisions of the income tax requiring lists of compensation paid to officers and employees of corporations was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. LONERGAN. Mr. President, has objection been made to the consideration of this bill?

The PRESIDENT pro tempore. Objection has been made.

Mr. LONERGAN. By whom, may I ask?

Mr. McKELLAR. Mr. President, I made the objection. The bill seems to be very important; and I should like to

have it go over until the next time the Calendar is called, in any event.

Mr. LONERGAN. I will say to the Senator from Tennessee that the bill passed the House of Representatives on the 27th of April, and was considered by the Finance Committee and favorably reported.

Mr. McKELLAR. I have no doubt of that, or the bill would not be on the Calendar; but I should like to have the Senator let it go over this time, until I can examine into it.

The PRESIDENT pro tempore. The bill will be passed over.

JACKSON CASKET & MANUFACTURING CO.

The bill (H. R. 5258) for the relief of the Jackson Casket & Manufacturing Co. was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) notwithstanding the declaration of adjusted declared value in its capital-stock-tax return for the year ending June 30, 1936, the original declared value of the Jackson Casket & Manufacturing Co., of Jackson, Miss., in determining its capital-stock tax under section 105 of the Revenue Act of 1935, as amended, for the year ending June 30, 1937, and subsequent years, shall be a value computed on the basis of \$125 per share of its capital stock.

(b) The provisions of subsection (a) shall apply only if the taxpayer within 30 days after the date of the enactment of this act files with the collector of internal revenue for its district a statement under oath, recomputing its original declared value in accordance with the provisions of this act.

ELIMINATION OF OATH ON INCOME-TAX RETURNS

The bill (S. 2473) to provide that individual income-tax returns may be made without the formality of an oath, and for other purposes, was announced as next in order.

Mr. ROBINSON. Mr. President, I inquire of the Senator from Massachusetts [Mr. WALSH] if the intention and purpose of this bill is to permit the filing of unverified income-tax returns.

Mr. WALSH. No. The purpose of the bill is to eliminate the requirement that individual tax returns shall be made under oath. The bill provides that the individual taxpayer will be guilty of perjury, and may be prosecuted for perjury, in case he knowingly makes false statements in the return.

Mr. ROBINSON. It is a well-established principle of law that there can be no perjury where an oath is not administered and violated. To provide that a man shall be guilty of perjury for merely making a statement as to which he is not required to take an oath seems to me, to say the least, a very unusual provision of law. What is the object of it?

Mr. WALSH. I will state to the Senator that such a provision of law has existed for years in the State of Massachusetts in the requirements of taxpayers making out individual tax returns, and prosecutions have been made under it; and this bill follows the provisions of that law. I will also say to the Senator that the Treasury Department report that in several cases they have been unable to prosecute where oaths have been administered, because the oaths were improperly administered, or there was the appearance of authority to administer the oaths where there was not such authority.

I will read a few lines from the Secretary of the Treasury on that point:

The Department has, on several occasions in recent years, considered suggestions that the statutory requirement for making income returns under oath be eliminated and that a statement similar to that now proposed in S. 4257 be substituted therefor. After a careful review of the relevant considerations, I am convinced that the arguments raised against eliminating the oath on income returns are not of sufficient weight to warrant objection on the part of the Department to the purpose of the proposed legislation. The experience of the Department is that there has been a frequent disregard of the prescribed formalities incident to the administering of oaths by notaries public and other persons authorized to administer oaths. As a result much of the solemnity and psychological effect usually attached to the proper administering of an oath is lost. Because of some formal defect in the administering of the oath, the Government, in numerous instances, has been unable to prosecute taxpayers for perjury for false statements made in their income returns.

It will suffice to state, without entering into a detailed discussion of the relative significance, merits, and effect of an oath as compared with a statement made under the penalties of perjury as proposed, that I am of the opinion that such a statement as is proposed in S. 4257 would discourage the making of dishonest

returns at least as effectively as the present requirement of an oath.

Mr. President, this bill, if enacted into law, will remove some delays and inconveniences to income-tax payers and also will aid somewhat the Government in prosecuting taxpayers for false statements in their income-tax returns.

Let me add, further, that the Treasury Department are now contemplating the presentation of a similar bill to apply to statements made by employers and employees under the social security law, because of the numerous complaints which have been made of the inconvenience, expense, and trouble to which employers and employees are put in making out the large number of reports that now have to be made under oath.

Mr. McKELLAR. I ask that the bill go over today, in order that I may look into it.

Mr. WALSH. Very well.

The PRESIDENT pro tempore. The bill will be passed over.

BILL PASSED OVER

The bill (S. 106) to establish the Farmers' Home Corporation, to encourage and promote the ownership of farm homes and to make the possession of such homes more secure, to provide for the general welfare of the United States, to provide additional credit facilities for agricultural development, to create a fiscal agent for the United States, and for other purposes, was announced as next in order.

Mr. McKELLAR. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

AGREEMENTS UNDER AGRICULTURAL PROGRAMS

The bill (S. 2229) to permit Members of Congress to enter into agreements under agricultural programs was announced as next in order.

Mr. VANDENBERG. Mr. President, what is the purpose of this bill?

Mr. ROBINSON. Mr. President, I introduced the bill at the request of a number of Members of Congress.

Some Members of Congress are engaged in the business of farming. They are unable to enter into the conservation contracts which are expected to be made by farmers generally, because of a provision of the statutes which passed some time ago. Some of them have been embarrassed by being asked by farmers if they had signed the contract and having to reply that they could not do so because the law did not allow them to do so; and they thought no possible harm could come from permitting Members of the Congress to enter into conservation contracts.

It is a matter which I understand is favored by representatives of the Department, although I introduced the bill at the instance of a number of Members of Congress who themselves did not wish to introduce it.

Mr. VANDENBERG. Let the bill go over for this call of the calendar.

The PRESIDENT pro tempore. The bill will be passed over.

MAURICE D. PRYOR

The Senate proceeded to consider the bill (S. 1626) to amend the military record of Maurice D. Pryor, and for other purposes, which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and to insert the following:

That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Maurice D. Pryor (Army serial no. 2384655) shall be held and considered to have been honorably discharged as a private, Company A, One Hundred and Forty-fourth Machine Gun Battalion, United States Army, on February 13, 1919: *Provided*, That no pension, bounty, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this Act, with the exception of that provided in the World War Adjusted Compensation Act, as amended and supplemented: *Provided*, That the said Maurice D. Pryor makes application for the benefits of the World War Adjusted Compensation Act within 1 year from the date of the passage of this act.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Maurice D. Pryor."

PUGET SOUND BRIDGE, WASHINGTON

The bill (H. R. 4711) to extend the times for commencing and completing the construction of a bridge across Puget Sound at or near a point commonly known as The Narrows, in the State of Washington, was considered, ordered to a third reading, read the third time, and passed.

ADMINISTRATION OF OATHS IN THE PHILIPPINES

The bill (S. 2349) to authorize the administration of oaths by the chief clerk and the assistant chief clerk of the office of United States High Commissioner to the Philippine Islands, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby conferred upon the chief clerk and the assistant chief clerk, respectively, of the office of the United States High Commissioner to the Philippine Islands the authority whenever either of them is required or deems it necessary or proper so to do at any place within the territorial limits of the Commonwealth of the Philippines to administer to or take from any person an oath, affirmation, affidavit, or deposition, and to perform any notarial act which any notary public is required or authorized by law to do within the United States or any of its possessions. Every such oath, affirmation, affidavit, deposition, and notarial act administered, sworn, affirmed, taken, had, or done, by or before such chief clerk or assistant chief clerk when certified under their respective hands and accompanied by a certificate attesting the official position of the person certifying as such chief clerk or assistant chief clerk, under the hand and the seal of office of the United States High Commissioner to the Philippine Islands or of the Acting United States High Commissioner to the Philippine Islands, shall be as valid, and of like force and effect within the United States and its possessions, to all intents and purposes, as if administered, sworn, affirmed, taken, had, or done by or before any other person within the United States or its possessions duly authorized and competent thereto.

SEC. 2. Any person who shall willfully and corruptly misstate, or by any means procure any person to misstate, any material fact or matter in any such oath, affirmation, affidavit, or deposition, or shall forge any of the signatures of the seal hereinbefore mentioned or shall tender in evidence any of the documents heretofore mentioned with a false or counterfeit seal or signature thereto, knowing the same to be false or counterfeit, may be charged and tried in any court of the United States or of its possessions, including the Commonwealth of the Philippines, within whose territorial jurisdiction he may be found, and upon conviction of any offense herein described shall be imprisoned for not less than 1 nor more than 3 years and fined in a sum not to exceed \$3,000.

SEC. 3. Any document mentioned herein purporting to have subscribed thereto or thereon the signature of the official administering or taking the same in testimony thereof, when accompanied by the above-mentioned certificate of the United States High Commissioner to the Philippine Islands or of the Acting United States High Commissioner to the Philippine Islands, shall be admitted in evidence without proof of the genuineness of the signature or seal of any official herein mentioned or of the official position of such official.

ANNUAL CONFERENCE OF SENIOR CIRCUIT JUDGES

The bill (H. R. 2703) to provide for the representation of the United States Court of Appeals for the District of Columbia on the Annual Conference of Senior Circuit Judges was considered, ordered to a third reading, read the third time, and passed.

NATIONAL SAFETY STANDARDS COMMISSION

T. bill (S. 18) to establish a National Safety Standards Commission to reduce the danger of accidents at highway grade crossings, and drawbridges, and for other purposes, was announced as next in order.

Mr. WHITE. Let this bill go over.

Mr. LONERGAN. Mr. President, will not the Senator withhold his objection?

Mr. WHITE. Mr. President, I had no objection to this bill in its original form, but it seems to me it has been amended in important respects, and I have had no opportunity to read or to study the amendments. I think other Members on the minority side of the committee have had no opportunity to know what the effect of the amendments would be. I should like to have the bill go over for the time being.

Mr. LONERGAN. Very well.

The PRESIDENT pro tempore. Objection being heard, the bill will be passed over.

INSURANCE AGAINST LOSS OR DAMAGE IN SHIPMENT

The Senate proceeded to consider the bill (H. R. 6635) to dispense with the necessity for insurance by the Government against loss or damage to valuables in shipment, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads with an amendment to strike out all after the enacting clause and to insert the following:

That as soon as practicable after the approval of this act the Secretary of the Treasury and the Postmaster General shall, jointly, with the approval of the President, prescribe regulations governing the shipment of valuables by the executive departments, independent establishments, agencies, wholly owned corporations, officers, and employees of the United States, with a view to minimizing risks of loss and destruction of, and damage to, such valuables in shipment. After the effective date of such regulations, which shall be not more than 30 days after their issuance, it shall be the duty of every such executive department, independent establishment, agency, wholly owned corporation, officer, and employee, and of every person acting for him or it, or at his or its direction, to comply with such regulations in making any shipment of valuables.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$500,000 to be used, under the direction of the Secretary of the Treasury, for the replacement of valuables, or the value thereof, lost, destroyed, or damaged in the course of shipment effected pursuant to the regulations prescribed under section 1. There is hereby further authorized to be appropriated annually, beginning with the fiscal year 1939 and ending with the fiscal year 1948, inclusive, the sum of \$200,000 for the said purposes, and from time to time such additional sums as may be necessary for the said purposes. There shall be in the Treasury of the United States a revolving fund, to be known as "the fund for the payment of Government losses in shipment" (hereinafter referred to as "the fund"), to be constituted of the said sum of \$500,000 and the sums hereafter appropriated for the said purposes, together with all recoveries and repayments credited to the fund as hereinafter provided. There is hereby further authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000, for expenditure under the direction of the Secretary of the Treasury, to be used for the payment of administrative expenses, including personal services, necessary to carry out the provisions of this act for the fiscal year 1938.

SEC. 3. In the event of loss or destruction of, or damage to, valuables of which shipment shall have been made pursuant to the regulations prescribed under section 1, a claim in writing for replacement shall be made upon the Secretary of the Treasury who, if he shall be satisfied that such loss, destruction, or damage has occurred and that shipment was made substantially in accordance with such regulations, shall cause replacement to be made out of the fund through such officers as he may designate. Notwithstanding any provision of law to the contrary, the decision of the Secretary of the Treasury that such loss, destruction, or damage has occurred or that such shipment was made substantially in accordance with such regulations shall be final and conclusive and shall not be subject to review by any other officer of the United States: *Provided, however,* That where the Secretary of the Treasury determines that such replacement can be effected, in whole or in part, without actual or ultimate injury to the United States, by a credit in the accounts of the executive department, independent establishment, agency, officer, employee, or other accountable person making the claim he shall not resort to the fund, except to the extent that such replacement cannot be so effected by such credit, but shall certify such determination to the Comptroller General and, upon receipt of such certification, the Comptroller General is authorized and directed to make such credit in the settlement of accounts in the General Accounting Office: *Provided further,* That the fund shall not be available with respect to any loss, destruction, or damage affecting valuables of which shipment shall have been made by or on behalf of the Public Debt Service of the Treasury Department, insofar as such loss, destruction, or damage is chargeable against the indefinite appropriation "Expenses of loans, act of September 24, 1917, as amended and extended" (U. S. C., 1934 ed., title 31, secs. 760, 761): *And provided further,* That the fund shall not be available with respect to any loss, destruction, or damage affecting valuables, insofar as such loss, destruction, or damage may be adjusted by the Postmaster General under the provisions of the act of March 17, 1882, as amended (U. S. C., 1934 ed., title 39, sec. 49); nor shall it be available with respect to any loss, destruction, or damage affecting valuables of which shipment shall have been made at the risk of persons other than the United States, its executive departments, independent establishments, agencies, wholly owned corporations, officers, and employees. All recoveries and repayments on account of loss, destruction, or damage to valuables of which replacement shall have been made out of the fund shall be credited to it and shall be available for the purposes thereof.

SEC. 4. On and after the effective date of the regulations prescribed under section 1, no executive department, independent establishment, agency, wholly owned corporation, officer, or employee shall expend any money, or incur any obligation, for insurance, or for the payment of premiums on insurance, against loss, destruction, or damage in the shipment of valuables except

as specifically authorized by the Secretary of the Treasury. The Secretary of the Treasury may give such authorization if he shall find that the risk of loss, destruction, or damage in such shipment cannot be adequately guarded against by the facilities of the United States or that the circumstances are such that adequate replacement cannot be provided under this act.

SEC. 5. Every officer and employee of the United States and every person acting on behalf of a wholly owned corporation who makes a shipment of valuables in good faith pursuant to and substantially in accordance with the regulations prescribed under section 1 shall be deemed, insofar as there may be concerned the propriety with respect to such shipment of any act or omission governed by such regulations, to be acting in faithful execution of his duties of office and in full performance of the conditions of his bond and oath of office, if any.

SEC. 6. The Secretary of the Treasury shall have power, with the approval of the President, to make such rules and regulations as may be necessary for the execution of the functions vested in him by this act, and may for such purpose require persons making shipment of valuables or making claims for replacement to make such declarations or to furnish him with such other information as he may deem necessary.

SEC. 7. For the purposes of this act—

(a) The term "valuables" means any article or thing or representative of value in which the United States has any interest, or in connection with which it has any obligation or responsibility, direct or indirect, and which is of, or is similar to, a class or kind of article or thing or representative of value which it has been the practice heretofore of the United States to insure, as the insured party, against loss, destruction, or damage in shipment, and includes, but is not limited to, coin, specie, bullion, currency, bonds, coupons, debentures, bills, notes, certificates of indebtedness, certificates of deposit, mortgages, assignments, certificates of stock, warehouse receipts, checks, trust receipts, warrants, stamps, and any other securities, papers, or materials of value, whether complete, incomplete, mutilated, in definitive form, or represented by interim documents; the term "United States" as used in this subsection means the United States or any of its executive departments, independent establishments, agencies, wholly owned corporations, officers, or employees;

(b) The term "shipment" means the transportation, or the effecting of transportation, of valuables, without limitation as to the means or facilities used or by which the transportation, is effected or the person to whom it is made, and includes, but is not limited to, shipments made to any executive department, independent establishment, agency, wholly or partly owned corporation, officer, or employee of the United States, or any person acting on his or its behalf or at his or its direction;

(c) The term "wholly owned corporation" means any corporation, regardless of the law or laws under which it is incorporated, the capital of which is entirely owned, directly or indirectly, by the United States, and includes the duly authorized officers, employees, and agents thereof;

(d) The term "replacement" means payment, reimbursement, replacement, or duplication or the expenses incident thereto.

SEC. 8. (a) Whenever it is clearly proved to the satisfaction of the Secretary of the Treasury—

(1) That any interest-bearing security of the United States, identified by number and description, payable to bearer or so assigned as to become, in effect, payable to bearer, has been wholly or partly destroyed, or so mutilated or defaced as to impair its value to the owner, or has been lost or stolen under such circumstances, and such a period of time having elapsed after it has matured or has become redeemable pursuant to a call for redemption, as in the judgment of the Secretary would indicate that it has been destroyed or irretrievably lost, is not held by any person as his own property and will never become the basis of a valid claim against the United States; or

(2) That any interest-bearing security of the United States, identified by number and description, which is not payable to bearer and which has not been so assigned as to become, in effect, payable to bearer, has been lost or stolen, so that it is not held by any person as his own property, or has been wholly or partly destroyed, or so mutilated or defaced as to impair its value to the owner;

the Secretary, upon receipt and approval by him of a bond of indemnity, if and as required by subsection (b) hereof, shall, in the case of a security which has not matured or become redeemable pursuant to a call for redemption, issue a substitute marked "duplicate" and showing the serial number of the original security; or shall, in the case of a security which has matured or become redeemable pursuant to a call for redemption, make payment thereof to the owner, with such interest only as would have been paid had the security been presented when it became due and payable: *Provided*, That in the case of an interim certificate relief may be given by the issue of a definitive security, whether before or after maturity, rather than by the issue of a substitute or by payment: *And provided further*, That no payment shall be made on account of interest coupons claimed to have been attached to such original security unless the Secretary is satisfied that such coupons have not been paid, and are in fact destroyed or can never become the basis of a valid claim against the United States.

(b) Except as hereinafter provided, the owner of such lost, stolen, destroyed, mutilated, or defaced security shall file with the Secretary of the Treasury a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require: *Provided*, That in case of securities payable to bearer or so assigned as to become, in effect,

payable to bearer, the destruction of which has not been proved, a corporate surety, qualified under the provisions of the act of August 13, 1894, as amended (U. S. C., 1934 edition, title 6, secs. 6-13), shall be required on such bond of indemnity: *And provided further*, That a bond of indemnity shall not be required in any of the following classes of cases, except as hereinafter provided:

(1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner and while the security was in the custody or the control of the United States (not including the Postal Service when acting solely in its capacity as the public carrier of the mails), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of this act.

(2) If substantially the entire security is presented and surrendered by the owner and the Secretary of the Treasury is satisfied as to the identity of the security presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States.

(3) If the lost, stolen, destroyed, mutilated, or defaced security is one which by the provisions of law or by the terms of its issue is transferable only by operation of law.

(4) If the owner is a State or political subdivision thereof, a corporation the whole of whose capital is owned by the United States, a foreign government or a Federal Reserve bank:

Provided, however, That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

(c) The term "interest-bearing security of the United States" or "security", wherever used in this section, means any direct obligation of the United States issued pursuant to law for valuable consideration and which by its terms bears interest, or is issued on a discount basis, and includes (but is not limited to) bonds, notes, certificates of indebtedness, and Treasury bills, and interim certificates issued for any such security.

(d) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of this section.

(e) Sections 3702, as amended, 3703, 3704, and 3705 of the Revised Statutes of the United States (U. S. C., title 31, secs. 735, 736, 737, and 738) are hereby repealed.

SEC. 9. Section 3646 of the Revised Statutes of the United States (U. S. C., 1934 edition, title 31, sec. 528), as amended, is further amended to read as follows:

"(a) Except as hereinafter provided, whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original check of the United States is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, persons authorized to issue such checks on behalf of the United States are authorized, before the close of the fiscal year following the fiscal year in which the original check was issued, to issue to the owner or holder thereof a substitute, marked 'duplicate' and showing the number, date, and payee of the original check, upon the receipt and approval by the Secretary of the Treasury of a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require; but no such substitute shall be payable if the original check shall first have been paid: *Provided, however*, That the authority herein conferred to issue substitute checks may, in the case of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, be issued without limitation of time.

"(b) A bond of indemnity shall not be required under subsection (a) of this section in any of the following classes of cases except as hereinafter provided: (1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner or holder and while the check was in the custody or control of the United States (not including the Postal Service when acting solely in its capacity as the public carrier of the mails), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of the Government Losses in Shipment Act; (2) if substantially the entire check is presented and surrendered by the owner or holder and the Secretary of the Treasury is satisfied as to the identity of the check presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States; (3) if the Secretary of the Treasury is satisfied that the original check is not negotiable and cannot be made the basis of a valid claim against the United States; (4) if the amount of the check is less than \$50 and the Secretary of the Treasury is satisfied that the giving of a bond of indemnity would be an undue hardship to the owner or holder; (5) if the owner or holder is a State or political subdivision thereof, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank: *Provided, however*, That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

"(c) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of the provisions of this section.

"(d) Notwithstanding the provisions of subsections (a), (b), and (c) of this section, whenever any original check of the Post Office Department has been lost, stolen, or destroyed, the Postmaster General may authorize the issuance of a substitute, marked 'duplicate' and showing the number, date, and payee of the original check, before the close of the fiscal year following

the fiscal year in which the original check was issued, upon the execution by the owner thereof of such bond of indemnity as the Postmaster General may prescribe: *Provided*, That when such original check does not exceed in amount the sum of \$50 and the payee or owner is, at the date of the application, an officer or employee in the service of the Post Office Department, whether by contract, designation, or appointment, the Postmaster General may, in lieu of an indemnity bond, authorize the issuance of a substitute check or warrant upon such an affidavit as he may prescribe, to be made before any postmaster by the payee or owner of an original check.

"(e) Substitutes, marked as hereinabove provided, drawn on the Treasurer of the United States, shall, after the lapse of the period fixed by section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., 1934 edition, title 31, sec. 725 (t)), for the payment of the original checks, be payable only as the original checks would be payable thereunder.

"(f) The term 'original check' wherever used in this section means any check, warrant, or other order for the payment of money, payable upon demand and not bearing interest, drawn by a duly authorized officer or agent of the United States on its behalf against an account or funds of the United States, whether upon a bank or upon the Treasurer or other paying officer of the United States, but does not include money, coins, or currency of the United States nor instruments issued by any corporation or other entity owned or controlled by the United States, whether in whole or in part, against such corporation's or entity's own funds; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department."

SEC. 10. This act may be cited as the "Government Losses in Shipment Act."

SEC. 11. This act shall become effective on July 1, 1937.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RELIEF OF THE FIRST, SECOND, AND THIRD NATIONAL STEAMSHIP COMPANIES

The resolution (S. Res. 147) referring the bill (S. 2609) for the relief of the First, Second, and Third National Steamship Cos. to the Court of Claims for findings of fact, was considered and agreed to, as follows:

Resolved, That the bill (S. 2609) entitled "A bill for the relief of the First, Second, and Third National Steamship Cos.", now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary", approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

E. P. LEWIS

The bill (H. R. 3075) for the relief of E. P. Lewis was considered, ordered to a third reading, read the third time, and passed.

DOMINGA PARDO

The bill (H. R. 1689) for the relief of Dominga Pardo, was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. J. C. PORTER

The bill (H. R. 2983) for the relief of Mr. and Mrs. J. C. Porter was considered, ordered to a third reading, read the third time, and passed.

FRANK S. WALKER

The bill (H. R. 1406) for the relief of Frank S. Walker was considered, ordered to a third reading, read the third time, and passed.

FLORIDA O. McLAIN

The Senate proceeded to consider the bill (H. R. 2229) for the relief of Florida O. McLain, widow of Calvin E. McLain, which had been reported from the Committee on Claims with amendments, on page 1, line 5, after the word "Treasury", to strike out "not otherwise appropriated" and to insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps", and on line 8, to strike out "\$5,000" and to insert "\$2,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, and in full settlement of all claims against the United States, the sum of \$2,500 to Florida O. McLain, widow of Calvin E. McLain, who

died as a result of injuries by reason of being struck by a truck which was being recklessly driven by an employee of the Government Civilian Conservation Corps in the city of Knoxville, Tenn., on August 23, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LAURA E. ALEXANDER

The Senate proceeded to consider the bill (H. R. 3259) for the relief of Laura E. Alexander, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$6,349" and insert "\$5,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura E. Alexander, of Asheville, N. C., the sum of \$5,000, in full settlement of all claims against the United States for personal injuries, expenses incident thereto, and the subsequent death of her husband, Samuel H. Alexander, who was shot and permanently disabled February 8, 1901, while acting as assistant postmaster at Emma, N. C., in defending the post office against attempted robbery by armed bandits, and who died January 5, 1920, as a result of said disability: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CLAIM OF THE CITY OF PERTH AMBOY, N. J.

The Senate proceeded to consider the bill (S. 2146) to amend the act entitled "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., approved July 23, 1935, which was read, as follows:

Be it enacted, etc., That the act entitled "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.", approved July 23, 1935, be amended to read as follows: "That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment for just and fair compensation upon the claim of the city of Perth Amboy, N. J., against the United States upon its merits and according to the equities of the case with a view of reimbursing the claimant for money expended in 1918, 1919, and 1920 by the city of Perth Amboy, N. J., growing out of an agreement, formal or informal, or otherwise, with the United States to extend the city's water system for the purpose of supplying water to the Raritan Arsenal and Colonia Base Hospital, No. 2, less the present estimated value of the equipment installed under such agreement.

"Sec. 2. That the suit heretofore instituted under the act of which this is amendatory, by the city of Perth Amboy, N. J., against the United States in the Court of Claims, no. 43325, shall proceed under this act, notwithstanding any lapse of time, laches, or any statute of limitations or any defense, except that said city shall be required to give sufficient assurance to the United States that it will preserve the facilities for furnishing water on account of which this claim is made and will not destroy or render them unfit for use except with the consent of the Secretary of War. Official letters, papers, documents, and public records or certified copies thereof from the files and records of the United States relating to the subject matter in controversy in said suit may be used in evidence by either party and the departments of the United States Government shall give the attorneys for both parties access to such papers, correspondence, and documents as are in the files. Proceedings for the determination of such claim, and appeals from and payment of any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended."

Mr. ROBINSON. Mr. President, I should like to ask the Senator from Alabama, who I see reported the bill, what changes are proposed by this measure in the act conferring jurisdiction on the Court of Claims to determine this claim.

Mr. BLACK. Mr. President, the changes are very simple. About 2 years ago the Committee on Claims reported favorably a bill, and it was passed, which authorized the city of Perth Amboy, N. J., to file suit against the Government and have the case decided on the equities between the city and the Government with reference to the construction of a water system at Perth Amboy.

The controversy arose on account of the establishment of a military camp. It became necessary, because of the establishment of the camp, to have additional water. The city went through its part of the contract, seemingly, and erected the plant. In the meantime the camp was moved, and the city claims that it is entitled to damages. The committee took that viewpoint of the matter originally and passed a bill which it believed would have enabled all the equities to be decided in the court. Government counsel appeared in the court and set up the fact that under the bill as it was passed the city was limited to damages which occurred in 1 year. As a matter of fact, it took 3 years to construct the plant. Therefore there were 3 years' damages instead of 2, if it could be considered from a collective standpoint. The pending bill simply gives the city the right to recover damages which were incurred during any one of the years instead of 1 year only.

Mr. ROBINSON. What measure of damages is set up by the bill?

Mr. BLACK. The bill does not attempt to set up the measure of damages, but we attempted by very strong language, as the Senator will see if he will read it, absolutely to give the court the right to allow only the damages to which the city was equitably entitled, irrespective of what the city spent. We did not seek to set up the measure of damages.

Mr. ROBINSON. What are the damages for? Are they for moving the camp?

Mr. BLACK. The damage was occasioned by the fact that the Government agreed to use the water from this camp, as I recall. It has been some time since I went over the matter. The Government did not use the water. It was to contribute in that way to the construction of the water project.

Mr. ROBINSON. The city was induced to build the water plant by the promise of the Government to use a certain amount of water, and thus compensate the city for a portion of the construction costs?

Mr. BLACK. That is correct.

Mr. ROBINSON. The Government moved the camp away and did not carry out its contract?

Mr. BLACK. The Government did not carry out its contract with reference to the use of all the water it would have utilized.

Mr. ROBINSON. How long was it bound to use the water?

Mr. BLACK. I do not know.

Mr. ROBINSON. The Senator sees the pertinence of the question. Is the Government to pay damages forever to the city of Perth Amboy for the failure of the Government to keep a camp there?

Mr. BLACK. No; as I recall—although I cannot remember definitely—the original damages were limited at the outset to the amount of the cost of the additional water equipment. I reported on the bill about 2 years ago, and when the matter was brought up a short time ago I did not attempt to look into the measure of damages, but I saw that the court had precluded the city from having the equity of its case tried.

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

Mr. BLACK. I yield.

Mr. SMATHERS. As I understand, the purpose of the bill is merely to give jurisdiction to the Court of Claims to determine whether or not there was any damage; and if so, how much. Is not that correct?

Mr. BLACK. And whether or not the Government should pay it.

Mr. SMATHERS. Yes.

Mr. ROBINSON. I will not object to the consideration of the bill.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

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

RICHARD T. EDWARDS

The bill (H. R. 5438) for the relief of Richard T. Edwards was considered, ordered to a third reading, read the third time, and passed.

ADELE FOWLKES

The bill (H. R. 3967) for the relief of Adele Fowlkes was considered, ordered to a third reading, read the third time, and passed.

WILLARD WEBSTER

The bill (H. R. 5496) for the relief of Willard Webster was considered, ordered to a third reading, read the third time, and passed.

FRANK A. SMITH

The bill (H. R. 5652) for the relief of Frank A. Smith was considered, ordered to a third reading, read the third time, and passed.

CLIFFORD R. GEORGE AND MABLE D. GEORGE

The bill (H. R. 1310) for the relief of Clifford R. George and Mable D. George was considered, ordered to a third reading, read the third time, and passed.

ALLIE RANKIN

The bill (H. R. 3339) for the relief of Allie Rankin was considered, ordered to a third reading, read the third time, and passed.

A. L. MALLERY

The bill (H. R. 4942) for the relief of A. L. Mallery was considered, ordered to a third reading, read the third time, and passed.

MRS. CLIFF SNIDER

The Senate proceeded to consider the bill (S. 1865) for the relief of Mrs. Cliff Snider, which had been reported from the Committee on Claims with amendments, on page 1, line 4, after the word "Treasury", to strike out "not otherwise appropriated" and to insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps"; on line 10, after the words "passenger was", to strike out the words "struck by a Civilian Conservation Corps truck driven by an enrollee, Joe Holder" and insert "struck by a Government truck operated in connection with the Civilian Conservation Corps"; and to insert a proviso at the end of the bill, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Mrs. Cliff Snider, of Smithville, Ga., the sum of \$10,000, in full satisfaction of all her claims against the United States for damages sustained when the automobile in which she was a passenger was struck by a Government truck operated in connection with the Civilian Conservation Corps, on the Americus-Andersonville Highway, about 8 miles north of Americus, Ga., on October 25, 1936, resulting in the death of her husband and her own serious personal injury: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

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

CONSTRUCTION AND REHABILITATION OF MILITARY POSTS

The Senate proceeded to consider the bill (S. 2649) to authorize appropriations for construction and rehabilitation at military posts, and for other purposes, which had been reported from the Committee on Military Affairs with amendments.

Mr. SHEPPARD. Mr. President, this bill was favorably reported after hearings held by the Senate Military Affairs Committee, at which the Army officers connected with the construction activities of the War Department testified. The War Department presented a construction plan involving about \$162,000,000. The items in this bill were selected from the construction program of the Department and represent what the committee considered the most urgent housing needs of the Army.

Mr. McKELLAR. Mr. President, the bill authorizes an appropriation of \$22,993,088.

Mr. SHEPPARD. So it does; and this amount covers the most urgent housing needs of the Army, in the view of the committee.

Mr. McKELLAR. Is it a part of the Army construction plan?

Mr. SHEPPARD. It is a part of the Army construction plan that embraces a total authorization of approximately \$162,000,000.

Mr. McKELLAR. Will there be a request for an additional appropriation this year if this measure shall be passed?

Mr. SHEPPARD. There will be no request for an appropriation this year.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill? The Chair hears none. The amendments reported by the committee will be stated.

The amendments were, in section 1, page 1, line 4, after the word "exceed", to strike out "\$21,460,688" and insert "\$22,993,088"; at the bottom of page 3, to strike out "Total, United States, \$15,090,588"; at the top of page 4, to insert:

Station	Description of construction	Amount
Presidio of San Francisco, Calif.	Barracks (250 men).....	\$275,000
	Barracks, quartermaster and detachments.....	275,000
	Telephone construction.....	5,000
	Total.....	555,000
Fort Bliss, Tex.	Barracks (250 men).....	275,000
	Telephone construction.....	1,000
Total.....		276,000
Fort Devens, Mass.	Quarters, officers.....	107,400
	Quarters, noncommissioned officers.....	42,500
	Telephone, telegraph, and radio station.....	45,000
	Telephone construction.....	6,000
Total.....		200,900
Fort Huachuca, Ariz.	Hospital (50 beds, 32 medical detachment).....	225,000
	Barracks (250 men).....	275,000
	Telephone construction.....	500
	Total.....	500,500
Total, United States.....		16,622,988

And at the end of table on page 5 to strike out "Grand total, \$21,460,688" and insert "Grand total, \$22,993,088", so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated not to exceed \$22,993,088, to be expended for the construction, rehabilitation, and installation at military posts of such buildings and utilities and appurtenances thereto as may be necessary, as follows:

Station	Description of construction	Amount
Army and Navy General Hospital, Hot Springs, Ark.	Quarters.....	\$34,000
	Telephone.....	1,000
	Total.....	35,000
Air Corps Technical School, Denver, Colo.	Barracks.....	935,000
	Hospital headquarters and administration building.....	200,000
	School building.....	540,000
	Runways.....	300,000
	Grading and improving landing field.....	300,000
Total.....		2,275,000
Fort Bragg, N. C.	Barracks.....	412,500
	Telephone construction.....	1,000
Total.....		413,500

Station	Description of construction	Amount
Carlisle Barracks, Pa.	Quarters.....	\$238,000
	Telephone construction.....	3,000
	Quarters.....	348,000
	Sterilizing plant, etc.....	35,000
	Barracks (125 men).....	137,500
Total.....		761,500
Chanute Field, Ill.	Barracks, including mess facilities.....	1,035,000
	Quarters, noncommissioned officers.....	505,000
	Hospital.....	300,000
	Central heating plant, beginning.....	500,000
	School building.....	540,000
Total.....		2,880,000
Fort Crook, Nebr.	Barracks (addition to).....	55,000
	Barracks.....	137,500
	Telephone construction.....	500
Total.....		193,000
Fort Du Pont, Del.	Barracks.....	412,500
	Telephone construction.....	1,000
Total.....		413,500
Fort Ethan Allen, Vt.	Quarters (30 noncommissioned officers).....	255,000
	Telephone.....	2,500
Total.....		257,500
Fitzsimons General Hospital, Colo.	Hospital.....	1,750,000
	Telephone construction.....	20,000
Total.....		1,770,000
Fort Sam Houston, Tex.	Hospital (addition).....	235,000
	Basement in transmitter building.....	4,000
	Barracks.....	550,000
	Telephone construction.....	4,000
Total.....		793,000
Fort Leavenworth, Kans.	Auditorium and production plant.....	600,000
Madison Barracks, N. Y.	Barracks.....	137,500
	Quarters, noncommissioned officers.....	136,000
	Telephone construction.....	1,000
	Water supply.....	85,000
Total.....		359,500
Fort McPherson, Ga.	Radio station.....	23,000
	Dental clinic.....	85,000
Total.....		108,000
Fort Monmouth, N. J.	Barracks.....	137,500
	Signal Corps laboratory.....	220,000
	Telephone construction.....	20,000
Total.....		377,500
Fort Monroe, Va.	Barracks, quartermaster detachment.....	110,000
	Barracks (addition to).....	225,000
	Enlisted Specialists' School.....	69,500
	Telephone construction.....	12,000
Total.....		416,500
Fort Myer, Va.	Hospital addition.....	9,000
	Barracks Building No. 104.....	55,000
	Barracks (addition to).....	220,000
	Telephone construction.....	500
Total.....		284,500
Fort Riley, Kans.	Academic building.....	400,000
	Telephone construction.....	5,000
Total.....		405,000
Fort Sill, Okla.	Barracks.....	330,000
	Telephone construction.....	1,000
Total.....		331,000
Fort Thomas, Ky.	Barracks.....	412,500
	Telephone construction.....	2,500
Total.....		415,000
Fort Washington, Md.	Quarters (officers' double).....	30,000
Fort Humphreys, D. C.	Reproduction plant.....	74,880
	Telephone construction.....	3,500
Total.....		78,380
Headquarters Provisional Brigade and Washington Quartermaster Depot, D. C.	Barracks.....	1,320,000
	Land, purchase of.....	573,188
Total.....		1,893,188
Presidio of San Francisco, Calif.	Barracks (250 men).....	275,000
	Barracks, quartermaster and detachments.....	275,000
	Telephone construction.....	5,000
Total.....		555,000

Station	Description of construction	Amount
Fort Bliss, Tex.	Barracks (250 men).....	\$275,000
	Telephone construction.....	1,000
Total.....		276,000
Fort Devens, Mass.	Quarters, officers.....	107,400
	Quarters, noncommissioned officers.....	42,500
	Telephone, telegraph, and radio station.....	45,000
	Telephone construction.....	6,000
Total.....		200,900
Fort Huachuca, Ariz.	Hospital (50 beds, 32 medical detachment).....	225,000
	Barracks (250 men).....	275,000
	Telephone construction.....	500
Total.....		500,500
Total, United States.....		16,622,988
HAWAII		
Schofield Barracks.....	Barracks, Eleventh Field Artillery.....	1,256,300
	Barracks, detachments.....	498,300
	Telephone construction.....	11,000
	Barracks, detachments.....	283,800
Total.....		2,049,300
Fort Shafter.....	Barracks.....	825,000
	Telephone construction.....	2,500
Total.....		827,500
Department headquarters, Fort Shafter.....	Quarters.....	246,500
Tripler General Hospital.....	Barracks, medical detachment.....	176,000
	Telephone construction.....	3,000
Total.....		179,000
Total, Hawaii.....		3,302,300
PANAMA		
Fort Clayton.....	Barracks.....	825,000
	Telephone.....	3,000
	Barracks.....	687,500
	Telephone construction.....	2,000
Total.....		1,517,500
Corozal General Depot.....	Barracks.....	454,300
	Telephone construction.....	5,000
Total.....		459,300
Fort Davis.....	Barracks.....	550,000
	Telephone construction.....	3,000
Total.....		553,000
Fort de Lesseps.....	Barracks.....	120,000
Fort Kobbe.....	do.....	55,000
	Warehouse and shops.....	20,000
	Special project.....	7,000
	Water tank.....	8,000
Total.....		90,000
Panama Canal Zone.....	Rehabilitation.....	328,000
Total, Panama.....		3,067,800
Grand total.....		22,993,088

SEC. 2. The Secretary of War is hereby authorized to establish in or near Denver, Colo., an extension to the Air Corps Technical School and to accept on behalf of the United States, free from encumbrance or conditions and without cost to the United States, for use as a site for the extension to such school, the title in fee simple to 960 acres of land, more or less, within and without the city limits of the city of Denver, Colo., including the property known as the "Agnes (Phipps) Memorial Sanitarium", together with existing buildings and equipment located thereon; and, also, a tract of land, within the State of Colorado, suitable for use as an aerial gunnery and bombing range by the Army Air Corps: *Provided*, That in the event a donor is unable to perfect title to any land tendered as a donation, condemnation of such land is authorized in the name of the United States, and payment of any and all awards for title to such land as is condemned, together with the cost of suit, shall be made by the donor.

The amendments were agreed to.

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

SELECTION OF MIDSHIPMAN FROM CANAL ZONE AND REPUBLIC OF PANAMA

The Senate proceeded to consider the bill (S. 2276) to provide for an additional midshipman at the United States

Naval Academy, and for other purposes, which was read, as follows:

Be it enacted, etc., That there shall be at the United States Naval Academy one midshipman to be selected from among the sons of civilians residing in the Canal Zone and the sons of civilian employees of the United States Government and the Panama Railroad Co. residing in the Republic of Panama, whose appointment shall be made by the Secretary of the Navy on the recommendation of the Governor of the Panama Canal.

Mr. WALSH. Mr. President, this bill merely provides for the selection and appointment of a midshipman from the Canal Zone. It is similar to a bill pending before the Military Affairs Committee for the appointment of a cadet to the Military Academy at West Point.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

W. G. ADAMS

The Senate proceeded to consider the bill (S. 2241) for the relief of W. G. Adams, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the word "Treasury", to strike out "not otherwise appropriated" and insert "allocated by the President for the maintenance and operation of the Civilian Conservation Corps", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to W. G. Adams the sum of \$500 in full satisfaction for his claim against the United States for damages arising out of personal injuries suffered when he was struck by a Civilian Conservation Corps truck, near Flagstaff, Ariz., on September 8, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

LAWSON N. DICK

The Senate proceeded to consider the bill (S. 821) for the relief of Lawson N. Dick, which had been reported from the Committee on Claims with amendments.

The first amendment was, in section 1, page 1, line 9, after the word "to", to strike out "the date of enactment of this act" and insert "August 28, 1934", and at the end of the section to insert a proviso, so as to make the section read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lawson N. Dick, an employee in the office of the Mississippi River Commission at Vicksburg, Miss., a sum equal to \$60 per annum from July 1, 1928, to July 2, 1930, plus \$120 per annum from July 3, 1930, to August 28, 1934, less 3½-percent retirement deductions which shall be credited to his account in the civil-service retirement and disability fund, such sum representing additional compensation to which he is entitled under the provisions of the act of May 28, 1928, known as the Welch Act, and the act of July 3, 1930, known as the Brookhart Act: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The next amendment was to strike out section 2 in the following words:

SEC. 2. The annual rate of compensation of said Lawson N. Dick is hereby increased by \$120 as of the date of enactment of this act.

The amendment was agreed to.

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

EXCHANGE OF LANDS AT SAN DIEGO, CALIF.

The bill (S. 2629) to authorize an exchange of lands between the city of San Diego, Calif., and the United States was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to transfer to the city of San Diego, Calif., free from all encumbrances and without cost to said city of San Diego, all right, title, and interest to the land contained within that part of the Naval Supply Depot described as follows:

All that portion of the former military reservation heretofore known as the San Diego Barracks, situated in the city of San Diego, State of California, comprising block 31 of New San Diego according to the map of New San Diego made by A. B. Gray and J. D. Johns, and on file in the office of the county recorder of San Diego County, said lot being also shown on P. W. drawing no. NT4-4/31-13(2), bearing the legend "Naval Operating Base, San Diego, California, Supply Depot, Block 31—New San Diego, Transferred from War Department to Navy Department by Executive Order 7451 dated September 17, 1936",

in consideration of the transfer to the United States by said city of San Diego, free from all encumbrances and without cost to the United States of all right, title, and interest to the lands contained within the following-described areas:

Parcel no. 1: Beginning at the northeast corner of block 18, according to map of municipal tidelands subdivision tract no. 1, filed in the office of the city clerk of the city of San Diego and numbered Document No. 100007; thence north 89°58'20" W. along the northerly boundary of said block 18, 200 feet to its northwesterly corner; thence south 0°1'40" W. on a line parallel to and distant 200 feet easterly from the existing United States bulkhead line for the bay of San Diego, a distance of 300.15 feet to a point; thence south 89°58'20" E. at right angles to last-described course a distance of 200 feet to a point; thence north 0°1'40" E. at right angles to the last-described course, a distance of 300.15 feet to the point or place of beginning, containing 60,030 square feet, or 1.3781 acres of land, more or less.

Parcel no. 2: Beginning at the northwesterly corner of block 19, according to map of municipal tidelands subdivision tract no. 1, filed in the office of the city clerk of the city of San Diego, and numbered Document No. 100007; thence south 0°1'40" W. on a line parallel to and distant 500 feet easterly from the existing United States bulkhead line for the bay of San Diego a distance of 300.15 feet to a point; thence south 89°58'20" E. at right angles to the last-described course a distance of 180.16 feet to a point; thence north 0°1'40" E. on a line parallel to and distant 680.16 feet easterly from the said United States bulkhead line a distance of 300.15 feet to a point; thence north 89°58'20" W. at right angles to the last-described course a distance of 180.16 feet to the point or place of beginning, containing 54,075 square feet or 1.2414 acres of land, more or less.

JOHN PROSSER

The Senate proceeded to consider the bill (S. 2418) for the relief of John Prosser, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of", to strike out "\$1,000" and insert "\$400", and at the end of the bill to insert a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Prosser, of Turtle Lake, Wis., the sum of \$400 in full satisfaction of all his claims against the United States for injuries received by him while participating in the arrest of two known post-office burglars: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

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

LOIS H. ANTHONY

The Senate proceeded to consider the bill (S. 2301) for the relief of Lois H. Anthony, which was read, as follows:

Be it enacted, etc., That the Comptroller General is authorized and directed to cancel the charges, in the amount of \$8,819.36, entered on the accounts of Lois H. Anthony, as clerk in charge of the post office at the Navy Yard, Boston, Mass., by reason of the disallowance by the General Accounting Office of payments made to the said Lois H. Anthony by the Post Office Department for her services in conducting such post office during the period from December 6, 1926, to June 1, 1936.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

The PRESIDENT pro tempore. The bill was introduced by the Senator from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. President, this bill is recommended by the Post Office Department, by the Commandant of the United States Navy Yard at Boston, and by the Comptroller General. The purpose of the bill is to authorize and direct the Comptroller General to cancel the charges, in the amount of \$8,819.36, entered on the accounts of Lois H. Anthony, as clerk in charge of the post office at the navy yard at Boston, Mass., by reason of the disallowance by the General Accounting Office of payments made to Lois H. Anthony by the Post Office Department for her services in conducting such post office during the period from December 6, 1926, to June 1, 1936.

The bill has the approval of the Postmaster General.

According to the records of the Post Office Department the facts are as follows: Miss Anthony, an employee of the Navy Department, was designated several years ago to serve as clerk in charge of the yard post office and, as such clerk in charge, she received compensation from the Post Office Department each month, the greater portion of which was turned over to assistants employed by her in the station. Eventually the Comptroller General reached the conclusion that no legal authority existed for compensating a person who was already a regular civil-service employee for conducting a contract station on Federal premises. The General Accounting Office disallowed a total amount of \$8,819.36, covering payments made to Miss Anthony over a 10-year period. The Post Office Department requested a reconsideration of the Comptroller General's decision, pointing out that practically all of the compensation received by Miss Anthony was disbursed to assistants and represented services actually rendered, from which the Government benefited. However, the Comptroller General reaffirmed his original decision and declined to approve Miss Anthony's accounts.

Mr. McKELLAR. Those under Miss Anthony performed the work, and she has been paid for it; and, as I understand, the General Accounting Office disapproved the bill on the ground that there was no authority of law for the payments?

Mr. WALSH. Yes.

Mr. McKELLAR. And this bill is to validate the payments?

Mr. WALSH. That is correct.

Mr. McKELLAR. I have no objection.

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

HEINRICH SCHMIDT, OF FLENSBURG, GERMANY

The Senate proceeded to consider the bill (S. 676) for the relief of Heinrich Schmidt, G. m. b. H., of Flensburg, Germany, which had been reported from the Committee on Claims with an amendment at the end of the bill to add a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Heinrich Schmidt, G. m. b. H., of Flensburg, Germany, owner of the steamship *Pollux*, of German registry, the sum of \$1,151 in full satisfaction of all claims of such Heinrich Schmidt, G. m. b. H., against the United States resulting from the levy and collection by the United States of certain taxes, pursuant to sections 4219 and 4225 of the Revised Statutes, on the tonnage of such steamship *Pollux*, at the port of Baltimore, Md., on March 9, 1920, similar taxes having subsequently been held in the cases of *The Sophie Rickmers* (45 F. (2d) 413) and *Flensburger Dampfercampagne* (73 Ct. Cls. 646) to be invalid as to ships of such registry: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

REIMBURSEMENT FOR LOSSES BY NAVY MEN IN OHIO VALLEY FLOOD, 1937

The bill (S. 2647) to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost while engaged in emergency relief expeditions during the Ohio Valley flood in January and February 1937 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$545.75, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, enlisted men and former enlisted men of the Navy for the value of personal effects lost while engaged in emergency relief expeditions during the Ohio Valley flood in January and February 1937: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

ISSUANCE OF BONDS, ETC., BY TERRITORY OF HAWAII

The bill (S. 2653) to amend an act entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, was announced as next in order.

Mr. McKELLAR. Mr. President, Calendar Nos. 782, 783, 784, and 785 are bills which deal with the issuance of bonds in connection with the Territory of Hawaii. I think we should have an explanation of the bills. I do not know that I shall object to them, but I think we should have an explanation in the Senate before the bills are passed.

The PRESIDENT pro tempore. The bills were reported by the Senator from Maryland [Mr. TYDINGS], who is not in the Chamber at the moment.

Mr. McKELLAR. Let the bills go over until another day, when they may be explained. The bills may be entirely correct, and I do not know that I shall object to them, but I should like to have an explanation before action is taken upon them.

The PRESIDENT pro tempore. The bills referred to by the Senator from Tennessee, being Senate bills 2653, 2621, 2622, and 2652, will be passed over.

Mr. TYDINGS subsequently said: Mr. President, while I was out of the Chamber four or five bills dealing with matters affecting the Territory of Hawaii came up, and the Senator from Tennessee [Mr. McKELLAR] said he would like to have a brief explanation.

Mr. McKELLAR. I will be glad to have the Senator ask to recur to the bills, so that he may make the explanation.

Mr. TYDINGS. Mr. President, I ask unanimous consent to recur to the four bills remaining with Order No. 782 on the calendar, being Senate bills 2653, 2621, 2622, and 2652.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. TYDINGS. Mr. President, these bills were unanimously reported by the Committee on Territories and Insular Affairs. They propose to grant authority so that Hawaii may receive funds from the Government for certain purposes such as P. W. A. and W. P. A. They involve no extra money from the Federal Government, but simply put Hawaii in a position to accept and carry on certain projects there.

Mr. McKELLAR. In other words, they give Hawaii the power to match funds to such extent as may be required by the P. W. A. and the W. P. A.?

Mr. TYDINGS. That is correct. In the original passing of one of the acts it was not broad enough to allow Hawaii to do what the body governing the Hawaiian people want to do.

Mr. McKELLAR. It does not take any appropriation out of the Federal Treasury?

Mr. TYDINGS. Not a cent.

There is another bill, being Order of Business 796, which I should like also to have considered. This bill simply amends the Hawaiian Homes Commission Act so as to give them an additional power, with no expenditure on the part of the Federal Government. I mention it now because I am forced to be absent and I hope it will not be objected to when it comes up.

The PRESIDENT pro tempore. Is there objection to the consideration of the bills referred to by the Senator from Maryland?

There being no objection, the Senate proceeded to consider the bill (S. 2653) to amend an act entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, which was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first paragraph of section 2 of the act entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, is hereby amended to read as follows:

"Sec. 2. That the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed \$4,803,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1935, entitled 'An act to provide for public improvements and for the securing of Federal funds for expenditure in connection with funds hereby appropriated for such improvements', as amended by act 23, Session Laws of Hawaii, 1937."

The bill (S. 2621) to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Legislature of the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any act of this Congress to the contrary notwithstanding, may authorize the city and county of Honolulu, a municipal corporation of the Territory of Hawaii, to issue general obligation bonds in the sum of \$1,750,000 for the purpose of enabling it to construct main interceptors and trunk lines and to meet its share of expenses for the construction and extension of laterals under improvement district assessments for a sanitary sewer system in the city and county of Honolulu.

Sec. 2. The bonds issued under authority of this act may be either term or serial bonds, maturing, in the case of term bonds, not later than 30 years from the date of issue thereof, and, in the case of serial bonds, payable in substantially equal annual installments, the first installment to mature not later than 5 years and the last installment to mature not later than 30 years from the date of such issue. Such bonds may be issued without the approval of the President of the United States.

Sec. 3. Any legislation enacted by the Legislature of the Territory of Hawaii in its 1937 session pertaining to the issuance of sewer bonds, as authorized by this act, is hereby ratified and confirmed subject to the provisions of this act: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of such Territorial legislation by the Legislature of the Territory of Hawaii from time to time to provide for changes in the improvements authorized by such legislation and for the disposition of unexpended moneys realized from the sale of said bonds.

The bill (S. 2622) to authorize the Legislature of the Territory of Hawaii to create a public corporate authority authorized to engage in slum clearance and housing undertakings and to issue bonds of the authority, to authorize said legislature to provide for financial assistance to said authority by the Territory and its political subdivisions, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Legislature of the Territory of Hawaii may create a public corporate authority to engage in slum clearance or housing undertakings, or both, within such Territory. The Legislature of said Territory may provide for the appointment and terms of the members of such authority and for the powers of such authority, except that such authority shall be given no power of taxation. The legislature may authorize the

Territory or any political or municipal corporation or subdivision thereof to make loans, donations, and conveyances and make available their facilities and services to such authority, and to take other action in aid of slum clearance or housing undertakings, and may, without regard to any Federal acts restricting the disposition of public lands of the Territory, authorize the commissioner of public lands, the Hawaiian Homes Commissioners, and any other officers of the Territory having power to manage and dispose of its public lands, to grant, convey, or lease to such authority parts of the public domain, and may provide that any of the public domain or other property acquired by such authority may be mortgaged by it as security for its bonds. The Legislature of said Territory may authorize such authority to issue bonds or other obligations of such character and maturity and in such manner as the legislature may provide. Such bonds shall not be a debt of the Territory or any political or municipal corporation or subdivision thereof, shall not constitute public indebtedness within the meaning of section 55 of the act approved April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii", as amended, and shall not constitute bonds of the Territory of Hawaii within the meaning of the act approved August 3, 1935, entitled "An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes." All legislation heretofore enacted by the Legislature of the Territory of Hawaii dealing with the subject matter of this act and not inconsistent herewith is hereby ratified and confirmed.

The bill (S. 2652) to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed \$4,029,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1937, entitled "An act to provide for public improvements."

Such bonds may be either term or serial bonds, maturing, in the case of the term bonds, not later than 30 years from the date of issue thereof, and, in the case of the serial bonds, payable in substantially equal annual installments, the first installment to mature not later than 5 years and the last installment to mature not later than 30 years, from the date of such issue. And said act of said legislature is hereby ratified and confirmed, subject to the provisions of this act: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of said act of said Territory by the legislature thereof from time to time to provide for changes in the improvements authorized by said act or for the disposition of unexpended moneys appropriated by said act, and that said bonds may be issued without the approval of the President of the United States.

HAWAIIAN HOMES COMMISSION

The bill (S. 2620) to amend the Hawaiian Homes Commission Act, 1920, was considered, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. McNARY subsequently said: Mr. President, I inquire what became of Order of Business 796, being Senate bill 2620, to amend the Hawaiian Homes Commission Act, 1920. Evidently that bill has not been called.

Mr. CONNALLY. Mr. President, the Senator from Maryland [Mr. TYDINGS] included the consideration of Order of Business 796 in an omnibus request for the consideration of a number of bills relating to Hawaii, and the bill was passed a few moments ago. I heard him specifically refer to the Hawaiian Homes Commission.

Mr. McNARY. I wish to look into that bill and I want it to go over for the day.

The PRESIDENT pro tempore. The Senator from Oregon asks unanimous consent that Order of Business 796, being Senate bill 2620, be passed over for the day. In order to keep the record straight, the Chair suggests that the Senator from Oregon ask unanimous consent to reconsider the vote by which the bill was passed.

Mr. McNARY. I make that request.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, the vote is reconsidered, and the bill will be returned to the calendar.

ADDITIONAL COPIES OF REPORT ON BILL TO REORGANIZE FEDERAL JUDICIARY

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 17) authorizing the printing of additional copies of Senate Report No. 711, Seventy-fifth Congress, on the bill (S. 1392) to reorganize the judicial branch of the Government, which had been reported from the Committee

on Printing with an amendment, on page 1, line 2, after the word "printed", to strike out "fifty" and insert "thirty"; in line 5, after the word "which", to strike out "ten" and insert "seven"; and in line 7, before the word "thousand", to strike out "forty" and insert "twenty-three", so as to make the concurrent resolution read:

Resolved, etc., That there shall be printed 30,000 additional copies of Senate Report No. 711, current session, on the bill (S. 1392) to reorganize the judicial branch of the Government, of which 7,000 copies shall be for the use of the Senate document room and 23,000 copies for the use of the House document room.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

CONSOLIDATED AIRCRAFT CORPORATION

The Senate proceeded to consider the bill (S. 1882) for the relief of the Consolidated Aircraft Corporation, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of", to strike out "\$113,085.85. Such sum represents" and insert "\$92,993.40 in full settlement of all claims against the United States", and at the end of the bill to insert a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Consolidated Aircraft Corporation the sum of \$92,993.40 in full settlement of all claims against the United States for additional costs incurred by such corporation in the performance of a contract with the Department of War dated February 27, 1933 (contract no. W 535 AC-5732 (1790)): *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

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

INDIANS OF FORT BERTHOLD RESERVATION, N. DAK.

The Senate proceeded to consider the bill (S. 642) for the relief of the Indians of the Fort Berthold Reservation in North Dakota, which was read, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$400,000 in full and final settlement of all claims and demands of the Indians of the Fort Berthold Indian Reservation in North Dakota, composed of the Arickarees, Gros Ventres, and Mandans, which claims are based upon stipulations of an unratified treaty dated July 27, 1866 (Kappler's Laws and Treaties, vol. 2, p. 1052): *Provided,* That the amount when appropriated shall be deposited in the Treasury of the United States to the credit of the Indians of the Fort Berthold Reservation and shall draw interest in accordance with existing laws: *Provided further,* That not to exceed 10 percent of the amount herein authorized may be used by the Secretary of the Interior for payment of fees and expenses of attorneys employed under contract approved in accordance with existing law.

Mr. McKELLAR. Mr. President, may we have a statement concerning that bill?

Mr. FRAZIER. Mr. President, in 1920 a bill was passed by the Congress allowing the Indians of the Fort Berthold Reservation in North Dakota to come into the Court of Claims to establish claims against the Government. A claim was allowed of a little over \$4,000,000; and in the gratuity offsets, amounting to \$2,700,000, was included an item of \$400,000 which dated back to a treaty of 1866, in which the Government of the United States agreed to pay the Indians \$20,000 a year for certain concessions and for uses of land for a period of 20 years.

The treaty was never ratified by the Congress, but the Government carried out this provision by paying the Indians \$20,000 a year for 20 years, amounting to \$400,000. The Government got the use of the land that was agreed to during that time.

When the bill came up before the Court of Claims, this \$400,000, which represented the payment of \$20,000 a year for 20 years, was allowed by the court as a gratuity offset. The Indians and their attorneys felt that that particular offset

should not have been included, because it was money paid by the Government to the Indians for value received under their treaty. The Secretary of the Interior last year, in his report, stated:

The claim * * * has no legal standing.

That, of course, is because the treaty was not ratified.

There is nevertheless a moral obligation on the part of the Government which has not been fulfilled, and in my opinion the legislation will do justice to this group of Indians.

Of course, in the report this year it is stated that the bill is not in accordance with the President's financial program. However, a moral obligation exists. The Indians are entitled to what they claim. The Committee on Indian Affairs, unanimously reported the bill favorably, and I believe the claim is justified.

Mr. McKELLAR. How many Indians are involved?

Mr. FRAZIER. About 1,700 or 1,800, as I remember.

Mr. McKELLAR. I have no objection.

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

ARCH HURLEY CONSERVANCY DISTRICT, N. MEX.

The Senate proceeded to consider the bill (S. 2086) to authorize appropriations for the construction of the Arch Hurley conservancy district in New Mexico, which had been reported from the Committee on Irrigation and Reclamation with an amendment, on page 1, line 3, to strike out "That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$6,000,000 for the construction of the Arch Hurley Conservancy District in New Mexico" and in lieu thereof to insert "That the Secretary of the Interior is hereby authorized to construct a Federal reclamation project for the irrigation of the lands of the Arch Hurley Conservancy District in New Mexico", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to construct a Federal reclamation project for the irrigation of the lands of the Arch Hurley Conservancy District in New Mexico under the Federal reclamation laws: *Provided,* That construction work is not to be initiated on said irrigation project until (a) the project shall have been found to be feasible under subsection B of section 4 of the act of December 5, 1924 (43 Stat. 702), and (b) a contract shall have been executed with an irrigation or conservation district embracing the land to be irrigated under said project, which contract shall obligate the contracting district to repay the cost of construction of said project in 40 equal annual installments, without interest: (c) contracts shall have been made with each owner of more than 160 irrigable acres under said project, by which he, his successors, and assigns shall be obligated to sell all of his land in excess of 160 irrigable acres at or below prices fixed by the Secretary of the Interior and within the time to be fixed by said Secretary, no water to be furnished to the land of any such large landowner refusing or failing to execute such contract; and (d) contracts shall have been made with all owners of lands to be irrigated under the project by which they will agree that if their land is sold at prices above the appraised value thereof, approved by said Secretary, one-half of such excess shall be paid to the United States to be applied in the inverse order of the due dates upon the construction charge installments coming due thereafter from the owners of said land.

The amendment was agreed to.

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

The title was amended so as to read: "A bill to authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley conservancy district in New Mexico."

CULTIVATION REQUIREMENTS IN HOMESTEAD ENTRIES

The bill (S. 1759) to amend an act entitled "An act to eliminate the requirements of cultivation in connection with certain homestead entries", approved August 19, 1935, was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. HATCH. Mr. President, in 1935 Congress passed a law relieving homestead settlers from the duty each year of breaking out a certain number of acres of land, as was required under the old homestead law. That was in line with the soil-conservation program which was recommended by the Department and has proved very wise and salutary.

Under that law we found that the omission of the word "application" prevented a few homesteaders, probably 50 or 100 in number, from getting the benefits of the act. This bill proposes to amend the act by inserting the words "or application made" in order to correct the defect. That is all there is to the measure.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to eliminate the requirements of cultivation in connection with certain homestead entries", approved August 19, 1935, is amended by inserting after the word "settlement" the words "or application made."

BILL PASSED OVER

The bill (S. 714) relating to the eligibility of certain persons for admission to the civil service, was announced as next in order.

Mr. WHITE. I ask that that bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

TRANSFER OF CRAWFORD COUNTY, IOWA, TO NORTHERN JUDICIAL DISTRICT

The bill (H. R. 3284) to transfer Crawford County, Iowa, from the southern judicial district of Iowa to the northern judicial district of Iowa, was considered, ordered to a third reading, read the third time, and passed.

GEORGE H. STAHL

The Senate proceeded to consider the bill (S. 2093) for the relief of George H. Stahl, which had been reported from the Committee on Military Affairs with amendments on page 1, line 9, after the word "the" to strike out the figures "13th" and insert "10th", and at the top of page 2, insert a new section as follows:

Sec. 2. That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Henry A. Behrens, who was a member of Company F, Fourth Regiment Wisconsin Volunteer Infantry, and who was mustered into the service on July 11, 1898, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on February 28, 1899: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

So as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers George H. Stahl, who was a member of Company B, Fourth Regiment Wisconsin Volunteer Infantry, enlisted July 14, 1898, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 10th day of December 1898: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

Sec. 2. That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Henry A. Behrens, who was a member of Company F, Fourth Regiment Wisconsin Volunteer Infantry, and who was mustered into the service on July 11, 1898, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on February 28, 1899: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of George H. Stahl and Henry A. Behrens."

AMENDMENT TO JUDICIAL CODE

The bill (S. 2410) to amend the Judicial Code, as amended, was announced as next in order.

Mr. AUSTIN. Mr. President, reserving the right to object, I wish to ask the author of this bill whether any hearings were held on it?

Mr. MINTON. There were no hearings on it. The interested parties made inquiry about the bill, and were told that there would be no hearings on it, but that they could submit a brief if they wished to do so. No brief was filed and so the bill was reported.

Mr. AUSTIN. I should like to ask the author of the bill if he does not think that it should be referred to the Committee on the Judiciary?

Mr. MINTON. No; not at all. It has to do with matters affecting Federal agencies that deal with interstate commerce. Therefore, the Interstate Commerce Committee is quite as competent to handle it as is the Committee on the Judiciary.

Mr. AUSTIN. Under the circumstances, I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

ANGELO AND AURO CATTANEO

The bill (H. R. 1731) for the relief of Angelo and Auro Cattaneo was considered, ordered to a third reading, read the third time, and passed.

TERM OF COURT AT LIVINGSTON, MONT.

The Senate proceeded to consider the bill (H. R. 4795) to provide for a term of court at Livingston, Mont.

Mr. MURRAY. I offer an amendment to the bill.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 1, line 9, after the word "Havre", it is proposed to insert "Miles City."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Montana.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed, as follows:

Be it enacted, etc., That section 92 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 172), is amended to read as follows:

"The State of Montana shall constitute one judicial district, to be known as the district of Montana. Terms of the district court shall be held at Helena, Butte, Great Falls, Lewistown, Billings, Missoula, Glasgow, Havre, Miles City, and Livingston at such times as may be fixed by rule of such court: *Provided*, That suitable rooms and accommodations for holding court at Glasgow, Lewistown, Livingston, and Havre are furnished free of all expense to the United States. Causes, civil and criminal, may be transferred by the court or a judge thereof from any sitting place designated above to any other sitting place thus designated, when the convenience of the parties or the ends of justice would be promoted by the transfer; and any interlocutory order may be made by the court or judge thereof in either place."

ACCEPTANCE OF DECORATION BY JOHN MONROE JOHNSON

The bill (S. 2497) authorizing John Monroe Johnson, Assistant Secretary of Commerce, to accept the decoration tendered him by the Belgian Government was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That John Monroe Johnson, Assistant Secretary of Commerce, is authorized to accept the decoration which has been tendered him by the Belgian Government.

AUTHORITY TO RECEIVE DECORATIONS, ETC.

The joint resolution (H. J. Res. 349) authorizing certain retired officers or employees of the United States to accept such decorations, orders, medals, or presents as have been tendered them by foreign governments was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the following-named retired officers or employees of the United States are hereby authorized to accept such decorations, orders, medals, or presents as have been tendered them by foreign governments:

Department of State: Edwin Cunningham, Carl F. Deichman, Stillman W. Eells, P. S. Heintzleman, David B. Macgowan, Robert P. Skinner, and Merritt Swift.

Department of War: Preston Brown, William H. Brown, Marion L. Elliott, Milton A. Elliott, Richard T. Ellis, LaVerne L. Gregg, Francis J. Heraty, Jefferson Kean, James F. McKinley, Alexander J. McNab, Jr., A. Kenny C. Palmer, Frederick D. Sharp, and Louis J. Van Schaick.

Department of the Navy: William H. Standley and Rufus F. Zogbaum.

Department of Agriculture: James H. Kimball and Charles F. Marvin.

Department of Commerce: George R. Putnam.

AMENDMENT OF INTERSTATE COMMERCE ACT

The bill (H. R. 6049) to amend the Interstate Commerce Act was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 22 (1) of Part I of the Interstate Commerce Act is amended by inserting after the word "guide" the words "or seeing-eye dog or other guide dog specially trained and educated for that purpose."

AUTHORIZATION OF DECORATION TO ACORS RATHBUN THOMPSON

The Senate proceeded to consider the bill (S. 1918) to authorize the award of a decoration for distinguished service, namely, the Congressional Medal of Honor to Acors Rathbun Thompson, which had been reported from the Committee on Naval Affairs with amendments, on page 1 line 4, after the word "decoration", to strike out "for distinguished service, namely, the Congressional Medal of Honor"; and in line 10, after the word "comrade", to strike out "one Glen B. Ranney, Sixty-sixth Company", so as to make the bill read:

Be it enacted, etc., That the President is hereby authorized to cause the recommendation for the award of a decoration to Acors Rathbun Thompson, formerly private, Sixty-sixth Company, First Battalion, Fifth Marines, Second Division, American Expeditionary Forces, who, on September 14, 1918, at Jaulny, in the St. Mihiel sector, France, rescued and carried a wounded comrade through heavy enemy fire to a first-aid station, and who further distinguished himself as a member of a small group, October 4 and 5, 1918, at Blanc Mont Ridge, France, though wounded and constantly exposed to constant enemy machine-gun fire from three sides, was cut off from his main body, repulsed five counter attacks by the enemy, which resulted in the capture of four German officers, 268 men, together with 85 machine guns in position, some mortars, and a heavy fieldpiece, to be considered by the proper boards or authorities, and such award made to said Thompson as his said conduct merits.

The amendments were agreed to.

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

The title was amended so as to read: "A bill to authorize the award of a decoration for distinguished service to Acors Rathbun Thompson."

ROGUE RIVER NATIONAL FOREST, OREG.

The bill (S. 1762) to add certain lands to the Rogue River National Forest in the State of Oregon was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purpose of forest management, watershed protection, and recreational use the north half northwest quarter section 3, the south half northwest quarter section 23, and the west half northeast quarter northeast quarter and the east half northwest quarter northeast quarter section 27, township 37, south, range 3 east, Willamette meridian, of reversioned Oregon & California land-grant lands are hereby added to and made a part of the Rogue River National Forest in the State of Oregon, subject to all laws and regulations governing national forests: *Provided*, That the Secretaries of the Interior and Agriculture shall jointly appraise and agree on the value of the said Oregon & California land-grant lands and shall certify the same to the Secretary of the Treasury. That the Secretary of the Treasury be, and he is hereby, authorized, upon notice of the appraisal by the Secretaries of the Interior and Agriculture, to transfer an equal amount of money from the national-forest receipts and credit the same to the Oregon & California land-grant funds, subject to all laws and regulations governing the disposal of money received from the Oregon & California land-grant lands.

CONTROL OF SOIL EROSION, ETC.—CACHE NATIONAL FOREST, UTAH

The bill (S. 2221) to facilitate the control of soil erosion and flood damage originating upon lands within the exterior boundaries of the Cache National Forest in the State of Utah was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513) is hereby authorized to acquire by purchase any lands within the boundaries of the Cache National Forest in the State of Utah which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage; and to pay for said lands that proportion of the entire receipts from the sale of natural resources, and the occupancy of publicly owned lands within said national forest which is equal to that proportion of the gross area of said national forest situated

in the State of Utah hereby is authorized to be appropriated for expenditure for that purpose by the Secretary of Agriculture until said lands have been acquired. So far as the State of Utah may be concerned, the provisions of the acts of May 23, 1908 (35 Stat. 260); section 500, title 16, United States Code, of March 4, 1913 (37 Stat. 843); and section 501, title 16, United States Code, shall be inoperative in relation to the receipts so appropriated, but nothing herein contained shall diminish payments to or expenditures within the State of Idaho under the provisions of said acts.

COLLECTION AND PUBLICATION OF PEANUT STATISTICS

The Senate proceeded to consider the bill (S. 1998) to amend the act entitled "An act to provide for the collection and publication of statistics of peanuts by the Department of Agriculture", approved June 24, 1936, which had been reported from the Committee on Agriculture and Forestry with amendments.

The first amendment was, in section 1, page 1, line 10, after the name "United States", to insert "received, shipped, and"; on page 2, line 8, after the word "than" to strike out two hundred and fifty thousand and insert "thirty thousand", so as to make the section read:

That the first sentence of the first section of the act entitled "An act to provide for the collection and publication of statistics of peanuts by the Department of Agriculture", approved June 24, 1936, is amended to read as follows: "That the Secretary of Agriculture is hereby authorized and directed to collect and publish statistics of raw peanuts, shelled, unshelled, and crushed, and peanut oil, in the United States, received, shipped, and in the possession of warehousemen, brokers, cleaners, shellers, dealers, growers' cooperative associations, crushers, salters, manufacturers of peanut products, and owners other than the original producers of peanuts: *Provided*, That the Secretary may, in his discretion, omit for any period of time to collect such statistics from any or all salters of peanuts or manufacturers of peanut products who used, during the calendar year preceding that for which statistics are being collected, less than 30,000 pounds of shelled and unshelled peanuts."

The amendment was agreed to.

The next amendment was, on page 2, after line 10, to insert a new section, as follows:

SEC. 2. That section 2 of such act of June 24, 1936, is amended to read as follows: "The Secretary is hereby authorized and directed to collect and publish statistics of the quantity of peanuts picked or threshed by any person owning or operating peanut picking or threshing machines."

The amendment was agreed to.

The next amendment was, on page 2, line 16, to renumber the section from "2" to "3", and in section 3, page 2, line 24, after the word "peanut", to insert "and peanut oil received, shipped, and", so as to make the section read:

SEC. 3. That the first sentence of section 3 of such act of June 24, 1936, is amended to read as follows: "It shall be the duty of every warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner or operator of peanut picking or threshing machines to furnish promptly upon request of the Secretary, within the time prescribed by him, completely and correctly to the best of his knowledge, a report of the quantity of peanuts and peanut oil received, shipped, and on hand and in the case of an operator of peanut picking and threshing machines the quantity picked or threshed, segregating in accordance with forms furnished for the purpose by the Secretary."

The amendment was agreed to.

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

PROPOSED CHILD-LABOR AMENDMENT TO THE CONSTITUTION

The joint resolution (S. J. Res. 144) proposing an amendment to the Constitution of the United States prohibiting child labor was announced as next in order.

Mr. BARKLEY. Over.

Mr. BORAH. Mr. President, the joint resolution proposes to amend the Constitution of the United States and I think we ought not to undertake to dispose of it under the 5-minute rule at least today. So I ask that the measure go over at this time.

The PRESIDENT pro tempore. The joint resolution will be passed over.

VALIDATION OF CERTAIN MINERAL PATENTS, MONTANA

The bill (H. R. 7021) validating and confirming certain mineral patents issued for lands situated in township 5 south, range 15 east, Montana principal meridian, in the State of

Montana, was considered, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 2512) to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws was announced as next in order.

Mr. McKELLAR. Mr. President, I should like to have an explanation of the bill. I note that it was reported by the Senator from Wyoming [Mr. O'MAHONEY]. As he is not present at the moment, I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

ETHEL SMITH M'DANIEL

The bill (S. 972) for the relief of Ethel Smith McDaniel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in favor of Ethel Smith McDaniel, widow of Travis McDaniel, who died on April 16, 1934, and whose death is alleged to have resulted from disability incurred on January 8, 1929, while an employee of the United States Railway Mail Service, and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider her claim under the remaining provisions of said Act: *Provided*, That claim hereunder shall be made within 1 year from the date of the approval of this Act: *And provided further*, That no benefits shall accrue prior to the approval of this act.

BILL PASSED OVER

The bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching was announced as next in order.

Mr. McKELLAR. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

W. D. DAVIS

The bill (H. R. 1851) for the relief of W. D. Davis was considered, ordered to a third reading, read the third time, and passed.

DOROTHY M'COURT

The bill (H. R. 607) for the relief of Dorothy McCourt was considered, ordered to a third reading, read the third time, and passed.

JOHN BRENNAN

The bill (H. R. 1235) for the relief of John Brennan was considered, ordered to a third reading, read the third time, and passed.

PAUL J. FRANCIS

The bill (H. R. 1761) for the relief of Paul J. Francis was considered, ordered to a third reading, read the third time, and passed.

NORTHWESTERN OHIO MUTUAL RODDED FIRE INSURANCE CO.

The bill (H. R. 3565) for the relief of the Northwestern Ohio Mutual Rodded Fire Insurance Co. was considered, ordered to a third reading, read the third time, and passed.

H. E. WINGARD

The bill (H. R. 3809) for the relief of H. E. Wingard was considered, ordered to a third reading, read the third time, and passed.

C. O. EASTMAN

The bill (H. R. 4623) for the relief of C. O. Eastman was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. BULKLEY. Mr. President, the bill is for the relief of a postmaster who was charged with some postal money orders which had been destroyed in a fire. The postal money orders had been properly paid, and this does not cost the Government anything it ought not to pay. It is recommended by the Post Office Department. The report shows it is recommended by the Department.

Mr. McKELLAR. The letter of the Acting Postmaster General says:

While there was undoubtedly negligence on the part of the clerk in failing to make up the account promptly and to safeguard the paid money orders by placing them in the safe, it nevertheless appears that as the money orders were actually paid there will be no loss to the Government in allowing the former postmaster at Wauseon, Ohio, credit for the disbursement in his accounts.

I have no objection.

The **PRESIDENT pro tempore.** Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the money-order account of C. O. Eastman, former postmaster at Wauseon, Ohio, with \$4,272.07, or so much thereof as is necessary, to relieve him for the alleged loss of paid money orders in a fire in the post office at Wauseon, Ohio, on June 11, 1934, disallowed in the audit of his accounts due to his failure to record the particulars of the said money orders.

E. W. GARRISON

The bill (H. R. 563) for the relief of E. W. Garrison was considered, ordered to a third reading, read the third time, and passed.

LONNIE O. LEDFORD

The bill (H. R. 2482) for the relief of Lonnie O. Ledford was considered, ordered to a third reading, read the third time, and passed.

JOHN H. WYKLE

The bill (H. R. 3262) for the relief of John W. Wykle was considered, ordered to a third reading, read the third time, and passed.

RAYMOND E. PAYNE AND ANNA R. PAYNE

The bill (H. R. 2934) for the relief of Raymond E. Payne and Anna R. Payne, was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. FRANK MUZIO

The bill (H. R. 5102) for the relief of Mr. and Mrs. Frank Muzio was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF EMPLOYEES OF DIVISION OF INVESTIGATION, INTERIOR DEPARTMENT

The Senate proceeded to consider the bill (H. R. 2774) for the relief of certain employees of the Division of Investigation, Department of the Interior, and certain disbursing officers of the Department of the Interior, which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to allow payment or credit, as the case may be, and upon approval thereof by the Secretary of the Interior, in connection with the following claims or paid vouchers for traveling expenses on change of station or for mileage of personally owned automobiles in the same manner and to the same extent as though the required authorization had been issued prior to the date the expense was incurred:

(1) To allow payment to the following-named persons in the amounts stated, from appropriations chargeable therefor: John L. Buckley, \$5.15; Agnes L. Burke, \$17.82; Cedia E. Davis, \$5.15; Cecil J. Dowd, \$28.33; Dan W. Herring, \$5.15; John W. Jackson, \$141.37; Alexander F. Kelly, \$75.40; William H. Selvey, \$45.06; Maurice P. Shaner, \$47.90; Owen B. Sherwood, \$47.96; and Miller L. West, \$114.40;

(2) To allow credit in the account of Frank A. Lewis, special disbursing agent, accounts for September and October 1933, as follows: Voucher 2794 (James W. Smith), \$63.25; voucher 2795 (C. L. Anderson), \$8.65; voucher 2981 (Joseph L. Quinn), \$57.95; voucher 2983 (Avery H. Alcorn), \$131.40; voucher 3011 (J. M. Flanigan, Jr.), \$141.85; voucher 3013 (Howard E. Tyson), \$113.70; voucher 3014 (Kent B. Knox), \$165.15; voucher 3015 (W. H. Pontius), \$114.60; voucher 3016 (Tilden E. Guillory), \$28.05; voucher 3018 (F. H. Martin), \$112.70; voucher 3024 (A. P. Thornton), \$64.85; voucher 3025 (R. L. Knight), \$109.65; voucher 3036 (Joe Deupree), \$49.80; voucher 3047 (Walter S. Behrens), \$82.40; voucher 3041 (J. N. English), \$103.35; voucher 3042 (M. O. Parrish, Jr.), \$92.45; voucher 3043 (G. H. Flagg), \$110.30; voucher 3044 (J. G. Floyd), \$75.70; voucher 3045 (Wilson Keyes), \$137.55; voucher 3069 (Halvor P. McGrath), \$21; voucher 3070 (Joe C. Hemphill), \$33.30; voucher 3077 (Glenn O. Briscoe), \$35.10; voucher 3081 (J. H. Lawrence), \$84.45; and voucher 3378 (J. H. Lawrence), \$14.05;

(3) To allow credit in the account of G. F. Allen, chief disbursing officer, account for November 1934, as follows: Voucher 459021 (W. A. Whittlesey), \$58.80.

(4) No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. LOGAN. Mr. President, the bill is recommended by the Bureau of Investigation, Department of the Interior. It grows out of traveling expenses. As I recall, a superior officer gave directions assigning someone to duty and he had a right to take his automobile provided the order specifically authorized it. Through some kind of error in a few cases the order by the superior officer did not specifically mention that the party being sent might take his automobile. Therefore when the matter came before the Comptroller General he very promptly stated the order was not broad enough to cover the item for automobile use. Those who were responsible for the order originally recommend that the claim be allowed.

Mr. McKELLAR. Does the Department recommend it?

Mr. LOGAN. Yes. It was sent over by the Department.

Mr. McKELLAR. I have no objection.

The **PRESIDENT pro tempore.** The question is, Shall the bill be read a third time?

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

MORSE DRY DOCK & REPAIR CO.

The Senate proceeded to consider the bill (H. R. 2757) to carry out the findings of the Court of Claims in the claim of the Morse Dry Dock & Repair Co., which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Morse Dry Dock & Repair Co., a corporation organized and existing under the laws of the State of New York, out of any money in the Treasury not otherwise appropriated, the sum of \$331,879.25, in full settlement of all claims against the Government of the United States for repairing and reconditioning the steamships *Princess Matoika*, *Pocahontas*, *Susquehanna*, *Potomac*, *America*, and *George Washington*, as found by the Court of Claims and reported in Senate Document No. 141, Seventy-third Congress, second session: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. McKELLAR. Mr. President, is the Senator from Kentucky [Mr. Logan] entirely satisfied that the bill is entirely proper?

Mr. LOGAN. Mr. President, the Committee on Claims has gone into the matter and reexamined it frequently, both carefully and critically, and as we have secured additional facts from the War Department the committee reached the conclusion that the bill ought to be reported favorably. I agree fully with the report of the committee.

Mr. McKELLAR. Was there any difference of opinion in the committee?

Mr. LOGAN. Not upon the part of those who were present. One member of the committee had said he would like to be present, and was present a time or two, but we could not wait any longer and he was not present when the committee finally passed on the bill.

Mr. McKELLAR. The Senator was for a very long time a member of the Supreme Court of Kentucky.

Mr. LOGAN. I was.

Mr. McKELLAR. Is the Senator invoking the claim ought to be paid?

Mr. LOGAN. Yes; the claim ought to be paid.

Mr. McKELLAR. I have no objection.

The PRESIDENT pro tempore. The question is, Shall the bill be read a third time?

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

FORMER DISBURSING OFFICERS OF VETERANS' ADMINISTRATION, ETC.

The Senate proceeded to consider the bill (H. R. 6230) for the relief of certain former disbursing officers of the Veterans' Administration and of the Bureau of War Risk Insurance, Federal Board for Vocational Education, and the United States Veterans' Bureau (now Veterans' Administration), which was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed in the settlement of accounts of the following-named former disbursing officers of the Veterans' Administration and of the Bureau of War Risk Insurance, Federal Board for Vocational Education, and the United States Veterans' Bureau (now Veterans' Administration), to allow credit in the sums herein stated now standing as disallowances in said accounts on the books of the General Accounting Office: *Provided*, That this act shall not be interpreted to waive collections by the United States Government of loans on adjusted-service certificates and interest thereon:

First. Miles E. Bailey, former disbursing officer, Bureau of War Risk Insurance (now Veterans' Administration), Washington, D. C., in the sums of \$61.75 and \$2,733.50, which amounts he expended during the period from December 1917 to January 1919 (symbols 11003 and 11234).

Second. Chester C. Vargas, former disbursing officer, Bureau of War Risk Insurance (now Veterans' Administration), Washington, D. C., in the sums of \$63.05 and \$330.70, which amounts he expended during the period from February 1919 to August 1919 (symbols 11005 and 11555).

Third. Richard W. Lamb, former distributing officer, United States Veterans' Bureau (now Veterans' Administration), Atlanta, Ga., in the sum of \$16.32, which amount he expended during the period from February 1923 to January 1925 (symbol 11255).

Fourth. J. B. Schommer, former disbursing officer, Veterans' Administration, Washington, D. C., in the sums of \$57.64, \$58.45, \$3,472.69, and \$250.48, which amounts he expended during the periods from May 1, 1931, to August 31, 1931; July 1, 1932, to October 31, 1933; January 1, 1932, to October 31, 1933; and July 1, 1933, to April 30, 1934 (symbols 99220, 11500, 11501, and 11666).

Fifth. C. A. Wood, former disbursing officer at Veterans' Administration regional office, Atlanta, Ga., in the sum of \$88.50 (symbol 99102), which amount he expended during the period from September 1, 1932, to September 30, 1932.

Sixth. W. A. Birmingham, former disbursing officer at Veterans' Administration regional office, Buffalo, N. Y., in the sum of \$303.43 (symbol 99107), which amount he expended during the period from April 1, 1931, to April 30, 1931.

Seventh. Nina B. Harrison, former disbursing officer at Veterans' Administration facility, Los Angeles, Calif., in the sum of \$403 (symbol 99129), which amount she expended during the period from June 1, 1933, to June 30, 1933.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William H. Holmes, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), District of Columbia, the sum of \$222.10, of which amount \$172.10 was paid by him on September 22, 1932, and \$50 in November 1932 by personal checks delivered to the Department of Justice (symbol 11006).

SEC. 3. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ursula H. Miller, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Pittsburgh, Pa., the sum of \$72.50, which amount was deducted from her salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by her in June 1925 (symbol 11410).

SEC. 4. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry M. Moeller, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Cleveland, Ohio, the sum of \$149.68, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him in May 1925 (symbol 11398).

SEC. 5. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry F. Dolan, former disbursing officer, Federal Board for Vocational Education (now Veterans' Administration), Washington, D. C., the sum of \$45.38, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him during the period from April 1919 to December 1920 (symbol 92065).

SEC. 6. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter J. Carney, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Philadelphia, Pa., the sum of \$72.50, which amount he refunded to the United States because of the disallowance by the General

Accounting Office of that amount expended by him in September 1923 (symbol 11253).

SEC. 7. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert L. Putman, former disbursing officer, United States Veterans' Bureau (now Veterans' Administration), Cincinnati, Ohio, the sum of \$7.35, which amount was deducted from his salary as a Federal employee because of the disallowance by the General Accounting Office of that amount expended by him in February 1924 (11309).

SEC. 8. No part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. LOGAN. Mr. President, it would be difficult to explain the bill in very great detail. When the Congress some years ago authorized the making of loans on certificates which had been issued to veterans, the Veterans' Administration had the amended act before it. It had certificates amounting to some \$2,000,000. Some disbursing officers made slight errors. There was one who distributed \$53,000,000 with an error of only two or three dollars. The Veterans' Administration has sent the bill to us and asked us to consider it favorably. I should say it is entirely just.

Mr. McKELLAR. Are the amounts \$61.75, \$63.05, \$88.50, and so forth, typical of the claims?

Mr. LOGAN. The claims are small in their individual amounts.

Mr. McKELLAR. Would that be about the average amount of the claims?

Mr. LOGAN. Yes.

Mr. McKELLAR. I have no objection.

The PRESIDENT pro tempore. The question is, Shall the bill be read a third time?

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

W. R. FUCHS

The bill (H. R. 4682) for the relief of W. R. Fuchs was considered, ordered to a third reading, read the third time, and passed.

CHARLES B. MURPHY

The bill (H. R. 5337) for the relief of Charles B. Murphy was considered, ordered to a third reading, read the third time, and passed.

TERM OF JUDGES IN CANAL ZONE, ETC.

The Senate proceeded to consider the bill (S. 1986) to amend section 42 of title 7 of the Canal Zone Code, which had been reported from the Committee on the Judiciary with an amendment to add a new section 2, so as to make the bill read:

Be it enacted, etc., That paragraph a of section 42 of title 7 of the Canal Zone Code (June 19, 1934) is amended to read as follows:

"a. Be appointed by the President, by and with the advice and consent of the Senate, the judge for a term of 10 years and the district attorney and marshal for terms of 4 years each."

SEC. 2. That title 7, section 29, United States Code, title 48, section 101, Alaska, be amended so that the term of the Federal district judge in Alaska will be 10 years; that section 863, Puerto Rico, be amended so that the term of the Federal district judge shall be 10 years; that section 1405, Virgin Islands, be so amended that the term of the Federal district judge shall be 10 years; that section 643, Hawaii, be so amended that the term of the Federal district judge shall be 10 years.

Mr. McNARY. Mr. President, I should like to have an explanation of the bill.

Mr. LOGAN. Mr. President, I shall explain the bill as best I can. It simply provided as originally introduced that the term of the Federal judge in the Canal Zone should be extended from 4 years to 10 years. That was submitted to the Department of Justice and the Department said that three other territorial judges, in the Virgin Islands, Puerto Rico, and Alaska, should have their terms extended likewise.

No one suggested this, but I spoke to an old friend of mine who was the Federal judge in the Canal Zone. He was a former law partner of mine. He served 4 years and declined to accept a further appointment, so I have no interest in his case. He said to me that in sending judges outside of the United States to serve only 4 years when it was probable the administration would change or for some reason he might be displaced at the end of the term, it was not fair that he be asked to give up all his practice and lose touch entirely with the people in his own community and his own State, and that it seemed to him the term should be 10 years. This bill was prepared by myself, and was my own idea. I thought it was only fair that the term should be extended to 10 years. I took it up with the Committee on the Judiciary and after some discussion there was no disagreement in the Judiciary Committee, and I was authorized to prepare the amendment and favorably report the bill, which I have done.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Committee on the Judiciary. The amendment was agreed to.

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

DELEGATES TO FIFTH WORLD CONGRESS OF THE DEAF

The joint resolution (S. J. Res. 150) to provide for the appointment of a delegate to the Fifth World Congress of the Deaf was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the President is authorized to appoint a member of the National Association of the Deaf as a delegate to represent the United States at the Fifth World Congress of the Deaf, to be held at Paris, France, from July 31 to August 6, 1937. The delegate so appointed shall make a report to the President.

SEC. 2. There is hereby authorized to be appropriated the sum of \$1,000, or so much thereof as may be necessary, to pay the expenses of such delegate and to be expended in such manner as the President may prescribe.

PUBLIC PARK AND RECREATIONAL SITE, MONTANA

The Senate proceeded to consider the bill (S. 1216) authorizing the Secretary of the Interior to convey certain land to the State of Montana to be used for the purpose of a public park and recreational site, which had been reported from the Committee on Public Lands and Surveys with amendments, on page 2, line 4, after the word "quarter", to strike out "north half" and insert "lot 3 or"; and on page 2, to strike out lines 8 to 21, inclusive, as follows:

Township 1 north, range 3 west, section 12, southeast quarter northeast quarter and all that part of southeast quarter lying north and east of the right-of-way of United States Highway No. 108; section 13, all that part of northeast quarter lying north and east of the right-of-way of United States Highway No. 108.

In the event the State shall fail to devote such land to the purposes of a State public park and recreational site within 5 years after the date of enactment of this act, or fail to maintain such land as a public park and recreational site for any period of 5 consecutive years subsequent to its devotion to such use, or devote such land or any part thereof to another use, such land and all improvements thereon shall revert to the United States.

And to insert in lieu thereof the following:

Township 1 north, range 3 west, section 12, southeast quarter northeast quarter and east half southeast quarter (lots 7 and 12); section 13, east half northeast quarter (lots 1 and 4), and northwest quarter northeast quarter (lot 2).

In the event the State shall fail to devote such lands to the purposes of a State public park and recreational site within 5 years after the date of enactment of this act, or fail to maintain such land as a public park and recreational site for any period of 5 consecutive years subsequent to its devotion to such use, or devote such lands or any part thereof to another use, such land and all improvements thereon shall revert to the United States; and in such event the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant, and to assume jurisdiction of lot 12, section 17, township 1 north, range 2 west, for national-monument purposes under the act of June 8, 1906 (34 Stat. 225). Any patent issued hereunder shall contain a reservation to the United States of all mineral deposits in the land patented: *Provided*, That such minerals so reserved shall be prospected for, mined, and removed only in accordance with regulations to be prescribed by the Secretary of the Interior.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey to the State of Montana, upon the

conditions and limitations hereinafter expressed, the following-described land of the United States in the State of Montana, to be held and used by such State for the purposes of a State public park and recreational site:

MONTANA PRINCIPAL MERIDIAN

Township 1 north, range 2 west, section 7, west half; section 8, south half southwest quarter and southwest quarter southeast quarter; section 17, lots 1, 2, 10, 11, and 12, and north half northwest quarter; section 18, northeast quarter northeast quarter, northwest quarter, northeast quarter southwest quarter, lot 3 or northwest quarter southwest quarter, and north half southeast quarter; section 20, northwest quarter northeast quarter northeast quarter and northwest quarter northeast quarter.

Township 1 north, range 3 west, section 12, southeast quarter northeast quarter and east half southeast quarter (lots 7 and 12); section 13, east half northeast quarter (lots 1 and 4), and northwest quarter northeast quarter (lot 2).

In the event the State shall fail to devote such lands to the purposes of a State public park and recreational site within 5 years after the date of enactment of this act, or fail to maintain such land as a public park and recreational site for any period of 5 consecutive years subsequent to its devotion to such use, or devote such lands or any part thereof to another use, such land and all improvements thereon shall revert to the United States; and in such event the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant, and to assume jurisdiction of lot 12, section 17, township 1 north, range 2 west, for national-monument purposes under the act of June 8, 1906 (34 Stat. 225). Any patent issued hereunder shall contain a reservation to the United States of all mineral deposits in the land patented: *Provided*, That such minerals so reserved shall be prospected for, mined, and removed only in accordance with regulations to be prescribed by the Secretary of the Interior.

The amendments were agreed to.

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

HAWAIIAN HOMES COMMISSION

Mr. McNARY. Mr. President, when order of business 796, being Senate bill 2620, was reached on the calendar, I asked that it might go over until I had time to acquaint myself with its provisions. I have had an opportunity since to discuss the matter with the Senator from Maryland [Mr. TYDINGS] and I have no further objection to its immediate consideration.

The PRESIDENT pro tempore. Is there objection to recurring to Calendar 796?

There being no objection, the Senate proceeded to consider the bill (S. 2620) to amend the Hawaiian Homes Commission Act, 1920, which had been reported from the Committee on Territories and Insular Affairs with amendments, on page 1, line 11, after the word "and", to strike out "Puuahi" and insert "Pauahi (750 acres, more or less), in the district of south"; on page 18, line 4, after the word "one", to insert "nor more than five", and in the same line to strike out "year's" to insert "years", so as to make the bill read:

Be it enacted, etc., That sections 203 (1), 203 (4), 204 (2), 207 (1), 208, 208 (1), 208 (5), 208 (6), 208 (7), 209 (1), 209 (2), 209 (3), 209 (4), 215 (1), 215 (2), 215 (3), 216, and 220 of the Hawaiian Homes Commission Act, 1920, be amended to read as follows:

"Sec. 203. (1) On the island of Hawaii: Kamaea-Puueo (eleven thousand acres, more or less), in the district of Kau; Puukapu (twelve thousand acres, more or less), Kawaihae 1 (ten thousand acres, more or less), and Pauahi (seven hundred and fifty acres, more or less), in the district of South Kohala; Kamoku-Kaupalena (five thousand acres, more or less), Waimanu (two hundred acres, more or less), and Nienie (seven thousand three hundred and fifty acres, more or less), in the district of Hamakua; fifty-three thousand acres to be selected by the Commission from the lands of Humuula Mauka, in the district of North Hilo; Panaewa, Waiakaa (two thousand acres, more or less), Waiakaa-kai, or Keaukaha (two thousand acres, more or less), and two thousand acres of agricultural lands to be selected by the Commission from the lands of Pihonua, in the district of South Hilo; and two thousand acres to be selected by the Commission from the lands of Kahohe-Makuu, in the district of Puna; land at Keaukaha, Hawaii, more particularly described as follows:

"Parcel I

Now set aside as Keaukaha Beach Park by Executive Order No. 421, and being a portion of the Government land of Waiakaa, South Hilo, Hawaii.

"Beginning at the southeast corner of this parcel of land, on the north side of Kalaniana'ole Road, the coordinates of said point of beginning referred to Government survey triangulation station 'Halai' being five thousand six hundred and eighty-one and twelve one-hundredths feet north and seventeen thousand nine hundred and thirty-three and fifteen one-hundredths

feet east, as shown on Government Survey Registered Map No. 2704, and running by true azimuths.

"1. Sixty-one degrees fifty-eight minutes one thousand three hundred and fifty-one and seventy-three one-hundredths feet along the north side of Kalaniana'ole Road (50 feet wide);

"2. One hundred and fifty-one degrees fifty-eight minutes eight hundred and forty feet along United States military reservation for river and harbor improvements (Executive Order No. 176);

"Thence along the seashore at high-water mark, the direct azimuths and distances between points at seashore being:

"3. Two hundred and eighty-two degrees no minutes four hundred and sixty-eight and fifty one-hundredths feet;

"4. Three hundred and thirteen degrees twenty minutes four hundred and forty-one feet;

"5. Two hundred and sixty degrees twenty minutes one hundred and forty feet;

"6. Two hundred and forty-two degrees twenty minutes two hundred and fifty feet;

"7. One hundred and eighty-eight degrees forty minutes sixty feet;

"8. Two hundred and seventy-two degrees twenty minutes one hundred and seventy feet;

"9. Two hundred and five degrees no minutes sixty feet;

"10. One hundred and ten degrees twenty minutes two hundred and twenty feet;

"11. Ninety degrees fifty minutes eighty feet;

"12. One hundred and sixty-two degrees no minutes one hundred and seventy feet;

"13. Two hundred and fifty degrees thirty minutes four hundred and thirty feet;

"14. Three hundred and thirty-one degrees fifty-eight minutes three hundred and eighty feet along parcel II of Government land to the point of beginning and containing an area of eleven and twenty one-hundredths acres, more or less.

"Parcel II

"Being a portion of the Government land of Waiakea, South Hilo, Hawaii, and located on the north side of Kalaniana'ole Road and adjoining parcel I, hereinbefore described.

"Beginning at the south corner of this parcel of land, on the north side of Kalaniana'ole Road, the coordinates of said point of beginning referred to Government survey triangulation station 'Halai', being five thousand six hundred and eighty-one and twelve one-hundredths feet north and seventeen thousand nine hundred and thirty-three and fifteen one-hundredths feet east and running by true azimuths:

"1. One hundred and fifty-one degrees fifty-six minutes three hundred and eighty feet along the east boundary of parcel I;

"2. Two hundred and twenty-nine degrees forty-five minutes thirty seconds one hundred and ninety-one and one one-hundredth feet;

"3. One hundred and ninety-eight degrees no minutes two hundred and thirty feet to a 1½-inch pipe set in concrete;

"4. Three hundred and seven degrees thirty-eight minutes five hundred and sixty-two and twenty-one one-hundredths feet to a 1½-inch pipe set in concrete;

"5. Twenty-eight degrees no minutes one hundred and twenty-one and thirty-seven one-hundredths feet to the north side of Kalaniana'ole Road;

"6. Sixty-one degrees fifty-eight minutes four hundred and eighty-three and twenty-two one-hundredths feet along the north side of Kalaniana'ole Road to the point of beginning and containing an area of 5.26 acres, more or less.

"Sec. 203. (4) On the island of Oahu: Nanakuli (3,000 acres, more or less), and Lualualei (2,000 acres, more or less), in the district of Waianae; and Waimanalo (4,000 acres, more or less), in the district of Koolau, excepting therefrom the military reservation and the beach lands; and those certain portions of the lands of Auwailolimu, Kewalo, and Kalawahine described by metes and bounds as follows, to wit:

"(I) Portion of the Government land at Auwailolimu, Punchbowl Hill, Honolulu, Oahu, described as follows:

"Beginning at a pipe at the southeast corner of this tract of land, on the boundary between the lands of Kewalo and Auwailolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being 1,135.9 feet north and 2,557.8 feet east as shown on Government Survey Registered Map No. 2692, and running by true azimuths:

"1. One hundred and sixty-three degrees thirty-one minutes two hundred and fifty-seven and eight-tenths feet along the east side of Punchbowl-Makiki Road;

"2. Ninety-four degrees eight minutes one hundred and twenty-four and nine-tenths feet across Tantalus Drive and along the east side of Puuowaina Drive;

"3. One hundred and thirty-one degrees thirteen minutes two hundred and thirty-two and five tenths feet along a 25-foot roadway;

"4. One hundred and thirty-nine degrees fifty-five minutes twenty and five-tenths feet along same;

"5. One hundred and sixty-eight degrees seventeen minutes two hundred and fifty-seven and eight-tenths feet along Government land (old quarry lot);

"6. One hundred and fifty-six degrees thirty minutes three hundred and thirty-three feet along same to a pipe;

"7. Thence following the old Auwailolimu stone wall along L. C. award 3145 to Laenui, grant 5147 (lot 8 to C. W. Booth), L. C. award 1375 to Kapule, and L. C. award 1355 to Kekuanoni, the direct

azimuth and distance being two hundred and forty-nine degrees forty-one minutes one thousand three hundred and three and five-tenths feet;

"8. Three hundred and twenty-one degrees, twelve minutes, six hundred and ninety-three feet along the remainder of the land of Auwailolimu;

"9. Fifty-one degrees, twelve minutes, one thousand and four hundred feet along the land of Kewalo to the point of beginning; containing an area of twenty-seven acres; excepting and reserving therefrom Tantalus Drive and Auwailolimu Street crossing this land;

"(II) Portion of the land of Kewalo, Punchbowl Hill, Honolulu, Oahu, being part of the lands set aside for the use of the Hawaii Experiment Station of the United States Department of Agriculture by proclamation of the Acting Governor of Hawaii, dated June 10, 1901, and described as follows:

"Beginning at the northeast corner of this lot, at a place called 'Puu Ea' on the boundary between the lands of Kewalo and Auwailolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being three thousand two hundred and fifty-five and six-tenths feet north and five thousand two hundred and forty-four and seven-tenths feet east, as shown on Government Survey Registered Map No. 2692 of the Territory of Hawaii, and running by true azimuths:

"1. Three hundred and fifty-four degrees thirty minutes nine hundred and thirty feet along the remainder of the land of Kewalo, to the middle of the stream which divides the lands of Kewalo and Kalawahine;

"2. Thence down the middle of said stream along the land of Kalawahine, the direct azimuth and distance being forty-nine degrees sixteen minutes one thousand five hundred and twelve and five-tenths feet;

"3. One hundred and forty-one degrees twelve minutes eight hundred and sixty feet along the remainder of the land of Kewalo;

"4. Two hundred and thirty-one degrees twelve minutes five hundred and fifty-two and six-tenths feet along the land of Auwailolimu to 'Puu Iole';

"5. Thence still along the said land of Auwailolimu following the top of the ridge to the point of beginning, the direct azimuth and distance being two hundred and thirty-two degrees twenty-six minutes one thousand four hundred and seventy feet and containing an area of 30 acres; excepting and reserving therefrom Tantalus Drive crossing this land;

"(III) Portion of the land of Kalawahine situate mauka or northeast of Roosevelt High School, Honolulu, Oahu.

"Being portion of L. C. award 11215, Apana 2, to Keliiahonui conveyed by W. M. Giffard to the Territory of Hawaii by deed dated February 1, 1907, and recorded in Liber 291, page 1.

"(Being portion of the lands set aside for the Hawaiian Homes Commission by the Seventy-third Congress by Act No. 227, approved May 16, 1934.)

"Beginning at the south corner of this parcel of land and near the east corner of Roosevelt High School lot, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being twenty-five and two one-hundredths feet south and four thousand one hundred and seventeen and thirty-nine one-hundredths feet east as shown on Government survey registered map numbered 2985 and running by azimuths measured clockwise from true south:

"1. One hundred and twenty-eight degrees fifty-four minutes seven hundred and six and thirteen one-hundredths feet along Roosevelt High School lot, and passing over a pipe at six hundred and eighty-four and thirteen one-hundredths feet;

"2. Thence up along the middle of stream in all its turns and windings along the land of Kewalo-uka to the south corner of Hawaiian Home land (Presidential Executive Order No. 5561), the direct azimuth and distance being two hundred and thirteen degrees forty-eight minutes forty seconds one thousand one hundred and twelve and twenty one-hundredths feet;

"3. Thence continuing up along the middle of stream in all its turns and windings along the land of Kewalo-uka (Presidential Executive Order No. 5561), to the south side of Tantalus Drive realignment, the direct azimuth and distance being two hundred and twenty-eight degrees twenty-nine minutes ten seconds one thousand three hundred and ninety-one feet;

"4. Thence on a curve to the right with a radius of one hundred and twenty and seventy-eight one-hundredths feet along the southerly side of Tantalus Drive realignment (sixty feet wide), the direct azimuth and distance being three hundred and fifty-eight degrees twenty-one minutes one hundred and ninety-three and eighty one-hundredths feet;

"5. Fifty-one degrees forty-two minutes one hundred and ninety-three and thirty-five one-hundredths feet along the southerly side of Tantalus Drive realignment;

"6. Thence on a curve to the left with a radius of three hundred and thirty feet, along same, the direct azimuth and distance being twenty-five degrees twenty-three minutes ten seconds two hundred and ninety-two and fifty-eight one-hundredths feet;

"7. Twenty-two degrees fifty-three minutes two hundred and ninety-one and ninety-three one-hundredths feet along the southerly side of Tantalus Drive realignment and along the west side of Kalawahine Slope lots;

"8. Thence on a curve to the left with a radius of three hundred and five and sixty one-hundredths feet along the west side of the Kalawahine Slope lots, the direct azimuth and distance being six degrees twenty-one minutes thirty seconds one hundred and seventy-three and eighty-five one-hundredths feet;

"9. Three hundred and forty-nine degrees fifty minutes forty-seven feet along the west side of the Kalawahine Slope lots;

"10. Thence on a curve to the right with a radius of five hundred and twenty feet along same and along Territorial land, the direct azimuth and distance being seventeen degrees thirty-one minutes four hundred and eighty-three and eighteen one-hundredths feet;

"11. Three hundred and fifteen degrees twelve minutes seventy-five feet along Territorial land;

"12. Forty-five degrees twelve minutes six hundred and eleven and two one-hundredths feet along the northwest side of a twenty-foot road reserve;

"13. Thirty-four degrees four minutes thirty seconds three hundred and thirty-six and ninety-six one-hundredths feet along same to the point of beginning and containing an area of thirty-one and sixty one-hundredths acres.

"(IV) Portion of the Hawaiian Experiment Station under the control of the United States Department of Agriculture, situate on the northeast side of Auwalolimu Street.

"KEWALO-UKA, HONOLULU, OAHU

"Being a portion of the land of Kewalo-uka conveyed by the Territory of Hawaii to the United States of America by proclamations of the Acting Governor of Hawaii, Henry E. Cooper, dated June 10, 1901, and August 16, 1901, and a portion of the United States Navy hospital reservation described in Presidential Executive Order No. 1181, dated March 25, 1910.

"Beginning at the west corner of this parcel of land, on the Auwalolimu-Kewalo-uka boundary and on the northeast side of Auwalolimu Street, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being one thousand two hundred and thirty and fifty-eight one-hundredths feet north and two thousand six hundred and seventy-five and six one-hundredths feet east as shown on Government Survey Registered Map no. 2985 and running by azimuths measured clockwise from true south:

"1. Two hundred and thirty-one degrees twelve minutes one thousand two hundred and forty-eight and twenty-six one-hundredths feet along the land of Auwalolimu;

"2. Three hundred and twenty-one degrees twelve minutes eight hundred and sixty feet along Hawaiian Home Land as described in Presidential Executive Order No. 5561;

"3. Thence down along the middle of stream in all its turns and windings along the land of Kalawahine to the north corner of Roosevelt High School lot, the direct azimuth and distance being thirty-three degrees forty-eight minutes forty seconds one thousand one hundred and twelve and twenty one-hundredths feet;

"Thence still down along the middle of stream for the next seven courses along the Roosevelt High School premises, the direct azimuths and distances between points in middle of said stream being:

"4. Twenty-three degrees forty minutes twenty-eight and ninety one-hundredths feet;

"5. Eight degrees no minutes one hundred and fifteen feet;

"6. Three hundred and thirty-seven degrees fifty minutes forty-eight feet;

"7. Two degrees thirty minutes sixty feet;

"8. Forty-nine degrees forty minutes fifty-two feet;

"9. Forty-six degrees six minutes ninety and seventy one-hundredths feet;

"10. Ninety-two degrees forty-three minutes ninety-five and sixty one-hundredths feet; thence

"11. Eighty-three degrees thirty-eight minutes seventy-one and sixty-three one-hundredths feet along Territorial land to the northeast side of Auwalolimu Street;

"12. Thence on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwalolimu Street along land described in Presidential Executive Order No. 1181, dated March 25, 1910, the direct azimuth and distance being one hundred and seventy-two degrees twenty-nine minutes thirty-five seconds one hundred and sixty-four and thirty-nine one-hundredths feet;

"13. Thence continuing on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwalolimu Street, the direct azimuth and distance being one hundred and sixty degrees fifty minutes forty-eight seconds three hundred and twelve and seventy-five one-hundredths feet;

"14. Two hundred and twenty-four degrees fifty-three minutes six hundred and seventy and sixty-five one-hundredths feet along the Quarry Reservation (Territory of Hawaii, owner);

"15. One hundred and ten degrees six minutes two hundred and thirty-nine and twenty one-hundredths feet along same;

"16. Ninety-two degrees five minutes two hundred and two and twenty one-hundredths feet along same;

"17. Fifty-three degrees twenty minutes three hundred and forty and thirty-four one-hundredths feet along same;

"18. One hundred and forty-two degrees thirty minutes four hundred and twenty-four and sixty-eight one-hundredths feet along the northeast side of Auwalolimu Street to the point of beginning and containing an area of twenty-seven and ninety one-hundredths acres; excepting and reserving therefrom that certain area included in Tantalus Drive, crossing this land.

"(V) Portion of Kewalo-uka Quarry Reservation. Situate on the northeast side of Auwalolimu Street.

"Kewalo-uka, Honolulu, Oahu

"Being land reserved by the Territory of Hawaii within the Hawaii Experiment Station under the control of the United States Depart-

ment of Agriculture, as described in proclamations of the Acting Governor of Hawaii, Henry E. Cooper, dated June 10, 1901.

"Beginning at the northwest corner of this parcel of land and on the northeast side of Auwalolimu Street, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being eight hundred and ninety-three and sixty-six one-hundredths feet north and two thousand nine hundred and thirty-three and fifty-nine one-hundredths feet east as shown on Government Survey Registered Map Numbered 2985 and running by azimuths measured clockwise from true south:

"1. Two hundred and thirty-three degrees twenty minutes three hundred and forty and thirty-four one-hundredths feet along the Hawaii Experiment Station under the control of the United States Department of Agriculture;

"2. Two hundred and seventy-two degrees five minutes two hundred and two and twenty one-hundredths feet along same;

"3. Two hundred and ninety degrees six minutes two hundred and thirty-nine and twenty one-hundredths feet along same;

"4. Forty-four degrees, fifty-three minutes six hundred and seventy and sixty-five one-hundredths feet along same to the northeast side of Auwalolimu Street;

"5. Thence on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwalolimu Street, the direct azimuth and distance being one hundred and forty-seven degrees fifty-one minutes thirteen seconds two hundred and nineteen and fifty one-hundredths feet;

"6. One hundred and forty-two degrees thirty minutes one hundred and thirty-four and fifty-five one-hundredths feet along the northeast side of Auwalolimu Street;

"7. Two hundred and thirty-two degrees thirty minutes twenty feet along same;

"8. One hundred and forty-two degrees thirty minutes seventy-one and fifty-seven one-hundredths feet along same to the point of beginning and containing an area of four and six hundred and forty-six one-thousandths acres.

"Sec. 204 (2). Any available land, including land selected by the Commission out of a larger area, as provided by this act, as may not be immediately needed for the purposes of this act, may be returned to the Commissioner of Public Lands and may be leased by him as provided in subdivision (d) of section 73 of the Organic Act; any lease of Hawaiian homelands hereafter entered into shall contain a withdrawal clause, and the lands so leased shall be withdrawn by the Commissioner of Public Lands, for the purposes of this act, upon the Commission giving at its option not less than 1 nor more than 5 years' notice of such withdrawal: *Provided*, That the minimum withdrawal-notice period shall be specifically stated in such lease.

"Sec. 207 (1). (a) The Commission is authorized to lease to native Hawaiians the right to the use and occupancy of a tract of Hawaiian homelands within the following acreage limits per each lessee: (1) Not less than 1 nor more than 40 acres of agricultural lands; or (2) not less than 100 nor more than 500 acres of first-class pastoral lands; or (3) not less than 250 nor more than 1,000 acres of second-class pastoral lands: *Provided, however*, That lots of not more than 1 acre of any class of land may be leased as residence lots. The Commission is also authorized to grant licenses for terms of not to exceed 21 years in each case to public-utility companies or corporations as easements for railroad, telephone lines, electric power and light lines, gas mains, and the like.

"Sec. 208 (1). The original lessee shall be a native Hawaiian, not less than 21 years of age. In case two lessees either original or in succession marry, they shall choose the lease to be retained, and the remaining lease shall be transferred or canceled in accordance with the provisions of succeeding sections.

"Sec. 208 (5). The lessee shall not in any manner transfer to, or mortgage, pledge, or otherwise hold for the benefit of, any other person or group of persons or organizations of any kind, except a native Hawaiian or Hawaiians, and then only upon the approval of the Commission, or agree so to transfer, mortgage, pledge, or otherwise hold, his interest in the tract. Such interest shall not, except in pursuance of such a transfer, mortgage, or pledge to or holding for or agreement with a native Hawaiian or Hawaiians approved of by the Commission, or for any indebtedness due the Commission or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, be subject to attachment, levy, or sale upon court process. The lessee shall not sublet his interest in the tract or improvements thereon.

"Sec. 208 (6). The lessee shall pay all taxes assessed upon the tract and improvements thereon. The Commission may in its discretion pay such taxes and have a lien therefor as provided by section 216 of this Act.

"Sec. 208 (7). The lessee shall perform such other conditions, not in conflict with any provision of this title, as the Commission may stipulate in the lease: *Provided, however*, That an original lessee shall be exempt from all taxes for the first 5 years from date of lease.

"Sec. 209 (1). Upon the death of the lessee his interest in the tract and the improvements thereon, including growing crops, either on the tract or in any collective contract or program, shall vest and be determined in the following manner. A lessee shall furnish the Commission, in writing, the name or names of such person or persons being a qualified native Hawaiian or Hawaiians, within the limits prescribed in the following sequence of succession, to whom he wishes his interest in the lease to be transferred after his death, this designation to be subject to the approval of the Commission: (1) In the widow or widower; (2) if

there is no widow or widower, then in the children; (3) if there are no children, then in the widows or widowers of the children; (4) if there are no such widows or widowers, then in the grandchildren; (5) if there are no grandchildren, then in the brothers and sisters; (6) if there are no brothers or sisters, then in the widows or widowers of the brothers and sisters; (7) if there are no such widows or widowers of the brothers or sisters, then in the nephews and nieces.

"In the absence of such designation the Commission shall choose a qualified native Hawaiian or Hawaiians in accordance with the foregoing sequence, either individually or collectively, except that such successor or successors need not be 21 years of age.

"Upon the death of a lessee, or the cancellation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall appraise the value of all such improvements and said growing crops and shall pay to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness due the Commission, or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, from the previous lessee. Such appraisal shall be made by three appraisers, one of which shall be named by the Commission, one by the previous lessee or the legal representative of his estate, and the third shall be selected by the two appraisers hereinbefore mentioned.

"Sec. 209 (2). After the cancellation of a lease by the Commission in accordance with the provisions of sections 210 and 216 of this title, or the surrender of a lease by a lessee, the Commission is authorized to transfer the lease or to issue a new lease to any qualified Hawaiian regardless of whether or not he is related in any way by blood or marriage to the previous lessee.

"Sec. 209 (3). After the death of a lessee, a successor or successors as defined in section 208 of this title shall not during a period of not less than 6 months nor more than 2 years, the exact length of such period to be fixed by the Commission, be deemed to have violated any of the conditions enumerated in section 208 of this title, even though he is not a native Hawaiian and does not during this period, on his own behalf, occupy or use or cultivate the tract as a home or farm in accordance with the provisions of this title and the stipulations and provisions contained in the lease.

"Sec. 209 (4). Should any successor or successors to a tract be a minor or minors, the Commission may appoint a guardian therefor, subject to the approval of the court of proper jurisdiction. Such guardian shall be authorized to represent the successor or successors in all matters pertaining to the leasehold: *Provided*, That said guardian shall, in so representing such successor or successors, comply with the provisions of this title and the stipulations and provisions contained in the lease, except that said guardian may not be a native Hawaiian as defined in section 201 of this title.

"Sec. 215 (1). Each contract of loan with the lessee or any successor or successors to his interest in the tract shall be held subject to the following conditions, whether or not stipulated in the contract of loan: The amount of loans at any one time to any lessee of a tract of agricultural or pastoral land shall not exceed \$3,000, and to any lessee of a residence lot shall not exceed \$1,000: *Provided*, That where, upon the death of a lessee or the cancellation of a lease by the Commission or the surrender of a lease by the lessee, the Commission shall make the appraisal and payment provided by section 209 (1), the amount of such payment shall be considered as part or all, as the case may be, of any such loan without limitation as to the maximum amounts herein specified in this section.

"Sec. 215 (2). The loans shall be repaid upon an amortization plan by means of a fixed number of annual installments sufficient to cover (a) interest on the unpaid principal at the rate of 3 percent per annum, and (b) such amount of the principal as will extinguish the debt within an agreed period not exceeding 30 years. The moneys received by the Commission from any installment paid upon such loans shall be covered into the fund. The payment of any installment due shall, with the concurrence therein of at least three of the five members of the Commission, be postponed in whole or in part by the Commission for such reasons as it deems good and sufficient and until such later date as it deems advisable. Such postponed payments shall continue to bear interest at the rate of 3 percent per annum on the unpaid principal and interest.

"Sec. 215 (3). In case of the borrower's death the Commission shall permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. In case of the cancellation of a lease by the Commission or the surrender of a lease by a lessee, the Commission may, at its option, declare all annual installments upon the loan immediately due and payable or permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section.

"Sec. 216. The Commission may require the borrower to insure, in each amount as the Commission may by regulation prescribe, all livestock and dwellings and other permanent improvements upon his tract, purchased or constructed out of any moneys loaned from the fund; or in lieu thereof the Commission may directly take out such insurance and add the cost thereof to the amount of annual installments payable under the amortization

plan. Whenever the Commission has reason to believe that the borrower has violated any condition enumerated in paragraphs (2), (4), (5), or (6) of section 215 of this title, the Commission shall give due notice and afford opportunity for a hearing to the borrower or the successor or successors to his interest in the tract as the case demands. If upon such hearing the Commission finds that the borrower has violated the condition the Commission may declare all annual installments immediately due and payable, notwithstanding any provision in the contract of loan to the contrary. The Commission shall have a first lien upon the borrower's or lessee's interest in his tract, growing crops, either on the tract or in any collective contract or program, dwellings, or other permanent improvements thereon, and his livestock, to the amount of all annual installments due and unpaid and of all taxes upon such tract and improvements paid by the Commission, and of all indebtedness of the lessee, the payment of which has been assured by the Commission. Such lien shall have priority over any other obligation for which the tract, said growing crops, dwellings, other improvements, or livestock may be security.

The Commission may, at such times as it deems advisable, enforce any such lien by declaring the borrower's interest in his tract, or his successor's interest therein, as the case may be, together with the said growing crops, dwellings, and other permanent improvements thereon, and the livestock, to be forfeited, the lease in respect to such tract canceled, and shall thereupon order the tract to be vacated and the livestock surrendered within a reasonable time. The right to the use and occupancy of the Hawaiian homelands contained in such tract shall thereupon revert in the Commission, and the Commission may take possession of the tract and the improvements and growing crops thereon: *Provided*, That the Commission shall pay to the borrower any difference which may be due him after the appraisal provided for in paragraph (1) of section 209 of this title has been made.

Sec. 220. The Commission is hereby authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian homelands, and to undertake other activities having to do with the economic and social welfare of the homesteaders. The Legislature of the Territory is authorized to appropriate out of the Treasury of the Territory such sums as it deems necessary to provide the Commission with funds sufficient to execute such projects, to carry on its administration and maintenance activities, and to accumulate a revolving loan fund of \$1,000,000. The Legislature is further authorized to issue bonds to the extent required to yield the amount of any sum so appropriated.

The amendments were agreed to.

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

The PRESIDENT pro tempore. That completes the consideration of unobjected to bills on the calendar.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, notified the Senate that the Speaker had appointed Mr. CANNON of Missouri an additional manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6692) making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes.

The message announced that the House had agreed to the amendment of the Senate to the bill (H. R. 2291) to amend the act of May 25, 1933 (48 Stat. 73).

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 5394) to provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DeROUEN, Mr. ROBINSON of Utah, and Mr. CRAWFORD were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5996) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1938, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 21, 34, 35, 55, 76, 78, 87, 95, 96, 112, 113, 119, 133, and 134 to the bill, and concurred therein, and that the House had receded from its disagreement to the amendments of the Senate numbered 9, 22, 23, 56, 90, 92,

114, 132, 141, and 151 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 5969) 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, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 5969) 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, was read twice by its title and referred to the Committee on the Judiciary.

ADDITION OF LANDS TO YOSEMITE NATIONAL PARK

The PRESIDING OFFICER (Mr. POPE in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 5394) to provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park in the State of California, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ADAMS. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ADAMS, Mr. PITTMAN, Mr. ASHURST, Mr. WAGNER, and Mr. NYE conferees on the part of the Senate.

APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. THOMAS of Oklahoma submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5996) making appropriations for the government of the District of Columbia, and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1938, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 12, 16, 19, 20, 32, 33, 38, 40, 42, 43, 47, 48, 49, 53, 58, 61, 63, 65, 83, 84, 85, 86, 97, 100, 103, 109, 110, 115, 118, 121, 122, 123, 130, 135, 137, 138, 139, 142, and 150.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, 8, 11, 13, 14, 15, 17, 18, 24, 25, 26, 27, 28, 30, 31, 36, 37, 39, 41, 44, 46, 50, 51, 52, 57, 59, 60, 64, 67, 68, 69, 71, 72, 73, 74, 75, 77, 79, 88, 89, 91, 93, 94, 98, 101, 104, 106, 111, 116, 117, 120, 124, 125, 126, 136, 140, 143, 144, 145, 147, and 148, and agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$221,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$98,060"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$110,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "\$403,730"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$180,260"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$22,500"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$140,000"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$396,975"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "Not exceeding \$17,500 for the purchase of land for elementary school purposes in the vicinity of First and Pierce Streets Northwest"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$242,500"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "the area bounded by Seventh Street on the west and K Street on the south in Southwest Washington"; and the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$442,640"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$29,000"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"The unexpended balance of the appropriation of \$100,000 contained in the District of Columbia Appropriation Act for the fiscal year 1937 for the construction, repair, improvement, and extension of buildings at the National Training School for Girls, in accordance with plans to be approved by the Municipal Architect and the Commissioners; and for additional personnel and maintenance at that institution is hereby continued available during the fiscal year 1938."

And the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$37,760"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$38,260"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$450,000"; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$54,540"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "\$900,000: *Provided*, That appropriations contained in this act for highways, sewers, city refuse, and the water department shall be available for snow removal when specifically and in writing ordered by the Commissioners"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$367,800"; and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "In line 8 of the matter restored strike out '\$2,000' and insert in lieu thereof '\$2,600'"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 9, 21, 22, 23, 34, 35, 55, 56, 76, 78, 87, 90, 92, 95, 96, 112, 113, 114, 119, 132, 133, 134, 141, and 151.

ELMER THOMAS,
CARTER GLASS,
ROYAL S. COPELAND,
WILLIAM H. KING,
GERALD P. NYE,

Managers on the part of the Senate.

ROSS A. COLLINS,
MILLARD F. CALDWELL,
JOE STARNES,

Managers on the part of the House.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives on certain amendments of the Senate to House bill 5996, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,

June 28, 1937.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 21, 34, 35, 55, 76, 78, 87, 95, 96, 112, 113, 119, 133, and 134 to the bill (H. R. 5996) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1938, and for other purposes, and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 9 to said bill and concur therein with the following amendment: Restore the matter stricken out by said amendment amended to read as follows: "\$131,700, of which \$5,000 shall be available without reference to the Classification Act of 1923, as amended, and Civil Service requirements for examination of estimates of appropriations and for other purposes."

That the House recede from its disagreement to the amendment of the Senate numbered 22 to said bill and concur therein with the following amendment: In lieu of the matter inserted by said amendment insert: "For personal services, including not to exceed \$2,500 for the Secretary of the Board, \$8,040."

That the House recede from its disagreement to the amendment of the Senate numbered 23 to said bill and concur therein with the following amendment: In lieu of the matter inserted by said amendment insert: "For equipment, transportation, and other necessary expenses, \$575."

That the House recede from its disagreement to the amendment of the Senate numbered 56 to said bill and concur therein with the following amendment: In lieu of the sum proposed to be inserted by said amendment insert "\$7,167,820."

That the House recede from its disagreement to the amendment of the Senate numbered 90 to said bill and concur therein with the following amendment: In lieu of the sum inserted by said amendment insert "\$468,560, of which \$13,000 shall be available for out-patient relief of the poor, including medical and surgical supplies, artificial limbs, and pay of physicians."

That the House recede from its disagreement to the amendment of the Senate numbered 92 to said bill and concur therein with the following amendment: Restore the matter stricken out by said amendment amended to read as follows:

"Health Center: For the construction on the site of the Jones Elementary School at First and L Streets, Northwest, of a building for a Health Center, including necessary fixed equipment therefor, \$165,000, of which sum \$7,000 shall be available for preparation of plans and specifications, administration and inspection, including the employment of personal services without reference to the Classification Act of 1923, as amended: *Provided*, That all buildings belonging to the District of Columbia shall be under the jurisdiction and control of the Commissioners of said District."

That the House recede from its disagreement to the amendment of the Senate numbered 114 to said bill and concur therein with the following amendment: Strike out the matter inserted and stricken out by said amendment and, on page 63 of the House engrossed bill, strike out lines 1 to 5, inclusive.

That the House recede from its disagreement to the amendment of the Senate numbered 132 to said bill and concur therein with the following amendment: In lieu of the matter inserted by said amendment insert: "*Provided further*, That the Commissioners of the District of Columbia, should they deem such action to be to the advantage of the District of Columbia, are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed \$30,000."

That the House recede from its disagreement to the amendment of the Senate numbered 141 to said bill and concur therein with the following amendment: In lieu of the sum proposed to be inserted by said amendment insert "\$2,894,340".

That the House recede from its disagreement to the amendment of the Senate numbered 151 to said bill and concur therein with the following amendment: In line 1 of the said Senate engrossed amendment strike out "7" and insert "2".

Mr. THOMAS of Oklahoma. I move that the Senate agree to the House amendments to Senate amendments numbered 9, 22, 23, 56, 90, 92, 114, 132, 141, and 151 to the bill.

The motion was agreed to.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. HAYDEN. Mr. President, I move that the Senate proceed to the consideration of the Interior Department appropriation bill.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 6958) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes, which had been re-

ported from the Committee on Appropriations with amendments.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, and that the bill be read for amendment, the committee amendments to be first considered.

The PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will state the first amendment of the Committee on Appropriations.

Mr. McNARY. Mr. President, I think that in the case of this appropriation bill, as I have expressed myself with regard to others, the Senator in charge of the bill should make a statement with respect to its provisions, and how it compares with the bill as passed by the House and with the appropriations for last year, what are the controversial items, and so forth.

Mr. HAYDEN. Mr. President, the amount of the bill as passed by the House of Representatives is \$123,001,304.85. The amount of the bill as reported to the Senate is \$125,-161,879.85, or an increase of \$2,160,575.

Mr. McNARY. Does that increase conform to the estimates of the Bureau of the Budget, and is it in conformity with the financial program of the President?

Mr. HAYDEN. No. There are two principal items in the bill which are above the Budget estimates. One is an item of \$900,000 for a new reclamation project in Colorado, the transmountain diversion project. Next there is an increase above the Budget estimates of \$2,200,000 for the construction of a national parkway, known as the Natchez Trace, beginning in Tennessee, and passing through Alabama into Mississippi.

Those are the two principal items which are above the Budget estimates.

Mr. McNARY. These items did not have the approval of the Bureau of the Budget?

Mr. HAYDEN. No Budget estimates were submitted for them. The Natchez Trace appropriation is authorized by law. We did not appropriate the full amount of the authorization, but we did increase the amount above that appropriated by the House.

Mr. McNARY. I assume, then, that these items run counter to the President's financial program.

Mr. HAYDEN. We did not consult the Budget Bureau about them.

Mr. McNARY. Were those items in the House bill?

Mr. HAYDEN. In the House bill, for the Natchez Trace, there was \$500,000. The committee increased the amount to \$2,700,000, but within the authorization by law of \$10,000,000 for that parkway and the Blue Ridge Parkway. The total amount of the appropriation will be \$7,200,000. The authorization for this fiscal year is \$10,000,000. It is authorized by law, but was not estimated for by the Budget Bureau.

There are other increases and shifts in the bill, I may say to the Senator. The committee tried to improve conditions, for instance, in the General Land Office. As the Senator from Oregon knows, and all western Senators know, there have been great delays in contested cases relating to the public domain, whether they be homesteads, oil leases, grazing leases, or other matters of that kind. We have tried to provide in this bill enough money for the investigation of these contested matters in the field and for their proper and expeditious treatment in Washington. The committee has added something to the appropriation for the Geological Survey for topographic maps, and so forth, but the net effect is as I have stated to the Senator. I have stated to him the two principal increases.

The PRESIDENT pro tempore. The clerk will state the amendments reported by the committee.

The first amendment of the Committee on Appropriations was, under the subhead "Office of Solicitor", on page 3, at the end of line 8, to change the appropriation for personal services in the District of Columbia and in the field from \$275,000 to \$286,400.

The amendment was agreed to.

The next amendment was, on page 3, line 11, to change the appropriation for personal services in the District of Columbia under the Division of Territories and Island Possessions from \$55,520 to \$58,760.

The amendment was agreed to.

The next amendment was, under the subhead "Division of Investigations", on page 3, line 20, after the word "hereunder" and the comma, to strike out "\$416,000" and insert "\$500,000"; and in line 21, after the word "exceeding", to strike out "\$27,000" and insert "\$30,500", so as to read:

For investigating official matters under the control of the Department of the Interior; for protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; for protecting public lands from illegal and fraudulent entry or appropriation; for adjusting claims for swamp-lands and indemnity for swamplands; and for traveling expenses of agents and others employed hereunder, \$500,000, including not exceeding \$30,500 for personal services in the District of Columbia; not exceeding \$38,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motorboats for the use of agents and others employed in the field service; and not to exceed \$5,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Secretary of the Interior, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses, Department of the Interior", on page 8, line 6, before the word "of", to strike out "\$240,000" and insert "\$250,000"; and in line 7, before the word "for", to strike out "\$75,000" and insert "\$85,000", so as to read:

For printing and binding for the Department of the Interior, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Alaska Railroad, the Geological Survey, Vocational Education, and the Bureau of Reclamation, \$250,000, of which \$55,000 shall be for the National Park Service, \$85,000 for the Bureau of Mines, and \$50,000 for the Office of Education, no part of which shall be available for correspondence instruction.

The amendment was agreed to.

The next amendment was, on page 9, after line 15, to insert:

NATIONAL BITUMINOUS COAL COMMISSION

Salaries and expenses: For all necessary expenditures of the National Bituminous Coal Commission in performing the duties imposed upon said Commission by the Bituminous Coal Act of 1937, approved April 26, 1937 (Public, No. 48, 75th Cong.), including personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings which, in the discretion of the Commission, are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; stationery and office supplies; purchase, rental, exchange, operation, maintenance, and repair of reproducing, photographing, and other such equipment, typewriters, calculating machines, mechanical tabulating equipment, and other office appliances and labor-saving devices; printing and binding; witness fees and fees and mileage in accordance with section 8 of the Bituminous Coal Act of 1937; not to exceed \$12,500 for purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for use outside the District of Columbia; garage rentals; miscellaneous items, including those for public instruction and information deemed necessary by the Commission; and not to exceed \$8,500 for purchase and exchange of newspapers, law books, reference books, and periodicals, \$3,000,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 16, to insert:

Consumers' Counsel of the National Bituminous Coal Commission, salaries and expenses: For all necessary expenditures of the office of the Consumers' Counsel of the National Bituminous Coal Commission, in performing the duties imposed upon said office of Consumers' Counsel by the Bituminous Coal Act of 1937, approved April 26, 1937 (Public, No. 48, 75th Cong.), including personal services and rent in the District of Columbia and elsewhere, traveling expenses, printing and binding, contract stenographic reporting services, stationery and office supplies and equipment, and not to exceed \$1,000 for books and periodicals, \$300,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 4, to insert:

PETROLEUM CONSERVATION DIVISION

Salaries and expenses, oil regulation and enforcement: For administering and enforcing the provisions of the act approved February 22, 1935 (49 Stat., p. 30), entitled "An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", as amended, and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract stenographic reporting services, rent, stationery, and office supplies, not to exceed \$1,000 for necessary expenses of attendance at meetings and conferences concerned with the work of petroleum conservation when authorized by the Secretary of the Interior, not to exceed \$4,000 for printing and binding, not to exceed \$500 for books and periodicals, and not to exceed \$14,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, \$285,000.

The amendment was agreed to.

Mr. McNARY. Mr. President, I assume that the language in italics is language not contained in the House bill.

Mr. HAYDEN. The amendments relating to the Petroleum Conservation Division and the National Bituminous Coal Commission are in exact accordance with the Budget estimates submitted to the Senate but not considered by the House.

Mr. McNARY. Why were they not considered by the House?

Mr. HAYDEN. By reason of the delay in the passage of the legislation that was enacted. The Senator will remember that the Guffey Coal Act was passed only quite recently. The estimates under it were not submitted in time to be included in the regular Budget estimates, which were made up a year ago.

Mr. McNARY. Do these appropriations carry out the provisions of the authorizations?

Mr. HAYDEN. Yes; they are authorized by law and were estimated for by the Budget Bureau.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry. Later in the day, if the occasion should demand, may I offer an amendment to this provision?

Mr. HAYDEN. I would have no objection.

Mr. O'MAHONEY. Then I give notice that later in the consideration of the bill I shall offer an amendment to increase the sum in line 16 on page 10 from \$3,000,000 to \$3,600,000.

Mr. McNARY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wyoming yield to the Senator from Oregon?

Mr. O'MAHONEY. Certainly.

Mr. McNARY. Without any further information, the proposal is subject to a point of order.

Mr. O'MAHONEY. I shall be glad to give additional information.

When the members of the Bituminous Coal Commission made their estimates before the Bureau of the Budget they submitted a schedule which, as I recall, provided for the establishment of five regional offices. The total amount required to provide for these offices, for 23 statistical offices, and for general expense was something in excess of \$5,000,000. The Budget Bureau cut the amount to \$3,000,000, and sent to Congress an estimate for \$3,000,000. The function of the five regional offices—

Mr. McNARY. Mr. President, I do not care to exact from the Senator a historical discussion. I simply wish to know whether the item conforms to the rule. The Senator ought to know what the rule is.

Mr. O'MAHONEY. I have listened to the Senator from Oregon, and have tried to learn from him.

Mr. McNARY. Has the item had the sanction of a standing or select committee of the Senate? If not, has it back of it a Budget recommendation?

Mr. O'MAHONEY. It has neither the sanction of the committee nor the sanction of a Budget estimate.

Mr. McNARY. Very well. Then it is subject to a point of order.

Mr. O'MAHONEY. I grant that. It is subject to a point of order.

Mr. McNARY. That is what I wanted the Senator to state.

The PRESIDENT pro tempore. The Clerk will state the next amendment reported by the committee.

The next amendment of the Committee on Appropriations was, under the heading "War Minerals Relief Commission", on page 12, line 10, after the word "elsewhere" and the comma, to strike out "\$18,000" and insert "\$20,000"; so as to read:

Administrative expenses: For administrative expenses made necessary by section 5 of the act entitled "An act to provide relief in cases on contracts connected with the prosecution of the war, and for other purposes", approved March 2, 1919 (40 Stat., p. 1272), including personal services, without regard to the civil-service laws and regulations; traveling and subsistence expenses; supplies and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, \$20,000.

The amendment was agreed to.

The next amendment was, under the heading "General Land Office, on page 12, line 16, before the word "including", to strike out "\$587,700" and insert "\$637,700"; so as to read:

SALARIES

For Commissioner of the General Land Office and other personal services in the District of Columbia, \$637,700, including one clerk, who shall be designated by the President, to sign land patents.

The amendment was agreed to.

The next amendment was, on page 12, after line 17, to insert:

Transcribing records: For special personal services in the District of Columbia to transcribe worn and defaced records of the General Land Office, \$20,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 20, to insert:

Binding records: For personal services in the District of Columbia, purchase and maintenance of equipment, and all other expenses requisite for and incidental to the establishment, operation, and maintenance of a branch of the Government Printing Office in the Interior Building, to bind, rebind, and repair books of record in the General Land Office, to be expended under the supervision of the Public Printer, \$24,000.

The amendment was agreed to.

The next amendment was, under the subhead "General Expenses", on page 14, line 3, after the name "Interior" and the comma, to strike out "\$675,000" and insert "\$1,000,000", so as to read:

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, \$1,000,000, including not to exceed \$5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Indian Affairs—Salaries", on page 17, line 7, after the name "District of Columbia" and the comma, to strike out "\$505,270" and insert "\$510,090", so as to read:

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, \$510,090.

The amendment was agreed to.

The next amendment was, under the subhead "General Expenses", on page 17, line 16, after the word "available" to strike out "\$32,000" and insert "\$35,000"; so as to read:

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, \$35,000.

Mr. HAYDEN. Mr. President, the Senator from Missouri asked that this item under general expenses on line 17,

page 17, be passed over. At his request, until he can return to the Senate, I ask to have the amendment passed over.

The PRESIDENT pro tempore. Without objection, the amendment will be passed over. The clerk will state the next amendment reported by the committee.

The next amendment was, on page 17, line 23, after the word "bill" to strike out "therefore" and insert "therefore"; so as to read:

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, \$700,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within 1 year from the time the service is performed.

The amendment was agreed to.

The next amendment was, on page 18, line 5, after the word "equipment" and the comma to strike out "\$210,540" and insert "\$216,540"; so as to read:

For pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, including traveling expenses, supplies, and equipment, \$216,540.

The amendment was agreed to.

The next amendment was, on page 18, line 19, after the word "expenses" and the comma, to strike out "\$100,000" and insert "\$160,000", and in line 21, after the name "District of Columbia", to insert a colon and the following proviso:

Provided, That in the discretion of the Secretary of the Interior, not to exceed \$3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work.

So as to read:

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the act of June 18, 1934 (48 Stat., p. 986), including personal services, purchase of equipment and supplies, not to exceed \$3,000 for printing and binding, and other necessary expenses, \$160,000, of which not to exceed \$25,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed \$3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work.

Mr. CHAVEZ. Mr. President, I did not quite catch the item on page 18. I wonder if I may ask the chairman of the subcommittee to have that amendment passed over.

Mr. HAYDEN. Certainly. I can state the purpose of the increase, however. It is due to the application of the Wheeler-Howard Act to the State of Oklahoma; and the Senator from Oklahoma was very anxious to have the Budget estimate allowed. The Budget estimate was \$160,000. The amount appropriated by the House was \$100,000. The understanding of our committee was that practically the entire \$60,000 is to be used in Oklahoma for organizing chartered corporations under the Wheeler-Howard Act. It is especially applicable to Oklahoma.

Mr. CHAVEZ. That is, the additional amount?

Mr. HAYDEN. Yes.

Mr. CHAVEZ. If I may make a statement at this particular time, I fully appreciate what the Senator from Arizona has stated, that this particular item is to be used for the purpose of organizing chartered corporations under the Wheeler-Howard Act.

Mr. HAYDEN. In Oklahoma.

Mr. CHAVEZ. The additional amount is to be used for that purpose; but, nevertheless, the original amount of \$100,000 was to be used throughout the entire Indian area under the provisions of the Wheeler-Howard Act. Since the passage of that act considerable opposition has arisen; and I may say now that so far as the Senators from New Mexico are concerned, and so far as the Senators from some other States are concerned, including the proponent of the original Wheeler-Howard Act, the Senator from Montana [Mr. WHEELER], inasmuch as the Indians themselves

do not wish to carry on under the provisions of that act, and there is now pending before the Congress and before a standing committee of this body a bill for the repeal of the Wheeler-Howard Act, we do not think this particular item has any place in this appropriation bill.

Of course, if the Wheeler-Howard Act had been accepted by the Indians as a whole, there might have been some justification for the item; but my Indians in New Mexico have turned down the Wheeler-Howard Act and voted against it. The Wheeler-Howard Act was supposed to have for its purpose giving to the Indian the right to govern himself; yet, now that the Indian has turned it down, Congress is asked for an appropriation by which the Indian Office employees may go amongst the Indians in order to carry out and try to put into effect the provisions of the Wheeler-Howard Act.

Of course, I appreciate that every Senator knows more about his individual State than I do; but, so far as New Mexico is concerned, inasmuch as my Indians do not desire to be under the provisions of the Wheeler-Howard Act, I do not see that I would be justified in voting for an appropriation that will give the employees of the Indian Office the opportunity to travel back and forth over the entire State and try to insist on the Indians accepting the provisions of the Wheeler-Howard Act.

I believe that the proponents of that measure should know more about whether it is justifiable for Congress to appropriate some money to carry out its provisions. I know that, so far as New Mexico is concerned, we hope that Congress will not appropriate one dime by which to make it possible for the Indian Office to go into my State and force the Indians of the State to accept money which they do not want.

The PRESIDING OFFICER (Mr. POPE in the chair). The question is on agreeing to the committee amendment on line 19, page 18.

Mr. CHAVEZ. Mr. President, I should like to offer an amendment to the amendment, to read: "*Provided*, That no part of this money shall be used within the State of New Mexico."

Mr. McNARY. Where would the amendment come in the bill?

Mr. HAYDEN. It would have to follow the proviso now in the bill at the end of page 18, and should read, "*Provided further*", and so forth.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico to the amendment of the committee.

Mr. HAYDEN. Let the amendment to the amendment be stated.

The CHIEF CLERK. After the word "work" in line 25, page 18, and before the period, it is proposed to insert a colon and the words "*Provided*, that none of this money shall be used in the State of New Mexico."

Mr. THOMAS of Oklahoma. Mr. President, from my viewpoint there could be no objection to agreeing to the amendment to the amendment. Under the Wheeler-Howard Indian Reorganization Act every tribe of Indians had the right to vote on whether or not they would accept the provisions of the so-called Wheeler-Howard Act. The Navajo Tribe of Indians, the largest tribe, located in both New Mexico and Arizona, voted on this provision, and decided not to accept the provisions of the act. There is no provision of law whereby they can have a second vote; therefore, so far as they are concerned, the Navajos are not under the act, and so far as they are concerned, the act would not apply to them, and so far as they are concerned, the act is repealed.

So far as an amendment providing that no part of the funds hereby appropriated should be spent in New Mexico, the money would not be spent there, anyway, in my opinion, and there could be no point in trying to force the Indians of that State to accept the money.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment of the committee.

Mr. HAYDEN. Mr. President, I should like to have the amendment offered by the Senator from New Mexico again stated.

Mr. CHAVEZ. Mr. President, I send the amendment to the desk, and ask that it be stated in its present form.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 18, line 25, after the word "work" and before the period, it is proposed to insert a colon and the following proviso:

Provided further, That no part of this appropriation shall be available for expenditure in the State of New Mexico.

Mr. HAYDEN. Mr. President, in the light of the statement made by the chairman of the Senate Committee on Indian Affairs, the Senator from Oklahoma [Mr. THOMAS], I have no objection to the amendment to the amendment.

Mr. WHEELER. Mr. President, I have no objection to the amendment to the amendment, and I think it is perfectly proper, but I do think the Senate ought to realize what it is appropriating this money for. The provision is:

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the act of June 18, 1934 (48 Stat., p. 936), including personal services, purchase of equipment and supplies, not to exceed \$3,000 for printing and binding, and other necessary expenses, \$160,000, of which not to exceed \$25,000 may be used for personal services in the District of Columbia.

In other words, we are asked to appropriate \$25,000 for personal services in the District of Columbia to carry on work to get these Indians into these chartered companies under the so-called Wheeler-Howard Act. Likewise we are asked to appropriate \$160,000 for other expenses. What is that for?

Mr. HAYDEN. The increase recommended by the Senate committee is for the organization of chartered corporations in Oklahoma. The Senator from Oklahoma [Mr. THOMAS] was very anxious that it be done.

With respect to the \$25,000, the committee made careful inquiry in regard to that. The attorneys and others who draft such charters are employed out of Washington. There is a general form that is used in respect to such organizations, and for that reason there must be someone in the central office here to have general supervision over the entire matter throughout the United States.

Mr. WHEELER. While I sponsored the so-called Wheeler-Howard Act, I must say that there has been great waste of public money in the Indian Office, and they have employed many, many people, from out of the city of Chicago and the city of New York, and a lot of uplifters, and sent them around to the Indian reservations throughout the country. Many of those people never saw an Indian reservation in their lives, and there is a great waste of public moneys on the part of the Indian Office at the present time.

Hearings have been held by the Committee on Indian Affairs, where the Indians themselves have appeared and complained about the matter, and have referred to the waste and the inefficiency. Since I have been connected with the Committee on Indian Affairs I have never known of as much waste of public money and as much extravagance and as much inefficiency as has been shown during the administration under Mr. Collier. I think it is time the Senate and the Committee on Appropriations should look into some of these appropriations and some of the waste that is going on at some of the Indian reservations throughout the country. As a matter of fact, it is a matter of ridicule to a great many of the people in the West. I know that in New Mexico and in my State and all through the West they are just held up to ridicule for many of the things that are going on.

Mr. HAYDEN. Mr. President, the plan the Senator from Montana sponsored when he had his bill passed by the Senate was that the Indians should manage their own affairs.

Mr. WHEELER. Yes.

Mr. HAYDEN. These chartered corporations and tribal organizations were to be for the purpose of carrying out

that plan. Apparently the Senator has abandoned the idea that it is desirable for the Indians to manage their own affairs, and does not want them to organize in that way, but prefers to have their business done by the old Indian Bureau method.

Mr. WHEELER. The Senator is entirely wrong about that. I have been one of those who have advocated that the Indians carry on their own business as much as they possibly can. But let there be no mistake about it, the Indians are not today carrying on their own affairs. Testimony came out before the Committee on Indian Affairs showing that in New Mexico and in other States at the present time the Indian Office is going around controlling the elections of the Indians, and they have kept in vogue the same old practice of controlling the Indian councils that was in vogue under the Harding administration, when Mr. Fall was Secretary of the Interior. There is no difference, and today the Indians in my State have no more control over their affairs than they had before we passed the Wheeler-Howard bill. I was for the Wheeler-Howard bill because I thought the Indians were to get a new deal, but anyone who knows a thing about an Indian reservation in this county, and who knows how they are being run, knows of the waste and extravagance, and knows how the Indian Office has sent a lot of uplifters from New York City and Chicago and from other places, who would not know an Indian if they met him on the street, who never saw an Indian except in a moving-picture show in Chicago or some other place. They are sent out to tell the Indians how they should carry on their farming operations, how they should manage their tribal relations, how they should raise their stock and cattle.

Mr. HAYDEN. Mr. President, let me ask the Senator another question in connection with the Wheeler-Howard Act. That act authorized the expenditure of \$2,000,000 a year for the acquisition of land. Neither the House nor the Senate committee agreed to allow the appropriation of that much money. Was that action wise, or unwise?

Mr. WHEELER. I think they were probably wise. I know nothing about the specific matter of the purchase of land. So far as my State is concerned, the Indians do not need any more land, and are not asking for any more land. I cannot speak for New Mexico or any other State with reference to that.

Mr. HAYDEN. The Senator spoke about cutting down expenditures. The principal expenditures authorized under the Wheeler-Howard Act were for the purchase of land.

Mr. WHEELER. I do not know where the Indian Office got the money, but I know they have increased the personnel in that office and on the reservations, and we have heard on every hand of waste and inefficiency. One Indian appeared and testified, for instance, that in North Carolina, where there are 700 Indians, 300 are on relief, getting \$30 a month. He said the Indians did not any longer walk in North Carolina, but that they ride in taxicabs now. The trouble with the whole Indian Office is that on many of the reservations they have no one who knows anything about Indians or the Indian traditions excepting what they have read out of the books.

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

Mr. WHEELER. I yield.

Mr. HAYDEN. The expenditures to which the Senator has referred are not expenditures made in the ordinary way by appropriations made in the Interior Department appropriation bill. Large sums of money have been made available to the Office of Indian Affairs out of the relief appropriations. I am quite sure that if the Senator will check up the matter he will find that almost invariably the expenditures which he criticizes were expenditures from relief funds, and not from money carried in the Interior Department appropriation bill.

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

Mr. HAYDEN. I yield.

Mr. CHAVEZ. Referring to this particular item, I fully agree that the Wheeler-Howard Act was passed for the pur-

pose of giving the Indians self-government, and one of the objections I have to this particular item is that it tends to lessen that self-government. Of course, if the Senator from any State desires that the act shall apply to his State, I am in favor of having him get what he wants; but for the very reason that I do not desire the Indians to have others impress their opinions upon them, and because I do not want the Office of Indian Affairs as a whole to be using Government money in order to impose their own particular desires upon the Indians, I oppose generally the particular item under consideration.

Mr. President, I do not want agents of the Indian Service to be running around the desert in my State with the idea of impressing their desires upon the Indians of my State. The Indians in my State today are thoroughly disgusted by reason of what has occurred in this respect heretofore. Those Indians today are more dissatisfied with the waste and extravagance indulged in by the Office of Indian Affairs than they were in the palmy days of Mr. Fall. The Office of Indian Affairs, in what it does, loses sight of the real objectives of the Congress and the administration in providing appropriations. That is what I object to. We do not want Indian agents by the hundreds running around the deserts of New Mexico, Arizona, or other States in Ford cars and imposing their wishes upon the Indians. However, if the Senator from Arizona desires this expenditure in his State, I am for him.

Mr. CLARK. Mr. President, will the Senator yield to me on that point?

Mr. HAYDEN. I yield.

Mr. CLARK. I should like to ask the Senator from Arizona and the Senator from New Mexico whether they think it was ever the intention of the law for Government funds to be spent by the Bureau of Indian Affairs and the Department of the Interior to propagandize among the Indians in favor of this particular measure.

I have before me a magazine published by the Bureau of Indian Affairs dated March 1, 1937, to which I shall refer later in greater detail. This magazine is apparently published at Government expense, without any authority of law whatever. In it there is a discussion of the Wheeler-Howard Reorganization Act in which the Bureau is attempting to crack the whip over the heads of Indians in behalf of their acceptance of that act.

On page 3 of this magazine, published by the Bureau of Indian Affairs, the edition of March 1, 1937, appears among other things this language:

The Wheeler-Howard, or Indian Reorganization Act, was introduced in 1934. One of its many essential features was language giving the Secretary of the Interior power to bring the allotted lands into a condition where they could be used by the Indians, could be economically administered, could yield increased revenue in cash or kind to the Indians, and could be prevented from going to fee patent. The vested right of allottees to their equities was fully protected by the language, and the guardianship authority of the Secretary was not increased in principle by the language.

A great uproar, directed against the whole of the Wheeler-Howard bill, made of the allotment section its principal talking point. Fear was thrown into the allotted Indians—fear that their holdings might be confiscated, that land might be taken from those who have and given to those who have not. No such consequence was intended or could have followed from the language of the bill.

And the following language is underlined in the document sent out from the Office of Indian Affairs:

But the fear-nerve had been struck as though with a lash—

I presume that is what the Senator from New Mexico has been referring to here in the last few minutes.

I continue to read—

reason and fact were of little avail; and in short, to get the other necessary things contained in the bill, the exceedingly important language about allotments was allowed to be stricken out.

Then the article goes on for some pages in the discussion of that measure.

The Senator from New Mexico [Mr. CHAVEZ] has been referring to the efforts of Indian agents in creating senti-

ment among the Indians. I recall that a few weeks ago, when the deficiency bill was before the Senate, the Senator from New Mexico made the statement that in fact there were more Indian agents in his territory than there were Indians.

Mr. CHAVEZ. And, Mr. President, I still stand by that statement.

Mr. CLARK. The Senator stands by his statement made at that time. I should like to invite the attention of the Senator from New Mexico, or any other Senator who may be interested, to the use of Government funds to propagandize in favor of a particular measure.

Mr. CHAVEZ. Of course I hope the Senator from Missouri understands my position.

Mr. CLARK. I not only understand it but I agree with the position taken by the Senator from New Mexico.

Mr. CHAVEZ. The Wheeler-Howard Act was sponsored in this body by the able Senator from Montana [Mr. WHEELER]. It was sponsored on the House side by former Representative Howard, of Nebraska. I happened to be a member of the Indian Affairs Committee of the House at that time; and because I wanted the Indians to get fair play, because I wanted the Indians to have self-government, I supported the Wheeler-Howard bill. But when I saw the Office of Indian Affairs setting aside all the efforts of the Indians in that direction, I became dissatisfied with the administration of the act.

If Senators wish to see dissatisfied Indians, they can find them almost anywhere throughout the United States. Senators will find dissatisfied Indians on the Klamath Reservation in Oregon; they will find them in the State of Montana; they will find them in the State of Washington. Indians from the latter State have been in my office within the last 6 or 7 days, making complaint. Senators will find dissatisfied Indians in New Mexico. Nowhere will they find Indians who are satisfied with the way in which expenditures have been made.

Mr. President, I am not complaining about legitimate expenses. In order to prove that, I may say that I think one of the best items in this bill is the item which will provide for a legitimate, honest expenditure in the State of Arizona in order to provide for a reclamation project which will put people on their feet; but when waste is seen, as I have seen it in New Mexico, I cannot see why the United States Government should furnish the Office of Indian Affairs with money with which to propagandize the Indians into accepting something they do not want.

Mr. HAYDEN. Mr. President, what is the status of the amendment of the Senator from New Mexico to the committee amendment?

The PRESIDING OFFICER. It is now pending.

Mr. HAYDEN. I have no objection to the amendment to the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ] to the amendment reported by the committee on page 18, at the end of line 25.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. HAYDEN. Mr. President, the amendment of the committee on page 17, line 17, dealing with the general expenses of the Office of Indian Affairs, was passed over at the suggestion of the Senator from Missouri [Mr. CLARK]. I should like to have that amendment considered at this time.

Mr. CLARK. Mr. President, I asked to have that amendment passed over temporarily so that I could go to my office and procure some exhibits which it seems to me should be put into the RECORD at this time.

Senators will recall that a few weeks ago, when the deficiency appropriation bill was before this body for consideration, the able Senator from Arizona [Mr. HAYDEN] rose and offered an amendment to the deficiency appropriation bill in behalf of the Bureau of Indian Affairs. I

do not recall the exact sum. Can the Senator from Arizona inform me as to the exact amount contained in his amendment to the deficiency appropriation bill?

Mr. HAYDEN. I do not recall it at the moment. It may have been \$100,000.

Mr. CLARK. My recollection is that it was in the neighborhood of \$100,000. The statement was made to the Senate at that time that this deficit had been incurred by reason of taking care of old and indigent Indians, by reason of an extraordinary drought and the extraordinary and unusual situation then existing in certain Indian territory. At that time I asked the Senator from Arizona, who is also the very able and efficient vice chairman of the Joint Committee on Printing and chairman of the Printing Committee of the Senate, whether any part of that deficiency had been incurred by the publication, unauthorized by law, of a magazine by the Bureau of Indian Affairs, conducted partly for the putting out of propaganda, not only as to Indian affairs, but as to other matters. It was the impression of the Senator from Arizona at that time that no part of the deficit in the Office of Indian Affairs has been incurred in that way.

Mr. President, I took the trouble to write to the Comptroller General of the United States and inquire as to the authority of law for this publication and the funds out of which this magazine was maintained.

I may say first, Mr. President, that I had previously in the Senate of the United States called attention to section 201 of the Criminal Code of the United States, having to do with the use of Government funds for propaganda. Inasmuch as that was some time ago, I take the liberty again of calling the attention of the Senate to that provision.

Section 201, title 18, of the Criminal Code and Code of Criminal Procedure of the United States, provides as follows:

Sec. 201. Use of appropriations to pay for personal service to influence Members of Congress to favor or oppose legislation: No part of the money appropriated by any act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device—

Which, in my opinion, includes this magazine—

intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers and employees of the United States from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

Any officer or employee of the United States—

And I assume that includes the Commissioner of Indian Affairs—

Any officer or employee of the United States who, after notice and hearing by the superior officer vested with the power of removing him, is found to have violated or attempted to violate this section, shall be removed by such superior officer from office or employment. Any officer or employee of the United States who violates or attempts to violate this section shall also be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$500 or by imprisonment for not more than 1 year, or both. (July 11, 1919, c. 6, sec. 6, 41 Stat. 68.)

Mr. President, previous to the consideration of the deficiency bill in this Chamber I had addressed to the Comptroller General of the United States a letter requesting information as to this magazine, Indians at Work, I asked both the authority of law for its publication and the source from which the funds for its publication were derived. Having received no answer to the first letter, and the first telephonic request, I wrote a letter on March 30, 1937, formally requesting the information. On May 17, 1937, 6 weeks after I had requested the information, I received the following answer:

MY DEAR SENATOR: Further reference is made to your letter of March 30, 1937, acknowledged April 8, requesting information as to the appropriation charged for the Office of Indian Affairs' publication, Indians at Work, and the authority for such expenditure.

In reply to my request of April 8, 1937, for a report concerning said publication, the Secretary of the Interior advised me by letter of May 6, 1937—

Some 6 weeks after my request—

as follows:

Indians at Work is a multilithed pamphlet, prepared semi-monthly by the Bureau of Indian Affairs. For your information there is enclosed a copy of circular letter no. 42, dated August 3, 1933, at which time this biweekly paper was first issued. Copies of this, as well as copies of all other E. C. W. circulars have heretofore been sent your office. Approval of this circular was given by Mr. J. J. McEntee, Assistant Director of Emergency Conservation Work, and constitutes our authority for this work. This pamphlet was initiated to interest—

I should like Senators present to listen to this, because it is a most illuminating statement by the Secretary of the Interior and the Director of the P. W. A.—

This pamphlet was initiated to interest emergency conservation enrollees and workers in the emergency organization and all expenses in connection therewith up until about 2 years ago were paid from emergency conservation funds.

Mr. President, it appears from the statement of the Secretary of the Interior that it is not only necessary to give a man or woman a job, put him to work, and take him off the relief rolls and support him, but it is necessary to use public funds to get out propaganda literature to interest him in the work of the conservation program.

I continue reading from the letter of the Secretary of the Interior:

As more and more general service data was included, one-half of the expense of preparation was charged to the general appropriation for "Support of Indians and administration of Indian property," the other half being borne by "Emergency conservation funds." This arrangement exists at the present time.

In other words, Mr. President, it is demonstrated out of the mouth of the Secretary of the Interior himself that at least a large part of the deficit which was to be covered by the amendment to the deficiency appropriation bill defeated by the Senate 6 or 7 weeks ago was incurred for the publication of this propaganda magazine. The other half is apparently taken from funds set up by the Congress of the United States for the relief of unemployment and for the care of distressed and indigent citizens of the United States. The Secretary goes on to say:

The interest of the Indians (and others) was so great that it was necessary to increase the number of copies of each issue until at the present time approximately 12,000 copies are being issued twice a month.

I assume that, among others who are interested in this magazine, were a vast number of special Indian agents to whom the Senator from New Mexico has just referred.

Mr. CHAVEZ. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Mexico?

Mr. CLARK. I yield.

Mr. CHAVEZ. May I say to the Senator from Missouri that the expenditures he has suggested would not be sufficient to satisfy the Indian agents in my State.

Mr. CLARK. I assume, then, that the Indian agents in New Mexico are being discriminated against. I think they would have a just ground of complaint to the Senator from New Mexico.

The letter of the Secretary of the Interior continues:

The pamphlet is multilithed and assembled in the Miscellaneous Service Division of the Department of the Interior. It is distributed through the Mails and Files Section of the Indian Office.

Then the Comptroller General goes on to say:

The appropriation for emergency conservation work, one of the appropriations referred to in the Secretary's letter, supra, was made in the deficiency appropriation act of June 22, 1936 (49 Stat. 1597, 1601), and the other appropriation referred to was made in the Department of the Interior Appropriation Act of the same date (49 Stat. 1757, 1778)—

The exact items covered by the increase in the appropriation now recommended by the Committee on Appropriations—

The copy of circular letter no. 42, referred to in the Secretary's letter, is enclosed herewith.

Mr. President, I ask unanimous consent that the letter from the Comptroller General and the enclosure be inserted in the Record at this point.

There being no objection, the letter and enclosure were ordered to be printed in the Record, as follows:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, May 17, 1937.

HON. BENNETT CHAMP CLARK,
United States Senate.

MY DEAR SENATOR: Further reference is made to your letter of March 30, 1937, acknowledged April 8, requesting information as to the appropriation charged for the Office of Indian Affairs' publication Indians at Work and the authority for such expenditure.

In reply to my request of April 8, 1937, for a report concerning said publication, the Secretary of the Interior advised, by letter of May 6, 1937, as follows:

"Indians at Work is a multilithed pamphlet, prepared semi-monthly by the Bureau of Indian Affairs. For your information there is enclosed a copy of circular letter no. 42, dated August 3, 1933, at which time this biweekly paper was first issued. Copies of this, as well as copies of all other E. C. W. circulars, have heretofore been sent your office. Approval of this circular was given by Mr. J. J. McEntee, Assistant Director of Emergency Conservation Work, and constitutes our authority for this work. This pamphlet was initiated to interest Emergency Conservation enrollees and workers in the emergency organization and all expenses in connection therewith up until about 2 years ago were paid from Emergency Conservation funds.

"As more and more general service data was included one-half of the expense of preparation was charged to the general appropriation for support of Indians and administration of Indian property, the other half being borne by Emergency Conservation funds. This arrangement exists at the present time.

"The interest of the Indians (and others) was so great that it was necessary to increase the number of copies of each issue until at the present time approximately 12,000 copies are being issued twice a month.

"The pamphlet is multilithed and assembled in the Miscellaneous Service Division of the Department of the Interior. It is distributed through the mails and files section of the Indian Office."

The appropriation for Emergency Conservation Work, one of the appropriations referred to in the Secretary's letter, supra, was made in the Deficiency Appropriation Act of June 22, 1936 (49 Stat. 1597, 1601), and the other appropriation referred to was made in the Department of the Interior appropriation act of the same date (49 Stat. 1757, 1778).

The copy of circular letter No. 42, referred to in the Secretary's letter, is enclosed herewith.

I trust the foregoing is the information desired by you in the matter.

Sincerely yours,

R. N. ELLIOTT,
Acting Comptroller General of the United States.

[Enclosure]

INDIAN EMERGENCY CONSERVATION WORK, CIRCULAR LETTER NO. 42,
BIWEEKLY PAPER

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 3, 1933.

To Superintendents and Field Personnel.

This Office is planning to get out a biweekly paper, in pamphlet form, covering Emergency Conservation Work on the various reservations. We shall endeavor to make it interesting and informative, and we believe it will be appreciated in the field.

We should like your cooperation in this matter. Please furnish stories of human interest, production, accomplishments, news stories, pictures, humorous anecdotes, etc. "Before and after" photographs will be appreciated. Articles dealing with recreational activities, family and other camps, will be of interest. These articles should be submitted as often as possible or at least once a week.

Furthermore, we are planning to publish in each number the best story and report submitted, with credit given to the agency or person furnishing it. If your agency is doing something special, along any line of the program, let the others hear about it.

Please remember that the production end should be emphasized. Production and accomplishments are important. While Emergency Conservation Work is primarily a relief measure, we want to know the work accomplished and the benefits received by the Indians.

It is believed the paper will be of help and interest to the field force and the Indians. If you like it, let us know; if you don't, send suggestions as to improvement.

JOHN COLLIER, Commissioner.

Mr. CLARK. Mr. President, having reference to section 201 of the Criminal Code let us see what this magazine, Indians at Work, consists of.

The first item on page 1 is an editorial written by John Collier, Commissioner of Indian Affairs:

Indians at Work, a News Sheet for Indians and the Indian Service, volume IV, March 1, 1937, no. 14.

I ask unanimous consent at this point, Mr. President, that this article, comprising eight multilithed pages, be inserted in the Record as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Indians, it is often said, have in the Supreme Court their best friend. So far as courts go, the statement certainly is true; and looking at Indian affairs across the 105 years since the John Marshall decision on the Cherokee case, one recognizes that the Supreme Court has been the Indians' best friend not only among courts but within the Government.

Indians, therefore, will be particularly concerned over the debate now raging in connection with the President's Court message to Congress.

All of those who are crying to high heaven against the President's proposal, admit that some of the reforms he is advocating are necessary. The attack against the President's proposal strikes chiefly at the part which deals with membership upon the Supreme Court. Efforts are being made to break this part of the reform off from the other parts.

A legislative analogy, which will be understood by Indians, is here mentioned.

As Indians well know, the Secretary of the Interior as guardian of Indian property exercises powers very broad indeed. These powers are necessary to effective guardianship. They are not enumerated here; enough that they are broad and usually are unreviewable.

But one power, and, as it happens, the power which the Indians most need for the Secretary to have and to exercise, is not granted under existing law.

This is the power to do those things which would get the allotted lands back into a state of consolidation, of simplified legal status, of availability for Indian use, and of economical administration. Such a result is necessary if the lands (a) are to be used by the Indians; and (b) are not ultimately to pass to the auction block; while (c) in the meantime they are costing so much to administer that frequently the administrative outlay exceeds the income yield from the land.

Inasmuch as the value of Indian allotted lands far exceeds the value of Indian unallotted land, and more Indians are dependent for their future upon allotted than upon unallotted land, the importance of getting some device for salvaging the allotted lands is too clear to need argument.

The Wheeler-Howard, or Indian Reorganization Act, was introduced in 1934. One of its many essential features was language giving the Secretary of the Interior power to bring the allotted lands into a condition where they could be used by the Indians, could be economically administered, could yield increased revenue in cash or kind to the Indians, and could be prevented from going to fee patent. The vested right of allottees to their equities was fully protected by the language, and the guardianship authority of the Secretary was not increased in principle by the language.

A great uproar, directed against the whole of the Wheeler-Howard bill, made of the allotment section its principal talking point. Fear was thrown into the allotted Indians—fear that their holdings might be confiscated, that land might be taken from those who have and given to those who have not. No such consequence was intended or could have followed from the language of the bill, but the fear nerve had been struck as though with a lash; reason and fact were of little avail; and in short, to get the other necessary things contained in the bill, the exceedingly important language about allotments was allowed to be stricken out.

Therefore, today as 3 years ago, Indian-allotted lands are in thousands of cases unusable by the Indians; administrative costs, measured against land yield, continue to increase each year; each year a larger part of all the allotted lands drifts into the heirship status and then into the triple-complicated heirship status that comes with the third generation. Through consequences of allotment, which the original Wheeler-Howard bill would have corrected but which remain uncorrected, more land is being lost to Indian use each year than can possibly be compensated for through new land purchase under the Indian Reorganization Act.

The debate over the President's court proposals is taking a course not unlike the debate over the Wheeler-Howard Act in 1934. Let us pray that the course of legislation will not be the same.

The President's court proposals are numerous, and they are important at all levels, but clearly the most important of them, and likewise the most reasonable of all of them, is the proposal for additional judges upon the Supreme Court.

So conservative, actually, is the Supreme Court feature of the President's plan, that it turns out to have been proposed 24 years ago by none other than that member of the present Supreme Court who is ranked with the ultra-conservatives, Mr. Justice McReynolds. He made the proposal when Attorney General, in 1913.

There is no constitutional requirement as to the number of Supreme Court Justices. The number has been varied from time to time by Congress.

Whenever, through death or resignation, a vacancy arises upon the Supreme Court, it is the President who nominates the new judge. As most of the judges are elderly, it follows that any President at any time, as a mere result of deaths, might be able to "pack" the Supreme Court. If resignations and deaths happen not to come, then the President and Congress may find themselves confronted by a court "packed" by some earlier President whose political philosophy may have been the opposite of the

prevailing philosophy and whose choice of judges may have been made at an earlier and different economic or social epoch.

A word as to the mere dispatch of business by the Supreme Court with its present number of members. The critics of the President's plan are announcing that the Supreme Court is not behind hand on its calendars. That is true, because, since February 13, 1925, the right of a hearing of the Supreme Court has been drastically curtailed. For a vast range of cases, this right has been made into a privilege, rarely accorded, and no longer a right. The aggrieved party petitions the Supreme Court to review his case. About eight hundred of these petitions for a writ of certiorari go before the Court each year. Frequently the cases are momentous ones, and generally they are complicated cases with a long anterior record. The appeals admitted as a matter of rare privilege are likely to be just as important and just as complicated as the smaller class of appeals submitted as a matter of right. Almost never is oral argument permitted upon these petitions. Usually they are denied, and almost never is an explanation vouchsafed by the Court. There is a widespread belief that these petitions often are disposed of by a single judge, and even that the research leading to a decision is frequently delegated to secretaries. The common belief almost necessarily is a correct belief; this follows from a merely statistical consideration of the number of petitions disposed of each year.

There comes to mind, as an illustration, a single one of the approximately 800 petitions denied by the Supreme Court in one of the years 5 or 6 years back.

This was a noted case arising out of a century-old conflict over land titles in the Pueblo country of New Mexico.

Both the courts and Congress had recognized that the Pueblo Indians' titles to various areas had not been extinguished.

Congress had legislated that certain of these titles could be extinguished, but that compensation must be granted. And pursuant to this legislation, the titles had been extinguished; but in certain important instances no compensation had been granted.

In other cases, the Pueblo Lands Board had ignored the findings of its own appraisers and arbitrarily had slashed the compensation.

Thus, assuming that the Constitution applied to Indians, there was an apparent denial of due process and a taking of property without compensation.

The case was handled for the Indians by competent attorneys. It was brief in extenso, and behind the brief lay a volume of record, and behind that prior Supreme Court opinions pointing toward action favorable to the Indians if a petition for certiorari were granted. The essential subject matter, which would need to have been read to determine the admissibility of the appeal, ran into hundreds of pages.

Knowing the policy of the Supreme Court toward petitions for certiorari, and knowing that under conditions as they existed, this policy was in fact a necessary one, because otherwise the Court would be swamped utterly by the cases admitted for review, those who prepared the Pueblos' petition and those who financed it entertained almost no hope of getting the case into the Supreme Court at all. They justifiably believed that if they did get into the Court they would win.

It was a matter, of course, to have the petition denied and denied without explanation. And out of court, without a hearing, without a word as to the reason why, went this case, along with hundreds of others, at the October term of the Court. Later, Congress, acting on a unanimous report by its Senate and House Indian Committee, provided justice and gave the compensation which the Court had refused to hear arguments about. Even the Budget concurred. Such remedy is, of course, not to be hoped for in 999 of every 1,000 slighted cases.

The above case will help Indians to realize that there are multiple reasons for the President's proposal that added Justices shall be placed on the Supreme Court to increase its power to do business and to help bear the load of elder Justices.

The fundamental reason for the President's Supreme Court proposal clearly is one of social policy—it is to insure a court possessed of a frame of mind receptive toward modern solutions for modern problems.

But, in addition, it is a proposal to get the Supreme Court into a shape, in the matter of sheer manpower, to perform its functions as a court of last resort, passing as a real court upon Constitution controversies applied to particular cases. The Court as now made up could not meet its responsibility if every Justice among the nine were a Solomon of wisdom, and a Napoleon of execution.

It was never the intent of the Constitution or of the people that the Court should delegate to one of its members the practical determination of issues in litigation under conditions where he in turn would be compelled to delegate to a secretary much or all of the research upon which his decision would be predicated.

It is no friendly act, either to the Constitution or the present Court, to demand that such an un-American way of handling business shall continue to be forced upon the Supreme Court.

Is the debate over the Supreme Court a proper subject matter for an editorial in *Indians at Work*? Decidedly, yes. In my first paragraph Indians are reminded of their own peculiar indebtedness to and dependency on the Supreme Court. But, in addition, Indians are wholly concerned with the preservation and the increase of efficient, productive democracy in the United States. No debate, reaching, as the Court debate does, to the heart of the

human and social problem of our country can be outside the discussions and concern of Indians—the most recently enfranchised of our citizens and the individuals of the whole country most dependent upon the Federal institution.

JOHN COLLIER,
Commissioner of Indian Affairs.

Mr. CLARK. I do not desire to detain the Senate by reading the editorial further than is sufficient to connect the author of the article and anyone who approves of it with an absolute open and flagrant violation of section 201.

I refer again to the first propaganda effort in regard to the Wheeler-Howard or Indian Reorganization Act.

This appears on page 3:

The Wheeler-Howard or Indian Reorganization Act was introduced in 1934. One of its many essential features was language giving the Secretary of the Interior power to bring the allotted lands into a condition where they could be used by the Indians, could be economically administered, could yield increased revenue in cash or kind to the Indians, and could be prevented from going to fee patent. The vested right of allottees to their equities was fully protected by the language, and the guardianship authority of the Secretary was not increased in principle by the language.

A great uproar—

This could only be directed toward the use of the horde of Indian agents and Indian contractors with a view toward influencing the action of Senators and Members of Congress in violation of section 201—

A great uproar, directed against the whole of the Wheeler-Howard bill, made of the allotment section its principal talking point. Fear was thrown into the allotted Indians—fear that their holdings might be confiscated, that land might be taken from those who have and given to those who have not. No such consequence was intended or could have followed from the language of the bill, but the fear nerve had been struck as though with a lash—

That language is underlined—

reason and fact were of little avail—

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

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. CLARK. I yield.

Mr. WHEELER. My understanding is they not only sent out what the Senator is reading, but in addition they sent out news letters to all the Indian reservations of the country, and such news letters were and are nothing more than propaganda of one kind or another.

Mr. CLARK. Does not the Senator agree with me, in view of the fact that legislation was already pending for the repeal or for the modification of the so-called Indian reservation act, the Wheeler-Howard bill, that the sending out of this matter to Indian agents and to the Indians, some of whom were voters in various States affected, could only be intended for the purpose of influencing the action of Congress, in violation of section 201 of the Criminal Code?

Mr. WHEELER. I do not think there is any question about it. I think that, as a matter of fact, in some of their propaganda they have expressly mentioned the names of various Senators. I must say that the present Commissioner of Indian Affairs is probably the best propaganda agent in the United States.

Mr. CLARK. I think this pamphlet which I hold in my hand completely demonstrates that to be a fact.

Mr. WHEELER. As a propagandist he is excellent. As an executive of the Bureau of Indian Affairs, in my judgment, he has been a complete failure. That is not only my judgment about it, but I think that is the judgment, if we could get a vote upon it, of everybody connected with the Indian Bureau for a great period of years. The whole Indian administration is in the most chaotic condition it has ever been.

Mr. CLARK. I think the Senator will agree that the man who devotes himself very largely to propaganda is likely to neglect his duties as an executive.

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

Mr. CLARK. Certainly.

Mr. PITTMAN. I thoroughly agree with what the Senator from Montana has said. I think I should remind him that we participate in these appointments. In the number

of years I have been here through various administrations I think the Senate has paid very little attention to the consideration of nominees for the office of Commissioner of Indian Affairs. It seems to be a very unfortunate bureau. No President has ever thought it necessary, apparently, to select a man with any executive ability, any initiative, any business experience, any common sense, and therefore the administration of the Indian Bureau is not now unusual. From the very beginning of the Wilson administration we have had men there such as one who, in one case, broke into tears when discussing a very practical matter. That is where we are now and probably will continue to be until we pay more attention to the interest and joint responsibility which we have in the Commissioner of Indian Affairs.

Mr. CLARK. Mr. President, as to the conduct of the affairs of the Indian Bureau, I express no opinion whatever. I am directing myself to a specific violation of the law and to a very vicious custom, which has apparently grown up in some of the executive departments, of using public funds for propagandizing purposes in absolute, flagrant, and open violation of the law.

As to the merits of the Indian Bureau reorganization bill, I am frank to say I do not know anything about it and express no opinion one way or the other. As to the administration of the Office of Commissioner of Indian Affairs, I express no opinion one way or the other, because I do not know anything about it.

I am inviting the attention of Senators to this matter of propaganda. The remarks of the Senator from Nevada [Mr. PITTMAN] may be entirely correct, but what I am bringing to the attention of the Senate is not an omission in the examination and consideration of the confirmation of an appointee to be Commissioner of Indian Affairs but evidence of the repeated flouting of the law on the part of the heads of executive bureaus and departments in using public funds for propaganda purposes. I intend to make further reference to these departments to show, not only with regard to the Bureau of Indian Affairs but with regard to other bureaus and other matters which have nothing in the world to do with Indian affairs, that this publication to which I have referred is an absolute violation of section 201 of the Criminal Code.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. CLARK. I yield.

Mr. McKELLAR. I have taken considerable interest in Indian affairs, because they come constantly before the Committee on Appropriations, of which I am a member. The criticism which has been visited on the head of the administration of Indian affairs might well be passed on down through its various officials, because, so far as I have been able to determine, one of the greatest troubles is that we have too many white people employed to look after Indian affairs. I have never seen so many employees of various kinds. To give an illustration, the Klamath Indians in Oregon, I believe, who were supposed to be well to do because they had large quantities of timber which were being sold, were in charge of a number of employees who, it seems, were being paid out of the proceeds of the sale of the timber. There was a little reservation of some 20 miles square, and there were 57 white employees. Fifty-four of the fifty-seven white employees each had an automobile to travel around on the little piece of ground which the Indians owned.

They not only have automobiles furnished by the Bureau of Indian Affairs and paid for out of the Indians' funds, but they all receive good salaries. Most of them receive from \$2,000 or \$2,100 up to as high as \$4,000 or \$5,000. Fifty-four of them each had automobiles, and the only ones who did not have automobiles were three unfortunate stenographers, as I remember, who were left out for some reason. I do not know why they should have been left out, because the other 54 employees out of the 57 each had an automobile.

I think, in the interest of protection of the Indians, this body ought to have a committee which will look into these

matters and see that the Indians are honestly dealt with and that the money appropriated for them goes to the Indians and not to those who would exploit the Indians.

Mr. CLARK. Let me ask the Senator from Tennessee a question. I know the great ability and long experience of the Senator from Tennessee, one of the most useful members of the Appropriations Committee. Does the Senator know anything peculiar to the Bureau of Indian Affairs which entitles its head to set at defiance the statutes of the United States by using public funds for propagandizing purposes?

Mr. McKELLAR. I do not at all, and I am utterly opposed to it, but I have been unable to get any kind of information from the Office of Indian Affairs during the Republican administration as well as during the Democratic administration.

Mr. CLARK. I am trying to give the Senator some information. Let me finish reading the paragraph referring to the Wheeler-Howard Act which I was reading a few moments ago when I was interrupted:

No such consequence was intended or could have followed from the language of the bill, but the fear nerve had been struck as though with a lash; reason and fact were of little avail; and, in short, to get the other necessary things contained in the bill, the exceedingly important language about allotments was allowed to be stricken out.

Therefore, today as 3 years ago, Indian allotted lands are in thousands of cases unusable by the Indians; administrative costs, measured against land yield, continue to increase each year; each year a larger part of all the allotted lands drift into the heirship status and then into the triple-complicated heirship status that comes with the third generation. Through consequences of allotment, which the original Wheeler-Howard bill would have corrected but which remain uncorrected, more land is being lost to Indian use each year than can possibly be compensated for through new land purchase under the Indian Reorganization Act.

Does the Senator have any doubt, in view of the measures proposed for modification of the Wheeler-Howard Reorganization Act and the measures for the repeal of the Wheeler-Howard Reorganization Act, that that is intended purely and simply as an effort to influence the action of Congress?

Mr. McKELLAR. In my judgment, there is a clique in the Office of Indian Affairs which wants to run that Bureau without regard to the Congress. The only interest they have in the Congress at all is to get appropriations which will enable them to carry out their aims and purposes. They think practically nothing of the Indians. I am utterly ashamed of the administration of the Office of Indian Affairs.

Mr. CLARK. Does the Senator have any doubt the language I have just read is a bare-faced attempt to influence Congress as to future action by using public funds in violation of section 201 of the Criminal Code?

Mr. McKELLAR. I have no doubt about it. I want to give the Senator the favorite answer to the question as to why they are spending money. Their favorite answer is, "Oh, well, it does not make any difference. It comes out of the Indians' own funds. It comes out of the tribal funds." That is one of the favorite answers to any question that may be asked about the expenditure of money—"Oh, it does not come out of the Government. It comes out of the tribal funds"—as much as to say that when it comes out of tribal funds anyone of the officials of the Indian Office has the right to take what he wants.

Mr. CLARK. The Senator from New Mexico [Mr. CHAVEZ] has just stated on his responsibility as a Senator that not only are these funds being used for the purpose of influencing Congress in violation of law, but they are actually being used to influence the Indians, as the Senator from New Mexico believes, in detriment to their own interests and rights.

Mr. CHAVEZ. Mr. President—

Mr. CLARK. I yield to the Senator from New Mexico.

Mr. CHAVEZ. It is provided in some of the regulations issued that the Indians shall be hired at a per diem of \$3 in order to carry out the propaganda of the Indian Office which it has in mind. The Senator from Tennessee is correct. Not only does the Indian Office disregard Congress, but it has no regard whatsoever for the Indians.

Mr. McKELLAR. That is my judgment about it.

Mr. CHAVEZ. My judgment is that of the money we are going to appropriate this afternoon, presumably for the Indians, the Indians will get very little. We will build houses—\$10,000, \$12,000, \$15,000 houses—but not for the Navajos. We will provide typewriters, but not for the Indian girls. We will provide automobiles by the hundred. In my State it was testified last summer, before the honorable Senator from Oklahoma, that there were over 700 automobiles in one agency alone, over that many trucks, but not for the Indians. We may send an Indian girl to Phoenix, Ariz.; and yet that poor little creature, prepared so that she can pound a typewriter, after she gets back to the reservation will be herding a bunch of goats within 3 weeks. We have people in my State now, some of them from New Jersey, teaching the Navajos to pound silver, and long-haired girls from the city of New York teaching them to dance—people from the eastern sections of the country teaching the Navajos of my State!

I do not object to providing money, and the Congress has always been good to the Indian, but the difficulty has been that we have had too much bureau and not enough Indian.

Mr. McKELLAR. I agree entirely with the statement of the Senator.

Mr. MINTON. It is like the old cry of "Lo, the poor Indian!" I do not know anything about Indian affairs, but I was just looking at the statute which the Senator says is being violated, and I should like to know why this propaganda is being sent to Members of the Congress.

Mr. CLARK. I am sorry the Senator from Indiana has not had more opportunity to examine the statute; but if he will examine it he will find that the statute applies to the use of public funds not only as to propagandizing matters addressed to Members of the House of Representatives and Members of the United States Senate, but as to anything used in any way, by telephone, telegraph, mail, printed matter, multilith matter, or anything else, for the purpose of ultimately influencing the action of Members of Congress.

If the Senator from Indiana will listen to what I now intend to read from this section, he will see the point to which I have been addressing my remarks. We have accidentally entered upon the discussion of a phase of the internal affairs of the Bureau of Indian Affairs to which I did not presently desire to address myself. I read the extracts from Mr. Collier's magazine, "Indians at Work", with regard to the Wheeler-Howard Act, simply as preliminary to reading certain other extracts.

Passing by for the moment his effort to influence Congress on the Wheeler-Howard Indian reorganization measure, Mr. Collier proceeds to a discussion of the measure intended to pack the Supreme Court of the United States—certainly not a matter immediately concerned with the affairs of the Indian Bureau, and certainly something which falls within the purview of section 201 of the Criminal Code of the United States.

Having given a very unfavorable review of the action of Congress with regard to the Wheeler-Howard Reorganization Act, because the Congress of the United States had had the effrontery to amend a bill sponsored by the Interior Department, by striking out one provision of which Mr. Collier seemed to approve, and having berated Congress over several pages for that assumption of authority, Mr. Collier, over his own signature, in this publication put out at Government expense, continues:

The debate over the President's court proposals is taking a course not unlike the debate over the Wheeler-Howard Act of 1934. Let us pray that the course of legislation will not be the same.

And you may be certain that when Mr. Collier prays that the course of legislation by the Congress of the United States will not be the same, every Indian agent, every employee of the Office of Indian Affairs, every contractor selling supplies to the Bureau of Indian Affairs will echo the same prayer. Mr. Collier is doubtless familiar with the old saying that "the most sensitive nerve in the human anatomy is the nerve leading to the pocketbook." He also knows that when he says, "Let us pray", those depending on

his favor for enrichment or support will not only fall upon their marrow bones to pray but will get up and get busy to try to propagandize Congress for his wishes.

The debate over the President's court proposals is taking a course not unlike the debate over the Wheeler-Howard Act of 1934. Let us pray—

Let us pray—Indian agents, contractors, everyone dependent upon the favor of the Bureau of Indian Affairs—

Let us pray that the course of legislation will not be the same.

The President's court proposals are numerous, and they are important at all levels; but clearly the most important of them, and likewise the most reasonable of all of them, is the proposal for additional judges upon the Supreme Court.

So conservative, actually, is the Supreme Court feature of the President's plan that it turns out to have been proposed 24 years ago by none other than that member of the present Supreme Court who is ranked with the ultraconservatives.

"Now, you poor, benighted Indians, we are trying to do something for your welfare. Every Indian within the sound of my voice or the reach of my magazine, take notice, because you get allotments. Every agent gets a salary, and every contractor makes rich profits."

It turns out to have been proposed 24 years ago by none other than that member of the present Supreme Court who is ranked with the ultraconservatives, Mr. Justice McReynolds. He made the proposal when Attorney General in 1913.

And I am sure that every Indian for whose welfare Mr. Collier was so deeply concerned when he used Government funds in violation of the law to send out this propaganda document was thoroughly convinced as to the merits of the Supreme Court proposal when Mr. Collier told him that at one time Mr. Justice McReynolds had said something that could be construed as an advocacy of this proposal.

Then Mr. Collier goes on:

There is no constitutional requirement as to the number of Supreme Court Justices. The number has been varied from time to time by Congress.

And I am sure every Indian in the United States will be relieved as to his future welfare when he receives that assurance from the Commissioner of Indian Affairs.

Whenever, through death or resignation, a vacancy arises upon the Supreme Court, it is the President who nominates the new judge. As most of the judges are elderly, it follows that any President at any time, as a mere result of deaths, might be able to pack the Supreme Court.

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

Mr. CLARK. I gladly yield to the Senator from Montana.

Mr. WHEELER. Has the Senator seen any of the recent magazines in which a compromise may have been urged? I did not know whether or not the Commissioner of Indian Affairs had now told the Indians to be for a compromise.

Mr. CLARK. I dare say that is true, Mr. President, although I have pursued the matter no further than the original exhibit.

If resignations and deaths happen not to come—

Says Mr. Collier—

then the President and Congress may find themselves confronted by a Court packed by some earlier President whose political philosophy may have been the opposite of the prevailing philosophy, and whose choice of judges may have been made at an earlier and different economic or social epoch.

A word as to the mere dispatch of business by the Supreme Court with its present number of members.

Having discussed the general background of this epochal legislation, Mr. Collier, as the father of the Indians, so to speak, representing the Great White Father at Washington, or at least the stepfather of the Indians, proceeds to educate them in such matters—ordinarily considered matters for lawyers rather than for laymen, but proper for consideration by the Indians—as writs of certiorari, and matters of that sort. Having demonstrated his capacity to the Indian Service upon matters of general constitutional theory, it was only a step by the noble Collier to proceed to the elucidation of such highly technical matters of law as the writ of certiorari.

The critics of the President's plan are announcing that the Supreme Court is not behindhand on its calendars. That is true, because, since February 13, 1925, the right of a hearing of the Supreme Court has been drastically curtailed. For a vast range of cases, this right has been made into a privilege, rarely accorded, and no longer a right. The aggrieved party petitions the Supreme Court to review his case. About 800 of these petitions for a writ of certiorari go before the Court each year. Frequently the cases are momentous ones, and generally they are complicated cases with a long anterior record.

Mr. WHEELER. Mr. President—

Mr. CLARK. I yield to the Senator from Montana.

Mr. WHEELER. I am not surprised that Mr. Collier is in favor of a reorganization of the Supreme Court. As a matter of fact, long before the President sent his message to Congress, Mr. Collier wanted to reorganize the lower courts. He wanted to set up seven or eight traveling judges to go all over the United States and hear Indian cases only. That provision was in the original bill which he sent down to Congress. He wanted, I think, eight or nine special judges to hear Indian cases only, and wanted to take the jurisdiction away from the present Federal district judges; but, of course, Congress struck out that provision. I am not surprised that he now wants to get the Indians lined up to pack the Court with six additional judges; but I am wondering whether or not he has changed his first opinion, and whether the Senator has seen any of his later bulletins.

Mr. CLARK. I am ashamed to say to the Senator from Montana that the first bulletin was sufficient for me. So complete a case was made in that bulletin that I have not pursued the matter further. It took me 7 weeks from the time I officially made the inquiry on my responsibility as a Senator to get any information at all as to this magazine, and I figured that if I undertook to pursue the inquiry as to subsequent issues of the magazine I should be involved in almost interminable delay, and I wish to bring the matter to the attention of the Senate.

Mr. Collier then goes into a rather lengthy discussion of one particular case in which he feels that the Supreme Court made an error in refusing to grant a writ of certiorari, stating, however, that the lawyers for the appellants in that case, when they filed the application for writ of certiorari, had so little confidence in the merits of the case that they had almost no hope of having it granted by the Supreme Court of the United States.

Then Mr. Collier goes on, and this is certainly clearly within the statute—that is, section 201—

The above case will help Indians to realize that there are multiple reasons for the President's proposal that added Justices shall be placed on the Supreme Court to increase its power to do business and to help bear the load of elder Justices.

The fundamental reason for the President's Supreme Court proposal—

I am sure the Indians will be glad to know—

clearly is one of social policy; it is to insure a Court possessed of a frame of mind receptive toward modern solutions for modern problems.

But, in addition, it is a proposal to get the Supreme Court into a shape, in the matter of sheer man-power, to perform its functions as a court of last resort, passing as a real Court upon constitutional controversies applied to particular cases. The Court, as now made up, could not meet its responsibility if every Justice among the nine were a Solomon of wisdom and a Napoleon of execution.

It was never the intent of the Constitution—

I am sure the Indians will be glad to know this—

or of the people that the Court should delegate to one of its members the practical determination of issues in litigation under conditions where he, in turn, would be compelled to delegate to a secretary much or all of the research upon which his decision would be predicated.

It is no friendly act, either to the Constitution or the present Court, to demand that such an un-American way of handling business shall continue to be forced upon the Supreme Court.

Mr. WHEELER. Mr. President, will the Senator from Missouri yield?

Mr. CLARK. I yield gladly.

Mr. WHEELER. There are seven Indian reservations in my State, and, to show how little influence the Commis-

sioner of Indian Affairs has with those Indians, not one of those long-haired Indians has ever written me a letter about the Supreme Court.

Mr. CLARK. They apparently were not affected by Mr. Collier's great constitutional argument.

Mr. WHEELER. They have not paid any attention to it. They do not pay any attention to him on this or anything else. Nevertheless, I appreciate the fact that he is trying to get the Indian vote lined up against the Senators from the various States where there are Indian reservations.

Mr. CLARK. And the Indian agent vote. The Senator from Montana, of course, is familiar with the fact that there are a large number of Senators on this floor and a number of Members in the other body of the Congress who represent States in which the Indian agent influence might be very considerable, and the Indian contractor influence might be very much larger, to say nothing of those Indians who might have some influence and be qualified to vote. Certainly there can be no purpose whatever for the insertion of such an editorial as the one in this magazine which I have just read, except an effort to influence those Senators and Representatives from the States in which the influence of the Office of Indian Affairs might be of some weight.

Mr. WHEELER. Mr. President, will the Senator yield again?

Mr. CLARK. Gladly.

Mr. WHEELER. Of course, the administration has had the Department of Agriculture trying to influence the farmers who were getting money from the Department of Agriculture, they have had the Department of Labor trying to influence labor organizations, they have had the Post Office Department trying to influence those who got post-office appointments, and they have had the office of the Attorney General seeking to influence those who got patronage and came under their domination; so it is not to be wondered at that the Indian Office should try to line up the Indians and all the employees working under that office.

We hear of propaganda being spread in favor of this plan. Never in the history of the United States, certainly never since I have been a Member of the Congress, has there been such tremendous propaganda put out by the various departments in favor of legislation as has been spread in regard to this particular proposal.

Mr. CLARK. I agree with the Senator. I have read in the Senate, not once, but several times, the provision of law applicable to this situation. I have proved today out of the mouth of the Secretary of the Interior himself, and out of the specific language of the publication which I have quoted, issued by the Office of Indian Affairs, a flagrant, open, and notorious violation of that statute. I direct the attention of the Secretary of the Interior and of the Attorney General to this violation of the law and to the specific and mandatory provisions of the statute.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee appearing on page 17, line 16.

The amendment was agreed to.

Mr. KING. Mr. President, I shall occupy the floor but a moment for various reasons. I would not have taken the floor except for the fact that I have listened to the able address of the Senator from Missouri [Mr. CLARK].

I was one of the Senators who endorsed Mr. Collier for the position which he now holds. I believed that he would effectuate reforms in the Office of Indian Affairs, that he would reduce expenses, and abolish some of the evils which were manifest, and which were growing constantly in that office.

I recall, during a somewhat prolonged discussion of appropriations for Indian affairs a few years ago, that it was shown that the appropriations were increasing materially from year to year and that the expenses of administration were likewise increasing. My recollection is that those debates showed that out of the enormous appropriation then made, approximately \$24,000,000, 25 percent, possibly more,

was consumed in payment of salaries of more than five or six thousand employees.

I have learned since coming into the Chamber a moment ago that the appropriation bill now before us carries for the Office of Indian Affairs an appropriation of \$33,000,000. The promised reforms have not been brought about, the expenditures have increased, and I have risen only to express my very great regret that the Office of Indian Affairs under Mr. Collier's administration has not lived up to the promises made or the expectations of some of us who strongly endorsed Mr. Collier.

RELIEF APPROPRIATIONS—CONFERENCE REPORT

Mr. ADAMS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 361) making appropriations for relief purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 13, 14, 25, 26, 27, 36, 49, 50, 51, 52, 53, and 56.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 2½, 6, 7, 9, 10, 11, 12, 15, 16, 17, 18, 22, 23, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 57, 58, and 64; and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "control, conservation, eradication of insect pests, and miscellaneous"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "and self-help"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lines 4, 5 and 6 of the matter inserted by such amendment strike out the words "or for completion of flood control projects already begun and for which other relief money has heretofore been allocated"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "or aliens who have not filed declaration of intention to become citizens"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "who are in need of relief"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "who are in need of relief and"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "who are in need of relief"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: "or as may be necessary for administrative expenses of the National Resources Committee"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Sec. 10. In carrying out the purpose of the foregoing appropriation the President is authorized to prescribe rules and regulations for the establishment of special funds in the nature of revolving funds for use, until June 30, 1938, in the purchase, repair, distribution, or rental of materials, supplies, equipment, and tools: *Provided*, That the requirement in Section one hereof that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood control and water conservation projects authorized by other law and prosecuted hereunder."

And the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the

matter inserted by said amendment insert the following: "made available in this joint resolution"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "the President shall find that the project to be financed with such loan or grant will not cause or promote competition of the products of convict labor with the products of free labor"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by such amendment insert the following:

"Sec. 201. The Federal Emergency Administration of Public Works (herein called the 'Administration') is hereby continued until July 1, 1939, and until such date is hereby authorized to continue to perform all functions which it is authorized to perform on June 29, 1937. All provisions of law existing on June 29, 1937, and relating to the availability of funds for carrying out any of the functions of such Administration are hereby continued until July 1, 1939, except that the date specified in the Emergency Relief Appropriation Act of 1936, prior to which, in the determination of the Federal Emergency Administrator of Public Works (herein called the 'Administrator'), a project can be substantially completed is hereby changed from 'July 1, 1938' to 'July 1, 1939'."

And the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by such amendment insert the following:

"Sec. 202. The amount which the Reconstruction Finance Corporation is authorized by existing law to have invested at any one time in securities purchased from the Administration is hereby increased from \$250,000,000 to \$400,000,000."

And the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by such amendment insert the following:

"Sec. 203. The amount of funds which the Administrator, upon direction of the President, is authorized to use for grants from moneys realized from the sale of securities is hereby increased from \$300,000,000 to \$359,000,000; and after the date of the enactment of this joint resolution no allotment shall be made by the Administrator for any project the application for which has not been approved by the examining divisions of the Administration prior to such date."

And the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by such amendment insert the following:

"Sec. 204. The paragraph in the Independent Offices Appropriation Act, 1938, under the caption 'Federal Emergency Administration of Public Works' is hereby amended by (a) striking out the words 'in connection with the liquidation' and (b) striking out the sum of '\$10,000,000' and inserting in lieu thereof the sum '\$15,000,000'."

And the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by such amendment insert the following:

"Sec. 205. The funds available to the Administrator for the making of loans or grants or loans and grants may be used for projects (in addition to other purposes for which funds may be used) of the following classes, in amounts not to exceed the sums specified for each such class: (a) For school projects (other than those included in subdivisions (b) and (c) of this section) to replace, eliminate, or ameliorate existing school facilities or conditions which, in the determination of the Administrator, are hazardous to the life, safety, or health of school children, \$60,000,000 for grants and \$11,000,000 for loans; (b) for projects which have been authorized, or for the financing of which bonds or other obligations have been authorized, at elections held prior to the date of enactment of this joint resolution, or for projects for which an authority or board constituting an independent corporation without taxing power has been specifically created by a State legislature prior to such date, \$70,000,000 for grants and \$22,000,000 for loans; (c) for projects for which appropriations have been made by the legislatures of the States, \$15,000,000 for grants and \$2,000,000 for loans; (d) for projects to be financed, except for the grant, by the issuance to contractors of tax or assessment securities at not less than their par value: *Provided*, That an allotment shall not be made for any such project unless the applicant has, in the determination of the Administrator, made or incurred substantial expenditures or obligations in contemplation of receiving an allotment, \$5,000,000 for grants; (e) for projects for which funds have been tentatively earmarked by the Administrator but for which formal allotments have not been made, \$54,000,000 for grants and

\$78,000,000 for loans: *Provided*, That the grant for any such project shall not exceed the amount tentatively earmarked as a grant for such project: *Provided further*, That the amount specified for any of the foregoing classes may be increased by not to exceed 15 per centum thereof by transferring an amount or amounts from any other class or classes in order to effectuate the purposes of the title."

And the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by such amendment insert the following:

"Sec. 207. Title II of this joint resolution may be cited as the 'Public Works Administration Extension Act of 1937.'"

And the Senate agree to the same.

ALVA B. ADAMS,
KENNETH MCKELLAR,
CARL HAYDEN,
JAMES F. BYRNES,
FREDERICK STEIWER,

Managers on the part of the Senate.

C. A. WOODRUM,
CLARENCE CANNON,
LOUIS LUDLOW,
THOS. S. McMILLAN,
J. BUELL SNYDER,
JOHN TABER

(except as to no. 47),

R. B. WIGGLESWORTH,

Managers on the part of the House.

Mr. ADAMS. Mr. President, I move that the Senate agree to the report of the committee of conference, which represents a complete agreement.

Mr. VANDENBERG. Mr. President, I wish to inquire of the Senator from Colorado what happened to the amendment submitted by the Senator from Pennsylvania [Mr. DAVIS] requiring certain publicity in respect to employees drawing more than a thousand dollars a year.

Mr. ADAMS. Mr. President, I have to inform the Senator that the Senate conferees were unable to retain that provision in the bill. However, the Senate conferees receded only after communication with Mr. Hopkins, the Administrator, and after receiving from him the assurance that the Senator from Pennsylvania [Mr. DAVIS] could have the information which he desired upon his request.

Mr. VANDENBERG. Does that privilege attach solely to the Senator from Pennsylvania, or is it to be general?

Mr. ADAMS. The request was only in reference to the Senator from Pennsylvania, but I have no doubt that the Senator from Michigan and other Senators would be accorded the same privilege.

Mr. VANDENBERG. But in the absence of the Senator from Pennsylvania, I may be assured that he can now obtain the information which he sought so strenuously and futilely for so long a period.

Mr. ADAMS. That is the direct information which we received from Mr. Hopkins.

Mr. BYRNES. Mr. President, will the Senator yield to me for a question, which I think possibly I should propound to the Senator from Arizona, who is more familiar with the details of title 2? I should like to know, in the changes which have been made in title 2, what change, if any, was made with reference to the earmarking of the funds to continue the construction of projects which have been delayed by litigation.

Mr. ADAMS. I will ask the Senator from Arizona, who is an expert on that matter, to reply.

Mr. HAYDEN. No change was made. The House accepted the provision as approved by the Senate. Those projects are several large ones, one sometimes known as the tri-county project, in Nebraska, another one the General State Authority of Pennsylvania, another known as the Santee-Cooper project in South Carolina. There is also a slum-clearance and housing project in the city of Chicago. In several instances the projects have been held up due to litigation in court, but the amounts provided for them have been tentatively earmarked. It is the intention of Congress to make the required sums available.

Mr. BYRNES. In the litigation, certainly in Nebraska and South Carolina, attorneys representing the power com-

panies have urged that funds were not available as one argument before the court, and I was therefore anxious to have the Senator state that the conference report does what the bill as originally introduced intended.

Mr. HAYDEN. If the Senator from South Carolina will examine the remarks I made when the amendment was adopted by the Senate, as they appear in the CONGRESSIONAL RECORD for June 21, 1937, when the amendment was adopted by the Senate, he will find a specific reference to all projects of class (e) which clearly indicates the intention of Congress to provide funds to carry them out.

Mr. BYRNES. Very well.

Mr. THOMAS of Oklahoma. Mr. President, I should like to inquire of the Senator from Arizona about two amendments which were placed in the bill on the floor of the Senate. One was an amendment authorizing the P. W. A. to accept the authorities which might have been created by legislation in the States. Was that amendment agreed to?

Mr. HAYDEN. The amendment was agreed to with a modification, with which I think the Senator from Oklahoma is entirely familiar, which more clearly defines the nature of the board or agency created by the States with authority to issue bonds.

Mr. THOMAS of Oklahoma. My second inquiry is this: An amendment was incorporated in the bill on the floor of the Senate increasing the amount from \$300,000,000 to \$340,000,000. What was the action on that amendment?

Mr. HAYDEN. There was this change in the situation: That as we agreed on the bill in conference we dealt only with the amount available for grants, leaving the amounts for loans unstated, because it was unnecessary to state them.

The amounts for grants are increased over the amounts agreed upon by the House of Representatives in a sufficient amount to take care of all the grants specified in the various classes contained in the House bill.

Mr. THOMAS of Oklahoma. Those two amendments were intended primarily to assist two projects, one in Oklahoma and one in Montana. My question now is: Is the law as contemplated by the report sufficiently broad to enable those two projects to be considered and possibly approved?

Mr. HAYDEN. There is no question that they can be considered under the law. Whether or not they will be approved is, of course, a matter within the discretion of the Administrator.

Mr. HATCH. Will the Senator explain what the effect of the amendment will be? The original amendment carried the date of April 24, and the Russell amendment changed that to the effective date of the act.

Mr. HAYDEN. The conferees agreed upon it with a statement changing it from the effective date to the date of approval. That was the only change.

Mr. HATCH. The effect of the amendment remains as it was under the Russell amendment?

Mr. HAYDEN. Yes.

Mr. HATCH. And the amendment relating to bond issues heretofore authorized is substantially the same?

Mr. HAYDEN. It is unchanged.

Mr. HATCH. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

INTERIOR DEPARTMENT APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 6958) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The next amendment of the Committee on Appropriations was, under the subhead "Indian lands", on page 23, line 20, after the word "expenses", to strike out "\$900,000" and insert "\$1,000,000", and in line 22, after the word

"exceed", to strike out "\$20,000" and insert "\$34,000", so as to read:

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the act of June 18, 1934 (48 Stat., p. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, \$1,000,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1937, of which not to exceed \$34,000 shall be available for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 24, line 2, after the word "reservations", to insert a colon and the following additional proviso:

Provided further, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of \$500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created.

Mr. HATCH. Mr. President, will the Senator explain the purpose of that amendment?

Mr. HAYDEN. The Wheeler-Howard Act authorizes the expenditure of \$200,000 for the acquisition of land in each year. The Budget estimate was for a million dollars to be authorized each year, and authority to contract for the purchase of land in the amount of an additional million dollars. The Secretary of the Interior originally asked for authority to contract for the purchase of an additional million dollars. The committee fixed the figure at half of that amount—\$500,000.

The PRESIDING OFFICER. Without objection, the committee amendment is agreed to.

The next amendment was, on page 25, line 12, after the word "thereon", to insert "and of improvements on former public-domain lands", so as to read:

For payment, pursuant to the provisions of the act of May 15, 1936 (49 Stat., p. 1272), to the Confederated Bands of Ute Indians in full compensation as to claim for the principal sum for 64,560 acres of land in western Colorado set aside as a naval oil reserve by Executive orders dated December 6, 1916, and September 27, 1924, \$161,400: *Provided*, That in the discretion of the Secretary of the Interior, and with the approval of the tribe expressed through its tribal council, not more than \$100,000 of the amount apportioned to the Indians of the Uintah and Ouray Reservation, Utah, together with \$100,000 additional from tribal funds now on deposit to the credit of the Ute Indians in Utah, may be expended for the acquisition of privately owned lands or interests therein, together with the improvements thereon, and of improvements on former public-domain lands, for said Indians.

The amendment was agreed to.

The next amendment was, on page 25, after line 21, to insert:

The unexpended balance of \$5,004.25 of the appropriation "Purchase of land for landless Indians in California, act of March 3, 1925, special fund", which appropriation was repealed by section 4 (b 24) of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), is hereby reappropriated and made available until expended for payment of obligations heretofore incurred or to be incurred hereafter in the acquisition of land in California, with such improvements as may be appurtenant thereto, for the relief of homeless Indians of that State.

The amendment was agreed to.

The next amendment was, under the subhead, "Industrial assistance and advancement", on page 26, line 9, after the word "allotments", to strike out "other than the Menominee Indian Reservation in Wisconsin", and in line 16, after the word "lands" and the comma, to strike out "\$260,000" and insert "\$300,000", so as to read:

For the preservation of timber on Indian reservations and allotments, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, \$300,000.

The amendment was agreed to.

The next amendment was, on page 27, line 25, after the word "purposes" and the comma, to strike out "\$80,000" and insert "\$90,000", so as to read:

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the acts of February 28, 1891 (U. S. C., title 25, secs. 336, 371, 397), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other acts authorizing the leasing of such lands for mining purposes, \$90,000.

The amendment was agreed to.

The next amendment was, on page 28, line 6, after the word "equipment" and the comma, to strike out "\$600,220" and insert "\$640,000", so as to read:

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling, and other expenses, and purchase of supplies and equipment, \$640,000, of which not to exceed \$15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed \$30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation.

The amendment was agreed to.

The next amendment was, on page 28, line 21, after the word "crops" and the comma, to strike out "\$165,000" and insert "\$390,000", so as to read:

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, \$390,000, which sum may be used for the purchase of seeds, animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting:

The amendment was agreed to.

The next amendment was, on page 29, line 10, after the word "That", to insert "except for the Navajo Indians in Arizona and New Mexico", so as to make the further proviso read:

Provided further, That except for the Navajo Indians in Arizona and New Mexico not to exceed \$25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians.

The amendment was agreed to.

The next amendment was, on page 29, line 13, after the word "Indians", to insert a colon and the following additional provisos:

Provided further, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid: *Provided further*, That not to exceed \$15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed 8 years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That not to exceed \$275,000 may be advanced to the Navajo Tribe of Indians for the purchase, feeding, sale, slaughter, or other disposition of sheep, goats, and other livestock belonging to the Navajo Indians, including the erection of necessary structures, the purchase of machinery and equipment, materials and supplies, the purchase or lease of land or buildings, salaries of employees, traveling expenses, advertising, and all other necessary expenses.

The amendment was agreed to.

The next amendment was, on page 33, line 5, after the word "expenses" and the comma, to strike out "\$42,500" and insert "\$50,000", so as to read:

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the act of August 27, 1935 (49 Stat., p. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual trans-

portation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States, while absent from their homes, not to exceed \$2,500 for printing and binding, and other necessary expenses, \$50,000, of which not to exceed \$16,000 shall be available for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Irrigation and drainage", on page 36, line 3, after the word "and", to strike out "\$111,000" and insert "\$161,000"; in line 7, after the word "and", to strike out "\$111,000" and insert "\$161,000"; and in line 11, to strike out "\$299,500" and insert "\$349,500", so as to read:

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Ariz., including not to exceed \$2,000 for purchase of land, \$76,300, reimbursable, together with \$112,200 (operation and maintenance collections) and \$161,000 (power revenues), of which latter sum not to exceed \$25,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts of \$112,200 and \$161,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$349,500.

The amendment was agreed to.

The next amendment was, on page 36, line 16, after the word "Indians", to insert a comma and "and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians in accordance with tribal resolution of June 16, 1937, and subject to the approval of the Secretary of the Interior, the Pima Indians are hereby authorized to employ an attorney and an accountant for the purpose of advising them in connection with the legality and equity of these operation and maintenance assessments at a cost of not to exceed \$2,000 including all expenses connected therewith payable from tribal funds", so as to read:

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available so much as may be necessary of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians in accordance with tribal resolution of June 16, 1937, and subject to the approval of the Secretary of the Interior, the Pima Indians are hereby authorized to employ an attorney and an accountant for the purpose of advising them in connection with the legality and equity of these operation and maintenance assessments at a cost of not to exceed \$2,000 including all expenses connected therewith payable from tribal funds.

The amendment was agreed to.

The next amendment was, on page 38, line 5, after the word "Idaho", to strike out "\$18,000" and insert "and for the investigation of damage claims on this project, \$25,000", and in line 7, after the word "with", to strike out "\$30,000" and insert "\$25,000", so as to read:

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, and for the investigation of damage claims on this project, \$25,000, together with \$25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

The amendment was agreed to.

The next amendment was, on page 39, after line 16, to insert:

For the rehabilitation and maintenance and operation of the irrigation system on the Blackfeet Indian Reservation, Mont., including the purchase of any necessary rights or property, \$95,000 reimbursable.

The amendment was agreed to.

The next amendment was, on page 42, line 25, after "1040)", to strike out "\$700,000, reimbursable" and insert "\$500,000, reimbursable, and in addition thereto the Secretary of the Interior may also incur obligations and enter into a contract or contracts not exceeding the total amount of \$750,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of this project shall be available

for the purpose of discharging the obligation or obligations so created", so as to read:

Arizona: Colorado River, as authorized by and in accordance with section 2 of the Rivers and Harbors Act, approved August 30, 1935 (49 Stat., pp. 1039, 1040), \$500,000, reimbursable, and in addition thereto the Secretary of the Interior may also incur obligations and enter into a contract or contracts not exceeding the total amount of \$750,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of this project shall be available for the purpose of discharging the obligation or obligations so created; Fort Apache, \$10,000, reimbursable; Hopi, \$25,000, reimbursable; Navajo, Arizona, and New Mexico, \$60,000, reimbursable; Salt River, \$650,000, reimbursable; San Xavier, \$30,000, reimbursable;

The amendment was agreed to.

The next amendment was, on page 43, line 15, after the word "Flathead" and the comma, to strike out "\$200,000" and insert "including, \$51,275, Camas division betterment, \$251,275,"; in line 16, after the word "reimbursable" and the semicolon, to insert "Crow, \$200,000, reimbursable,"; and in line 18, after the word "reimbursable", to insert "Poplar River, \$50,000, for resurveying Poplar River project, reimbursable,"; so as to read:

Montana: Flathead, including \$51,275, Camas division betterment, \$251,275, reimbursable; Crow, \$200,000, reimbursable; Fort Belknap, \$12,000, reimbursable; Poplar River, \$50,000, for resurveying Poplar River project, reimbursable;

Mr. WHEELER. Mr. President, I send to the desk an amendment to the committee amendment: On page 43, line 19, after the word "reimbursable", to insert "Fort Peck, \$100,000, reimbursable."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. In the committee amendment, on page 43, line 19, after the word "reimbursable", it is proposed to insert "Fort Peck, \$100,000, reimbursable."

Mr. HAYDEN. Mr. President, the committee was quite liberal with Montana. I shall be glad to take the amendment to conference. I cannot assure the Senator that the House will agree to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

Mr. HAYDEN. I ask unanimous consent that the clerk be authorized to change the totals in this committee amendment, as amended, so as to conform to the amendment of the Senator from Montana.

The PRESIDING OFFICER. Without objection, it is so ordered.

The next committee amendment will be stated.

The next amendment was, on page 43, line 20, after the word "Nevada" and the colon, to strike out "Moapa, \$20,000, reimbursable; Summit Lake, \$10,000, reimbursable", so as to read:

Nevada: Western Shoshone, \$100,000, reimbursable.

The amendment was agreed to.

The next amendment was, on page 44, after line 4, to insert:

Miscellaneous garden tracts, \$60,000.

The amendment was agreed to.

The next amendment was, on page 44, line 9, after the words "In all" and the comma, to strike out "\$2,288,000" and insert "\$2,219,275", so as to read:

In all, \$2,219,275, to be immediately available, which amount, together with the unexpended balances of funds made available under this head in the Interior Department Appropriation Act, fiscal year 1937, shall remain available until June 30, 1938.

The amendment was agreed to.

The next amendment was, under the subhead "Education", on page 48, after line 12, to insert:

The appropriation of \$100,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperating with public school districts in Glacier County, Mont., in the improvement and extension of school buildings to be available to both Indian and white children, as authorized by the act of June 7, 1935 (49 Stat. L. 327), is hereby made available under the same conditions as specified in the said second deficiency appropriation act until June 30, 1938, for improvement and extension of school buildings in rural communities in District No. 9, Glacier County, as well as other public-school districts within said county.

The amendment was agreed to.

The next amendment was, on page 49, line 3, after the figures "\$75,000", to insert "and for cooperation with the Hays Public School District, Hays, Mont., for construction and improvement of grade- and high-school buildings as authorized by the act of May 15, 1936 (49 Stat., p. 1274), \$50,000; in all, \$125,000", so as to read:

For cooperation with Wellpinit School District No. 49, Stevens County, Wash., for the construction and equipment of a public-school building in the vicinity of Wellpinit, Wash., as authorized by the act of May 15, 1936 (49 Stat., p. 1273), \$75,000 and for cooperation with the Hays Public School District, Hays, Mont., for construction and improvement of grade- and high-school buildings as authorized by the act of May 15, 1936 (49 Stat., p. 1274), \$50,000; in all, \$125,000.

The amendment was agreed to.

The next amendment was, on page 49, line 24, after the word "balances", to insert a colon and the following additional proviso:

Provided further, That in the discretion of the Secretary of the Interior the construction and improvements authorized for the Hays Public School District, Mont., may be planned, erected, and operated by the Indian Service in which event the requirements of the act of May 15, 1936, and of this paragraph, with reference to the preparation of plans, the erection of buildings, and the recoupment of expenditures are hereby waived.

The amendment was agreed to.

The next amendment was, on page 53, at the beginning of line 8, after the figures "\$115,750", to insert a colon and the following proviso: "*Provided*, That the amount available during the fiscal year 1937 for the acquisition of lands adjacent to this school is hereby continued available for the same purpose until June 30, 1938", so as to read:

Pierre, S. Dak.: For 300 pupils, \$97,750; for pay of superintendent, drayage, and general repairs and improvements, \$18,000; in all, \$115,750: *Provided*, That the amount available during the fiscal year 1937 for the acquisition of lands adjacent to this school is hereby continued available for the same purpose until June 30, 1938.

The amendment was agreed to.

The next amendment was, on page 54, after line 8, to insert:

For an additional amount for education of natives of Alaska, fiscal year 1937, to remain available until June 30, 1938, \$55,000, and the limitation in the Interior Department Appropriation Act for the fiscal year 1937 on the amount which may be expended under this head for freight and operation and repair of vessels is hereby increased from \$65,000 to \$120,000.

The amendment was agreed to.

The next amendment was, under the subhead "Conservation of health", on page 55, line 24, after the word "diseases" and the comma, to strike out "\$4,400,000" and insert "\$4,595,690", and on page 56, line 1, before the word "for", to strike out "\$3,242,220" and insert "\$3,332,200", so as to read.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding \$25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, \$4,595,690, including not to exceed \$3,332,200 for the following-named hospitals and sanatoria:

The amendment was agreed to.

The next amendment was, on page 56, line 22, after the figures "\$22,500", to insert "Cass Lake Hospital, \$30,000; Fond du Lac Hospital, \$20,000; Red Lake Hospital, \$20,000; White Earth Hospital, \$20,000", so as to read:

Minnesota: Pipestone Hospital, \$22,500; Cass Lake Hospital, \$30,000; Fond du Lac Hospital, \$20,000; Red Lake Hospital, \$20,000; White Earth Hospital, \$20,000.

The amendment was agreed to.

The next amendment was, on page 59, after line 7, to strike out:

Support of hospitals, Chippewas in Minnesota (tribal funds): For support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, \$90,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the act of January 14, 1889 (25 Stat. p. 645).

The amendment was agreed to.

The next amendment was, under the subhead "General support and administration", on page 60, line 6, after the word "provisions" and the comma, to strike out "\$2,604,-600" and insert "\$2,700,000", so as to read:

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, \$2,700,000.

The amendment was agreed to.

The next amendment was, on page 60, after line 7, to insert:

For an additional amount for general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, fiscal year 1937, \$80,000.

The amendment was agreed to.

The next amendment was, on page 63, line 3, after the figures "\$17,800", to insert a comma and "together with the unexpended balance under this head for the fiscal year 1937"; in line 4, before the word "together", to strike out "\$5,000" and insert "\$7,500"; in line 5, after the word "together", to insert "with the unexpended balance under this head for the fiscal year 1937"; in line 7, after the word "Indians", to insert "additional for water supply, \$2,500"; and in line 9, after the words "in all" and the comma, to strike out "\$25,550" and insert "\$28,050", so as to read:

Washington: Puyallup, \$1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinalt), \$17,800, together with the unexpended balance under this head for the fiscal year 1937; (Neah Bay), \$7,500, together with the unexpended balance under this head for the fiscal year 1937 (\$4,000 for monthly allowances for care of old and indigent Indians, additional for water supply, \$2,500, and \$1,000 for burial expenses); Yakima, \$250; Tulalip, \$1,000; Swinomish, \$500; in all, \$28,050.

The amendment was agreed to.

The next amendment was, on page 63, line 10, before the word "including", to strike out "\$75,500" and insert "\$85,500", and in line 11, before the word "for", to strike out "\$10,000" and insert "\$20,000", so as to read:

Wisconsin: Keshena, \$85,500, including \$20,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends: *Provided*, That not more than \$14,000 of this appropriation may be used for fees and expenses of attorneys employed under contract, approved by the Secretary of the Interior, during the fiscal years 1936, 1937, and 1938.

The amendment was agreed to.

The next amendment was, on page 63, line 19, after the word "exceed", to strike out "\$421,900" and insert "\$434,400", so as to read:

In all, not to exceed \$434,400.

The amendment was agreed to.

The next amendment was, on page 64, after line 8, to insert:

For compensation and expenses of an attorney or attorneys employed by the Chippewa Tribe under a contract, approved by the Secretary of the Interior on April 15, 1937, \$10,000, payable from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat.

p. 645), of which so much as may be necessary shall be available for compensation earned and expenses incurred during the fiscal year 1937.

The amendment was agreed to.

The next amendment was, on page 64, after line 19, to insert:

There is hereby authorized to be expended out of the fund "Interest on judgment Court of Claims, Creek Indian Nation", now standing to the credit of the Creek Nation of Indians in the Treasury of the United States, the sum of not exceeding \$2,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Creek Nation of Indians employed under the authority of the act of Congress approved May 24, 1924 (43 Stat. 139), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Creek Nation of Indians against the United States under the above-mentioned act of May 24, 1924: *Provided further*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, on page 67, after line 2, to insert:

For acquisition, rehabilitation, and preservation of the Tuska-homa Council House in Pushmataha County, Choctaw Nation, Okla., \$10,000 or so much thereof as may be necessary, payable from the fund "Fulfilling treaties with Choctaws, Oklahoma" now to the credit of the Choctaw Indians of Oklahoma, and the unexpended balance of the appropriation for this purpose contained in the Interior Department Appropriation Act, fiscal year 1937, is hereby continued available until June 30, 1938.

The amendment was agreed to.

The next amendment was, on page 68, after line 6, to insert:

For compensation and expenses of William H. Fuller and Melven Cornish for services rendered the Chickasaw Nation of Oklahoma, under the terms of a contract approved by the Secretary of the Interior on May 13, 1935, in the case of *The Choctaw Nation v. The United States and the Chickasaw Nation in the United States Court of Claims*, case numbered J-231, \$15,000, or so much thereof as may be necessary, payable from funds on deposit to the credit of the Chickasaw Nation of Indians.

The amendment was agreed to.

The next amendment was, under the subhead "Roads and Bridges", on page 69, line 1, before the words "to be", to strike out "\$2,700,000" and insert "\$3,000,000", so as to read:

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the acts of May 26, 1928 (U. S. C., title 25, sec. 318a), and June 16, 1936 (49 Stat., p. 1521), \$3,000,000, to be immediately available and to remain available until expended.

The amendment was agreed to.

The next amendment was, under the subhead "Construction and repair", on page 70, after line 9, to insert:

Claremore Hospital, Oklahoma: Employees' quarters, \$40,000.

The amendment was agreed to.

The next amendment was, on page 70, line 11, after the figures "\$8,500", to insert "improvement of water supply, \$21,000", so as to read:

Colorado River, Ariz.: Telephone line, \$8,500; improvement of water supply, \$21,000.

The amendment was agreed to.

The next amendment was, on page 70, after line 13, to insert:

Colville, Wash.: Improvement of water supply, \$35,000.

The amendment was agreed to.

The next amendment was, on page 71, line 8, after the figures "\$73,000" and the semicolon, to insert "two physicians' cottages, \$15,000", so as to read:

Kiowa, Okla.: Riverside, dormitory facilities, \$73,000; one cottage, \$6,000; Fort Sill, school building, \$73,000; two physicians' cottages, \$15,000; improvements to sewer system, \$20,000.

The amendment was agreed to.

The next amendment was, on page 71, after line 9, to insert:

Mescalero, N. Mex.: Office building, \$25,000;

The amendment was agreed to.

The next amendment was, on page 72, after line 2, to insert:

Tongue River, Mont.: Birney day school, including sewer and water systems, and light plant, \$30,000;

The amendment was agreed to.

The next amendment was, on page 72, after line 4, to insert:

Turtle Mountain, N. Dak.: Day-school facilities, \$62,500;

The amendment was agreed to.

The next amendment was, on page 72, line 23, after the words "in all" and the comma, to strike out "\$1,866,500" and insert "\$2,095,000"; so as to read:

For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed \$2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, \$175,000; in all, \$2,095,000, to be immediately available and to remain available until June 30, 1939.

The amendment was agreed to.

The next amendment was, on page 72, line 25, after the numerals "1939", to strike out the colon and the following proviso:

Provided, That not to exceed 5 percent of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 5 percent by any such transfer.

The amendment was agreed to.

The next amendment was, under the subhead "Annuities and per-capita payments", on page 74, after line 18, to insert:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States \$105,000 of any funds on deposit to the credit of the Menominee Indians in Wisconsin (except the Menominee log funds), and to expend said sum, or so much thereof as may be necessary, for a per-capita payment of \$50 to each enrolled member of the Menominee Tribe: *Provided*, That such payment shall be in lieu of the payment authorized by the act of June 15, 1934 (48 Stat., p. 964), for the fair market stumpage value of timber cut on the Menominee Reservation during the fiscal year 1937: *Provided further*, That in the discretion of the Secretary of the Interior the payment herein authorized may be made in two installments.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Reclamation", on page 81, line 14, after the word "revenues", to strike out "as hereinafter stated", so as to read:

Rio Grande project, New Mexico-Texas: For operation and maintenance, \$350,000: *Provided*, That the Secretary of the Interior is hereby authorized to enter into a contract with the El Paso County water improvement district no. 1 and the Elephant Butte irrigation district of New Mexico, by which the districts will be relieved of the obligation of making payment of the construction cost chargeable to the development of power of Elephant Butte Dam in the amount determined as equitable by the Secretary of the Interior in return for the conveyance by the said two districts to the United States of all the districts' right, title, interest, and estate in the use of said dam and other project works, including the project water supply, for the development of hydroelectric energy: *Provided further*, That in such contracts it shall be stated that the use of the dam, project works, and water supply for power purposes shall not deplete or interfere with the use thereof for irrigation purposes: *Provided further*, That the net earnings of the power plant and system belonging to the United States and any other available revenues shall be applied, until the cost thereof has been met, upon the cost of the power development, including (1) the cost of power facilities, (2) the amount invested, as herein authorized, in the cost of Elephant Butte Dam, and (3) the amount invested by the Bureau of Reclamation in Caballo Dam: *Provided further*, That after the cost of the power development has been met the net earnings of the power plant and system shall be disposed of as Congress may direct.

The next amendment was, on page 85, after line 6, to insert "Gila Project, Arizona, \$1,250,000."

Mr. HAYDEN. Mr. President, the Gila project is authorized by law and a Budget estimate which was submitted for

this amount. The project will obtain its supply of water from the Colorado River. The sole source of water for the project will be water impounded by the Boulder Canyon Dam. In order to make it perfectly clear that the project shall be operated in accordance with the Boulder Canyon Project Act, and shall be subject to and controlled by the Colorado River compact as provided by that act, I have agreed with the Senators from the upper-basin States that there shall be added to the bill a legislative provision which I now offer. The text of the amendment does not change existing law, but merely directs attention to an act of Congress which applies to the Gila project and which makes the Colorado River compact effective so far as the Gila project is concerned.

Mr. O'MAHONEY. Mr. President, may I say for the RECORD that the amendment which is now being offered by the Senator from Arizona is in accordance with an understanding which has been had by him with the Senators from the States in the upper basin of the Colorado River? The language of the amendment was submitted to the attorney general for Wyoming, who in turn took it up with the attorneys general for Colorado and New Mexico. It is now in accordance with suggestions received from them. I believe that it is altogether satisfactory to the upper-basin States.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona [Mr. HAYDEN] to the committee amendment will be stated.

The CHIEF CLERK. On page 85, line 7, it is proposed to strike out—

Gila project, Arizona, \$1,250,000.

And in lieu thereof to insert:

Gila project, Arizona, \$1,250,000, said Gila project, including the waters to be diverted and used thereby and the lands and structures for the diversion and storage thereof to be subject to the provisions of the Boulder Canyon Project Act of December 21, 1928, and subject to and controlled by the provisions of the Colorado River compact signed at Santa Fe, N. Mex., November 24, 1922

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Arizona to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment reported by the Committee on Appropriations.

The next amendment was, on page 85, after line 11, to insert:

Colorado-Big Thompson project, Colorado: For construction in accordance with the plan described in Senate Document No. 80, Seventy-fifth Congress, \$900,000: *Provided*, That no construction thereof shall be commenced until the repayment of all costs of the project shall, in the opinion of the Secretary of the Interior, be assured by appropriate contracts with, water-conservancy districts, or irrigation districts or water-users' associations organized under the laws of Colorado, or other form of organization satisfactory to the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, on page 85, after line 23, to insert:

Frenchtown project, Montana, \$35,000.

The amendment was agreed to.

The next amendment was, on page 87, line 10, after the word "investigations" and the comma, to strike out "\$150,000" and insert "\$250,000", so as to read:

Colorado River Basin investigations, \$250,000.

The amendment was agreed to.

The next amendment was, on page 87, after line 11, to insert:

For administrative expenses on account of the above projects, including personal services and other expenses in the District of Columbia and in the field, \$750,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, \$10,535,000: *Provided*, That of this amount not to exceed \$75,000 may be expended for personal services in the District of Columbia,

The amendment was agreed to.

The next amendment was, on page 87, after line 19, to insert:

The unexpended balances of the amounts appropriated from the reclamation fund, special fund, under the caption "Bureau of Reclamation, Construction", in the Interior Department Appropriation Act, fiscal year 1937, shall remain available for the same purposes for the fiscal year 1938.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, it is my understanding that the amendment which has just been agreed to covers all of the unexpended balances which were appropriated by the Interior Department Act for 1937 for these various projects.

Mr. HAYDEN. That is exactly correct, and was so stated by the Commissioner of Reclamation in requesting the adoption of this amendment. It is in accordance with the Budget Bureau estimates and is designed to carry out the purpose stated by the Senator from Wyoming.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The next amendment was, on page 88, line 1, after the word "fund" and the comma, to strike out "\$9,416,600" and insert "\$11,701,600", so as to read:

Total, from reclamation fund, \$11,701,600.

The amendment was agreed to.

The next amendment was, on page 90, line 6, after the word "projects", to insert "and for general investigations", so as to read:

For continuation of construction of the following projects and for general investigations in not to exceed the following amounts, respectively, to be expended from the general fund of the Treasury in the same manner and for the same objects of expenditure as specified for projects included hereinbefore in this act under the caption "Bureau of Reclamation", and to be reimbursable under the reclamation law.

The amendment was agreed to.

The next amendment was, on page 90, after line 20, to insert:

For general investigations, \$300,000 to enable the Secretary of the Interior, through the Bureau of Reclamation, to carry on engineering and economic investigations of proposed Federal reclamation projects, surveys for reconstruction, rehabilitation, or extension of existing projects and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or, if deemed advisable by the Secretary of the Interior, in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, National Resources Committee, and the Federal Power Commission;

The amendment was agreed to.

The next amendment was, on page 91, line 13, after the words "in all" and the comma, to strike out "\$26,250,000" and insert "\$26,550,000", so as to read:

For administrative expenses on account of the above projects, including personal services in the District of Columbia and in the field, \$750,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, \$26,550,000: *Provided*, That of this amount not to exceed \$75,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Geological Survey—Salaries", on page 92, line 4, after the name "District of Columbia" and the comma, to strike out "\$140,000" and insert "\$165,000", so as to read:

For the Director of the Geological Survey and other personal services in the District of Columbia, \$165,000.

The amendment was agreed to.

The next amendment was, under the subhead "General expenses", on page 92, line 18, after the word "exceed", to strike out "\$2,500" and insert "\$3,000", so as to read:

GENERAL EXPENSES

For every expenditure requisite for and incident to the authorized work of the Geological Survey, including personal services in the District of Columbia and in the field, including not to exceed \$30,000 for the purchase and exchange, and not to exceed \$55,000 for the hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for field use only by geologists, topographers, engineers, and land classifiers, and the Geological Survey is authorized to exchange unserviceable and worn-out passenger-carrying and freight-carrying ve-

hicles as part payment for new freight-carrying vehicles, and including not to exceed \$3,000 for necessary traveling expenses of the Director and members of the Geological Survey acting under his direction, for attendance upon meetings of technical, professional, and scientific societies when required in connection with the authorized work of the Geological Survey, to be expended under the regulations from time to time prescribed by the Secretary of the Interior, and under the following heads.

The amendment was agreed to.

The next amendment was, on page 93, line 2, after the name "United States", to strike out "\$650,000" and insert "\$800,000", so as to read:

Topographic surveys: For topographic surveys in various portions of the United States, \$800,000, of which amount not to exceed \$250,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 93, line 23, before the word "may", to strike out "\$25,000" and insert "\$34,000", so as to read:

Mineral resources of Alaska: For continuation of the investigation of the mineral resources of Alaska, \$60,000, to be available immediately, of which amount not to exceed \$34,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 94, line 5, after the word "resources" and the comma, to strike out "\$800,000" and insert "\$1,000,000", so as to read:

Gaging streams: For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$1,000,000, of which amount not to exceed \$100,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 94, line 15, after the word "That", to strike out "\$600,000" and insert "\$800,000", so as to make the additional proviso read:

Provided further, That \$800,000 of this amount shall be available only for such cooperation with States or municipalities.

The amendment was agreed to.

The next amendment was, on page 95, line 2, before the word "may", to strike out "\$50,000" and insert "\$70,000", so as to read:

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public-land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary of the Interior; and for performance of work of the Federal Power Commission, \$100,000, of which amount not to exceed \$70,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 95, line 18, after the word "thereto" and the comma, to strike out "\$275,000" and insert "\$350,000", and in line 19, after the word "exceed", to strike out "\$60,000" and insert "\$75,000", so as to read:

Mineral leasing: For the enforcement of the provisions of the acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), as amended, and March 4, 1921 (U. S. C., title 48, sec. 444), and other acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, \$350,000, of which amount not to exceed \$75,000 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 98, line 3, after the word "Survey" and the comma, to change the total appropriation for the United States Geological Survey from \$2,787,000 to \$3,237,000.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Mines—Salaries and general expenses", on page 98, line 13, after the word "Interior" and the comma, to strike out "\$65,000" and insert "\$68,380", and in line 14, after the word

"exceed", to strike out "\$52,000" and insert "\$54,900", so as to read:

Salaries and general expenses: For general expenses, including pay of the Director and necessary assistants, clerks, and other employees, in the office in the District of Columbia and in the field, and every other expense requisite for and incident to the general work of the Bureau in the District of Columbia and in the field, to be expended under the direction of the Secretary of the Interior, \$68,380, of which amount not to exceed \$54,900 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 99, line 21, after the name "District of Columbia" and the comma, to strike out "\$615,000" and insert "\$637,500", so as to read:

Operating mine rescue cars and stations and investigation of mine accidents: For the investigation and improvement of mine rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other inquiries and technologic investigations pertinent to the mining industry; the exchange in part payment for operation, maintenance, and repair of mine rescue trucks; the construction of temporary structures and the repair, maintenance, and operation of mine-rescue cars and the Government-owned mine rescue stations and appurtenances thereto; personal services, traveling expenses and subsistence, equipment, and supplies; travel and subsistence, and other incidental expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding \$6,000, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons, and such other articles or equipment as may be necessary in connection with the purposes of this paragraph; including not to exceed \$67,100 for personal services in the District of Columbia, \$637,500.

The amendment was agreed to.

The next amendment was, on page 100, line 12, before the word "of", to strike out "\$240,400" and insert "\$250,400", so as to read:

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia, \$250,400, of which amount not to exceed \$29,400 may be expended for personal services in the District of Columbia:

The amendment was agreed to.

The next amendment was, on page 102, line 10, before the word "of", to strike out "\$305,000" and insert "\$388,850", so as to read:

Mining experiment stations: For the employment of personal services, purchase of laboratory gloves, goggles, rubber boots and aprons, the purchase not to exceed \$3,000, exchange as part payment for, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the act authorizing additional mining experiment stations, approved March 3, 1915 (U. S. C., title 30, sec. 8), \$388,850, of which appropriation not to exceed \$17,100 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 102, line 20, after the word "improvements" and the comma, to strike out "\$82,690" and insert "\$87,690", so as to read:

Buildings and grounds, Pittsburgh, Pa.: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pa., including personal services, the purchase, exchange as part payment for, operation, maintenance, and repair of passenger automobiles for official use, and all other expenses requisite for and incident thereto, including not to exceed \$5,000 for additions and improvements, \$87,690.

The amendment was agreed to.

The next amendment was, on page 103, line 14, after the word "foregoing" and the comma, to strike out "\$274,790" and insert "\$324,970"; and in line 15, after the word "exceed", to strike out "\$200,000" and insert "\$262,700", so as to read:

Economics of mineral industries: For inquiries and investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; and including personal services in the District of Columbia and elsewhere; purchase of furniture and equipment; stationery and supplies; type-writing, adding and computing machines, accessories and repairs; newspapers; traveling expenses; purchase, not exceeding \$1,200, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; and for all other necessary expenses not included in the foregoing, \$324,970, of which amount not to exceed \$262,700 may be expended for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 105, line 25, after the words "in all", to strike out "\$2,500" and insert "\$3,000", so as to read:

For necessary traveling expenses of the director and employees of the Bureau, acting under his direction, for attendance upon meetings of technical, professional, and scientific societies, when required in connection with the authorized work of the Bureau of Mines and incurred on the written authority of the Secretary of the Interior, there is hereby made available from any appropriations made to the Bureau of Mines not to exceed in all \$3,000.

The amendment was agreed to.

The next amendment was, on page 107, line 7, to change the total appropriation for the Bureau of Mines from \$2,119,240 to \$2,293,650.

The amendment was agreed to.

The next amendment was, under the heading, "National Park Service", on page 107, line 24, before the words "of which", to strike out "\$196,940" and insert "\$150,000", so as to read:

Salaries: For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national park and national monument purposes and members of the commission appointed under the provisions of the act of February 21, 1925 (43 Stat., p. 959): *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, \$150,000, of which amount not to exceed \$23,680 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

The amendment was agreed to.

The next amendment was, on page 110, after line 11, to insert:

Fish hatchery for Glacier National Park: For acquisition, by the Secretary of the Interior, of such real property and rights therein in township 28 north, range 20 west, Montana meridian, as may be necessary for the establishment and operation of a fish hatchery for Glacier National Park, \$16,500.

The amendment was agreed to.

The next amendment was, at the top of page 116, to insert:

Oregon Caves National Monument, Ore.: For the improvement of the lighting system, including the purchase and installation of equipment and supplies, at Oregon Caves National Monument, Ore., \$20,000.

The amendment was agreed to.

The next amendment was, on page 118, after line 14, to insert:

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and for the services of field employees in

cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary, in his discretion, may designate.

The amendment was agreed to.

The next amendment was, on page 120, line 11, after the word "expended" and the comma, to strike out "\$5,000,000" and insert "\$7,200,000", so as to read:

Blue Ridge and Natchez Trace Parkways: For continuing the construction and maintenance, under the provisions of section 5 of the act of June 16, 1936 (49 Stat., pp. 1519-1522), of the Blue Ridge and Natchez Trace Parkways, to be immediately available and remain available until expended, \$7,200,000, of which amount not to exceed \$40,000 shall be available for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 120, line 13, after the word "Columbia" and the colon, to strike out the following proviso: "Provided, That not exceeding \$500,000 of this appropriation shall be available for construction of the Natchez Trace Parkway" and in lieu thereof to insert:

Provided, That \$2,700,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State.

The amendment was agreed to.

The next amendment was, on page 121, line 2, to strike out "\$24,000" and insert "\$50,000", so as to read:

Historic sites and buildings: For carrying out the provisions of the act entitled "An act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat., p. 666), \$50,000.

The amendment was agreed to.

The next amendment was, on page 122, line 4, after the word "vehicles" and the semicolon, to strike out "\$7,137,280" and insert "\$7,237,280", and in line 5, after the word "exceed", to strike out "\$5,036,980" and insert "\$5,136,980", so as to read:

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the National Park Service, including the National Archives Building; per-diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; leather and rubber articles and gas masks for the protection of public property and employees; arms and ammunition for the guard force; not exceeding \$13,000 for uniforms for employees; and the purchase, maintenance, repair, exchange, storage, and operation of four motor-propelled passenger-carrying vehicles; \$7,237,280, of which amount not to exceed \$5,136,980 shall be available for personal services in the District of Columbia and not to exceed \$500,000 shall be available for major repairs and improvements to public buildings, monuments, memorials, and grounds in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 123, line 16, after the word "equipment", to insert "per-diem employees at rates of pay approved by the Director not exceeding current rates for similar services in the District of Columbia, the hire of draft animals with or without drivers at local rates approved by the Director, traveling expenses and carfare, and leather and rubber articles for the protection of public property and employees, \$176,000", so as to read:

Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Mount Vernon Memorial Highway, Arlington Memorial Bridge, George Washington Memorial Parkway, Federal parks in the District of Columbia, and other Federal lands authorized by the act of May 29, 1930 (46 Stat. 482), including the pay and allowances in accordance with the provisions of the act of May 27, 1924, as amended, of the police force for the Mount Vernon Memorial Highway and the George Washington Memorial Parkway, and the purchase of one passenger-carrying automobile and operation, maintenance, repair, exchange, and storage of three automobiles, revolvers, ammunition, uniforms, and equipment, per-diem employees at rates of pay approved by the Director not exceeding current rates for similar services in the District of Columbia, the

hire of draft animals with or without drivers at local rates approved by the Director, traveling expenses and carfare, and leather and rubber articles for the protection of public property and employees, \$176,000.

The amendment was agreed to.

The next amendment was, under the heading "Office of Education—Vocational education", on page 126, line 2, after "1488" and the comma, to strike out "\$350,000" and insert "\$425,000", so as to read:

VOCATIONAL EDUCATION

Salaries and expenses: For carrying out the provisions of section 7 of the act entitled "An act to provide for the promotion of vocational education, etc.", approved February 23, 1917, as amended by the act of October 6, 1917 (U. S. C., title 20, sec. 15), and of section 4 of the act entitled "An act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., p. 1488), \$425,000.

The amendment was agreed to.

The next amendment was, on page 126, after line 2, to strike out:

Further development of vocational education: For carrying out the provisions of sections 1, 2, and 3 of the act entitled "An act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., pp. 1488-1490), \$14,483,000.

And in lieu thereof to insert:

Further development of vocational education: For the first installment of a 4-year program to carry out the provisions of sections 1, 2, and 3 of the act entitled "An act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., pp. 1488-1490):

For salaries and necessary travel expenses of teachers, supervisors, and directors of agricultural subjects, \$1,031,000;

For salaries and necessary travel expenses of teachers, supervisors, and directors of home-economics subjects, \$1,021,000;

For salaries and necessary travel expenses of teachers, supervisors, and director of trade and industrial subjects, \$1,032,000;

For salaries and necessary travel expenses of teachers, supervisors, and directors of, and maintenance of teacher training in, distributive occupational subjects, \$649,000;

For preparing teachers, supervisors, and directors of agricultural, trade, and industrial, and home-economics subjects, \$557,000;

In all, \$4,290,000.

Mr. GEORGE. Mr. President, I desire to ask the Senate to reject the amendment which is now pending so as to restore the appropriation provided by the House.

This is an appropriation made for the purpose of the development of vocational education under an act which was passed by the last Congress, and which supplements, of course, the original appropriation under the act of 1916.

The Budget Bureau recommended some \$3,000,000 in round numbers—I do not undertake to use the exact odd numbers—but the House Appropriations Committee, notwithstanding, recommended some \$7,000,000 under the act known as the George-Deen Act passed during the last Congress.

When the matter came on the floor of the House, the House itself inserted in the bill the full amount authorized under that act for the expansion and further development of vocational education. The Senate Committee on Appropriations reduced the amount carried in the bill as it came from the House to \$4,000,000, in round numbers, which is a million dollars, in round numbers, above the Budget estimate, but some \$10,000,000, in round figures, below the amount appropriated by the House.

Mr. President, I may say that when the bill under which this appropriation was made was introduced, conferences were had, and those who were sponsoring the bill definitely agreed that no additional appropriation would be asked for the fiscal year ending June 30, 1937. Since the approval of that act many of the States throughout the country have made provision for the use of the entire appropriation. Forty-five States have made provision for the use of the full amount.

There are more than 15,000 rural high schools in the United States. There are only about 6,100 such high schools which provide vocational training. There are some 4,000 additional high schools that have asked for this money.

The same proportion applies to those schools that make provision for the teaching of home economics. So the question of need for this appropriation is hardly open to debate; in fact, it is not open to debate; and, if it were open to debate, Congress settled that matter last year when the act was passed, when for the first time since the passage of the original act provision for a continuing, additional annual appropriation was made.

As I have said, 45 States are actually in position to make or have made provision for the use of the full amount authorized by the George-Deen Act. Three or four State legislatures have petitioned the Congress to make the full appropriation, among them the great State of Texas, the State of Wisconsin, the State of Arkansas, and, I believe, the State of Nebraska, though I am not sure about the last-named State.

The needs and the demands for vocational education are not only strong but are growing stronger. We have unemployment, particularly among the young men and young women of the country. The young men and young women who have just become or who are becoming of age and who are without any special vocational training have become helpless, or almost so, so far as securing employment is concerned under the adverse conditions which we have recently experienced. Not only is that true now, but it will be increasingly so, for the reason that industry will not be able longer to provide apprenticeships and will not be able longer to furnish the necessary training to the young men who want to go into trades or into occupations training for which may be furnished under the Vocational Act. With minimum wages and with maximum hours and with the keen competition, of course, that must necessarily come, in order to maintain itself on a new economic basis industry will be obliged to find well-trained and well-equipped and well-qualified men and women to do the job that is before it, if it can find such men and such women.

The figures and statistics furnished by one similar institution, an institution providing vocational training in California, afford a striking illustration of what I am trying now to say. During the last year some 3,000 young men found employment after receiving training in this particular vocational institution. The ages of the young men ranged from 18 to 25 years.

In order to meet new conditions, indeed, in order to meet satisfactorily any condition, vocational training in agriculture, home economics, the trades, industries, and distributive occupational industries as well, must go forward in earnest in this country and must take even a wider scope than it has hitherto taken.

Mr. President, it is quite true that some three or four States in the Union may not use all of the money carried in the bill as it came from the House, should that amount be retained by the Senate, but in that event the money does not go out of the Treasury. It simply is not used. It automatically becomes a fund available for the purposes of the Treasury hereafter. In other words, there is no use of the money unless the State is appropriating to match the fund on the basis provided in the George-Deen Act. There can be no misuse of the funds or dissipation of the funds because the States must actually use the money before any money is paid out of the Treasury.

What happens, in fact, is this: The schools putting in vocational courses, whether in agriculture, trade, or the industries select their own teachers. The teachers must, of course, meet certain standards and certain requirements. The schools pay their teachers and, in effect, a requisition is made through the Bureau of Education to reimburse the schools carrying on the vocational work, and, therefore, there can be no actual dissipation or actual wastage of the money.

Mr. President, I may say also that at this time and in this bill it seems to me we ought not to hesitate to restore the amount proposed by the House to be appropriated, because we are making large appropriations for other uses, and this use is certainly one which commends itself most

heartily to the country and is one which serves the real purposes of the country.

Mr. BLACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Alabama?

Mr. GEORGE. Certainly.

Mr. BLACK. May I ask the Senator whether or not he has any figures as to what would be the result in the employment of teachers in connection with this reduction? I ask that because in the last hour I have received information from gentlemen from my State as to what would be the result in Alabama alone.

Mr. GEORGE. I have not those figures. All this appropriation really goes into salaries. It really goes into compensation and pay. None of it is used for the purpose of buying equipment or materials of any kind. It all goes into the salaries paid to teachers, as I understand.

Mr. BLACK. In that connection Alabama, like a number of other States, during the last year has added very substantially to its opportunities for vocational training. I have been informed that if this reduction as reported by the committee should go into effect, it would require the discharge of more than 100 teachers who have already been employed to teach vocational training in Alabama next year. I was informed also that it would cut off thousands of adults who are taking such training. If that be true as to one State it can easily be seen, if the same result should occur in other States, how disastrous it would be with reference to vocational education.

Mr. GEORGE. I think the Senator's information must be correct so far as the coming fiscal year is concerned. Of course the bill would actually cut in half the appropriation which was contemplated by all the States. The net effect of the adoption of the committee amendment would be to cut the fund in half, and, therefore, it would necessitate the failure to employ those teachers, if it did not result in actual release of teachers from contracts made.

Mr. BLACK. It is my understanding contracts have already been made, and the State of Alabama will be in the same situation in that respect as other States will be. I hope we shall be able to reinstate the full amount proposed by the House to be appropriated for this purpose.

Mr. GEORGE. I thank the Senator from Alabama.

In Georgia alone some 500 additional schools have made application for additional vocational teachers, and preparations have been made, and no doubt contracts have been made, because the new school year for vocational work is commencing in July in many of the States. Necessarily those teachers who have been engaged would now find themselves unable to enter upon the performance of their contracts if the appropriation should be reduced.

The appropriation of \$14,000,000 in round figures is not all additional money. It is, of course, so far as this particular appropriation is concerned, but under the original act for vocational education \$7,000,000 in round figures was appropriated annually. In 1928 Congress passed a bill providing for an additional appropriation, which went up by steps or stages over a period of 6 years to \$2,500,000 additional, making some \$9,500,000 or nearly \$10,000,000 which was thereafter available for vocational education for the United States.

In 1934, when that act was about to expire, Congress passed another bill known as the George-Ellzey bill, which made a flat additional appropriation of \$3,000,000 annually for vocational education. We are yet operating under that act, which expires the 30th of the present month. Under that act between \$10,000,000 and \$11,000,000 is appropriated for vocational education. That act which expires June 30 and carries an authorization for \$3,000,000, will, of course, pass out of the picture after June 30. What is actually being done under the Senate amendment is to appropriate in round figures only \$4,000,000 against the \$3,000,000 which for some years has been appropriated under special or supplemental acts. Actually not a single additional dollar is made available for the teaching of vocational agriculture or domestic

economy within the rural high schools of the country, because under the George-Deen Act two additional activities were added—distributive occupational education and teachers' training. The George-Ellzey Act which expires June 30 contained no provision for an additional appropriation for teacher training, so that it will be impossible under this appropriation to provide for the training of a single additional farm boy in agriculture or a single additional farm girl in economics.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. During the last few moments I have received three telegrams on this identical item; and, sustaining what has just been said, I desire to call attention to one or two lines from these telegrams.

I quote part of a telegram received from Oklahoma City:

Vocational agricultural program, vocational work in Oklahoma popular. One hundred and fifty new teachers called for. Thirty-five new teachers employed.

And if the item is reduced, of course, the teachers called for will not be used, and the teachers employed likewise will not be used.

The telegram from which I have just quoted is signed by H. J. Denton, president, Oklahoma Agricultural Cooperative Council.

I have received another telegram from the President of the Oklahoma Farmers' Union. I desire to read one or two lines from this telegram:

More than 150 farm communities in Oklahoma want vocational education programs. Many, acting in good faith, have already employed qualified teachers and expended large sums on equipment for conserving and restoring our soil.

Mr. President, in my State the demand for an increased appropriation comes from the farm population. There is no doubt that the teachers themselves, if they were heard from, would be most vociferous in asking for the money; but I am not urging the appropriation on that basis. I am urging the increased appropriation on the basis of the farm demand, directly from farmers and farm organizations.

Mr. GEORGE. I thank the Senator from Oklahoma.

Mr. President, I do not care to prolong the discussion. I think the Senate well understands that in the case of this particular appropriation, if the States are not prepared to match it, the money will not go out of the Treasury; and I think it also true that no money can go out of the Treasury until the appropriation, even if made, is by the President allocated, or at least notice given by him of allocations actually made to the several States which are ready to meet the fund.

Telegrams and letters of course have reached me from time to time because I have been somewhat active in connection with this type of legislation. I should like to read just a few lines from the director of the State Board of Vocational Education of Wisconsin, typical of all the other thoughtful letters upon the subject:

Much of the social legislation recently enacted is greatly dependent upon Federal aid for vocational education—

Writes the director.

With our rapidly changing industrial processes and technological changes, it is highly important that our increasing number of unemployable people be given vocational training preparatory for job opportunities. Those already employed must be prepared to meet industrial changes, and given an opportunity to combine education with labor. Unless the Federal Government participates in a substantial way to aid the cause of vocational education, we shall soon be faced with a permanent army of unemployable people as well as unemployed.

I do not look upon Federal participation in an adequate vocational-training program as an expense. It is rather in the nature of an investment that brings back to our country a wealth return commensurate with the wise administration of vocational courses to improve the employability of our people.

And not only is the director of vocational education in the State of Wisconsin, Mr. Hambrick, asking for the full amount, but that State is one of the States whose legisla-

ture petitioned the Congress to make an appropriation of the full amount for the fiscal year 1938.

Mr. President, I think the Senate should reject this amendment, because then the matter will be put beyond peradventure of doubt. The fiscal year and the school year for vocational work and training are upon many of our States. If the Senate shall reject the amendment made by the Appropriations Committee, the matter will be put at rest so far as this particular item in the bill is concerned, and the States may go on with confidence with the programs they have already commenced; and let me say that if this full appropriation is allowed, in round numbers the total contribution of the Federal Government to vocational training—not only in agriculture but in domestic science, the trades and industries, distributive occupational training, and teaching, for all of these various types of education—will amount to no more than \$21,000,000. That is a negligible appropriation for this country to make in a line of educational work which has demonstrated its value, and which can be carried on and is being carried on by the States, under the jurisdiction of the States, with the aid and assistance of the Federal authorities here at Washington, but without interference with the internal affairs and management of the schools of the country.

Mr. President, if it were a question of economy, and if we had resolved not to make additional appropriations, we should face a different question; but in this very bill, which has reduced the appropriation for vocational education by \$10,000,000, we find increases of more than \$12,000,000 for various other purposes, doubtless all good; so it is not a question of economy. In this very bill, which cuts down the House appropriation for this worthy object and purpose, we find a total sum exceeding by more than \$2,000,000 the appropriation carried in the House bill. So it cannot be argued as a question of economy. The facts put the argument out of the question.

Mr. President, the people of this country do not want Congress to take this appropriation out of the hides of the farm boys and girls and the young men seeking vocational education in the trades and industries.

Mr. HAYDEN. Mr. President, I should like to give the Senate a brief statement of the reasons that induced the Committee on Appropriations to suggest a reduction in this appropriation.

Senators should understand, first of all, that there is a permanent annual appropriation for vocational education under what is known as the Smith-Hughes Act which amounts to \$7,157,000. That money is automatically appropriated each year without action by Congress. In addition to that, as the Senator from Georgia has well stated, during the current fiscal year Congress appropriated an extra \$3,084,000, so that the amount of money that is expended for vocational education during the current fiscal year is \$10,200,000.

The Budget estimate for this item was \$3,000,000; but upon examining the situation in the committee we found that the \$3,000,000 would have to be divided five ways instead of three ways. The \$3,000,000 heretofore has been spent for vocational instruction in agriculture, home economics, and trades, and industries. Under the George-Deen Act, as passed last year, two new subjects were introduced—teacher training and instruction in distributive occupations. To divide the same amount of money five ways instead of three, without increasing the Federal appropriation, was obviously unfair. The committee therefore proposes to carry on, in exactly the same manner as for the present fiscal year, all activities which heretofore have been provided for, and to add two new activities—teacher training and instruction in distributive occupations—to the extent of one-half the amount authorized by law. If that were done, there would be available in this fiscal year the old \$7,000,000, plus \$4,200,000, or \$11,400,000, for all purposes.

The House Committee on Appropriations came to the same general conclusion as the Senate committee, that to appro-

priate the entire amount would be unwise. Their recommendation was to appropriate 50 percent of the authorizations, or \$7,000,000, for the next fiscal year. On that basis there would be \$7,000,000 from the old Smith-Hughes Act and \$7,000,000 more from the George-Deen authorization, making a total of \$14,000,000.

What the Senator from Georgia now proposes is to make a total appropriation of \$21,000,000; to jump the amount of money we have expended for this purpose from the \$7,000,000 plus of the Smith-Hughes Act and the \$3,000,000 under the George-Ellzey Act which he mentions, a total of \$10,000,000, in 1 year to \$21,000,000.

The best information the Senate committee could get was that there are not enough well-trained teachers of vocational education in the United States to make proper use of the money. It is the same situation we had about 25 years ago, when Congress for the first time made appropriations for county farm advisers. A sum of money was made available rather unexpectedly, but the necessary trained and equipped personnel was not to be found, so the authorities would go into a county where, for lack of anything else, they would pick out the best farmer in the county and say, "Let us put him on the job of telling the other farmers how to farm."

He himself might know how to farm, but he did not know how to teach others how to farm. Anyone who has had anything to do with education knows that it is vital in any educational program to understand the methods of giving instruction.

Mr. PEPPER. Mr. President, at what place does this information appear in the bill?

Mr. HAYDEN. The information I am giving to the Senate I have derived from the report of a special committee appointed by the President of the United States. The President appointed an advisory Committee on Education at the time the George-Deen Act was approved. My information is that the President hesitated a long time about approving that measure, believing that it was too great and too sudden a jump into this new field; but finally he determined to approve the act, and at the same time to appoint an advisory committee to determine how it should be carried out. That committee reported to the President on April 24 of this year. I read some extracts from the report:

Our feeling that there should be no expansion of the funds provided for vocational education until after there has been a thorough replanning of Federal relations to all education is re-enforced by the studies we have already made of the vocational education statutes and administration.

The basic vocational-education statute, the Smith-Hughes Act, has not been revised since its enactment 20 years ago. Even as supplemented by additional legislation, it does not provide the basis under present conditions for a sound program of Federal aid to vocational education. The several vocational statutes are a patchwork of complex and obscure provisions, many of which are inconsistent with present conditions and needs.

The basis for the distribution of funds among the States as provided in the vocational-educational statutes tends in many cases to increase rather than to decrease inequalities in educational opportunity. Inequalities arise from the operation of the State minimum allotments and from the matching provisions. They arise also from the difficulties encountered in attempts to administer a vocational program in small rural high schools. The areas most in need of aid are the ones least able to meet the matching and other qualifying provisions.

We believe that the training of the personnel necessary for extension and improvement of vocational education is a problem of the first importance and one that should receive early attention. Readjustments to make possible an expansion and improvement in the training of teachers could be made under current appropriations. At present, however, the teacher personnel is not available in most of the States to staff enlarged programs of vocational education unless certification standards are materially reduced and teachers are employed who are not well qualified.

This was a commission of educators appointed by the President of the United States, who examined into the subject of vocational education in all the States of the Union. They made a report to the President that properly qualified, trained personnel does not exist, and upon that basis the committee of the Senate makes the statement which it included in its report.

I have no doubt that there are exceptions to that rule in certain States. There may be some States where there is an ample number of qualified teachers, whereas in others there are not enough. But, taking the country as a whole, the Commission appointed by the President to study how this great piece of legislation should be carried out makes this finding in a report to the President.

Mr. ELLENDER. Did not the President's Commission recommend an expenditure of \$20,000,000 for vocational training?

Mr. HAYDEN. They did not. The Commission recommended that there be no increase at all.

Mr. ELLENDER. My information is that it had recommended an expenditure of not less than \$20,000,000.

In this connection, Mr. President, I might add that whereas the report of the President's Committee may not recommend an expenditure of \$20,000,000, the fact remains that a greater sum than that was spent by other agencies of the Government in order to give to the youth of our Nation a chance to study vocational training. I am quite certain that the Civilian Conservation Corps, the Works Progress Administration, and National Youth Administration have spent many more millions for vocational training than the small amount now asked, and it may be because of such expenditures that the President's Commission did not name a specific sum, but recommended that financial support by the Federal Government for vocational training be continued without curtailment during the coming fiscal year. I am of the opinion that we could more effectively carry on vocational training to the youth of our Nation through the public schools established in each State than by any other method now in force or that has been proposed.

I do not know that I could add any more than has already been said on the subject. The hearings before the committee show that approximately 500,000 boys and girls are graduated each year from the high schools of our Nation, and most of them, because of lack of finances, are unable to enter college. I believe this administration would help greatly toward relieving unemployment should it provide the means for giving to our boys and girls a chance to study a vocation while they are in attendance at our high schools. Especially would it benefit those who are afforded an opportunity of studying home economics, animal husbandry, and agriculture in general.

We will make no mistake by inducing the youth of our country to become producers of wealth by placing them in a position whereby they can grow their own living on the farm, become home owners, and make them independent citizens. I am proud to state that in my own home parish we have a high school that teaches vocational training in agriculture to the youth of our community. I have never experienced such interest in farming as is evidenced by the boys who specialize in agriculture. A large percentage of them study agriculture and many of them have made good on the farm after graduating from high school. I know of one boy in particular, C. A. Duplantis, Jr., who was a State leader in the Future Farmers of America, and who today owns a large farm and is making a success as a farmer. He has purchased the necessary equipment and is doing very well. This young man, together with many others who graduated from the high school in my parish, are doing well, and there is no doubt in my mind but that the training that these boys received in high school developed in them the urge for farming, and I cannot help but feel that they will succeed.

Mr. President, I believe that this small additional appropriation will, in the long run, do more good toward relieving unemployment, than if many more millions were spent through other Government agencies now attempting to help the youth of our country. The school systems in practically all of our States are highly organized and are in charge of well-trained teachers. These schools have the proper organization to undertake this work. Before any Federal money is advanced to a State high school, a thorough investigation is made of the facilities of the school applying,

and I am sure that no money will be advanced by the Federal Government unless and until it can be shown that the school applying for this money will spend it properly toward the vocational training of the boys and girls attending such school.

I repeat, Mr. President, the money will be spent for a good purpose, and I hope that the Senate will not agree to the amendment proposed by the Appropriations Committee. The House of Representatives, after a thorough study, recommended the appropriation of fourteen millions and some-odd dollars, and the Senate should by all means stand by the recommendations of the House.

Mr. HAYDEN. The Senator is mistaken, because I have just read their report to the President, wherein they recommend no expansion until there is further study. The commission also makes this statement:

We would also call attention to the fact that the vocational education program under the Smith-Hughes and related statutes is not the only program through which the Federal Government is now providing assistance in meeting the needs for vocational training. Such training has become increasingly important among the purposes of the Civilian Conservation Corps.

As a matter of fact in the act passed a few days ago we specifically directed that vocational education be expanded in the Civilian Conservation Corps. I read further:

It is also receiving attention in the educational programs of the Works Progress Administration and the National Youth Administration. We plan to give further consideration to the experience of these emergency and new programs, and to the needs in the newer fields of vocational education such as the distributive and the public-service occupations.

This is another quotation from the committee report:

In the judgment of this committee the necessary statistical studies for planning economically sound programs of vocational education do not exist.

We called before our committee the Commissioner of Education. Of course, he was bound by the Budget estimate of \$3,000,000; he could not advocate any expenditure of any more money. We did ask him, however, to make a break-down of the authorization in the George-Deen Act to indicate a 3- or 4-year program whereby we could step gradually into this new activity. Instead of jumping from \$10,000,000 to \$20,000,000 in 1 year, I am sure that it is the sound judgment of the best educators in the United States that it ought to be broken down into a program covering advances over 3 or 4 years.

Let me comment further upon a remark made by the Senator from Georgia [Mr. GEORGE] a few moments ago. He stated that heretofore there had been a stepping-up from year to year in these appropriations. That is true as to every kind of vocational education work that has been undertaken either by the Department of the Interior or by the Department of Agriculture. In all instances, except in this, the authorizing legislation steps it up a year at a time. For some reason last year Congress authorized a lump sum of \$14,000,000 without a step-up.

Mr. GEORGE. Mr. President, I will say to the Senator that the reason for that was that we had been carrying on the program since 1917, and we had been constantly trying to step it up to above \$20,000,000, and last year happened to be the year in which we got the bill through the Congress. The last appropriation that was made did not contain any step-ups; it was the act passed in 1934, which provided a flat appropriation of an additional sum of \$3,000,000 annually.

Mr. HAYDEN. But that \$3,000,000 had been arrived at by a series of step-ups, had it not?

Mr. GEORGE. Yes, it had; but let me say that the Senator is reading from a report I have not seen. It is a very simple matter to explain why the commission which wrote that report wants to deal with the subject in another way. I will take occasion to say something about it directly.

It was back during the administration of President Hoover when I introduced into this body a bill for a permanent appropriation, and the step-ups were made by Mr. Hoover, who would not approve a bill for a blank increase and on a

permanent basis. I had no objection to taking what we could get, but we were simply driven to it; and now, after these long years of experimentation and of demonstration of the value of this work, when there is a desire to carry on vocational agriculture in the W. P. A. and in the National Youth Association there is a disposition to come in and interfere with this program for the single purpose of having the funds handled in Washington only.

Mr. HAYDEN. I do not so interpret the recommendation made to the President in the report of this commission. The commission has nothing to do with the Works Progress Administration; it has nothing to do with the Civilian Conservation Corps; it has nothing to do with any of these other activities. It is a committee of educators, the best the President could assemble, who were asked to study this subject and they reported.

There are several significant facts to be considered; first, that we have been appropriating \$10,000,000 a year, and they urge that there is not the necessity and that it is unwise, due to the lack of trained personnel, to undertake this work on so grand a scale in such a hurry.

Mr. PEPPER. Mr. President, I should like to ask the Senator about how many or what percentage of the pupils in the public schools would be able to get the benefit of vocational education even under the appropriation made by the House of \$14,000,000.

Mr. HAYDEN. I cannot furnish the Senator with that information. I had occasion to meet the president of a great State university not so very long ago. My recollection is that under the \$14,000,000 program there would be some 84 or 86 high schools in his State which could institute programs of vocational education. That would be what the program meant. I asked him to tell me candidly whether they had in his State the trained personnel to put into those eighty-odd high schools, and his answer was, "No; we have not." His conclusion was that it would be very much better to wait a year or two and allow the State university properly to prepare instructors.

Mr. PEPPER. Does not the Senator think that it might be a little better to err on the side of giving the benefit of this service to the larger number of people, rather than on the other side?

Mr. HAYDEN. This money goes entirely to one pay roll, and if incompetent instructors are placed on the pay roll, they will not be gotten off the pay roll. On the other hand, if time is taken properly to prepare the instructors, there will be better instructors, there will not be men giving out misinformation to pupils who are studying vocational subjects.

Mr. PEPPER. The Senator does not have any figures as to the number of unemployed school teachers in the United States, does he?

Mr. HAYDEN. I am sure I have not, but I rather suspect that the better school teachers are employed, and that those who are not well qualified are out of jobs.

Mr. PEPPER. That is a suspicion which, I dare say, the school teachers of the United States wish were well founded.

Mr. HAYDEN. If that is the case, and we are in a big hurry, we go out and pick up anyone who says he is qualified and put him on a pay roll. This money goes to salaries only, it goes to add to the pay rolls in the States. No State could have made a vast series of contracts. I was surprised to hear the Senator from Alabama say that it meant the discharge of a large number of teachers. That could not be possible, because the amount of money which has been heretofore appropriated by Congress is increased by the committee amendment, so no one could lose a job. Where a school board had come to a teacher and said, "If we get this Federal money we will hire you, and if we do not get it we will not", if that means discharging someone, it presents a different picture from what I ordinarily understand the term "discharge" to mean.

Mr. PEPPER. Does the Senator anticipate that the teachers will prepare themselves for this kind of work upon no more basic assurance than that there probably will be an appropriation in the future?

Mr. HAYDEN. That is exactly the assurance we have tried to give and to write into the law.

That was for the further development of vocational education for the first installment of a 4-year program to be carried out under the George-Deen Act. Then in our committee report we set up exactly what that program is to be, upon which the State may rely.

Mr. BLACK. Mr. President, with reference to the teachers, I may state that it is my understanding that they have already been employed upon the basis of a reasonable expectation that the program would be carried out. In addition to that fact, a great many additions have been made to the schools; and from the statements made to me by a friend from Alabama who is closely connected with the subject, I am confident that it would mean the discharge of many from employment, and it would mean a release of others from the promise of employment which has been made. While it is distressing that 100 men should be released from an agreement which may have been made, the bad feature is that it would mean the loss of that much training for the pupils who would otherwise receive vocational education in line with the authorization which had been previously made.

Mr. HAYDEN. Mr. President, the Board had knowledge of at least two facts if they did not know all the facts. The first is that Congress had passed a bill authorizing this undertaking to be made. The second is that, instead of asking the Congress, when the Budget was made up last January, for the \$14,000,000 authorized by law, the request was for only \$3,000,000. What basis did they have for hiring teachers in the light of a Budget estimate that was only \$3,000,000 out of a \$14,000,000 authorization?

Mr. BLACK. In my judgment, they had plenty of basis. They knew that Congress itself had authorized \$14,000,000. They knew that Congress itself would be the body to vote, and that the estimate of the Bureau of the Budget would not be final. Naturally, they probably assumed that if Congress last year thought we ought to have \$14,000,000 to give the boys and girls vocational education, Congress would not change its mind simply because a Budget Director reported an estimate of \$3,000,000.

So far as I am concerned, I have not changed my mind, the Director of the Bureau of the Budget to the contrary notwithstanding. I still believe we ought to carry out the \$14,000,000 authorization, and I am confident the money can be used to the advantage of the education of the farmers' sons and daughters, and not only for them but for others who are taking vocational-education training.

Mr. CONNALLY. I thought something besides farming was taught.

Mr. BLACK. Teaching is provided for others. However, a suggestion was made awhile ago with reference to rural schools, and that is the reason I mentioned the matter. But simply because the Bureau of the Budget sent to Congress a \$3,000,000 estimate, or because some committee made a report that it did not believe the full amount of money could be used to advantage, I hope we shall not be persuaded either by the Bureau of the Budget or by the committee, because, as stated by the Senator from Georgia [Mr. GEORGE], if we do not have the teachers and cannot use the money to advantage, it will be returned into the Treasury.

Mr. HAYDEN. No, Mr. President; that is not what will happen at all.

Mr. BLACK. What will happen?

Mr. HAYDEN. Ill-trained and incompetent teachers will be employed, because this money is all for pay roll, and not a dollar of it will be allowed to get away if it is made available. Do not let the Senator deceive himself and think that any of this money will ever come back to the Treasury.

Mr. BLACK. It may be that the teachers will not be trained as well as they would be if they had several years of experience; but how will they get the experience unless they are trained? Let us train them for the work.

Mr. HAYDEN. Who are the agents now, and who are those who get training in agriculture? We have established a system of this kind, and throughout the United States the

universities are giving courses of instruction to young people, and they get into that field. In the beginning, as I stated a while ago, there had to be employed the man who was supposed to be the best farmer in the county; and the Department of Agriculture will say today that people were placed on the pay roll then who never should have been put on it, and once on they never get off.

Mr. BLACK. I am not sure they are not better equipped to teach than others.

Mr. GEORGE. Mr. President—

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair). Does the Senator from Arizona yield to the Senator from Georgia?

Mr. HAYDEN. I yield.

Mr. GEORGE. Is not the Senator aware of the fact that in every State we have agricultural colleges, and in many States we have agricultural colleges of high character that are turning out well-trained men and women?

Mr. HAYDEN. That is exactly what the committee proposes to take advantage of.

Mr. GEORGE. Let me remind the Senator that we have had such colleges for years; and, instead of a shortage of teachers, employment cannot be found for the teachers who are actually graduated by these training schools.

Let me ask the Senator also if he does not know that before any school can qualify and can participate in the distribution of this fund, it must have a teaching staff which meets the requirements of the Department in Washington. The school must come up to that standard. Persons who are not trained cannot be placed at the head of these schools.

Mr. HAYDEN. Mr. President, let us see what kind of people we get. I will admit for the sake of the argument that there are available plenty of persons who are qualified as teachers in agricultural subjects. Then we come to the question of home economics. Whether there is such a bountiful supply in that field, I cannot certify. Certainly with respect to the trades and industries they do not exist. Those who have been employed generally are tradesmen, carpenters, blacksmiths, and mechanics, who have not had the training in teaching methods. Now we enter into teaching in a wholly new field, that of distributive occupations—that is to say, vocational education in distribution occupations. That is something entirely new, something that never has been taught in the high schools before. We may get a grocery clerk to act as teacher. The business of grocer is a distributive occupation. We may get someone who is engaged in some retail business, distributive occupation, and put him in the high school to teach it, but we will have better instruction if we wait a year or two and have the universities properly prepare the teachers.

Money is provided in the bill for teachers' training for these purposes. It is an increase over the old Smith-Hughes Act, providing \$1,089,000. We propose to add to that \$557,000 for teacher training in these subjects. That is the way to bring about a better system.

I do not desire to take the time of the Senate by any elaboration of the proposition; but I can state frankly that it is the best judgment of those who have studied the problem of vocational education throughout the United States that we should not make this sudden increase in the appropriation, but should do as we have done in all cases, step it up.

Mr. O'MAHONEY. Mr. President, is it not a fact that we have increased the appropriation that is now available?

Mr. HAYDEN. Certainly.

Mr. O'MAHONEY. The committee has added how much to the amount that is being used?

Mr. HAYDEN. It has added for salaries and necessary travel expenses of teachers, supervisors, and directors of, and maintenance of teacher training in, distributive occupational subjects, \$649,000; and for preparing teachers, supervisors, and directors of agricultural, trade and industrial, and home-economics subjects, \$557,000.

Mr. O'MAHONEY. In other words, we have added more than \$1,000,000 to the amount that is now available?

Mr. HAYDEN. That is correct.

Mr. GEORGE. May I ask how much the committee added to the amount which is now available for the teaching of vocational agriculture?

Mr. HAYDEN. We have reappropriated the amount now available for this particular year.

Mr. GEORGE. Nothing has been added besides that?

Mr. HAYDEN. Nothing besides that.

Mr. GEORGE. How much has been added to the teaching of home economics?

Mr. HAYDEN. We have left those three projects exactly as they were, as recommended by the President's commission.

Mr. GEORGE. And nothing has been added to trade and industry?

Mr. HAYDEN. That is the same as the other items.

Mr. O'MAHONEY. Mr. President, as illustrating the nature of the problem which is presented by this question I should like to call the attention of the Senate to the fact that the Committee on Appropriations found itself confronted with the necessity of making provision for expenditures that are absolutely essential under law, as well as making expenditures or continuing expenditures for objects which are merely desirable. Among the Budget estimates which came to us was one providing for \$3,000,000 for the enforcement of what is known as the Guffey Coal Act. When the Congress passed the bituminous coal act it created a special commission to administer the coal industry and committed to that Commission certain duties, some of which were mandatory and some of which were discretionary. This Bituminous Coal Commission has the duty of administering the bituminous coal industry throughout the United States. For the purpose of making that administration acceptable and reasonable and convenient to all of the coal-mining districts it was provided that the Coal Commission could establish regional offices in order that those who are engaged in producing coal, those who are engaged in mining coal, and those who are engaged in purchasing coal might not find it necessary to go to the expense of coming to Washington every time a question arose.

The cost of establishing these five regional offices throughout the United States was something over \$600,000.

The Bituminous Coal Commission went to the Budget Bureau and laid down an estimate calling for the expenditure of a little more than \$5,000,000. The Bureau of the Budget cut that estimate to \$3,000,000. The committee accepted the action of the Bureau of the Budget. The Coal Commission accepted the action of the Bureau of the Budget. And this bill, as it has now been presented to the Senate, calls for the expenditure of \$3,000,000 to carry on only a portion of the work which the Congress by law has committed to this Commission. The Budget Bureau and the committee were trying to save a little money.

It is perfectly obvious to the members of the Appropriations Committee that the Commission cannot possibly carry out all of its duties in an efficient manner and in a manner that will be convenient for those who are intimately affected by the operations of the law on the money which we are now appropriating, but the committee was under the necessity of making some attempt to keep the appropriations within the revenues of the Federal Government. There is not a Member of the Senate who does not know that we are facing a stupendous deficit, and that every dollar we add to this appropriation bill, whether it be for vocational education or for anything else, will increase the deficit. Let us not make any mistake about that.

When the Appropriations Committee comes upon the floor urging the Senate, as it does, to hold appropriations down to those which are deemed to be essential, we are immediately confronted with the demand emanating from all sections of the country, sent here by telegrams to Members of the House and Members of the Senate, saying "this must be done, that must be done; increase this appropriation, increase that appropriation", all without the slightest consideration for estimates or revenues. We have increased this appropria-

tion by \$1,000,000, but the theme song seems to be "no additional appropriation is made available."

Mr. PEPPER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Florida?

Mr. O'MAHONEY. I yield.

Mr. PEPPER. I wish to ask the Senator whether he does not think it probable that money spent now for vocational education will save a relief appropriation in years to come?

Mr. O'MAHONEY. I do not know what may happen in years to come, but I do know that any increase in this appropriation at this time is going to increase the deficit of the Federal administration, and the Finance Committee is not bringing in any measure to provide new taxation.

Mr. PEPPER. And the failure to spend the money for this kind of a purpose is going to cause a deficit in the population of the United States.

Mr. O'MAHONEY. I doubt that very much. I think that is one of the happy arguments that are made by those who are anxious to get upon the pay roll of the Federal Government.

Mr. President, it seems to me that if the Appropriations Committee of the Senate of the United States is to have any credit at all in this body it really ought to be sustained upon an important amendment of this character.

Mr. LA FOLLETTE. Mr. President, I am very much in favor of rejecting the committee amendment insofar as it relates to the appropriation for vocational education. As I understand, these items should be considered on their merits and on the basis of the purpose for which the appropriation is designed. The Coal Commission, it seems to me, has absolutely no relevancy so far as the merits of this particular appropriation affecting vocational education are concerned.

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

Mr. LA FOLLETTE. I yield.

Mr. O'MAHONEY. The Senator came upon the floor a few days ago urging an amendment of the tax laws, which would have increased the revenues of the Federal Government. I was happy to support his amendment but it was defeated. He may with propriety ask for increased expenditures for he has tried to get increased revenues.

The question, however, as I see it, is not whether a particular expenditure is meritorious, but whether, in view of the present condition of the Federal Treasury, we can afford to expend additional funds for purposes of this kind which are really not essential, no matter how meritorious they may be.

Mr. LA FOLLETTE. Mr. President, I take the other view, and I contend that we cannot afford not to spend the money for vocational education.

I appreciated very greatly the Senator's support of the amendment which I offered to the tax measure a few days ago, but, as I started to say before being interrupted, I do not believe the action which the committee has taken with regard to other amendments should influence Senators in their judgment in determining whether or not this amendment should be accepted or rejected.

So far as I am concerned, I am in favor of giving the Coal Commission a sufficient appropriation so that it may fulfill the responsibilities and perform obligations that have been devolved on it by the Congress in enacting the statute. But that is not the issue upon which the Senate is about to vote. The question is whether or not the Senate is willing to appropriate the full authorization for vocational education.

I think that every Senator who has studied the hearings taken by the Appropriations Committees of the House and Senate in relation to the relief bill, and every Senator who listened to the arguments upon that measure when it was under consideration must be impressed with the fact that one of the chief factors in our problem of unemployment in this country today is that each year approximately 500,000 young men and young women, untrained and unsuited to find responsible places of employment in their communities, are coming of working age.

It is well enough for the Senator from Arizona to take the position that this program should not be expanded so

rapidly in order that time may be afforded to train teachers for it; but the fact of the matter is, Mr. President, that the depression is now in its eighth year and we have not adopted an adequate program for vocational education. That is one of the factors that is contributing to the permanent unemployment problem with which this country is confronted.

Even if we provide the full authorization by rejecting the committee amendment we will not, in my judgment, have adopted a program for vocational education in the United States which is commensurate or adequate to deal with it. Therefore I hope that the committee amendment will be rejected.

Mr. BYRNES. Mr. President, I desire to state the reasons actuating me in supporting the subcommittee with reference to this amendment.

At the time the President signed the George-Deen Act he issued a statement that he would appoint a committee to make an investigation of the subject. The report of that committee has been referred to by the Senator from Arizona. The committee which was composed of distinguished educators reported:

The committee is unanimous in the recommendation that financial support by the Federal Government for the types of vocational education now receiving support should be continued without curtailment during the coming fiscal year. We are not in favor of the enlargement of Federal support at this time.

After that report was considered by the subcommittee of which the Senator from Arizona is chairman, the subcommittee reported to the full Committee on Appropriations the sum carried in the bill. I think the membership of this body will say that the Senator from Arizona has never been regarded as being niggardly or economical when it comes to appropriations, and certainly he has never failed to show interest in the cause of vocational education. I believe that the cause of vocational education would be best promoted by following the report of the committee, which increases the amount available by more than \$1,000,000 for the next fiscal year.

Reference has been made to the estimate of the Bureau of the Budget. Of course, we are not bound entirely by the Budget estimate, and neither are we bound by the fact that an authorization has heretofore been established by the Congress for a given amount. If the Congress appropriated this year every dollar that has been authorized by acts of Congress the deficit would be much greater than we anticipate. As to the Budget estimate I call attention to the fact that about the time that this matter was considered in the House the President sent a message to the Congress in which he said:

It is a matter of concern to you and to me, who are working for a balanced Budget, that so many special groups exert the strongest pressure to bring about increases in Government expenditures. They pay little attention to the fact that the Budget as submitted represents a coordinated fiscal program and that material departures therefrom destroy the whole purpose of the program. If we are to avoid a continuation of deficits we must resist the importunities or provide the necessary revenue to meet the increasing cost.

The President said in the same Budget message:

While I recognize many opportunities to improve social and economic conditions through Federal acts, I am convinced that the success of our whole program and the permanent security of our people demands that we adjust all expenditures within the limit of my Budget estimate.

His Budget estimate was \$3,000,000. The report of the Senate Appropriations Committee exceeds that amount. In my opinion the amount recommended by the committee provides all the funds that are essential and all that can be wisely expended during the next fiscal year.

I want to pay tribute to the most effective work that has been done in a propaganda way in a long, long time. We have become quite excited at times in our investigation of lobbyists and propagandists, and ordinarily we call for the appointment of a committee to investigate. There comes to my attention with reference to this matter an instance of most effective propaganda.

When this matter was pending in the House after the House Appropriations Committee had gone into it thoroughly and made its report, some Members of Congress became quite active to increase the appropriation of \$14,000,000. That amount was finally provided in the bill as it came to the Senate. Some House Members did not know from whence the pressure came. Finally it was learned that there had been sent throughout the country a telegram similar to the following:

Dr. L. A. WILSON,

State Department of Education, Albany, N. Y.:

Seems quite apparent that House Appropriations Committee may not recommend sufficient amount for George-Deen vocational appropriation. Amendment to report of appropriations committee will be submitted on floor of House by Congressman FULLER, Arkansas, to increase amount recommended by committee for vocational education. Very essential that your Congressman contact, cooperate with, and support Congressman FULLER and his amendment. Unless this is done vocational appropriations for next 5 years will be in serious danger. This is most urgent crisis we have faced during the last 3 years. We must have flood of telegrams and air-mail letters from influential persons and organizations to all your Congressmen requesting them to cooperate with Congressman FULLER. Chances for satisfactory vocational appropriation depend upon magnitude and thoroughness of this effort. Telegrams and letters must reach Congressmen Tuesday and Wednesday at the latest. Telegrams to Congressman FITZPATRICK should not mention Fuller amendment but should urge full fourteen million vocational appropriation. A thorough job should be done in his congressional district.

(Signed) L. H. DENNIS,

Secretary, American Vocational Association,

Denrike Building, 1010 Vermont Ave., Washington, D. C.

The telegrams came and the votes came and the \$14,000,000 was appropriated. The bill was reported to the Senate by the Senate Appropriations Committee last Saturday. A few moments ago I was advised that 73 telegrams had been received in my office during the last 3 hours. They read alike, and that they are inspired is evident. Somebody has been spending from 60 to 75 cents per telegram to wire me to vote for the proposed increase in this appropriation. I do not blame the Mr. Dennis whose name appears on the telegram I have read. I suspect that he has inspired these telegrams. I do not blame this man for wiring throughout my State, not only to educators, but to American Legion Posts and labor organizations and farm organizations; but it is the most thorough job that has been done since the days when we received telegrams to oppose the utility holding-company bill.

This telegram says that "a thorough job should be done in the congressional district" of a certain Congressman. It may be I have been singled out for similar attention, but one Senator bows his head to indicate that he has been subject to the same bombardment in the last few hours. My purpose in referring to it is to send a message to this gentleman in the city of Washington that I have received his telegrams via South Carolina and, having received them, that I am going to stand by the recommendation of the Appropriations Committee because I believe it is the wise thing to do for the cause of vocational education in this country. I believe that we should increase this appropriation gradually, and that neither Mr. Dennis nor any other man located in an office in the city of Washington can send telegrams to my State to flood me with messages and influence my vote on this or any other question.

Mr. FRAZIER. Mr. President, I am strongly in favor of a substantial appropriation for vocational education. It is no new proposition. It has been invoked since the World War. We started vocational training for the veterans of the World War. That was a very popular movement. It did a great deal of good. It has been going on in a great many schools for several years. It seems to me it is one of the methods for a permanent solution of the unemployment situation.

Only recently someone told me about a check-up in his State in regard to those on relief and the unemployed to see whether or not any of those on relief at the present time had ever had vocational educational training within

the last 2 or 3 years. A thorough check-up disclosed that not a single one on relief had taken vocational training.

This afternoon I received a telegram from the president of the State school of science, Mr. E. F. Riley, of Wahpeton, N. Dak., reading as follows:

This school turned away 300 students desiring trades training last year. All of them could have been placed in jobs. Demand for trade-trained youth far exceeds supply. State legislature appropriated funds for a new building now ready to start construction; also appropriated funds for additional instructors to take care of students who could not be admitted last year. All these preparations made expecting the full allotment of George-Deen funds in accordance with the act.

That is just one school. I presume they heard this morning about the appropriation being reduced. Three or four other State institutions in my State, I am sure, would join in a similar message because they are strongly in favor of vocational training.

It seems to me, as the Senator from Wisconsin [Mr. La FOLLETTE] said, that we cannot afford to cut down vocational training, especially when we have so many unemployed and are confronted with cutting down relief and unemployment of necessity. Vocational training, it seems to me, is the best method of taking care of the young people who are coming along, and will be on the unemployed list or on relief if they are not trained to some vocation so they can earn an honest living.

I hope the amendment of the committee will be rejected.

Mr. GEORGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Adams	Connally	Logan	Reynolds
Andrews	Copeland	Loneragan	Robinson
Ashurst	Dieterich	Lundeen	Russell
Austin	Ellender	McAdoo	Schwartz
Bailey	Frazier	McCarran	Schwellenbach
Bankhead	George	McGill	Sheppard
Barkley	Gerry	McKellar	Smathers
Berry	Green	Minton	Steiwer
Bilbo	Guffey	Murray	Thomas, Okla.
Black	Hale	Neely	Thomas, Utah
Bulkeley	Hayden	Nye	Townsend
Burke	Holt	O'Mahoney	Truman
Byrnes	Hughes	Overton	Van Nuys
Capper	Johnson, Colo.	Pepper	Wagner
Caraway	King	Pittman	Walsh
Chavez	La Follette	Pope	Wheeler
Clark	Lodge	Radcliffe	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum is present.

Mr. BLACK. I ask for the yeas and nays on this question.

The yeas and nays were ordered.

Mr. BANKHEAD. Mr. President, I ask unanimous consent to offer an amendment in the form of a substitute for the pending amendment.

The PRESIDING OFFICER. The amendment, in the nature of a substitute, offered by the Senator from Alabama, will be stated.

The CHIEF CLERK. In lieu of the committee amendment on page 126, it is proposed to insert the following:

Further development of vocational education: For carrying out the provisions of sections 1, 2, and 3 of the act entitled "An act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., p. 1488-1490), \$7,241,500: *Provided*, That for the fiscal year ending June 30, 1938, the apportionment to the States and Territories shall be computed on the basis of 50 percent of the sum authorized for each of the purposes enumerated in sections 1, 2, and 3: *Provided further*, That notwithstanding the provisions of sections 1, 2, and 3 providing minimum allotments, the allotment of funds to any State or Territory for the fiscal year ending June 30, 1938, shall be not less than 50 percent of the minimum amount specified for each of the purposes enumerated in these sections: *Provided further*, That the apportionment to the States shall be computed on the basis of not to exceed \$7,398,750 for the fiscal year 1938.

Mr. GEORGE. Mr. President, first a parliamentary inquiry.

The item for vocational education carried in the bill as it came from the House has been stricken out by the Senate Appropriations Committee; and the question, of course, is on agreeing to the amendment reported by the Senate

committee. Those who favor it will vote "yea." Those who are opposed to it, who wish to restore the provision inserted in the bill in the House, will vote "nay." The inquiry is, Is the amendment just proposed by the Senator from Alabama in order at this stage of the proceedings?

The PRESIDING OFFICER. It is in order in lieu of the entire amendment reported by the committee, but it has the effect of a substitute for the committee amendment.

Mr. GEORGE. Then the vote will come first on that amendment?

The PRESIDING OFFICER. The vote will come first on the amendment offered by the Senator from Alabama.

Mr. GEORGE. Mr. President, on that point I wish merely to say—I will not make any argument about it—that the amendment to the committee amendment, as I understand, is the provision as reported by the House Appropriations Committee; not the amendment as adopted by the House.

The PRESIDING OFFICER. The question is on agreeing to the amendment, in the nature of a substitute, offered by the Senator from Alabama [Mr. BANKHEAD] to the amendment reported by the committee.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment reported by the committee.

Mr. GEORGE. Mr. President, now the parliamentary situation as I have just stated it. Those who wish to sustain the Senate committee should vote "yea", and those who wish to reject that amendment and restore the provision made by the House should vote "nay"?

The PRESIDING OFFICER. That is correct.

Mr. GEORGE. That is the inquiry I made.

Mr. O'MAHONEY. Mr. President, before the roll call begins, in view of the fact that a great number of the Senators now in their seats were not here during the debate, it seems to me attention should be called to the fact that the committee amendment provides for approximately \$1,000,000 more than is now being expended, and that the bulk of the sum which appears in the House bill was added upon the floor of the House. So the request which is now being made to vote down the committee amendment is a request to increase the appropriation without support by the Appropriations Committee in either the Senate or the House; and, as I called to the attention of the Senate a few moments ago, every dollar of this appropriation over and above that which has been recommended by the Committee on Appropriations is adding to the deficit now existing in the Federal Treasury.

The Appropriations Committee is emphatically in favor of the committee amendment.

Mr. FRAZIER. Mr. President, I desire to ask the Senator from Wyoming if the amount at present left in the bill by the committee would not be adding to the deficit.

Mr. O'MAHONEY. It would. That is just another reason why it should not be increased.

Mr. FRAZIER. It is like the fellow who had lots of debts—why worry about them? [Laughter.]

Mr. O'MAHONEY. That is right; spend all that you have, and all that you do not have.

Mr. GEORGE. Mr. President, I had not expected to say anything else, but I cannot refrain from calling to the attention of the Senate and calling to the attention of the country the fact that the Appropriations Committee have increased the appropriations carried in the House bill, which totaled \$123,000,000, in round numbers, by more than \$2,000,000 to \$125,000,000. What happened? They simply cut the heart and life out of this appropriation for vocational education and then added other items in excess of the reduction made in the appropriation.

Where is the economy? My distinguished friend, the Senator from South Carolina [Mr. BYRNES], is disturbed because someone sent him a telegram. I have received telegrams about almost every important issue I have ever faced since I became a Member of the Senate. I have never been afraid that anyone would convince me

unless I believed honestly that he was right. I have never been afraid that anyone would make me do the wrong thing, and I do not think the Senator from South Carolina is disturbed about that. But he is disturbed now because these telegrams are coming in. I have not spent a dime to bring a telegram here, and never would if I stayed here another 20 years.

I think every Member of the Senate knows that very well. But the Committee on Appropriations of the Senate did not make this report until sometime Saturday. There was no news of it until Saturday night. The people of this country are interested in this vocational educational provision, and they have a right to be interested in it. I say again to the Senator from South Carolina and to others who are disturbed about it that you cannot take all of your economy out of the hides of the boys and the girls who want some sort of vocational education in the rural high schools without hearing from them. You will hear from it now or at some other time.

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

Mr. GEORGE. I yield.

Mr. BARKLEY. While the report of the committee carries a million dollars more than is now being expended—

Mr. GEORGE. Two million more.

Mr. BARKLEY. How does the amount reported compare with the amount authorized under the act of last year?

Mr. GEORGE. I am not so familiar with the reports of the Committee on Appropriations, but I will read the figures:

Amount of regular and supplemental estimates for 1938, \$124,463,000.

Mr. BARKLEY. I am speaking of this particular vocational education item.

Mr. GEORGE. Approximately \$10,000,000 more.

Mr. BARKLEY. I am seeking to obtain information as to the relation between the amount carried in the committee amendment and the authorization for this purpose.

Mr. GEORGE. The amount carried in the committee amendment?

Mr. BARKLEY. The amount which reduced the House appropriation from fourteen million to four million. How much less is that than the amount which was authorized under the law to be appropriated for this purpose?

Mr. GEORGE. Approximately \$10,000,000.

Mr. BARKLEY. In other words, the item in the House bill absorbs the entire authorization?

Mr. GEORGE. It does.

Mr. HAYDEN. Mr. President, during the present fiscal year there is available for vocational education \$7,157,000 under the Smith-Hughes Act, which is a permanent appropriation, and \$3,084,000 under what is known as the George-Elzey Act, which will expire this year. The committee recommends a total appropriation of \$4,290,000 in lieu of the \$3,084,000. So that the total amount available for vocational education if the committee amendment shall prevail will be \$7,000,000 under the Smith-Hughes Act, \$4,200,000 under the George-Deen Act, a total of \$11,448,000, an increase of over a million dollars above the appropriation of last year.

The proposal we are to vote on will include the amount of \$7,000,000, will add \$4,000,000 to that, and will make the total for vocational education \$21,955,000, or an increase over the present amount of money appropriated for vocational education in this fiscal year of about \$11,000,000.

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

Mr. HAYDEN. I yield.

Mr. BLACK. That will still be within the amount which the Congress has authorized by law to be appropriated for that purpose?

Mr. HAYDEN. There is no question about that. The only difference is that the authorization is of one lump sum, and heretofore Congress has stepped up such appropriations. The committee suggested a program that will increase the amount each year.

Mr. BARKLEY. Mr. President, the Senator from Georgia has referred to the fact that while the committee has de-

creased the appropriation, it has increased others. What are two or three of the outstanding increases, and for what purposes are they appropriated, so that we may judge the merits of this decrease in comparison with the increases which have been referred to?

Mr. HAYDEN. The principal increase is the appropriation for the so-called Natchez Trace, which is in the same situation as this item. There is a law for the appropriation of \$10,000,000 for the Natchez Trace Highway in Tennessee, Alabama, and Mississippi, and for the so-called Blue Ridge Parkway. The committee recommended \$7,200,000 for those two purposes; that is one of the principal increases allowed in the bill.

The PRESIDING OFFICER. The clerk will state the pending amendment.

The LEGISLATIVE CLERK. It is proposed, on page 126, line 3, to strike out the following:

Further development of vocational education: For carrying out the provisions of sections 1, 2, and 3 of the act entitled "An act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., p. 1488-1490), \$14,483,000.

And to insert the following:

Further development of vocational education: For the first installment of a 4-year program to carry out the provisions of sections 1, 2, and 3 of the act entitled "An act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., p. 1488-1490):

For salaries and necessary travel expenses of teachers, supervisors, and directors of agricultural subjects, \$1,031,000;

For salaries and necessary travel expenses of teachers, supervisors, and directors of home-economics subjects, \$1,021,000;

For salaries and necessary travel expenses of teachers, supervisors, and directors of trade and industrial subjects, \$1,032,000;

For salaries and necessary travel expenses of teachers, supervisors, and directors of, and maintenance of teacher training in, distributive occupational subjects, \$649,000;

For preparing teachers, supervisors, and directors of agricultural, trade and industrial, and home-economics subjects, \$557,000;

In all, \$4,290,000.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIETERICH (when Mr. Lewis' name was called). I announce that my colleague is detained from the Senate on departmental matters.

Mr. LOGAN (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. DAVIS], who is absent, and I do not know how he would vote if present. I transfer that pair to the junior Senator from Oklahoma [Mr. LEE] and vote "nay."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from North Carolina [Mr. REYNOLDS] are detained in important committee meetings. If present and voting, I am advised that they would vote "nay."

The Senator from Connecticut [Mr. MALONEY] is detained because of illness.

The Senator from Michigan [Mr. BROWN], the Senator from New Hampshire [Mr. BROWN], the Senator from Wisconsin [Mr. DUFFY], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from Iowa [Mr. HERRING], the Senator from New Jersey [Mr. MOORE], the Senator from South Carolina [Mr. SMITH], and the Senator from Maryland [Mr. TYDINGS] are detained on important public business.

The Senators from South Dakota [Mr. BULOW and Mr. HIRCHCOCK] are detained in Government Departments on matters pertaining to their State.

The Senator from Virginia [Mr. BYRD], the Senator from Ohio [Mr. DONAHAY], the Senator from Mississippi [Mr. HARRISON], the Senator from Delaware [Mr. HUGHES], and the Senator from New Mexico [Mr. HATCH] are detained on departmental matters.

The Senator from Oklahoma [Mr. LEE] is necessarily detained from the Senate. I am advised that if present and voting he would vote "nay."

I desire to add that the Senator from Mississippi [Mr. HARRISON], who is necessarily detained from the Senate, is opposed to the committee amendment, and, if present, would vote "nay."

Mr. AUSTIN. I announce the following general pairs:

The Senator from Oregon [Mr. McNARY] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Virginia [Mr. GLASS];

The Senator from Vermont [Mr. GIBSON] with the Senator from Iowa [Mr. HERRING];

The Senator from Maine [Mr. WHITE] with the Senator from Michigan [Mr. BROWN];

The Senator from New Hampshire [Mr. BRIDGES] with the Senator from Wisconsin [Mr. DUFFY]; and

The Senator from Michigan [Mr. VANDENBERG] with the Senator from New Hampshire [Mr. BROWN].

I am not advised how any of these Senators would vote on this question if present.

The result was announced—yeas 26, nays 39, as follows:

YEAS—26

Adams	Green	McKellar	Steiwer
Ashurst	Guffey	Minton	Thomas, Utah
Bailey	Hale	Murray	Townsend
Burke	Hayden	O'Mahoney	Truman
Byrnes	Johnson, Colo.	Pope	Wheeler
Chavez	King	Radcliffe	
Gerry	Lodge	Schwellenbach	

NAYS—39

Andrews	Clark	Loneragan	Robinson
Austin	Connally	Lundeen	Russell
Bankhead	Copeland	McAdoo	Schwartz
Barkley	Dieterich	McCarran	Sheppard
Berry	Ellender	McGill	Smathers
Bilbo	Frazier	Neely	Thomas, Okla.
Black	George	Nye	Van Nuys
Bulkeley	Holt	Overton	Wagner
Capper	La Follette	Pepper	Walsh
Caraway	Logan	Pittman	

NOT VOTING—31

Bone	Donahey	Hitchcock	Norris
Borah	Duffy	Hughes	Reynolds
Bridges	Gibson	Johnson, Calif.	Shipstead
Brown, Mich.	Gillette	Lee	Smith
Brown, N. H.	Glass	Lewis	Tydings
Bulow	Harrison	McNary	Vandenberg
Byrd	Hatch	Maloney	White
Davis	Herring	Moore	

So the amendment of the committee was rejected.

The PRESIDING OFFICER. The clerk will state the next amendment reported by the committee.

The next amendment was, on page 127, after line 3, to insert: "In all, \$4,290,000."

The amendment was agreed to.

The next amendment was, on page 130, line 3, after the word "of" where it occurs the first time, to strike out "\$2,500" and insert "\$3,000"; so as to read:

Not to exceed an aggregate of \$3,000 of appropriations available to the Office of Education for salaries and expenses for vocational education shall be used for expenses of attendance at meetings of educational associations and other organizations which in the discretion of the Commissioner of Education are necessary for the efficient discharge of its responsibilities.

The amendment was agreed to.

The next amendment was, under the heading "Government in the Territories—Government of the Virgin Islands", on page 135, after line 12, to insert:

For defraying the deficits in the treasuries of the municipal governments because of the excess of current expenses over current revenues for the fiscal year 1938, municipality of St. Thomas and St. John, \$60,000, and municipality of St. Croix, \$50,000; in all, \$110,000, to be paid to the said treasuries in monthly installments.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. HAYDEN. By direction of the committee, I offer an amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 7, after line 25, it is proposed to insert:

Furniture, furnishings, and equipment, new Interior Department Building: The provisions of Section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any expenditure authorized under this head in the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat., p. 1619), when the aggregate amount involved is less than \$300.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona on behalf of the committee.

The amendment was agreed to.

Mr. HAYDEN. By direction of the committee, I offer a further amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 8, after line 24, it is proposed to insert:

GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

The George Rogers Clark Sesquicentennial Commission created by the joint resolution approved May 23, 1928, as amended, shall cease and terminate June 30, 1938, and the unexpended balances of the appropriations heretofore made for carrying out the purposes of such joint resolution, as amended, shall be available until June 30, 1938.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona on behalf of the committee.

The amendment was agreed to.

Mr. HAYDEN. Finally, Mr. President, I offer a further amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 142, after line 3, it is proposed to insert a new paragraph as follows:

SEC. 3. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between July 1, 1937, and the date of the enactment of this act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Mr. HAYDEN. That amendment is offered in the event that the bill shall not become a law before the end of the fiscal year.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona on behalf of the committee.

The amendment was agreed to.

Mr. HAYDEN. I offer a further amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 142, line 4, it is proposed to change the section number to read "4."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, in line 16, page 10, I move to amend by striking out "\$3,000,000" and inserting "\$3,600,000" in lieu thereof.

This amendment is intended to provide the sum necessary to permit the Bituminous Coal Commission to provide five regional offices throughout the United States in accordance with the terms of the Bituminous Coal Act.

The PRESIDING OFFICER. To make that amendment in order it will be necessary that the vote by which the committee amendment was adopted be reconsidered.

Mr. O'MAHONEY. I ask unanimous consent that the vote by which the committee amendment, on page 10, line 16, was agreed to, be reconsidered. I gave notice that I should make this request.

The PRESIDING OFFICER. Is there objection. The Chair hears none, and the vote is reconsidered. The amendment to the amendment will be stated.

Mr. O'MAHONEY. The amendment is that the figures "\$3,000,000" be stricken out, and the figures "\$3,600,000" inserted in lieu thereof.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wyoming to the committee amendment on page 10, line 16.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the committee amendment on page 10, line 16.

The amendment of the committee was agreed to.

Mr. CLARK. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert, at the proper place in the bill, the following:

No portion of the money appropriated in this or any other act shall be used for the payment of expenses or compensation of any officer or employee of the United States or any other person while en route to, engaged in, or returning from any dedication, cornerstone laying, or ceremonies connected with the beginning, completion, or progress of any building, bridge, highway, or other public works constructed from funds of the United States.

Mr. HAYDEN. Mr. President, that amendment is subject to a point of order.

Mr. CLARK. Mr. President, of course, the amendment in its present form is subject to a point of order; but the Senator from Arizona [Mr. HAYDEN] realizes clearly that I can amend it to make it in order on this bill by limiting its application to this bill. It seems to me it ought not to apply particularly to this particular appropriation bill, however, because, as a matter of fact, the officials whose salaries and traveling expenses are covered in this bill have not been the most flagrant violators in regard to expending public funds in the matter of traveling to make political speeches ostensibly at the dedication of post-office buildings or sub-treasuries or roads or highways or other things. If the Senator from Arizona makes the point of order, I will amend my amendment by striking out the words "or any other act" and offer the amendment again in that form.

Mr. HAYDEN. Mr. President, I make the point of order that the amendment is not germane to this bill, in that it seeks to change existing law, and is legislation on an appropriation bill.

Mr. CLARK. I would be glad to have the Senator from Arizona state his views on that point. If amended as I have suggested, this is a limitation only on the funds appropriated in this bill, because I have stricken out the words "or any other act."

If the Senator from Arizona will withhold his point of order just a moment I will say that it is a matter of knowledge common to everyone that a very great amount of public funds have been expended, not only in the last 3 or 4 years during this administration, but over a period of years, by public officials, officials of the Treasury Department, the Post Office Department, Interior Department, and every other department of the Government, who have taken advantage of the dedication of a public building or the opening of a highway or the opening of a bridge or any other public work upon which the funds of the Government of the United States are expended to hold forth their own views and make political stump speeches. I submit that in a time when the country is interested in economy, as we all claim to be, there could not be any more wanton expenditure of money than this expenditure to keep officials out of their offices in attempts to influence Congress.

In the form in which I have last offered the amendment I suggest to the Senator from Arizona and to the Chair that it is an entirely proper limitation on an appropriation bill at any time for Congress to say that "no part of these funds shall be expended" in a certain way.

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

Mr. CLARK. Certainly.

Mr. HAYDEN. I have been trying to think of anyone connected with the Department of the Interior who has

traveled over the United States laying cornerstones and making speeches. I cannot remember any such instance.

Mr. CLARK. I can inform the Senator from Arizona of several instances of my own knowledge.

Mr. HAYDEN. In the Interior Department?

Mr. CLARK. Yes. As a matter of fact, I do not wish to make any invidious personal references and therefore offered the amendment to apply to all Government activities. If the Senator from Arizona desires me to do so, I can tell of certain instances in which I have heard officers in the Department covered by the bill now before us. I do not desire to do that because it seems to me to be a principle of general application that Government officials ought not to take advantage of occasions such as I have mentioned to go throughout the country and impose their political views on the people of the United States, who after all, are taxpayers and pay all the expenses of the Government.

Mr. HAYDEN. The only dedicatory occasion I remember in connection with the Interior Department was held in the city of Washington where the Secretary of the Interior took part in the dedication ceremonies of the new Interior Department Building. There was no expense to the United States in that connection.

Mr. CLARK. No one has any objection to such a thing as that. We all know of such instances as I have mentioned, and it would take an investigation by a Senate committee to compile a list anywhere near complete; it probably would not even then be a complete list of the number of dedications that have been held in connection with public-works projects and W. P. A. projects—Treasury buildings and most notably post-office buildings, and this, that, and the other thing. The amendment I offered simply applies to every governmental activity and applies against the expenditure of public funds in propaganda in that connection.

Mr. HAYDEN. No appropriation for the Works Progress Administration is carried in this bill. No expenditure by the Public Works Administration is provided for in the bill. Those are provided for in deficiency bills and are not in any manner connected with the bill now before the Senate.

Mr. CLARK. Then the amendment certainly would not injure anybody and I do not see why the Senator from Arizona should object to it.

Mr. HAYDEN. Merely on principle.

Mr. CLARK. Does the Senator object to the principles of prohibiting the expenditure of Government funds by employees in going around and making stump speeches?

Mr. HAYDEN. No; but that implies criticisms of a department not guilty of that practice, when the Senator desires to reach officers in other departments who may have done what he has stated.

Mr. CLARK. I offered the amendment in general terms. The Senator from Arizona announced he was going to make the point of order against it. I revised the amendment and reduced it to a status where it seems to me it is entirely in order on this bill. If the amendment should be adopted on this bill I intend to offer it on every other appropriation bill that comes along. Further than that, whether the amendment is adopted or not, I intend to offer it on every appropriation bill that comes before the Senate. I think it is a very vicious practice that ought to be stopped.

Mr. HAYDEN. Realizing that this is the last appropriation bill to be passed at this session of Congress, if the Senator is going to offer his amendment he will have to wait until next January to do it. Why pick on this particular measure at the last moment when the officials of the Interior Department have not been guilty of the practice to which the Senator objects?

Mr. CLARK. The officials of the Interior Department in common with those of all other departments have been guilty of the practice. I announce my intention of offering the amendment on every future appropriation bill. I intend

to offer the amendment on every appropriation bill that comes before the Senate so long as I remain a Member of the Senate, until the principle is established.

Mr. HAYDEN. Perhaps we have discussed it long enough. I insist upon my point of order and ask the Chair to rule.

The PRESIDING OFFICER. The Chair rules that the amendment as modified by the Senator from Missouri is in order because it is merely a limitation upon the appropriation provided for in the pending bill.

The question is on the amendment of the Senator from Missouri. (Putting the question.) The "noes" seem to have it.

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

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

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

Adams	Ellender	McCarran	Radcliffe
Andrews	Frazier	McGill	Robinson
Bailey	George	McKellar	Schwartz
Bankhead	Gerry	Minton	Schwellenbach
Barkley	Green	Murray	Sheppard
Bilbo	Guffey	Neely	Smathers
Black	Hale	Nye	Thomas, Okla.
Bulkley	Hayden	O'Mahoney	Thomas, Utah
Burke	Johnson, Colo.	Pepper	Truman
Clark	La Follette	Pittman	Wagner
Connally	McAdoo	Pope	Wheeler

The PRESIDING OFFICER. Forty-four Senators have answered to their names—not a quorum. The clerk will call the names of the absent Senators.

Mr. ADAMS. Mr. President—

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ADAMS. With the consent of the Senator from Missouri, I wish to make an inquiry. My inquiry is whether or not—

Mr. LA FOLLETTE. Mr. President, I make the point of order that a quorum is not present, and no business can be transacted until one is obtained.

Mr. ADAMS. Mr. President, I have the floor, and I should like to complete my inquiry.

The PRESIDING OFFICER. Debate is not in order until a quorum is obtained.

Mr. ADAMS. I was recognized.

Mr. CONNALLY. Mr. President, a point of order. A parliamentary inquiry is in order. That is not business. The Senator from Colorado is making a point of order.

Mr. ADAMS. I thought I was recognized.

The PRESIDING OFFICER. The Senator from Colorado will state his parliamentary inquiry.

Mr. ADAMS. My inquiry was to be directed to the Senator from Missouri [Mr. CLARK], who has an amendment pending. My inquiry is whether or not the amendment adds anything to the present law, and whether or not under the present law any official of the Government can spend Government funds in traveling about the country for the purpose of dedicating buildings or making political speeches.

Mr. ROBINSON. Mr. President, manifestly at this juncture this proceeding is out of order. Until a quorum has been ascertained to be present, no business is in order; so I make the point of order.

The PRESIDING OFFICER. The point of order is sustained. The clerk will call the names of the absent Senators.

The Chief Clerk called the names of the absent Senators; and Mr. ASHURST, Mr. AUSTIN, Mr. BONE, Mr. CAPPER, Mr. CHAVEZ, Mr. DIETERICH, Mr. DONAHEY, Mr. HATCH, Mr. KING, Mr. LEE, Mr. LEWIS, Mr. LODGE, Mr. LOGAN, Mr. OVERTON, and Mr. VAN NUYS answered to their names when called.

The PRESIDING OFFICER. Fifty-nine Senators having answered to their names, a quorum is present.

Mr. ADAMS. Mr. President, I desire to make an inquiry of the Senator from Missouri [Mr. CLARK]. He has offered an amendment which seeks to forbid the use of any of the money appropriated by this bill for the traveling expenses of any public official to a dedication or to the laying of a cornerstone. My inquiry is whether or not, under the law

as it now exists, any public official is authorized to use public money for traveling expenses for such purposes; because, unless the present law authorizes these personal trips, I see no occasion for voting for a repetition and restatement of what is already the law.

Mr. CLARK. Mr. President, I wish to say to the Senator from Colorado that, so far as I know, there is nothing in the law which forbids the use of public funds for trips to participate in dedications, or the laying of cornerstones, or the opening of parks or highways, or anything of the sort.

There is, to be sure, a statute, to which I have referred previously today—section 201 of the Criminal Code—which prohibits the use of Government funds generally for the purpose of trying to influence the action of Congress.

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

Mr. CLARK. I will yield in just a moment, if the Senator will pardon me. When a member of the Cabinet or any other Government official takes a trip for the purpose of opening up a public work, it is always then a question of fact as to whether he is violating section 201 of the Criminal Code by making a political speech.

I will say that I myself have been present at instances of that sort which were rather appalling to me. Not only has that occurred when the Republican Party was in power, and when I thought very bad taste was used, and when I thought that it was an abuse of public funds, but even when my own party was in power I have been present on occasions of that sort. I have been present when I was in entire accord with the propositions and policies that were being advocated by the speaker. Even when I myself have been lauded in very agreeable terms, I have felt that it was an abuse of public money. We all know of instances where some of our most prominent public officials probably have not been in their offices for an average of 3 days a month for the past 6 months, because of their activities in connection with the laying of cornerstones and making dedications and matters of that sort. It seems to me, without any reflection on anybody, as a matter of general public policy, that the situation should be corrected.

I shall be glad now to yield to my friend from Texas.

Mr. CONNALLY. Mr. President, I wish to make an inquiry of the Senator from Missouri. Suppose the Senator's amendment should be adopted, what good would it do?

A man goes out on official business to inspect a project. While there, he dedicates it. Someone there probably invites him to make a speech on politics, or someone else makes a speech. What are we going to do about it?

I do not object to gentlemen making speeches. We are a political people. Our's is a political country. Everybody knows these men are away at Government expense. The masses of the public know it, and they more or less discount the utterances of the speakers. I am not going to vote for the Senator's amendment. Let them talk.

Mr. CLARK. Does not the Senator think some officials really ought to put in a few days in Washington once in a while, attending to business, instead of cruising around over the country making dedications and laying cornerstones? Does the Senator think that having the Fourth Assistant Postmaster General, or the Third Assistant Postmaster General, or the Second Assistant Postmaster General, or the First Assistant Postmaster General, or even the Postmaster General himself on hand to dedicate a building renders the Postal Service any more efficient than it would be if they simply opened the building and started to operate, take the mail through, and attend to the Postal Service, without any cornerstone laying and without any dedication?

Mr. CONNALLY. I agree with the Senator that it is more the duty of the Post Office Department to deliver the mail than it is to deliver comments. Still, I do not think the amendment would be of any avail, and I shall not vote for it.

Mr. CLARK. Does the Senator think that a hospital built with P. W. A. funds would cure any more people by reason of having the Secretary of the Interior, or the Assistant Secretary, or the Assistant Director of the P. W. A., or anyone else there, than it would without that?

Mr. CONNALLY. Let me ask the Senator a question. A public official, a Senator, a Representative, a Cabinet member, or any other public official, goes out and dedicates a building or a project, and while he is in town he makes a political speech. Is his mouth to be closed? Let him talk. I do not object to that.

Mr. CLARK. I draw the attention of the Senator to the fact that when a Senator goes out to attend one of these exercises he pays his own way, but when a Government official goes out to the laying of a cornerstone he travels at public expense, ostensibly on official business.

Mr. CONNALLY. Most of the people know that they talk about things they are told to talk about, and that frequently they are not reflecting their own views; and I do not object to that.

Mr. CLARK. Does the Senator think any public purpose is to be served by the expenditure of public funds in that way?

Mr. CONNALLY. They are going to expend the funds; let us not abuse our minds with any other idea.

Mr. CLARK. I agree with the Senator, in view of the fact that section 201 of the Criminal Code has been so flagrantly violated for so many years. It may be that the addition of another provision will not help in that situation, but I am offering the amendment, and I hope the Senator from Texas will see his way clear to support it.

Mr. CONNALLY. No; the Senator from Texas does not believe it possible to close the mouths of these officials, and there is no use in trying, and personally I do not want to try.

Mr. CLARK. I have no desire to close the mouth of anyone in this country. Any of them, so far as I am concerned, have a right to express their opinions as citizens at any time they please; but I think it is a miscarriage of the governmental function to have them express their opinions at governmental expense.

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

Mr. CLARK. I yield.

Mr. BURKE. Can the Senator give us any information as to the number of post offices which have been dedicated since the 5th of February on the patriotic theme "Down with the Supreme Court"?

Mr. CLARK. I have only the information which has been contained in the public press, but I can say to the Senator that I am certain the number is very large.

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

Mr. CLARK. I yield.

Mr. SCHWELLENBACH. Can the Senator give us any estimate as to the number of days the Members of the Senate—and I say this without any criticism whatsoever—receiving pay from the United States Government presumably to represent their States in this body, have missed sessions of the Senate while they were out making speeches on the other side of the Court question?

Mr. CLARK. I am not able to tell the Senator from Washington, particularly by reason of the fact that the Senate has been in session very few days during the present session of Congress. Since the Court bill was introduced there has been a cloud over the Senate during the entire session. Very few bills of any importance have been taken up. We have frequently adjourned for as long as 2 or 3 days at a time, and it would be impossible to tell the number of days any Senator has been away. I know of no means by which any Senator has been able to attend a dedication, or a cornerstone laying, or any other public function, at the public expense. If the Senator from Washington knows of any way by which that can be done, I should be very glad to have him disclose it.

Mr. SCHWELLENBACH. I know of no instances where Senators have had their expenses paid out of public funds, but I understand that there have been certain organizations in this country which have been interested in the Court matter which have at least made offers to Senators that their expenses would be paid if they made speeches against the proposal, and certain additions to the amount.

Mr. CLARK. I should be very glad to have the Senator take the floor in his own time and elucidate that suggestion. So far as I am concerned, no such proposition has been made to me. I have been in attendance at the sessions of the Senate continually except when I was detained by reason of certain misfortunes in my family. Senators on both sides have been out addressing the public at various times on the Court issue, which has nothing whatever to do with the subject I am discussing, which is the use by public officials, executive officials, of public funds for the purpose of attending ostensible public functions, which have nothing to do with public duties, but are really political discussions. Whether or not they were political discussions, I say that no public purpose is ever served by the dedication of a post office at Squedunk or the opening of a Federal building at Podunk. My amendment is directed to the proposition that no part of the public funds shall be expended for the traveling expenses of those attending ceremonies of that kind. If my amendment could be adopted, which I know it will not, the saving to the Nation in having public officials at their desks performing their functions might well amount to millions of dollars.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK].

Mr. CLARK. I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment was rejected.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the vote by which the committee amendment on page 9, beginning with line 16, was agreed to be reconsidered. I understand that Senators cast their votes on the amendment I offered to this amendment under a misunderstanding.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and the vote is reconsidered.

Mr. O'MAHONEY. Mr. President, I now reoffer my amendment to the committee amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming will be stated.

The CHIEF CLERK. In the committee amendment, on page 10, line 16, it is proposed to strike out "\$3,000,000" and insert "\$3,600,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CONNALLY. Mr. President, I offer an amendment, to which I invite the attention of the Senator from Arizona.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 91, line 24, after the figures "1935", it is proposed to insert "or any subsequent allotment made or to be made from the Emergency Relief Appropriation Act of 1937 shall be and."

Mr. HAYDEN. Mr. President, the language of the bill refers to the Industrial Recovery Act of 1933 and the emergency relief appropriation of 1935. The Senator desires to extend the same provisions to the act of 1937?

Mr. CONNALLY. Yes.

Mr. HAYDEN. I will take the matter to conference. I can give the Senator no assurance with regard to it, but I will be glad to take it to conference.

Mr. CONNALLY. If the Senate adopts the amendment, it will be construed as the act of the Senate, not of the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, I submit an amendment to the text on page 66.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 66, line 6, it is proposed before the period to insert a colon and the following proviso:

Provided further, That section 2 of the act of Congress approved August 12, 1935, shall not apply to the Five Civilized Tribes.

Mr. HAYDEN. Mr. President, I should like to ask the Senator from Oklahoma whether this is the amendment he brought to the attention of the committee and was authorized to offer.

Mr. THOMAS of Oklahoma. It is.

Mr. HAYDEN. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAVEZ. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 18, line 3, after the word "marihuana", to insert the word "peyote."

Mr. HAYDEN. Mr. President, I have no objection to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. Are there other amendments to be offered? If not, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6523) making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes, and that the House had receded from its disagreement to the amendments of the Senate nos. 88, 124, 126, and 134 to the bill, and concurred therein.

ENDORSEMENTS OF LOW-COST HOUSING BILL

Mr. WAGNER. Mr. President, a number of organizations throughout the country have endorsed the so-called Wagner-Steagall bill, and I ask that there be printed in the RECORD as a part of my remarks the names of these organizations.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

NATIONAL ORGANIZATIONS WHICH HAVE ENDORSED WAGNER-STEAGALL BILL, URGING ITS ENACTMENT AT THE PRESENT SESSION OF THE CONGRESS

Amalgamated Clothing Workers of America.
American Association for Social Security.
American Association of Social Workers.
American Association of Visiting Teachers.
American Committee for Protection of Foreign Born.
American Federation of Hosiery Workers.
American Federation of Housing Authorities.
American Federation of Labor, housing committee.
American Federation of Labor, executive council, building-trades department.
American Federation of Musicians.
American Federation of Teachers.
American Home Economics Association.
American Institute of Architects.
American Planning and Civic Association.
American Society of Sanitary Engineering.
Association of Women in Public Health.
Big Brother and Sister Federation.
Bricklayers, Masons, and Plasterers International Union.
Brotherhood of Painters, Decorators, and Paperhangers.
Brotherhood of Railway Clerks.
Catholic Daughters of America.
Cigar Makers' International Union of America.
Committee for Industrial Organization.
Construction League of the United States.
Federal Council of the Churches of Christ in America.
Federal Housing Administration.
Federation of Flat Glass Workers.
Glass Blowers Association.
Granite Cutters' International Association of America.
Hotel and Restaurant Employees International Alliance.
Housing Legislation Information Office.
International Association of Bridge and Structural Iron Workers.
International Association of Heat and Frost Insulators and Asbestos Workers.
International Association of Machinists.

International Association of Marble, Stone, and Slate Polishers, Rubbers, and Sawyers, Tile and Marble Setters Helpers, and Terrazzo Helpers.

International Broom and Whisk Makers' Union.

International Brotherhood of Blacksmiths, Drop Forgers, and Helpers.

International Brotherhood of Boilermakers and Iron Ship Builders and Helpers of America.

International Brotherhood of Electrical Workers.

International Brotherhood of Teamsters, Chauffeurs, and Helpers.

International Federation of Technical Engineers', Architects', and Draftsmen's Unions.

National Urban League.

International Fur Workers' Union.

International Hod Carriers, Building, and Common Laborers' Union.

International Ladies Garment Workers Union.

International Union of Elevator Constructors.

International Union of Operating Engineers.

International Association of Operative Plasterers and Cement Finishers.

International Metal Engravers' Union.

Inter-Professional Association.

Iron, Steel, and Tin Workers Union.

Journemen Stone Cutters' Association of North America.

Labor Housing Conference.

Labor's Non-Partisan League.

Lathers' International Union, Wood, Wire, and Metal.

League for Industrial Democracy.

National Association for the Advancement of Colored People.

National Association of Letter Carriers.

National Catholic Welfare Conference.

National Conference of Catholic Charities.

National Council of Catholic Men.

National Council of Catholic Women.

National Council of Education.

National Council of Jewish Women.

National Federation of Day Nurseries.

National Federation of Rural Letter Carriers.

National Federation of Settlements.

Conference of National Federation of Settlements.

National Lawyers Guild.

National Presbyterian Neighborhood House Workers Conference.

National Public Housing Conference.

National Women's Trade Union League of America.

New York Times.

Piano, Organ, and Musical Instrument Workers Union.

Public Works Administration.

Stove Mounters International Union.

Sheet Metal Workers' International Association.

Twentieth Century Fund.

United Association of Journeymen Plumbers and Steam Fitters.

United Brotherhood of Carpenters and Joiners.

United Hatters, Cap, and Millinery Workers.

United Leather Workers' International Union.

United Mine Workers of America.

United National Association of Post Office Clerks.

United Rubber Workers of America.

United Slate, Tile, and Composition Roofers Damp and Waterproof Workers' Association.

United States Conference of Mayors.

United Wall Paper Crafts of North America.

Women's International League for Peace and Freedom.

Wood, Wire, and Metal Lathers' International Union.

Y. W. C. A. National Board.

Public Ownership League of America.

FEDERAL AGENCIES ENDORSING THE WAGNER-STEAGALL BILL

Mr. John H. Fahey, Chairman, Federal Home Loan Bank Board.
Stewart McDonald, Federal Housing Administrator.
Howard A. Gray, Director, Housing Division P. W. A. (with minor amendments).
Harold L. Ickes, Secretary of the Interior (with minor amendments).

ALABAMA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Federated Women's Clubs of Alabama.
State Federation of Labor.
Anniston Central Labor Union.
Birmingham Labor Housing Committee.
Birmingham Building Trades Council.
Pastors' Union, Birmingham.
Birmingham Housing Authority.
Department of Labor, Birmingham.
Third District Alabama Federation of Women's Clubs.
Stenographers, Typists, and Bookkeepers Union No. 19403.
Local Bricklayers, Masons, Plasterers, International Union, Dothan.
Local Union No. 607, Boot and Shoe Workers' Union, Florence.
International Union of Operative Engineers, No. 320.
Muscle Shoals Building Trades Council.
Jasper Central Labor Union.
Anti-Tuberculosis Association of Jefferson County.
Mrs. Frances Durham, women's editor, Mobile Times.
International Association of Machinists, River Front Lodge, No. 261, Mobile.
Montgomery Central Labor Union.

Muscle Shoals Building and Construction Council.
 Tri-Cities Central Labor Union, Muscle Shoals.
 Brotherhood of Painters, Decorators and Paperhangers of America, No. 836.
 International Association of Bridge, Structural, and Ornamental Iron Workers, Local No. 477.
 International Molders' Union, Local No. 100, Tarrant.
 Tarrant Central Labor Union.
 United Brotherhood of Carpenters and Joiners of America, No. 109.
 Winfield Central Labor Union.

ARIZONA ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

International Brotherhood of Teamsters, Chauffeurs, Etc., No. 274.
 International Union of Operating Engineers, Local 428.
 Phoenix Central Labor Council.
 Evan S. Stallcup, city manager, Phoenix.
 Tucson Central Trades Council.

ARKANSAS ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Brotherhood of Painters, Decorators, and Paperhangers of America, Local 381.
 Brotherhood of Painters, Decorators, and Paperhangers of America, Shenandoah Colliery Local, No. 1443.
 Arkansas State Federation of Labor.
 Dr. Thomas M. Fly, city health officer, Little Rock.
 Pine Bluff Central Trades and Labor Council.

CALIFORNIA ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Assembly of the State of California.
 Painters Local Union No. 835.
 Walter A. Gordon, attorney at law, Berkeley.
 San Mateo Central Labor Council.
 Fresno Central Labor Council.
 Fresno County Building Trades Council.
 Tri-County Labor News.
 American Federation of State, County, and Municipal Employees, Local 1001.

Benjamin J. Bowie Post, No. 228, American Legion.
 Los Angeles Building Trades Council.
 Central Employment Bureau for Veterans.
 Council of Social Agencies of Los Angeles.
 East Side Citizens Committee.
 Golden State Mutual Life Insurance Co.
 Los Angeles Committee on Public Housing.
 Los Angeles Municipal Housing Commission.
 Los Angeles County Legislative Committee of the Standard Railroad Shop Craft Organizations.
 Los Angeles Young Men's Christian Association, San Fernando Valley branch.
 Mayor of Los Angeles.
 Metropolitan Central Council, Archdiocese of Los Angeles, Society of St. Vincent de Paul.
 Plaza Community Center.
 Social service department, director of out-patient department, director of nursing of the Children's Hospital.
 Southern California Chapter, Institute of Architects.
 Alameda County Building Trades Council.
 Chemical Workers Union, Local 20280.
 Salinas Central Labor Union of Monterey County.
 San Francisco Dressmakers Union, No. 101.
 San Francisco Ladies' Garment Cutters, No. 213.
 Plumbers Local Union 442.
 San Francisco Housing Association.
 San Francisco Labor Council.
 United Association of Journeymen Plumbers and Steam Fitters, Local No. 442.

Central Labor Council of San Joaquin County.
 San Jose Building Trades Council.
 Central Labor Council, San Mateo.
 Santa Barbara City Council.
 Santa Rosa Central Trades Council.
 Stockton Central Labor Council.
 Vallejo Carpenters Local, No. 180.
 Consolidated Building and Metal Trades Central Labor Council, Vallejo.
 Carpenters' Local Union, Yuba City.

COLORADO ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

State Federation of Labor.
 Fremont County Central Labor Union.
 Colorado State Conference, Bricklayers, Masons, and Plasterers' International Union of America.
 Mayor Ben F. Stapleton, Denver.
 United Slate, Tile, and Composition Roofers, Damp- and Waterproof Workers' Association, Local No. 55.

CONNECTICUT ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Connecticut Federation of Labor.
 Bridgeport Central Labor Union.
 Chamber of Commerce, Bridgeport.
 Building Trades Council, Bridgeport.

City of Bridgeport, Common Council.
 City of Bridgeport, mayor.
 Disabled War Veterans.
 East Side Business Men's Association.
 Family Welfare Society.
 Holy Rosary Roman Catholic Church.
 Housing Authority of the City of Bridgeport.
 Manufacturers' Association.
 St. Cyril and Methodius Roman Catholic Church of Bridgeport.
 St. John's Roman Catholic Church, Bridgeport.
 St. Mary's Roman Catholic Church, Bridgeport.
 St. Michael's Roman Catholic Church.
 Slovak Alliance of Bridgeport and vicinity.
 Veterans of Foreign Wars.
 Danbury Central Labor Union.
 Herbert Gibson, president, City Planning Commission.
 Hartford Central Labor Union.
 Meriden Central Labor Union.
 United Association of Journeymen Plumbers and Steam Fitters, Local No. 21.
 Central Labor Union of New Britain.
 Rev. Fleming James, New Haven.
 Dr. C. E. A. Winslow, Yale School of Medicine.
 Stamford Painters' Union, No. 192.

DELAWARE ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Central Labor Union, Wilmington.
 Delaware State Board of Housing.

DISTRICT OF COLUMBIA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Maryland State and District of Columbia Federation of Labor.
 District of Columbia Chapter American Association of Social Workers.
 Monday Evening Club.
 Voteless League of Women Voters.
 Warren Jay Vinton.
 Washington Building Trades Council.
 Washington Central Labor Union.
 Washington Housing Association.

FLORIDA ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Florida Federation of Labor.
 Union Foreign District Sunday School and B. Y. P. U. Convention, Clearwater.
 Building Trades Council of Jacksonville.
 International Brotherhood of Electrical Workers, No. 177.
 Bricklayers, Masons, and Plasterers Union, No. 7.
 International Longshoremen's Association, Local No. 1416.
 South Florida District Sunday School and Baptist Young Peoples' Union Conference, Mt. Bilgaa Baptist Church.
 Orlando District Conference, A. M. E.
 Bricklayers of Panama City, Local Union 16.
 B. M. P. I. U. Union, No. 16, Panama City.
 Florida Carpenters Union, Local 1510.
 International Brotherhood of P. M., Local No. 267.
 Paper Makers Local Union, No. 267.
 United Brotherhood of Carpenters and Joiners, Local No. 1510.
 International Association of Machinists, No. 192.
 Bartow District Conference Central Florida A. M. E. Church.
 St. Petersburg Building Trades Council.
 Central Labor Union, St. Petersburg.
 Florida Building Trades Conference.
 Bethel Baptist Church, Tampa.
 Tampa Central Trades and Labor Assembly.
 Manatee District Conference of A. M. E. Church.
 Morning Star Missionary, Baptist Church, Tampa.
 New Salem Missionary, Baptist Church, Tampa.
 St. Paul A. M. E. Church.
 Mount Sinai A. M. E. Z. Church, Tampa.
 Tampa Ministerial Association.
 Tampa Municipal Housing Board.
 Tampa Urban League.
 Bricklayers, Masons, and Plasterers Local, No. 6.
 Building Trades Council, West Palm Beach.
 Central Labor Union, West Palm Beach.
 United Association of Journeymen Plumbers and Steamfitters, No. 630.

GEORGIA ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Georgia Federation of Labor.
 American Federation of Hosiery Workers.
 City Council, Atlanta.
 Mayor William B. Hartsfield, Atlanta.
 C. F. Palmer, chairman, executive committee, Techwood Homes, Atlanta.
 Atlanta Federation of Trades.
 Building Trades Council, Atlanta.
 Central Labor Union, Augusta.
 Central Labor Union of Brunswick.
 City Council, Brunswick.
 International Union of Operating Engineers, Local Union No. 328.
 Columbus Federation of Trades.
 Macon Federation of Trades.
 Savannah Building and Construction Council.
 Trades and Labor Assembly of Savannah.

IDAHO ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

State Federation of Labor.
Lewiston Central Labor Council.
City Council, Nampa.
Mayor Lewis Ord, Nampa.
Brotherhood of Railway Carmen of America, Lodge 1147.
Nampa Trades and Labor Council.

ILLINOIS ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Illinois State Housing Board.
Illinois State Federation of Labor.
Alton Building Trades Council.
Alton Carpenters Union, No. 377.
Alton Boilermakers Union, No. 483.
Alton Bricklayers Union, No. 8, of Illinois.
Alton Electrical Workers Union, No. 649.
Alton Engineers Union, No. 520.
Alton Iron Workers Union, No. 392.
Alton Laborers Union, No. 213.
Alton Painters Union, No. 471.
Alton Plasters and Cement Finishers, No. 90.
Alton Plumbers and Steamfitters, No. 163.
Alton Roofers Union, No. 2.
Alton Sheet Metal Workers Union, No. 169.
Alton Teamsters and Chauffeurs Union, No. 525.
Ladies Garment Workers Union, No. 189, Batavia.
Belleville Building Trades Council.
Belleville Trades and Labor Assembly.
Belleville City Council.
Benton Central Labor Union.
Blue Island Central Labor Union.
Twin City Federation of Labor.
Mr. Frank Elder, Champaign, Ill.
City Council, Chicago.
M. D. Carrel, Chicago.
Chicago Building Trades Council.
Chicago Commons.
Chicago Federation of Labor.
Chicago Federation of Settlements.
Chicago Housing Authority.
Chicago Sign and Pictorial Painters Union, No. 830.
Chicago Urban League.
William J. Cowley, alderman, forty-first ward, Chicago.
Federal Local Union, No. 20335.
Social Service Employees Union, Chicago.
Ernest A. Grunsfeld, Jr., architect, Chicago.
International Brotherhood of Electrical Workers, Local No. 134.
National Council of Jewish Women, Chicago section.
Newberry Avenue Center, Chicago.
South Chicago Trades and Labor Assembly.
Terrazzo Workers Helpers, Local Union No. 98.
University of Chicago Settlement.
R. Clyde White, University of Chicago.
Women's City Club of Chicago.
Decatur Trades and Labor Assembly.
Department of Public Health and Safety, Decatur.
East St. Louis Building Trades Council.
East St. Louis Central Trades and Labor Union.
Central Labor Union, Freeport.
Galesburg Trade Assembly.
Central Trades and Labor Council of Joliet.
Kankakee Building Trades Council.
Kankakee Federation of Labor.
Kewanee Trades and Labor Assembly.
Stove Mounters' International Union, Local 47, Lebanon.
City Council, Moline.
United Cement Workers Union, No. 20066, Oglesby.
Distillery Workers' Union, No. 19538, Pekin.
International Union of Operative Engineers, No. 8, Peoria.
Peoria Federation of Women's Clubs.
Peoria Women's Club.
Progress Club, Peoria.
Welfare League, Peoria.
Greater Peoria Civic Association.
Zoning Commission, Peoria.
Central Labor Union, Rockford.
United Association of Journeymen Plumbers and Steam Fitters, Local 201, Rockford.
Olof, F. Cervin, Architect, Rock Island.
South Chicago Trades & Labor Assembly.
International Union of Operating Engineers, Locals Nos. 965 and 965-A, Springfield.
Springfield Federation of Labor.
United Cement Workers' Union, No. 20266.
Lake County Central Labor Council.
City Council, Waukegan.
Mancel Talcott, Mayor, Waukegan.
West Frankfort Trades and Labor Council.

INDIANA ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Indiana State Federation of Labor.
James W. Geater, Anderson.
Bloomington Central Labor Union.
International Association of Marble, Stone and Slate Polishers, Rubbers and Sawyers, Tile and Marble Setters' Helpers and Terrazzo Workers Helpers, Local No. 89.

Clinton Central Labor Union.
Crawfordsville Central Labor Union.
Judge T. Joseph Sullivan, Thirty-first Judicial Circuit, Crown Point.
Bricklayers' Union, No. 6, East Chicago.
Carpenters' Local No. 565, Elkhart.
Elkhart County Central Labor Union.
Building Trades Council of Evansville.
Carpenters' Local Union, No. 90, Evansville.
Brotherhood of Painters, Decorators, and Paperhangers of America, Local No. 469.
Fort Wayne Federation of Labor.
International Ladies' Garment Workers' Union, No. 116, Fort Wayne.
International Union of Operative Engineers, No. 19, Fort Wayne.
Lake County Central Labor Union.
Lake County Department of Public Welfare.
Mayor Frank R. Martin, Hammond.
Miss Irma Harris, Indianapolis.
Indiana Farm Bureau.
L. V. Sheridan, State Planning Board, Indianapolis.
Mrs. Ida Mell Weesner, Indianapolis.
Federal Labor Union, No. 19522, Kokomo.
Kokomo Trades and Labor Council.
Muncie Central Labor Union.
Central Labor Union, South Bend.
Central Labor Union, Terre Haute.
International Hod Carriers', Building and Common Laborers' Union of America, Local 204.

IOWA ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Iowa State Federation of Labor.
Building Trades Council, Cedar Rapids.
Cedar Rapids Federation of Labor.
Tri-City Labor Congress, Clinton.
Central Labor Union, Council Bluffs.
City Council, Des Moines.
Mayor J. H. Allen, Des Moines.
Building Trades Council, Des Moines.
Corn Products Workers, Local No. 19931, Keokuk.
Keokuk Trades and Labor Assembly.
City Planning and Zoning Commission, Sioux City.
City Council, Waterloo.

KANSAS ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Central Labor Union of Arkansas City.
Coffeyville Central Labor Union.
Operative Plasterers and Cement Finishers, Local No. 291.
Hutchinson Central Trades and Labor Council.
Pittsburg United Trades and Labor Council.
Wichita Trades and Labor Assembly.

KENTUCKY ENDORSEMENTS OF THE WAGNER-STEAGALL LOW-RENT HOUSING BILL

Kentucky Federation of Labor.
Board of Aldermen, Louisville.
Mayor Neville Miller.
City Council, Louisville.
Lather's Local Union 18, Louisville.
Louisville Central Labor Union.
Louisville Municipal Housing Commission.
Mothers' Club, Neighborhood House, Louisville.

LOUISIANA ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Lake Charles Building Trades.
Bryan Bell, president, New Orleans Association of Commerce.
Rev. B. Tait Bell, Tulane Y. M. C. A.
Rev. J. Bondra, Bethel Presbyterian Church, New Orleans.
Rev. Herman Borne, St. John Evangelical Church, New Orleans.
Rev. R. Coleman, First African Baptist Church, New Orleans.
Rev. C. Girelius, First Unitarian Church, New Orleans.
Rev. D. B. Rawlins, Carrollton Avenue Methodist Church, New Orleans.
The Catherine Club, New Orleans.
Chalmette Chapter, U. S. D. 1812, Louisiana.
A. W. Dent, superintendent, Flint-Goodridge Hospital of Dillard University.
Mrs. Roberta Falk, Family Service Society, New Orleans.
Myron Falk, State department of public welfare, New Orleans.
Executive committee of Federal Council of Churches, New Orleans.
Rev. J. S. Laird, St. Charles Avenue, New Orleans.
Louisiana Colonials, New Orleans.
Louisiana League for Peace and Freedom, New Orleans.
Louisiana-Mississippi Chapter, National Executive Housekeepers' Association, Inc.
Rev. Norman Maunz, First Evangelical Church.
New Orleans Association of Commerce.
New Orleans Board of Trade.
Committee on Legislation, New Orleans Board of Trade.
New Orleans Business and Professional Women's Club.
New Orleans Federation of Clubs.
New Orleans Homestead Clearing House Association, Inc.
New Orleans W. C. T. U.
Ninth Ward Improvement and Protective Association, New Orleans.
Mabel Palton, executive secretary, Y. W. C. A., New Orleans.

Mrs. A. Prior, Amalgamated Garment Workers, New Orleans.
Quota Club, New Orleans.
Rev. D. B. Raulins, Methodist Episcopal Church, South, New Orleans.

Rev. F. Schwenfurth, Salem Evangelical Church, New Orleans.
Rev. A. J. Sherer, Trinity Evangelical Church, New Orleans.
Rev. C. Taylor, St. John's Church, New Orleans.
Rev. W. Weaver, Carrollton Avenue Christian Church, New Orleans.

Woman's Auxiliary of the Louisiana State Optometric Association, New Orleans.
Verbon Gay, Tulane Y. M. C. A.

MAINE ENDORSEMENT OF WAGNER-STEAGALL LOW-RENT HOUSING BILL
Maine State Federation of Labor.

MARYLAND ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Baltimore Federation of Labor.
Allegheny Trades Council, Cumberland.
United Mine Workers of America, Local No. 2835.

MASSACHUSETTS ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Massachusetts State Federation of Labor.
Boston Conference on Slum Clearance and Low-Rent Housing.
Boston Housing Authority.
Brotherhood of Painters, Decorators, and Paperhangers of America, Local No. 11, Boston.
Building Trades Council, Boston and vicinity.
Central Labor Union of Boston and vicinity.
Building Trades Council, Lawrence.
State Board of Housing.
Brockton Building and Construction Trades Council.
Brockton Central Labor Union.
Building Trades Council of Brockton and vicinity.
Cambridge Central Labor Union.
Cambridge Housing Authority.
Mayor John D. Lynch, Cambridge.
Federal Labor Union 18518, Chicopee.
International Union of Bricklayers, Masons, and Plasterers, Local No. 11, Fall River.
Mayor Dewey G. Archambault, Lowell.
American Federation of Hosiery Workers, No. 105, Lowell.
Building Trades Council, Lowell.
Central Labor Union, Lowell.
International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, No. 49, Lowell.
Lynn Building Trades Council.
Lynn Central Labor Union.
Norwood Building Trades Council.
Wire Workers Local Union, No. 19859, Worcester.
Worcester Building Trades Council.

MICHIGAN ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Michigan Federation of Labor.
Battle Creek Federation of Labor.
International Union of Operating Engineers, Local No. 356, Battle Creek.
Carpenters' Local Union No. 116, Bay City.
Mayor Frank Couzens, Detroit.
Detroit Housing Commission.
Mayor Harold E. Bradshaw, Flint.
Bricklayers' International Union, No. 12.
City Council, Hamtramck.
Carpenters' Local No. 297, Kalamazoo.
United Brotherhood of Carpenters and Joiners of America, Kalamazoo.
Council of Social Agencies of Kalamazoo.
Kalamazoo Trades and Labor Council.
City Council, Kalamazoo.
City Commission, Kalamazoo.
M. & M. Trades Council, Menominee.
International Brotherhood of Pulp Sulphite and Paper Mill Workers, No. 172, Menominee.
City Council, Lincoln Park.
Plumbers' Local Union 85, Saginaw.
Barton P. Jenks, Jr., Walled Lake.
City Council, Wyandotte.

MINNESOTA ENDORSEMENTS OF WAGNER-STEAGALL BILL

Minnesota State Federation of Labor.
Minneapolis Building Trades Council.
Central Labor Union, Minneapolis.
City Council, Minneapolis.
Mayor Thomas E. Latimer.
Minneapolis Central Labor Union.
City Council, St. Paul.
Mayor M. H. Gehan, St. Paul.
Building Trades Council, St. Paul and vicinity.
Minnesota State Employees Union, No. 10, St. Paul.
Winona Trades and Labor Council.

MISSISSIPPI ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Mayor Louis Braun, Biloxi.
Gulfport Central Labor Union.
Jackson Central Labor Union.

MISSOURI ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Missouri State Federation of Labor.
Central Labor Union, Carthage.
Combined Building Trades Council, Kansas City.
Kansas City Building and Construction Trades Council.
United Association of Journeymen Plumbers and Steam Fitters, Local No. 533, Kansas City.
Urban League of Kansas City.
Moberley Central Labor Union.
J. Bertram Black, St. Louis.
Brotherhood of Railroad Depot, Bus Terminal, Etc., Federal Labor Union, 20419, St. Louis.
Committee on social legislation, the Urban League of St. Louis, Inc.
Miss Gladys Gray, St. Louis Relief Administration.
International Association of Bridge Structural and Ornamental Iron Workers, St. Louis.
Legislative committee, Women's Auxiliary, Central Trades and Labor Assembly, St. Louis.
City Council, St. Joseph.
Building Trades Council, Springfield.

MONTANA ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Wood, Wire, and Metal Lathers International Union, No. 258, Billings.
Cascade County Trades and Labor Assembly.
City Council, Great Falls.
Mayor A. J. Finsek, Great Falls.
Helena Trades and Labor Assembly.
Lewiston Building Trades Council.
Miles City Trades and Labor Council.

NEBRASKA ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Nebraska State Federation of Labor.
Miss Edith Carse, housing and equipment division, University of Nebraska, Lincoln.
Board of directors, Omaha Social Settlement.
Omaha Social Settlement, settlement board.
Urban League of Lincoln.

NEVADA ENDORSEMENT OF WAGNER-STEAGALL LOW-RENT HOUSING BILL
Nevada State Federation of Labor.

NEW HAMPSHIRE ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

New Hampshire State Federation of Labor.
Cheshire County Trades and Labor Assembly.
Manchester Building Trades Council.
Manchester Central Labor Union.

NEW JERSEY ENDORSEMENTS OF WAGNER-STEAGALL LOW-RENT HOUSING BILL

Bricklayers, Masons, and Plasterers Union, Local No. 8, Asbury Park.
Monmouth County Building Trades Council.
Atlantic County Central Labor Union.
Robert A. Watson, district manager, New Jersey State Housing Authority.
Board of Commissioners, Camden.
Central Labor Union, Camden.
Labor Housing Committee, Camden.
Central Planning Board, Elizabeth.
Union County Central Labor Union.
Central Labor Union, Glen Rock.
International Union of Bricklayers, Masons, and Plasterers, Local No. 2, Haledon.
Monmouth County Executive Committee for Bricklayers, Masons, and Plasterers International Union.
Aluminum and Tin Foil Workers Union, No. 20533.
C. A. Capron, member of Mayor's Housing Committee.
Board of Commissioners, Newark.
Essex County Building Trades Council.
New Jersey Chapter, American Association of Social Workers.
State Housing Authority.
City Council, Orange.
Dyers Local, No. 1733, Paterson.
International Brotherhood of Electrical Workers, No. 102, Paterson.
Agricultural Workers', No. 20318, Perrinesville.
International Ladies Garment Workers Union, No. 149, Plainfield.
Plainfield Housing Committee.
Princeton Conference, Princeton League of Women Voters.
Dr. Robert R. Wicks, Princeton University.
Municipal Advisory Board on Housing, Trenton.
Trenton Chamber of Commerce.
New Jersey State Federation of Labor.
American Federation of Hosiery Workers, New Jersey and New York District Council.
Association of Chosen Freeholders.
Federation of Dyers and Finishers.
New Jersey Bar Association.
New Jersey Board of Children's Guardians.
New Jersey Building Trades Unions.
New Jersey Business and Professional Women's Clubs.
Catholic Daughters of America.
Committee on Labor Standards.

Conference of Social Work.
Consumers' League.
Council of Jewish Women.
Federation of Colored Women's Clubs.
Federation of Women's Clubs.
New Jersey Housing League.
New Jersey Inter-Professional Association.
New Jersey League of Municipalities.
New Jersey League of Women Voters.
New Jersey Medical Association.
New Jersey Parent-Teachers Association.
Salvation Army.
New Jersey Urban League.
Young Men's Christian Association.
Mayor George E. Brunner, Camden.

NEW YORK ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

New York Assembly.
State Conference of National Council of Jewish Women, meeting at Utica.
New York State Federation of Labor.
Bronx Youth Council.
Brotherhood of Painters, Decorators, and Paperhangers, No. 454.
Operative Plasterers and Cement Finishers International Association, Riverdale.
Mrs. Jas. Russell Bourne, Bronxville.
Bricklayers International Union, Local No. 9.
Bricklayers Union No. 1, Brooklyn.
Building Trades Council, Brooklyn.
Brooklyn Committee for Better Housing.
Department of Christian Social Service of the Diocese of Long Island.
International Longshoremen's Association, Brooklyn.
International Bricklayers Union, No. 9, Brooklyn.
Wholesale Dry Goods Employees Union, Local 19932, Brooklyn.
Women's Organization of the Church of the Saviour, Brooklyn.
New Lots Regular Democratic Club, Brooklyn.
Young Democratic League, Brooklyn.
American Federation of Hosiery Workers, No. 40, Buffalo.
Bricklayers, Masons, Tile, and Marblesetters Union of Buffalo, No. 45.
Buffalo Diocesan Council of the National Council of Catholic Women.
Central Labor Council of Buffalo.
International Union of Operating Engineers, Locals 17 and 17-A, Buffalo.
Plasterers Union, Local No. 9, Buffalo.
Westminster Community House, Buffalo.
Central Trades and Labor Assembly, Elmira.
International Union of Operating Engineers, Locals 133 and 138A, Hempstead, Long Island.
Ithaca Building Trades Council.
Brotherhood of Painters, Decorators, and Paperhangers of America, Local No. 1035.
Building Trades Council, Jamestown.
Central Labor Union, Jamestown.
Lackawanna City Housing Authority.
Aluminum Workers Union, Local No. 19256, Massena.
Amalgamated Ladies' Garment Cutters' Union, Local No. 10.
Benjamin R. Andrews, Columbia University.
Architectural and Engineering Guild, Local No. 66, New York City.
Board of Estimate and Apportionment, New York City.
Bookkeepers, Stenographers, and Accountants Union, New York City.
Joseph M. Brody, New York City.
Brotherhood of Painters, Decorators, and Paperhangers of America, No. 971, New York City.
Brotherhood of Painters, Decorators, and Paperhangers of America, No. 905, New York City.
Building and Construction Trades Council.
Central Trades and Labor Council of Greater New York.
Chelsea Tenants League, New York City.
Citizens Union of the City of New York.
City Affairs Committee, New York City.
City Wide Tenants' League, New York City.
Cloak, Suit, and Reefer Makers Union Joint Board of Greater New York.
Louis Cohen, New York City.
Cooperative Housing Association of Civil Service Employees, New York City.
Dressmakers' Union, No. 22, New York City.
L. Dwyer, New York City.
Edwin G. Elkund, New York City.
Federation of Jewish Women's Organizations, New York City.
Goddard Neighborhood Centre, New York City.
Willystine Goodsell, New York City.
Grand Street Boys' Association, New York City.
Mrs. Lena Heisler, New York City.
International Brotherhood of Electrical Workers, No. 3, New York City.
International Federation of Technical Engineers, Architects and Draftsmen Unions of the A. F. of L., Local 66, New York City.
International Ladies Garment Workers Union, New York City.
International Longshoremen's Association, Local No. 327.
International Longshoremen's Local, No. 1100.
Jewish Social Service Association, New York City.
Mayor Fiorella LaGuardia, New York City.

Loula D. Lasker, Survey Graphic, New York City.
John Lovelock, New York City.
Lower East Side Association of Agencies, New York City.
Madison House Society, New York City.
Edward J. McAlinn Association, New York City.
Mid Town Tenants' Association, New York City.
Navy Yard Local of Plumbers and Steamfitters, Brooklyn.
Mailton House, New York City.
New York City Chapter, American Association of Social Workers.
New York City Housing Authority.
New York Post.
New York Tenement Housing Committee.
New York Typographical Union, No. 6.
N. O. Masters, Mates and Pilots of America, New York City.
North Harlem Community Council, New York City.
Painters, Decorators and Paperhangers of America, Local No. 692, New York City.
Paperhangers Local Union, No. 490, New York City.
Plumbers and Steamfitters Union, New York City.
Printing Pressmen's Union, No. 51, New York City.
Frank L. Reed, New York City.
Trustees of Phelps Stokes Fund.
Mrs. John E. Rousmaniere, New York City.
Heber Smith, member Yonkers Authority.
Nathan Straus, New York City.
United Upholsterers' Union of New York, Local No. 44.
Welfare Council, New York City.
Housing Section, Legislative Committee, New York City.
Welfare Council, Executive Committee, New York City.
W. P. A. Teachers Union, Local 453, of the American Federation of Teachers, New York City.
Cynthia Wentworth, assistant editor, American City, New York City.
Edith Elmer Wood, New York City.
Yorkville Tenants' League, New York City.
Yoruba Literary and Debating Club.
City Council, Niagara Falls.
Niagara Falls Central Labor Union.
Building Trades Council of Dutchess County and Vicinity.
International Union of Operative Engineers, Local No. 71, Rochester.
Lewis Street Center, Rochester.
Rochester Diocesan Council of National Council of Catholic Women.
Schenectady City Housing Authority.
Schenectady Building Trades Council.
City Council, Syracuse.
Syracuse Women's Housing Committee.
Syracuse Housing Authority.
Association of Journeymen Plumbers and Steamfitters, Tarrytown.
Utica Trades Assembly.
Federation of Labor of Westchester County.
First Presbyterian Church of Yonkers.
Joseph F. Loehr, mayor of city of Yonkers.
Municipal Housing Authority, Yonkers.
Council of Social Agencies, Welfare Federation of Yonkers.
Yonkers Coordinating Council.
Bryn Mawr League of Women Voters.
St. Johns Church.
H. Othman Smith, Baptist Church of the Redeemer, Yonkers.
Yonkers Herald-Statesman.
Yonkers Welfare Federation.
Syracuse Women's International League for Peace and Freedom.

NORTH CAROLINA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

North Carolina State Federation of Labor.
Barbers' Local, No. 68, Asheville.
Durham Central Labor Union.
United Textile Workers, Gastonia.
Central Labor Union, Winston-Salem.

NORTH DAKOTA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

North Dakota State Federation of Labor.
United Association of Journeymen Plumbers and Steamfitters, Local No. 338.
Chauffeurs, Teamsters, and Helpers Local Union, No. 116, Fargo.
Fargo Trades and Labor Assembly.
Union of All Workers, Local No. 1, Fargo.

OHIO ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Ohio State Federation of Labor.
Ohio State Senate.
City Council, Akron.
B. and W. Federal Labor Union, Local No. 20186, Akron.
Barberton Central Labor Union.
Chillicothe Central Labor Union.
Mr. Samuel Ash, Cincinnati.
Associated Charities of Cincinnati.
Babies Milk Fund Association, Cincinnati.
Better Housing League, Cincinnati.
J. J. Hurst, Central Labor Council, Cincinnati.
Cincinnati district of the Ohio State Nurses' Association.
Cincinnati joint board, Amalgamated Clothing Workers of America, Coat, Suit, and Dressmakers' Union, No. 63.
Cincinnati Metropolitan Housing Authority.
Committee on social action, Cincinnati Presbytery.
Cincinnati section of National Council of Jewish Women.
Cincinnati Social Workers' Club.

George W. B. Conrad, attorney, Cincinnati.
 Prof. Abraham Cronbach, Hebrew Union College, Cincinnati.
 Tom Deering, Cincinnati.
 District no. 8, State Nurses' Association, Cincinnati.
 Dr. Earle Eubank, Cincinnati.
 Federation of Churches, Cincinnati.
 Garden Club of Clifton, Cincinnati.
 Mrs. Simon Kuhn, Cincinnati.
 August Marx, Cincinnati.
 Plastic Workers' Local Union 20319.
 Public Health Federation of Cincinnati.
 N. Rauschoff, Inc., Cincinnati.
 The Smoke Abatement League, Cincinnati.
 Dr. Raymond Walters, University of Cincinnati.
 Women's City Club, Cincinnati.
 Clifford R. Wright, Cincinnati.
 Lorna May Tuttle, Y. W. C. A., Cincinnati.
 Cleveland Citizen (editorial).
 City Council, Cleveland.
 Cleveland Metropolitan Housing Authority.
 Cleveland Settlement Union.
 Central Trades Council, Cleveland.
 Elizabeth King Tracy, Cleveland.
 Mr. George Malone, Cleveland.
 International Association of Machinists, Local No. 439, Cleveland.
 Women's City Club of Cleveland.
 Wood, Wire, and Metal Lathers' International Union, Local No. 18, Cleveland.
 Columbus City Council.
 Columbus Federation of Labor.
 Mayor Myron B. Gessaman, Columbus.
 Mr. William Kaufman, Columbus.
 Central Labor Union of Dayton.
 Perry County Central Trades and Labor Council.
 Trades and Labor Assembly of Tuser County.
 East Liverpool Trades and Labor Council.
 Elyria Central Labor Union.
 City Council, Lorain.
 Mayor E. A. Brann, Lorain.
 Mahoning County Commissioners.
 Marion Central Labor Union.
 Middletown Trades and Labor Council.
 Trades and Labor Assembly of Tuscarawas County, New Philadelphia.
 Piqua Central Labor Union.
 City Commission, Sandusky.
 Jefferson County Trades and Labor Assembly, Steubenville.
 Toledo Chapter, American Association of Social Workers.
 Charles Bushnell, University of Toledo.
 City Council, Toledo.
 Mayor Roy C. Start, Toledo.
 Central Labor Union, Toledo.
 North Toledo Community House.
 Federal Labor Union, No. 18565, United Match Workers, Wadsworth.
 Clark Kerr, Antioch College, Yellow Springs.
 Mayor of Youngstown.
 County Commissioners, Youngstown.
 City Planning Commission, Youngstown.
 Mahoning County Labor Congress, Youngstown.
 Metropolitan Housing Authority, Youngstown.
 Board of Health, Youngstown.
 Brotherhood of Painters, Decorators, and Paperhangers.
 Zanesville Federation of Labor.

OKLAHOMA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Central Trades and Labor Council.
 Cement Employees Union, Local No. 19239.
 George Blumenaur, Enid.
 Henryetta Central Labor Union.
 Dr. D. W. Hogan, Oklahoma City.
 Oklahoma City Building Trades Council.
 Operative Plasterers and Cement Finishers, Local No. 170.
 Okmulgee Central Labor Union.
 Central Labor Union, Ponca City.

OREGON ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Oregon State Federation of Labor, Portland.
 Astoria Central Labor Union.
 Common Council of the City of Klamath Falls.
 Marshfield Central Labor Council.
 Portland Building Trades Council.
 Central Labor Council, Portland.
 Lumber and Sawmill Workers Union, Local No. 2532, Portland.
 Portland Central Labor Union.

PENNSYLVANIA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Gov. George H. Earle.
 Lt. Gov. Thomas Kennedy.
 Pennsylvania Assembly—senate and house.
 Pennsylvania Federation of Labor, Harrisburg.
 State-wide American Federation of Hosiery Workers.
 James L. McDevitt, Social Security Board, Harrisburg.
 Blair County A. A. U. W., Altoona.
 Blair County Central Labor Union, Altoona.
 Central Conference of Central Labor Unions, Altoona.
 Legislative Committee, B. C. C. L. U., Altoona.
 Bangor Branch, No. 25, American Federation of Labor.

City Council, Bethlehem.
 Mayor Robert Pfeifle.
 International Hod Carriers' Building and Common Laborers Union of America, Locals 761 and 769, Bethlehem.
 Casket Makers Union, No. 19072, Boyertown.
 Trades Assembly, Bradford.
 United Trades Council, Brownsville.
 Dr. Susan M. Kingsbury, Bryn Mawr College.
 Central Labor Union, Carbondale.
 Delaware County Housing Committee and Tenants' Council, Chester.
 Clearfield Central Labor Union.
 Central Labor Union of Shenandoah.
 City Council, Erie.
 Central Labor Union, Erie.
 Central Trades Council of Jeannette.
 Armstrong County Central Labor Union.
 Central Labor Union, Kittanning.
 Central Labor Union, Lancaster.
 United Mineworkers of America, Local 7226, Mahanoy City.
 Barnesboro Central Labor Union.
 North Cambria Central Labor Union.
 Brotherhood of Railway Carmen of America, Local 1084, Meadville.
 B. & W. Federal Labor Union, Local No. 20186, Nazareth.
 Cement Workers' Union, No. 20303, Nazareth.
 City Council, New Kensington.
 Mayor S. Davis Wilson, Philadelphia.
 American Federation of Teachers, No. 474, Philadelphia.
 Central Labor Union of Philadelphia and Vicinity.
 Association of Philadelphia Settlements.
 John Edelman, Philadelphia.
 Health Department, Council of Social Agencies, Philadelphia.
 John B. Kelly, Philadelphia.
 Eastern Regional Conference of Mayors, Philadelphia.
 Federal Labor Union, No. 18887, Philadelphia.
 International Association of Bridge, Structural, and Ornamental Iron Workers, Reinforced Rod Workers, No. 405, Philadelphia.
 Alice F. Kiernan, Philadelphia.
 Octavia Hill Association, Philadelphia.
 Philadelphia Building Trades Council.
 Philadelphia Chapter, American Association of Social Workers.
 Philadelphia Housing Association.
 Society for Ethical Culture of Philadelphia.
 Tenants Organization of South Philadelphia.
 United Association of Philadelphia Housing Groups.
 City Council, Pittsburgh.
 Mayor Cornelius D. Scully, Pittsburgh.
 Bricklayers International Union No. 2, Pittsburgh.
 Pittsburgh Central Labor Union.
 International Brotherhood of Electrical Workers, Local No. 5, Pittsburgh.
 Pittsburgh Council of Catholic Women.
 Soho Improvement League, Pittsburgh.
 United Slate, Tile, and Composition Roofers Damp and Waterproof Workers, No. 37.
 Central Labor Union of Bucks County, Quakertown.
 City Council, Reading.
 Mayor J. Henry Stump, Reading.
 American Federation of Hosiery Workers, Reading.
 Reading Federated Labor Council.
 United Mine Workers of America, No. 6561, Smithfield.
 Uniontown Trades and Labor Council.
 Wayne Advisory Housing Committee.
 College Women's Club of Wilkes-Barre.
 Wilkes-Barre Central Labor Union.
 Mayor Harry B. Austine, York.
 York Federation of Trades Unions.

RHODE ISLAND ENDORSEMENT OF THE WAGNER-STEAGALL BILL

United Textile Workers of America, Providence.

SOUTH CAROLINA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

South Carolina Federation of Labor.
 Central Labor Union, Spartanburg.
 Tillman Lodge, No. 649, Charlestown.

SOUTH DAKOTA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

South Dakota Federation of Labor.
 Aberdeen Central Labor Union.
 United Carpenters and Joiners Local No. 783, Sioux Falls.

TENNESSEE ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Tennessee Federation of Labor.
 Bristol Central Labor Union.
 Davidson County Anti-Tuberculosis Association.
 Knoxville Central Labor Union.
 Knoxville Housing Authority.
 Nashville Building Trades Council.

TEXAS ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Texas Federation of Labor.
 City Commission, Amarillo.
 Mayor Ross D. Rogers, Amarillo.
 Beaumont Building Trades Council.
 Brotherhood Railway Carmen of America, Local 89, Denison.
 Denison Labor Trades Council.
 Mayor R. E. Sherman, El Paso.
 Galveston Building Trades Council.

Painters Local Union 535, Galveston.
Houston Building Trades Council.
Houston Labor and Trades Council.
Lubbock Central Labor Union.
International Union of Bricklayers, Masons, and Plasterers of America, Local No. 23, Lubbock.
International Union Operating Engineers, Local No. 710, Port Arthur.
Board of directors, Bexar County Tuberculosis Association, San Antonio.
International Hod Carriers, Building and Common Labor Union of America No. 93, San Antonio.
League of United Latin American Citizens Council No. 16, San Antonio.
Pecan Shellers Union, San Antonio.
Rabbi Ephraim Frisch, San Antonio.
Mrs. Preston H. Dial, San Antonio.
Presidents Council, San Antonio (including more than 100 civic leaders).

UTAH ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Utah Federation of Labor.
Federal Labor Union No. 19287, Logan.
Ogden Trades and Labor Council.
United Mine Workers of America, Local No. 6412, Royal.
Building Trades Council of Salt Lake City and vicinity.
Carbon County Central Labor Union.

VERMONT ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Vermont Federation of Labor.
Central Labor Union, Barre.

VIRGINIA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

National Federation of Post Office Clerks, Norfolk.
Painters Local Union, No. 1100, Norfolk.
Petersburg-Hopewell Central Labor Union.
Tobacco Workers Union, Richmond.
International Association of Bridge, Structural, and Ornamental Iron Workers, No. 459, Roanoke.

WASHINGTON ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Washington State Federation of Labor.
Twin City Central Labor Union, Centralia.
Engineers Local Union, No. 776, Kelso.
Longview-Kelso Central Labor Council.
Olympia Trades Council.
Pasco Kennewick Federal Labor Union, No. 19146.
City Council, Seattle.
Gas Workers' Union, Local No. 20222, Seattle.
Shelton Central Trades Council.
Spokane Building Trades Council.
City Council, Tacoma.
Mayor George A. Smitley, Tacoma.
Tacoma Central Labor Union.
Clark County Central Labor Council, Vancouver.
Central Labor Council, Yakima.
Grays Harbor County Central Union, Aberdeen.
Bellingham Building Trades Council.

WEST VIRGINIA ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Central Labor Union, Clarksburg.
United Mine Workers of America, Local No. 7113, Longacre.
American Federation of Hosiery Workers, Local No. 92, Martinsburg.
Martinsburg Central Labor Union.
Central Labor Union of Fayette County, Montgomery.
Central Labor Union, Morgantown.
Parkersburg Central Trades and Labor Council.
Welch Central Labor Union.
Building Trades Council, Wheeling.
Central Labor Union, Williamson.

WISCONSIN ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Wisconsin State Federation of Labor.
Appleton Central Body.
United Association of Journeymen Plumbers and Steamfitters, No. 385, Eau Claire.
Green Bay Building Trades Council.
Green Bay Federated Trades Council.
Federal Labor Union of American Brass Employees, No. 19322, Kenosha.
Kenosha Trades and Labor Council.
La Crosse Trades and Labor Council.
American Federation State, County, and Municipal Employees, Madison.
United Association of Journeymen Plumbers and Steamfitters of the United States and Canada, No. 167.
American Association of Social Workers, Milwaukee Chapter.
City Club of Milwaukee.
Coke and Gas Workers' Union, Local No. 18546.
Department of Outdoor Relief, Milwaukee.
Federated Trades Council of Milwaukee.
Mayor Daniel W. Hoan, Milwaukee.
International Union of Operating Engineers, No. 311, Milwaukee.
Milwaukee Building Trades Council, Wisconsin.
Milwaukee Consumers' Association.
Office Workers' Union, No. 16456, Milwaukee.
Wisconsin Chapter, American Institute of Architects.
Neenah Menasha Trades and Labor Council.
Oshkosh Trades and Labor Council.

Trades and Labor Council, Port Washington.
City Council, Racine.
Racine Building Trades Council.
Mayor William J. Swoboda, Racine.
City Council, Sheboygan.
Mayor of Sheboygan.
Central Workers' Auxiliary, Sheboygan.
Federal Labor Council, No. 18545, Sheboygan.
International Boot and Shoe Makers' Union, No. 197, Sheboygan.
Upholsterers' Union, No. 133, Sheboygan.
Workers' Alliance, Sheboygan.
Central Cooperative Wholesale, Superior.
Aluminum Workers' Union, No. 19649, Two Rivers.
Waukesha Trades and Labor Council.
Miss Laura Deitzel, American Association of Social Workers, West Allis.
Milwaukee Urban League.

WYOMING ENDORSEMENTS OF THE WAGNER-STEAGALL BILL

Wyoming State Federation of Labor.
City Council, Casper.
J. F. Cowan, mayor of Casper.
Casper Building Trades Council.

EVA MARKOWITZ—CONFERENCE REPORT

Mr. BAILEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 358) for the relief of Eva Markowitz, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum "\$2,500" to insert "\$4,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum "\$50" to insert "\$90"; and the Senate agree to the same.

J. W. BAILEY,
PRENTISS M. BROWN,
ARTHUR CAPPER,

Managers on the part of the Senate.

AMBROSE J. KENNEDY,
ELMER J. RYAN,
FRANK CARLSON,

Managers on the part of the House.

The report was agreed to.

JOSEPH M. CLAGETT, JR.—CONFERENCE REPORT

Mr. BAILEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 730) for the relief of Joseph M. Clagett, Jr., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the figure "\$1,000" contained in the Senate amendment insert "\$1,500"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: Restore the language stricken out by the Senate amendment, and at the end thereof, on page 2, line 9, after the word "notwithstanding", insert a colon and the following proviso: "Provided further, That for the purpose of calculating the attorney fees allowed under this act the sum of \$4,500 shall be taken as the maximum amount of the annuity under the provisions of this act."; and the Senate agree to the same.

J. W. BAILEY,
ARTHUR CAPPER,

Managers on the part of the Senate.

AMBROSE J. KENNEDY,
ELMER J. RYAN,
FRANK CARLSON,

Managers on the part of the House.

The report was agreed to.

WALTER T. KARSHNER ET AL.—CONFERENCE REPORT

Mr. BAILEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1377) conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claims of Walter T. Karshner, Katherine Karshner, Anne M. Karshner, and Mrs. James E. McShane,

having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

On page 1, line 5, of the Senate engrossed amendment, in lieu of the sum "\$157.95", insert "\$600"; in line 6 of said engrossed amendment, in lieu of the sum "\$29.50", insert "\$80"; in line 6 of said engrossed amendment, in lieu of the sum "\$153.51", insert "\$600"; and in line 7 of said amendment, in lieu of the sum "\$139.50", to insert "\$300"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill; and agree to the same.

J. W. BAILEY,
PRENTISS M. BROWN,
ARTHUR CAPPER,
Managers on the part of the Senate.
AMBROSE J. KENNEDY,
ELMER J. RYAN,
FRANK CARLSON,
Managers on the part of the House.

The report was agreed to.

VENICE LA PRAD—CONFERENCE REPORT

Mr. BAILEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1945) for the relief of Venice La Prad, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the sum "\$500" to insert "\$750"; and the Senate agree to the same.

J. W. BAILEY,
ALLEN J. ELLENDER,
ARTHUR CAPPER,
Managers on the part of the Senate.
AMBROSE J. KENNEDY,
ELMER J. RYAN,
FRANK CARLSON,
Managers on the part of the House.

The report was agreed to.

MR. AND MRS. DAVID STOPPEL—CONFERENCE REPORT

Mr. BAILEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2562) for the relief of Mr. and Mrs. David Stoppel, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

J. W. BAILEY,
M. M. LOGAN,
ARTHUR CAPPER,
Managers on the part of the Senate.
AMBROSE J. KENNEDY,
ELMER J. RYAN,
FRANK CARLSON,
Managers on the part of the House.

The report was agreed to.

NOAH SPOONER—CONFERENCE REPORT

Mr. BAILEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3634) for the relief of Noah Spooner, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

J. W. BAILEY,
ALLEN J. ELLENDER,
ARTHUR CAPPER,
Managers on the part of the Senate.
AMBROSE J. KENNEDY,
ELMER J. RYAN,
FRANK CARLSON,
Managers on the part of the House.

The report was agreed to.

CABINET GORGE PROJECT, COLUMBIA RIVER—CONFERENCE REPORT

Mr. POPE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R.

114) to provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, for irrigation pumping or other uses, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and concur therein.

J. P. POPE,
CARL A. HATCH,
ALVA B. ADAMS,
J. G. TOWNSEND, Jr.,
PAT MCCARRAN,
Managers on the part of the Senate.
COMPTON I. WHITE,
J. W. ROBINSON,
PAUL R. GREEVER,
B. W. GEARHART,
J. C. OLIVER,
Managers on the part of the House.

The report was agreed to.

REDEFINITION OF JURISDICTION OF SPECIAL MEXICAN CLAIMS COMMISSION

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State recommending the enactment of legislation for the purposes described therein.

The recommendations of the Secretary of State have my approval, and I request the enactment of legislation for the purposes indicated, in order that the difficulty that has arisen in relation to the jurisdiction of the Special Mexican Claims Commission may be overcome.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 28, 1937.

[Enclosure: Report of the Secretary of State.]

DRAFT CONVENTIONS OF TWENTIETH SESSION OF INTERNATIONAL LABOR CONFERENCE

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States of America:

The Congress, by a joint resolution approved June 19, 1934, authorized me to accept membership for the Government of the United States in the International Labor Organization. Pursuant to that authorization, I accepted such membership on behalf of the Government of the United States.

Representatives of this Government and of American employers and American labor attended the twentieth session of the International Labor Conference, held at Geneva June 4 to 24, 1936.

That conference adopted three draft conventions and two recommendations, to wit:

The draft convention (no. 50) concerning the regulation of certain special systems of recruiting workers;

The recommendation (no. 46) concerning the progressive elimination of recruiting;

The draft convention (no. 51) concerning the reduction of hours of work on public works;

The draft convention (no. 52) concerning annual holidays with pay;

The recommendation (no. 47) concerning annual holidays with pay.

In becoming a member of the organization and subscribing to its constitution this Government accepted the following undertaking in regard to such draft conventions and recommendations:

Each of the members undertakes that it will, within the period of 1 year at most from the closing of the session of the conference, or if it is impossible owing to exceptional circumstances to do so within the period of 1 year, then at the earliest practicable moment and in no case later than 18 months from the closing of the

session of the conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action. (Art. 19 (405), par. 5, Constitution of the International Labor Organization.)

In the case of a federal state, the power of which to enter into conventions on labor matters is subject to limitations, it shall be in the discretion of that government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this article with respect to recommendations shall apply in such case. (Art. 19 (405), par. 9, Constitution of the International Labor Organization.)

In accordance with the foregoing undertaking the above-named three draft conventions and two recommendations are herewith submitted to the Congress with the accompanying report of the Secretary of State, and its enclosures, to which the attention of the Congress is invited.

I wish particularly to call to the attention of the Congress the draft convention (no. 51), concerning the reduction of hours of work on public works, and recommend that action be taken by the Congress on this draft convention at its earliest convenience.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 28, 1937.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

REGULATION OF PRODUCTION AND MARKETING OF SUGAR

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

To the Senate of the United States:

I transmit herewith an international agreement regarding the regulation of production and marketing of sugar and an annexed protocol concerning transitional measures, signed at London on May 6, 1937, by the delegates of the United States of America and certain other countries, to an international conference held for the purpose of considering the problems of such regulation. The agreement and protocol were signed in respect of the Commonwealth of the Philippines by a delegate representing the Commonwealth in the United States delegation.

The instruments have my approval and I request the advice and consent of the Senate to the ratification of the agreement. The agreement is designed to come into force on September 1, 1937, and it is a matter of great practical importance that the Senate give consideration to it at the present session. After the action that the Senate may take on the agreement, action by the Philippine Assembly will be necessary to implement the commitments made thereunder by the Commonwealth before I shall be in a position to ratify the agreement.

The attention of the Senate is invited to the report of the delegate of the United States to the London Conference, which I transmit with the agreement.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 28, 1937.

[Enclosures: Report of the Secretary of State; International Sugar Agreement; Report of the Delegate of the United States to the Sugar Conference at London.]

EXECUTIVE REPORTS OF COMMITTEES

Mr. PITTMAN, from the Committee on the Judiciary, reported favorably the following nominations:

Frank L. Middleton, of Elko, Nev., to be United States marshal for the district of Nevada, vice Harry C. Gravelle, resigned; and

William A. Holzheimer, of Alaska, to be United States attorney, division no. 1, District of Alaska.

Mr. VAN NUYS, from the Committee on the Judiciary, reported favorably the nomination of Ralph E. Jenney, of California, to be United States district judge for the southern district of California, to fill an existing vacancy.

Mr. O'MAHONEY, from the Committee on the Judiciary, reported favorably the nomination of Louis LeBaron, of Hawaii, to be first judge, circuit court, First Circuit of Hawaii, vice Norman D. Godbold, Sr., deceased.

Mr. HUGHES, from the Committee on the Judiciary, reported favorably the nomination of John A. Carver, of Idaho, to be United States attorney for the district of Idaho.

Mr. HATCH, from the Committee on the Judiciary, reported favorably the nomination of W. Joe Ballard, of Oklahoma, to be United States marshal for the western district of Oklahoma, vice W. C. Geers, whose term expired June 13, 1937.

Mr. MCGILL, from the Committee on the Judiciary, reported favorably the nomination of Thomas J. Morrissey, of Colorado, to be United States attorney for the district of Colorado.

Mr. HARRISON, from the Committee on Finance, reported favorably the following nominations:

Arthur A. Quinn, of New Jersey, to be comptroller of customs in customs collection district no. 10, with headquarters at New York, N. Y. (reappointment);

Passed Assistant Dental Surgeon Allen M. Perkins to be dental surgeon in the United States Public Health Service, to rank as such from May 29, 1937;

William B. George, of San Diego, Calif., to be collector of customs for customs collection district no. 25, with headquarters at San Diego, Calif. (reappointment);

Charles O. Dunbar, of Santa Rosa, Calif., to be collector of customs for customs collection district no. 28, with headquarters at San Francisco, Calif. (reappointment); and

Ernest L. Bailey, of West Virginia, to be State director, National Emergency Council, for West Virginia.

Mr. BLACK, from the Committee on Finance, reported favorably the nomination of Joseph H. Lyons, of Mobile, Ala., to be collector of customs for customs collection district no. 19, with headquarters at Mobile, Ala. (Reappointment.)

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

Mr. ROBINSON. I ask that the nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

PUBLIC UTILITIES COMMISSION

The legislative clerk read the nomination of Riley E. Elgen, of the District of Columbia, to be a member of the Public Utilities Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. KING. Mr. President, we have just confirmed the nomination of Mr. Elgen to be a member of the Public Utilities Commission of the District of Columbia. His term expires in a couple of days. It is very important that there be no interregnum; and I ask that the President be notified of his confirmation.

The PRESIDING OFFICER. Without objection, the President will be notified.

COAST AND GEODETIC SURVEY

The legislative clerk read the nomination of Glenn William Moore, of South Dakota, to be aide (with relative rank of ensign in the Navy).

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James Chisolm Tison, Jr., of South Carolina, to be junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy).

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Clarence Robert Reed, of North Dakota, to be junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy).

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Kenneth Surrell Ulm, of Massachusetts, to be junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy).

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Frank Gerard Johnson, of Massachusetts, to be hydrographic and geodetic engineer (with relative rank of lieutenant in the Navy).

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard.

Mr. ROBINSON. I ask that the nominations in the Coast Guard be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

POSTMASTER

The legislative clerk read the nomination of William A. Coates to be postmaster at Arlington, Va.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

WORKS PROGRESS ADMINISTRATION

The legislative clerk read the nomination of Harry W. Witters to be State administrator in the Works Progress Administration for Vermont.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CONSIDERATION OF TREATIES

Mr. ROBINSON. Mr. President, I ask the attention of Senators for a moment.

A large number of treaties are on the Executive Calendar of the Senate. It is not expected that they shall be taken up this afternoon; but I shall make a motion to proceed to the consideration of the first treaty with a view to having it the unfinished business, so that the Senate may take up the treaties tomorrow.

I move that the Senate proceed to the consideration of Executive J, Seventy-first Congress, first session, being the first treaty on the Executive Calendar.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider Executive J (75th Cong., 1st sess.), the treaty terminating article VIII of the treaty of December 30, 1853, signed by the Secretary of State and the Mexican Ambassador at Washington on April 13, 1937.

Mr. CLARK. Mr. President, I ask the Senator from Arkansas if it is the purpose to consider the Argentine treaty tomorrow.

Mr. ROBINSON. It is intended probably to bring that treaty forward, among others.

RECESS

Mr. ROBINSON. I now move that, in executive session, the Senate take a recess until 12 o'clock noon tomorrow, it being the intention at that time to give consideration to the various treaties that are on the Executive Calendar.

The motion was agreed to; and (at 5 o'clock and 28 minutes p. m.) the Senate, in executive session, took a recess

until tomorrow, Tuesday, June 29, 1937, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 28 (legislative day of June 15), 1937

ASSISTANT SECRETARY OF STATE

Hugh R. Wilson, of Illinois, to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

Miss Margaret M. Hanna, of Kansas, to be a Foreign Service officer of class 5, a consul, and a secretary in the Diplomatic Service of the United States of America.

CIVILIAN CONSERVATION CORPS

Robert Fechner, of Massachusetts, to be Director of the Civilian Conservation Corps.

WORKS PROGRESS ADMINISTRATION

Fred G. Healy, of New Mexico, to be State administrator in the Works Progress Administration for New Mexico, vice Lea Rowland.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO FINANCE DEPARTMENT

Maj. Leonard Henderson Sims, Infantry, with rank from October 1, 1935.

TO FIELD ARTILLERY

First Lt. Maddrey Allen Solomon, Infantry, with rank from June 13, 1936.

PROMOTIONS IN THE REGULAR ARMY

MEDICAL CORPS

To be lieutenant colonels

Maj. William John Miehle, Medical Corps, from July 1, 1937.

Maj. Claude Wiggins Cummings, Medical Corps, from July 5, 1937.

Maj. Robert Henry Lowry, junior, Medical Corps, from July 7, 1937.

Maj. Richard King Cole, Medical Corps, from July 8, 1937.

Maj. William White Southard, Medical Corps, from July 10, 1937.

To be majors

Capt. Douglas Sheldon Kellogg, Medical Corps, from July 1, 1937.

Capt. Loren Donovan Moore, Medical Corps, from July 1, 1937.

Capt. Arthur Brinkley Welsh, Medical Corps, from July 1, 1937.

Capt. Eugene Wycoff Billick, Medical Corps, from July 1, 1937.

Capt. Earle Standlee, Medical Corps, from July 1, 1937.

Capt. Cecil Walker Dingman, Medical Corps, from July 1, 1937.

Capt. William Kraus, Medical Corps, from July 1, 1937.

Capt. Reuel Edward Hewitt, Medical Corps, from July 1, 1937.

Capt. Martin Eugene Griffin, Medical Corps, from July 1, 1937.

Capt. Mack Macon Green, Medical Corps, from July 1, 1937.

Capt. William Edward Shambora, Medical Corps, from July 1, 1937.

Capt. Charles Henderson Beasley, Medical Corps, from July 1, 1937.

Capt. Clifford Albert Best, Medical Corps, from July 1, 1937.

Capt. Alvin Levi Gorby, Medical Corps, from July 4, 1937.

Capt. George Ellis Armstrong, Medical Corps, from July 9, 1937.

To be captains

First Lt. Donald Meyers Ward, Medical Corps, from July 1, 1937.

First Lt. Angvald Vickoren, Medical Corps, from July 1, 1937.

First Lt. William Earl Barry, Medical Corps, from July 1, 1937.

First Lt. Emmert Carl Lentz, Medical Corps, from July 1, 1937.

First Lt. James Leslie Snyder, Medical Corps, from July 2, 1937.

First Lt. Raymond Richard Johanson, Medical Corps, from July 2, 1937.

First Lt. Thair Cozzens Rich, Medical Corps, from July 2, 1937.

First Lt. Frank Hugh Lane, Medical Corps, from July 2, 1937.

First Lt. Byron Glen McKibben, Medical Corps, from July 2, 1937.

First Lt. John DeWitt Morley, Medical Corps, from July 2, 1937.

First Lt. Frederic Ebelhare Cressman, Medical Corps, from July 2, 1937.

First Lt. Robert Tuthill Gants, Medical Corps, from July 2, 1937.

First Lt. Edward Beebe Payne, Medical Corps, from July 2, 1937.

First Lt. George Foster Peer, Medical Corps, from July 2, 1937.

First Lt. Harold Everus Harrison, Medical Corps, from July 2, 1937.

First Lt. Marshall Nelson Jensen, Medical Corps, from July 7, 1937.

First Lt. Stephen Christopher Sitter, Medical Corps, from July 9, 1937.

DENTAL CORPS

To be major

Capt. Mackey Joseph Real, Dental Corps, from July 1, 1937.

VETERINARY CORPS

To be captains

First Lt. William Edwin Jennings, Veterinary Corps, from July 2, 1937.

First Lt. Curtis William Betzold, Veterinary Corps, from July 2, 1937.

CHAPLAIN

To be chaplain with the rank of captain

Chaplain (First Lt.) John Simeon Kelly, United States Army, from July 6, 1937.

APPOINTMENTS IN THE REGULAR ARMY

TO BE SECOND LIEUTENANTS WITH RANK FROM DATE OF APPOINTMENT

Second Lt. Carroll Thompson Newton, Corps of Engineers.

Second Lt. Donald Clinton Clayman, Infantry.

Second Lt. Joseph Warren Sisson, Jr., Infantry.

Second Lt. David Greene Hammond, Corps of Engineers.

Second Lt. Joseph Russel Groves, Infantry.

Second Lt. Robert Whitsett van de Velde, Field Artillery.

Second Lt. Arthur George Christensen, Infantry.

Second Lt. Harry Gantcliffe Benion, Infantry.

Second Lt. Arthur Howland Baker, Jr., Field Artillery.

Second Lt. Arthur Charles Harris, Jr., Infantry.

Second Lt. Linwood Eugene Funchess, Corps of Engineers.

Second Lt. Laurence Clifford Brown, Infantry.

Second Lt. Jesse Mecham, Infantry.

Second Lt. Walter Ward Davis, Infantry.

Second Lt. William Andrew Enemark, Field Artillery.

Second Lt. Merten Kenneth Heimstead, Infantry.

Second Lt. Thaddeus Ronsaville Dulin, Infantry.

Second Lt. Leon John de Penna Rouge, Infantry.

Second Lt. Gaylord Walton Fraser, Infantry.

Second Lt. William Sherbourne McCrea, Infantry.

Second Lt. Donald Frederick Thompson, Infantry.

Second Lt. John Gordon Nelson, Coast Artillery Corps.

Second Lt. Chester Martin Beaver, Infantry.

Second Lt. Edward Wallace McLain, Coast Artillery Corps.

Second Lt. John Unsworth Allen, Corps of Engineers.

Second Lt. Byron William Ladd, Infantry.

Second Lt. Lyman Hodges Ripley, Coast Artillery Corps.

Second Lt. Francis Carlton Truesdale, Infantry.

Second Lt. William Shepherd Humphries, Infantry.

Second Lt. Donald Washington, Infantry.

Second Lt. Charles Robert Etzler, Infantry.

Second Lt. Philip Cochran Tinley, Infantry.

Second Lt. Charles Murray Henley, Infantry.

Second Lt. John Brockway Rippere, Corps of Engineers.

Second Lt. Steve Archie Chappuis, Infantry.

Second Lt. Elmer Bolton Kennedy, Field Artillery.

Second Lt. James Jackson Stewart, Jr., Infantry.

Second Lt. Thomas Brownbridge Simpson, Corps of Engineers.

Second Lt. Paul Thomas Boleyn, Infantry.

Second Lt. Frederick William Nagle, Infantry.

Second Lt. Otho Anthony Moomaw, Coast Artillery Corps.

Second Lt. Jabus Willie Rawls, Jr., Coast Artillery Corps.

Second Lt. Andrew Buehler Zwaska, Infantry.

Second Lt. Jack Leslie Coan, Corps of Engineers.

Second Lt. Edward Francis Kent, Infantry.

Second Lt. George William Croker, Coast Artillery Corps.

Second Lt. Willard Wright Lazarus, Air Corps.

Second Lt. William Hart Hanson, Infantry.

Second Lt. John Willis Paddock, Infantry.

Second Lt. Joe Stallings Lawrie, Infantry.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICER

Brig. Gen. Charles Blaine Smathers, Pennsylvania National Guard, to be brigadier general, National Guard of the United States.

PROMOTIONS IN THE NAVY

Commander Olaf M. Hustvedt to be a captain in the Navy from the 1st day of June 1937.

Commander Harold C. Train to be a captain in the Navy from the 3d day of June 1937.

The following-named lieutenant commanders to be commanders in the Navy, to rank from the date stated opposite their names:

Laurance F. Safford, February 1, 1937.

Paul R. Glutting, March 1, 1937.

Alexander D. Douglas, June 3, 1937.

Theodore M. Waldschmidt, June 3, 1937.

Lt. Joseph A. Connolly to be a lieutenant commander in the Navy from the 8th day of May 1937.

The following-named lieutenants to be lieutenant commanders in the Navy from the 3d day of June 1937:

Alfred M. Granum

Joel Newsom

Harold A. Carlisle

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Lloyd J. S. Aitkens, June 30, 1936.

Ernest R. Perry, June 30, 1936.

Harry M. Denty, July 1, 1936.

John E. Burke, April 1, 1937.

Stephen N. Tackney, June 1, 1937.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 3d day of June 1937:

George K. Huff

Gerald L. Huff

William D. Thomas

William L. Kabler

Samuel C. Anderson

Clayton C. Marcy

Frank M. Adamson

Roy S. Benson

Ensign Julian S. Hatcher, Jr., to be a lieutenant (junior grade) in the Navy from the 1st day of June 1936.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 29th day of May 1937:

Carl R. Tellefsen

Eugene B. Hayden

Albert G. Pelling

Christopher S. Barker, Jr.

Harold J. Von Weller

Paul D. Duke

Jesse B. Burks

Robert A. Dawes, Jr.

Theodore H. Brittan

Harry S. Atherton

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 31st day of May 1937:

Harley K. Nauman	Curtis H. Hutchings
Brown Taylor	Wilbur H. Cheney, Jr.
Cedric W. Stirling	Robert E. Wheeler
Albert L. Becker	William N. Deragon
Eugene C. Rider	Robert A. Chandler
Ernest E. Christensen	Robert B. Crowell
George E. T. Parsons	Raymond Payne
Harry L. Thompson, Jr.	Edward J. Mulquin
Allyn Cole, Jr.	Francis E. Fleck, Jr.
Lowell S. Price	Thomas W. South, 2d
George M. Clifford	James E. Vose, Jr.
Edgar J. Hailey	John L. Foster
Richard H. O'Kane	Russell B. Allen

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 30th day of June 1936:

William D. Davis
Hardy V. Hughens
Henry Charles Weber

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 3d day of June 1937:

Roger D. Mackey	Maurice S. Mathis
Paul P. Maher	William W. Hall
Frederick W. Muller	

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 3d day of June 1937:

Clark G. Grazier
Adrian J. Delaney
James A. Price

CONFIRMATIONS

Executive nominations confirmed by the Senate June 28 (legislative day of June 15), 1937

DIPLOMATIC AND FOREIGN SERVICE

TO BE FOREIGN SERVICE OFFICERS, UNCLASSIFIED, VICE CONSULS OF CAREER, AND SECRETARIES IN THE DIPLOMATIC SERVICE

W. Stratton Anderson, Jr.	Gordon H. Mattison
William Barnes, 3d	Roy M. Melbourne
Aaron S. Brown	John F. Melby
Harlan B. Clark	Herbert V. Olds
William E. Cole, Jr.	Elim O'Shaughnessy
J. Dixon Edwards	Paul Paddock
Herbert P. Fales	Henry V. Poor
Julie L. Goetzmann	G. Frederick Reinhardt
Edmund A. Gullion	Milton C. Rewinkel
Kingsley W. Hamilton	Walter Smith
Fred Harvey Harrington	Charles W. Thayer
Francis C. Jordan	Ray L. Thurston
G. Wallace LaRue	Evan M. Wilson
Perry Laukhuff	Glen W. Bruner

PUBLIC UTILITIES COMMISSION

Riley E. Elgen to be a member of the Public Utilities Commission.

WORKS PROGRESS ADMINISTRATION

Harry W. Witters to be State administrator in the Works Progress Administration for Vermont.

COAST AND GEODETIC SURVEY

Glenn William Moore to be aide (with relative rank of ensign in the Navy).

James Chisolm Tison, Jr., to be junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy).

Clarence Robert Reed to be junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy).

Kenneth Surrell Ulm to be junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy).

Frank Gerard Johnson to be hydrographic and geodetic engineer (with relative rank of lieutenant in the Navy).

COAST GUARD OF THE UNITED STATES

Whitney M. Prall to be captain (engineering).

Rutherford B. Lank, Jr. to be constructor, with the rank of lieutenant commander.

Dale R. Simonson to be constructor, with the rank of lieutenant commander.

POSTMASTER

VIRGINIA

William A. Coates, Arlington.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 28, 1937

The House met at 12 o'clock noon.

Rt. Rev. Msgr. E. J. Connelly, pastor of St. Peter's Church, Washington, D. C., offered the following prayer:

We pray Thee, O God of might, wisdom, and justice, through whom authority is rightly administered, laws are enacted, and judgment decreed, assist with Thy Holy Spirit of counsel and fortitude this House of Representatives of the United States of America.

Let the light of Thy divine wisdom direct the deliberations of this honorable legislative body and shine forth in all the proceedings and laws framed for our rule and government so that they may tend to the preservation of peace, the promotion of national happiness, the increase of industry, sobriety, and useful knowledge, and may perpetuate to us the blessings of equal liberty. Amen.

The Journal of the proceedings of Thursday, June 24, 1937, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 9, 1937:

H. R. 3874. An act to extend the times for commencing and completing the construction of a bridge and causeway across the water between the mainland at or near Cedar Point and Dauphin Island, Ala.;

H. R. 4706. An act authorizing the State Roads Commission of the State of Maryland and the State Highway Department of the State of Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Point of Rocks in Frederick County and a point near the south end of Loudoun County to take the place of a bridge destroyed by flood in 1936;

H. R. 4801. An act authorizing the county of Wahkiakum, a legal political subdivision of the State of Washington, to construct, maintain, and operate a free highway bridge across the Columbia River between Puget Island and the mainland, Cathlamet, State of Washington;

H. R. 5467. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River between St. Louis, Mo., and Stites, Ill.;

H. R. 1232. An act for the relief of John W. Bolin; and

H. R. 6293. An act to adjust the rank of certain Coast Guard officers on the retired list.

On June 10, 1937:

H. R. 5206. An act for the relief of Jacob G. Ackerman;

H. R. 1304. An act for the relief of John E. Sandage;

H. R. 2554. An act for the relief of Frank Cubero; and

H. R. 4809. An act to authorize the Works Progress Administration to land or give World War relics and other property at Fort Eustis, Va., to the American Legion Museum at Newport News, Va.

On June 11, 1937:

H. J. Res. 334. Joint resolution to protect the copyrights and patents of foreign exhibitors at the New York World's Fair, to be held at New York City, N. Y., in 1939;

H. R. 1759. An act for the relief of Minnie D. Hines;