3128. Also, petition of the American Labor Party, Bronx, New York City, urging passage of the Black-Connery bill; to the Committee on Labor.

3129. Also, petition of the Artists Union of New York City, urging enactment of the Allen-Schwellenbach bill; to the Committee on Labor.

3130. By Mr. FITZPATRICK: Petition of the Central Trades and Labor Council of Greater New York City and Vicinity, urging the passage of the Schwellenbach-Allen resolution no. 440, providing for the reinstatement of all workers dismissed from Works Progress Administration projects; to the Committee on Appropriations.

3131. Also, petition of the American Labor Party of Bronx County, New York City, N. Y., strongly urging the passage of the Black-Connery wage and hour bill; to the Committee on Labor.

3132. By Mr. KEOGH: Petition of the Central Trade and Labor Council of Greater New York and Vicinity, endorsing the Schwellenbach-Allen resolution; to the Committee on Appropriations.

3133. Also, petition of the Educators Association, New York City, concerning the Black-Connery Fair Labor Standards Act of 1937; to the Committee on Labor.

3134. Mr. MERRITT: Resolution of the Citizens League Against Communism, Richmond Hill, N. Y., that a bill be introduced requesting Congressional investigation into the activities of the Communist Party and all its branches, to determine how many persons hold membership in said organizations, and who were granted the right of citizenship by taking the oath of allegiance to uphold the Constitution of the United States, and any and all of said persons, where it shall be determined holding membership in said organizations has violated said oath of allegiance, shall be deprived of the right of citizenship and therefore should be deported as undesirable aliens; to the Committee on the Judiciary.

3135. Mr. O'NEILL of New Jersey: Petition of Journeymen Barbers International Union, Local 296, Trenton, N. J., petitioning passage of Wagner-Steagall housing bill; to the Committee on Banking and Currency.

3136: Mr. PFEIFER: Petition of the United Hospital and Medical Workers, New York City, endorsing the Schwellenbach-Allen resolution; to the Committee on Appropriations.

3137. Also, petition of the Central Trades and Labor Council of Greater New York and Vicinity, endorsing the Schwellenbach-Allen joint resolutions (H. J. Res. 440 and S. J. Res. 176); to the Committee on Appropriations.

3138. Also, petition of the Federation of Architects, Engineers, Chemists, and Technicians, New York City, concerning the Schwellenbach-Allen joint resolutions; to the Committee on Appropriations.

3139. Also, petition of the Educators' Association, New York City, concerning the Connery-Black wage and hour bill; to the Committee on Labor.

3140. Also, petition of the Washington Housing Association, Washington, D. C., concerning the Wagner-Steagall housing bill; to the Committee on Banking and Currency.

3141. Also petition of the Office of the Council of the City of Cleveland, Ohio, concerning the Wagner-Steagall housing bill; to the Committee on Banking and Currency.

3142. By the SPEAKER: Petition of the Independent Order of Odd Fellows, United Lodge No. 4, Colorado, concerning social-security law and payment of taxes; to the Committee on Ways and Means.

SENATE

FRIDAY, AUGUST 6, 1937

(Legislative day of Thursday, July 22, 1937)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, August 5, 1937, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. MEGILL, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President.

S. 191. An act for the relief of Orson Thomas;

S. 449. An act for the relief of the estate of Charles Pratt;

S. 792. An act for the relief of Margaret Larson, a minor;

S. 893. An act conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Jack Wade, Perry Shilton, Louie Hess, Owen Busch, and William W. McGregor;

S. 972. An act for the relief of Ethel Smith McDaniel;

S. 1047. An act to authorize the city of Pierre, S. Dak., to construct, equip, maintain, and operate on Farm Island, S. Dak., certain amusement and recreational facilities; to charge for the use thereof; and for other purposes;

S. 1379. An act to authorize 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 to authorize said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original jurisdictional acts;

S. 1401. An act for the relief of Willard Collins;

S. 1453. An act for the relief of Maude P. Gresham and Agnes M. Driscoll;

S. 1935. An act to authorize and direct the Comptroller General of the United States to allow credit for all outstanding disallowances and suspensions in the accounts of disbursing officers or agents of the Government for payments made pursuant to certain adjustments and increases in compensation of Government officers and employees;

H. R. 7472. An act to provide additional revenue for the District of Columbia, and for other purposes; and

S. J. Res. 171. Joint resolution relating to the employment of personnel and expenditures made by the Charles Carroll of Carrollton Bicentenary Commission.

CALL OF THE ROLL

Mr. LEWIS. It is apparent that we have not now a quorum, and I suggest its absence, and ask for a roll call.

The VICE PRESIDENT. The clerk will call the roll.

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

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

Mr. LEWIS. I announce that the Senator from Wisconsin [Mr. DUFFY] and the Senator from Georgia [Mr. RUSSELL] are absent on official duty as members of the committee to attend the dedication of the battle monuments in France.

I further announce that the Senator from Arkansas [Mrs. CARAWAY] is unavoidably detained; that the Senator from Idaho [Mr. POPE], and the Senator from New York [Mr.

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COPELAND] are absent on official business, and that the Senator from New Jersey [Mr. SMATHERS] is absent because of illness in his family.

Mr. SCHWELLENBACH. I announce that the Senator from Nebraska [Mr. NORRIS] is detained from the Senate because of illness.

Mr. AUSTIN. I announce that my colleague the junior Senator from Vermont [Mr. GIBSON] is absent in the performance of official duty as a member of the committee to attend the dedication of the battle monuments in France.

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

PETITION FOR AGRICULTURAL RELIEF

Mr. McKELLAR. Mr. President, I ask unanimous consent that I may make a statement which will occupy only about an eighth of a minute.

The Senator from Arkansas [Mrs. CARAWAY] asked me to state to the Senate that she desired to have her name signed to the petition concerning cotton which was put in the RECORD yesterday.

Mr. SHEPPARD. Mr. President, I ask unanimous consent to have printed in the RECORD in connection with my remarks a telegram from Mr. H. G. Lucas, president, Texas Agricultural Association, sent to the Senator from Alabama [Mr. BLACK], dealing with the agricultural situation.

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

BROWNWOOD, TEX., *August 6, 1937.*

Hon. HUGO L. BLACK,
Senator from Alabama, Senate Office Building:

Texas and southern farmers appreciate your activity in submitting a petition for crop-control program this session of Congress. Our farmers are overwhelmingly behind the farm bill H. R. 7577, which was presented by farm leaders to Senate Agricultural Committee in May. Our organization has requested Senators SHEPPARD and CONNALLY and Texas Congressmen to work for passage of above bill this session. If this cannot be done we favor recessed or special session in October for consideration of this important matter. Southern cotton farmers face disaster in spite of bountiful crop unless 12-cent loan is provided; optional method would be adjusted payment by A. A. A. to farmers cooperating in Government program of difference between sales price and 12 cents. Farmers appreciate your activity and interest in this matter.

H. G. LUCAS,
President, Texas Agricultural Association.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate 14 letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers on the files of the Departments of State, Treasury, War, Navy, Interior, Agriculture, Commerce, and Labor, and the Civil Service Commission (2 lists), the Federal Trade Commission, the Veterans' Administration, the Federal Communications Commission, and the Federal Emergency Administration of Public Works, recommended for disposition as having no permanent value or historical interest, which, with the accompanying papers, were referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. McNARY members of the committee on the part of the Senate.

PETITION

The VICE PRESIDENT laid before the Senate a resolution adopted by the International Association of General Chairmen, Brotherhood of Railroad Trainmen, assembled at Cleveland, Ohio, favoring the enactment of 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, which was ordered to lie on the table.

HOUSE BILL REFERRED

The bill (H. R. 5417) to provide for the measurement of vessels using the Panama Canal, and for other purposes, was read twice by its title and referred to the Committee on Interoceanic Canals.

REPORTS OF COMMITTEES

Mr. OVERTON, from the Committee on Commerce, to which was referred the bill (S. 2520) declaring Bayou Savage, also styled Bayou Chantilly, in the city of New Orleans, La., a nonnavigable stream, reported it without amendment and submitted a report (No. 1127) thereon.

Mr. LOGAN, from the Committee on Claims, to which was referred the bill (S. 2487) for the relief of Leah P. Rice, reported it with an amendment and submitted a report (No. 1128) thereon.

He also, from the same committee, to which was referred the bill (S. 82) for the relief of F. A. Rumery & Sons, of Portland, Maine, reported it with amendments and submitted a report (No. 1129) thereon.

He also, from the same committee, to which was referred the bill (H. R. 3960) for the relief of the Southern Overall Co., reported it without amendment and submitted a report (No. 1130) thereon.

Mr. ELLENDER, from the Committee on Claims, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 2504. A bill for the relief of James W. Gilson (Rept. No. 1131); and

S. 2606. A bill for the relief of the Chicago, Milwaukee, St. Paul & Pacific Railroad Co. (Rept. No. 1132).

Mr. ELLENDER also, from the Committee on Claims, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 1255. A bill for the relief of Harold Garr, Chester H. Peters, Harry B. Swift, Dr. Abraham A. Mills, Charles L. Harris, O. W. Morgan, F. G. E. Carlson, Harold S. Fraine, Owen E. Steele, W. C. Mudge, Jr., George F. Poutasse, Paul P. Pickle, W. D. Hiltbrand, Arthur P. LeBel, K. E. Hill, Annie McGowan, Ralph Thompson, and Rosamond M. MacDonald (Rept. No. 1133); and

S. 2602. A bill for the relief of George Yuhas (Rept. No. 1134).

Mr. SCHWARTZ, from the Committee on Claims, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 1697. A bill for the relief of Mrs. W. B. Nix and Mrs. J. A. Nix (Rept. No. 1135); and

S. 2488. A bill for the relief of Bonnie Straley (Rept. No. 1136).

Mr. BAILEY, from the Committee on Claims, to which was referred the bill (S. 2514) for the relief of Harry A. Garfield, Cyrus Garnsey, Jr., James H. Allport, and Frank E. Harkness, reported it with an amendment and submitted a report (No. 1137) thereon.

Mr. HUGHES, from the Committee on Claims, to which was referred the bill (S. 2378) for the relief of Sam Green, reported it without amendment and submitted a report (No. 1138) thereon.

He also, from the same committee, to which was referred the bill (S. 213) for the relief of Ida A. Gunderson and her three minor daughters, reported it with amendments and submitted a report (No. 1139) thereon.

Mr. SCHWELLENBACH, from the Committee on Claims, to which was referred the bill (S. 180) for the relief of Lula G. Sutton and others, reported it with amendments and submitted a report (No. 1140) thereon.

Mr. BLACK, from the Committee on Education and Labor, to which was referred the bill (S. 2705) to provide for the taking of a census of employment, unemployment, and occupations, and for other purposes, reported it with amendments and submitted a report (No. 1141) thereon.

Mr. CLARK, from the Committee on Interoceanic Canals, to which was referred the bill (H. R. 5417) to provide for the measurement of vessels using the Panama Canal, and for other purposes, reported it with an amendment and submitted a report (No. 1142) thereon.

Mr. MINTON, from the Committee on Military Affairs, to which was referred the bill (S. 1898) to authorize the Secre-

tary of War to furnish certain markers for certain graves, reported it with an amendment and submitted a report (No. 1143) thereon.

Mr. THOMAS of Oklahoma from the Committee on the Library, to which was referred the bill (H. R. 6482) providing for cooperation with the State of Oklahoma in constructing a permanent memorial to Will Rogers, reported it without amendment and submitted a report (No. 1144) thereon.

Mr. THOMAS of Utah, from the Committee on Education and Labor, to which was referred the joint resolution (S. J. Res. 176) favoring employment by the Works Progress Administration of persons unable to find employment in private industry, reported it with amendments and submitted a report (No. 1145) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. NEELY:

A bill (S. 2923) granting a pension to Ruby McIntosh; to the Committee on Pensions.

By Mr. GUFFEY:

A bill (S. 2924) authorizing the Interstate Bridge Commission of the State of New York, and the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Delaware River between points in the village of Barryville, Sullivan County, N. Y., and the village of Shohola, Pike County, Pa.; to the Committee on Commerce.

By Mr. BARKLEY:

A bill (S. 2925) authorizing the President to order Frederick W. Stewart, lieutenant colonel, United States Army, retired, before a retiring board for a hearing of his case; to the Committee on Military Affairs.

By Mr. BROWN of New Hampshire:

A joint resolution (S. J. Res. 198) giving advance consent to compacts relating to flood-control projects in the Connecticut River Basin; to the Committee on Commerce.

By Mr. PITTMAN:

A joint resolution (S. J. Res. 199) to authorize an appropriation for the expenses of participation by the United States in the Eighth International Road Congress in 1938; to the Committee on Foreign Relations.

WITHDRAWAL OF AMERICAN TROOPS FROM CHINA

Mr. LEWIS. Mr. President, I ask unanimous consent that I may tender a resolution and request that it lie on the table. I shall not occupy the time of the Senate in delay of the pending measure longer than merely to read my resolution.

The resolution (S. Res. 170) reads, as follows:

Resolved, That the Secretary of War report to the United States Senate, if not incompatible to the public interest, if there be existing reasons sufficient for the holding of the present troops now stationed in China in the war zone between Tientsin and Peiping, and if it be advisable that the troops continue in their present situation serving as military of the United States.

In view of the address I delivered the day before yesterday and then having suggested the tendering of a resolution, I beg to comply with my promise.

The VICE PRESIDENT. Without objection, the resolution will be received, printed, and lie on the table.

H. B. SHELTON AND OTHERS

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 826) for the relief of the estates of H. Lee Shelton and Mrs. H. Lee Shelton, Mrs. J. R. Scruggs, and Mrs. Irvin Johnson, which were, on page 1, line 6, to strike out $7,500" and insert "$5,000"; on page 1, line 7, to strike out "plus $18.27 court costs"; on page 1, lines 8 and 9, to strike out "plus $13.60 court costs"; on page 1, line 10, to strike out "$5,000" and insert "$3,000"; on page 1, lines 10 and 11, to strike out "plus $10.60 court costs"; on page 1, line 12, to strike out "plus $13.60 court costs"; on page 2, line 8, to strike out all after "rendered" down to and including "satisfied" in line 9 and insert "in the Circuit Court of Pittsylvania County, Va., against C. S. Blanks, employee of the Soil Conservation Service, Department of Agriculture, are released and fully satisfied of record by the claimants herein"; and to amend the title so as to read: "An act for the relief of the estate of H. Lee Shelton, the estate of Mrs. H. Lee Shelton, Mrs. J. R. Scruggs, and Mrs. Irvin Johnson."

Mr. BYRD. I move that the Senate concur in the House amendments.

The motion was agreed to.

DRAFT MONEY IN CASE OF WAR—RADIO ADDRESS BY SENATOR LEE

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD an address delivered by Senator LEE yesterday over the Columbia Broadcasting System on the subject Draft Money in Case of War, which appears in the Appendix.]

BUSINESS AND POLITICS—ADDRESS BY HON. JAMES A. FARLEY

[Mr. BULKLEY asked and obtained leave to have printed in the RECORD an address on the subject of Business and Politics, delivered by Hon. James A. Farley at Akron, Ohio, Wednesday, Aug. 4, 1937, which appears in the Appendix.]

WOOD AND TREES—ADDRESS BY JAMES W. MORRIS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address entitled "Wood and Trees", delivered by James W. Morris, Assistant Attorney General, at a Democratic rally at Celoron, N. Y., on July 25, 1937, which appears in the Appendix.]

PROSPERITY, POWER, AND PROPERTY PROTECTION DEVELOPED BY WATER—ARTICLE BY DR. ARTHUR E. MORGAN

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an article by Dr. Arthur E. Morgan, Chairman, Tennessee Valley Authority, published in the Saturday Evening Post of Aug. 7, 1937, on the development of water resources, which appears in the Appendix.]

PRESIDENT ROOSEVELT'S COURT PLAN—ADDRESS BY JOHN Q. ZUCK

[Mr. FRAZIER asked and obtained leave to have printed in the RECORD a radio address on the subject of President Roosevelt's Court plan delivered by John Q. Zuck, of Roosevelt County, Mont., which appears in the Appendix.]

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 has approved and signed the following acts:

On August 4, 1937:

S. 774. An act to incorporate the Marine Corps League; and

S. 2416. An act relating to the citizenship of certain classes of persons born in the Canal Zone or the Republic of Panama.

On August 5, 1937:

S. 2067. An act to provide for, foster, and aid in coordinating research relating to cancer; to establish the National Cancer Institute; and for other purposes;

S. 2116. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Miss.;

S. 2147. An act to amend provisions of the Agricultural Marketing Agreement Act of 1937; and

S. 2205. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.

LOW-COST HOUSING

The Senate resumed the consideration of the bill (S. 1685) to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of

business activity, to create a United States Housing Authority, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. LOGAN] to the amendment in the nature of a substitute reported by the committee. The amendment to the amendment will be stated.

The CHIEF CLERK. In the committee amendment, on page 38, line 7, after the word "created", it is proposed to insert a comma and the following words:

In the Department of the Interior and under the general supervision of the Secretary thereof.

Mr. LEWIS. Mr. President, I wish to say a few words and only a few words on a specific matter, the amendment of the Senator from Kentucky. I have surrendered my own amendment as I feel it is served by the amendment of the Senator from Kentucky.

Mr. President, I am sure the Senator from New York has no intention of reflecting upon the splendid services which have been rendered by the administrator of whom we speak as the Secretary of the Interior—Mr. Ickes. Yet, sir, I cannot understand what is the meaning or the basis of the contention of those who say that he wishes to assume or has usurped functions not properly belonging to him and who wish to discharge him from the duties he has undertaken as administrator in the matter of housing and the different forms of new construction. The work of Administrator Ickes universally has been greatly praised; there is no charge anywhere of incompetence. Under no surroundings has anyone arisen to intimate the slightest suggestion of dishonor in the disbursement by Administrator Ickes of such large sums as have not been paralleled in the exact experience of similar power under any administration heretofore.

Mr. President, I fear that an attempt to change the administration from him, under whatever guise it may be put, would be construed over the country as a reflection upon his service. There would follow from sinister sources an intimation that there is something wrong with his administration as Secretary of the Interior and Administrator of Housing. As Secretary Ickes is from my own State, Illinois, named to his honor from Illinois, and is one whom I know in person as a high-class gentleman and an official whom the Senate knows as a good administrator, I am unable to see why there should be divisions in the administration of housing projects—now under him—nor why authority should be taken from him in the great work which he has been doing.

I therefore say, sir, that in that work, in order that it shall be completed along the line in which it has been initiated, there ought not to be a change. To do so would be to produce confusion; it would produce embarrassment to the Government. But, in behalf of Mr. Ickes as the administrator, I protest against these subterranean movements from any source whatever that seem to have for their purpose as I see it the hope that the new constitution and proposed arrangement, whatever it will be, will grant new privileges to builders—those who sell the lumber and cement and those who wish to contract for construction work, for I cannot conceive whence this opposition comes unless it be charged to such covert influences. I therefore express these sentiments as information and demand the support of the amendment.

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

Mr. LEWIS. I will yield in a moment. The Senator from Missouri yesterday made the only suggestion that has been made at all in connection with the service, and that is the dissatisfaction as to the method in which it is administered in certain localities. I must say that likewise applies to certain sections of Chicago; but I do not feel it justifies the reflections that will follow through a change from Mr. Ickes, and, therefore, I protest against the amendment being rejected because of the direct implication that would unjustly follow.

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

Mr. LEWIS. Certainly.

Mr. CLARK. The Senator is undoubtedly familiar with the fact that at the present time the Department of the Interior has no jurisdiction of any sort, character, or description over the question of housing, and therefore it is certainly no reflection on the Interior Department or the Secretary of the Interior for the Congress to set up a housing authority. It is not, as has been intimated here and as I understand the Senator from Illinois to intimate now, a question of transferring some activity or some authority from the Interior Department, because the Interior Department has never had the slightest jurisdiction over any housing activity of any sort. On the contrary, it is merely a question of the Interior Department reaching out to enlarge its authority.

Mr. LEWIS. Mr. President, I have said that Mr. Ickes was referred to as Secretary of the Interior but described as an administrator. I refer to him as Secretary of the Interior to wholly identify the office. I am conscious of the fact that in his Department has been created this new authority and it is as administrator that the Secretary administers the new authority. Yes, sir; one cannot avoid a feeling that, while no intimation of incompetence, no suggestion of dishonor, may be intended, yet to have taken from him his work and authority, all to be placed in new hands, an activity over which he has had jurisdiction, leaves all where they cannot escape the implication—that the gentleman who is Secretary of the Interior and a member of the Cabinet had something about him or his administration that has suggested the necessity for that change, and that is the implication against which I seek to defend and which I oppose.

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

Mr. LEWIS. Certainly.

Mr. McKELLAR. While it may be entirely true that Mr. Ickes, as Secretary of the Interior, has not had housing projects under him, at the same time under the P. W. A. Act he is Administrator of the P. W. A. and as Administrator of the P. W. A., having its offices in his Department, he has control of the housing activities of the P. W. A.

I want to say for Mr. Ickes that, so far as my State is concerned, and I believe so far as every other State about which I have information is concerned, the job done by Mr. Ickes in the Housing Division has been a perfectly splendid job. That Division has constructed buildings and houses which have been for the most part permanent. It has greatly aided in every way the housing projects of the country, and it has done so in a masterly manner. I think it would be a most excellent plan to have the housing project contemplated in the pending bill put under the general jurisdiction of Mr. Ickes, whether as public administrator or as Secretary of the Interior, it makes no difference. He has shown himself to be a very able and splendid administrator of this kind of project, and it seems to me he ought to have jurisdiction over it.

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

Mr. LEWIS. I am glad to yield to my able friend from Missouri.

Mr. CLARK. I simply desire to say it involves no reflection on Secretary Ickes, either in his capacity as Secretary of the Interior or in his capacity as Administrator of the Public Works Administration, or as a man and a citizen, for one to be opposed to placing this housing activity as a bureau in the Department of the Interior. It seems to be the prevalent impression here that any time any Senator opposes the transfer of some new activity to the Department of the Interior, he is slapping at Mr. Ickes or stepping on his toes.

I am opposed to the effort of Mr. Ickes to grab the Forestry Service out of the Agricultural Department and transfer it to the Interior Department, an effort which he has been making very actively for the last 2 or 3 years. But, because I am opposed to the transfer of the Forestry Service to the jurisdiction of the Department of the Interior, it involves no reflection on Mr. Ickes as Administrator or

as a man. It is simply a matter for Congress to determine and therefore it seems to me it comes with very poor taste for Mr. Ickes or any of his supporters, when Congress is endeavoring to determine the matter of policy with reference to housing, to say it is a reflection on Mr. Ickes if we do not give the Department of the Interior a jurisdiction it never has had.

Mr. LEWIS. Mr. President, I deplore to say that I fear that the objection which has arisen with reference to some department of Mr. Ickes, whether it be Forestry or another, is that which has impelled the expression of objections to further housing projects remaining in his control and under his charge. It is such as this which has stimulated certain opposition to the amendment of the Senator from Kentucky. I know we cannot escape at times having grievances against men in the Cabinet because they cannot accommodate us all and oftentimes have to disappoint us. But the present movement is not the commendable manner to present their objections as to separate departments and their destiny.

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

Mr. LEWIS. Certainly.

Mr. VANDENBERG. I cannot cast my vote for this amendment on any such hypothesis as the Senator from Illinois submits. My opinion of Mr. Ickes is the highest. He has been a very excellent Administrator of the act under this administration. I have a very high regard for Colonel Hackett. However, it seems to me the chief housing responsibility which has come to the Department of the Interior has come through the P. W. A. P. W. A. is an emergency institution. If we now put a permanent housing program under what is primarily P. W. A. auspices, it occurs to me we are proposing to make P. W. A. a 60-year enterprise also, and I am opposed to that, and it is on that basis I shall vote.

Mr. BURKE. Mr. President, will the Senator from Illinois yield?

Mr. LEWIS. Certainly.

Mr. BURKE. I invite the attention of the Senator to this point, which seems to me clear, and ask his opinion thereon. The bill we now have before us apparently is drawn upon the theory and based upon the fact that we are to have a wholly independent tribunal and authority to administer it. That theory seems to run all through the bill. If we now proceed along a different line and say the authority we set up, under this board of directors, to whom we pay high salaries and require confirmation of the members thereof by the Senate, is to be a mere bureau in the Department of the Interior, I think the bill should be sent back to the committee to be entirely rewritten on that basis. Otherwise, we have a very unfortunate mixture here.

Mr. LEWIS. I concur with the Senator from Nebraska in the suggestion that if we are to have these conflicting agencies it is unfortunate. But I point out, the work having been begun and being carried on by the Administrator, holding the Housing Authority and exercising and exerting it in a manner about which there is no complaint, the work he has been doing ought to be finished, and that which has been initiated by him should be continued to the end. Then, if it should be provided that some other agency shall be created to undertake a new work upon a new policy, it will be time then to initiate changes; but at present the implication is too apparent, and to take away from the Administrator his office and authority while the work is being done carries with it the suggestion of some form of objection or intimation against the Administration that ought not to be allowed to rest as it now lies.

Mr. MURRAY. Mr. President, I have had some familiarity with the Public Works Administration activities, and I have found in my State they have done a splendid job. I think it would be a great mistake if these new housing activities should not be placed under the Secretary of the Interior. It seems to me the work he has done, although it has been done through an emergency organization, has established the fact that it is one of the most effective agencies in the struggle to overcome the depression created during the present administration. I believe the proposed housing activities should be carried on under the direction and supervision of the Administrator of that organization.

I have the honor to be a member of the Committee on Education and Labor. I recall there were no witnesses who appeared there who opposed having this new activity placed under the supervision of the Administrator of the Public Works Administration. Not one of the 22 witnesses who appeared before the committee and discussed this bill opposed a provision which would give the Secretary of the Interior general supervision over the United States housing authority. In fact, several witnesses appeared and testified to the high character of the work done by Secretary Ickes in the administration of the P. W. A. It would be a grave mistake, in my opinion, not to have the new housing administration carried on under the administrator of an agency which has carried on similar activities during several years with such a singular degree of success.

Mr. CLARK. Mr. President, the suggestions of the Senator from Montana [Mr. MURRAY] are once more merely repetition of the impression that there is a transfer of authority in the bill and a taking away from the Interior Department of some jurisdiction it now has. It seems to me it cannot be too strongly emphasized that the Interior Department at the present time has absolutely no jurisdiction on the face of the earth over any housing activity. Such housing activities as Secretary Ickes has personally exercised any jurisdiction over, as the Senator from Michigan [Mr. VANDENBERG] pointed out a moment ago, have to do with a temporary activity, an emergency activity, created for the purpose of an emergency and strictly limited as to its duration.

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

Mr. CLARK. I yield to the Senator from Kentucky.

Mr. LOGAN. Leaving all of that out of the question, we now have an attempted reorganization of the agencies of the Federal Government.

Mr. CLARK. Then why does not the Senator wait until the reorganization bill comes up?

Mr. LOGAN. Let me finish my question, if the Senator will be so kind. It is objected by some of our brethren on the other side and some on this side that the reorganization plan is bad because it empowers the President of the United States to place agencies in different places, and that that is the duty of Congress. I believe we all agree that that would be best. Now Congress is creating an independent agency. Congress should have the power and should exercise the power, should it not, to place that agency under the head of some one of the departments? Does not the Senator agree that we should not create independent establishments without placing them under the head of some department of the Government at this time, if we are going through with the reorganization? To say, "Wait for the reorganization bill" does not answer the question. Congress itself ought to do this.

Mr. CLARK. I will say to the Senator from Kentucky that, so far as I am concerned, I should not be willing to grant the power contained in this bill to a mere bureau head in some department. I will say further that if we are going to place this new authority under any other head, I think it should be placed under the head of the Federal Housing Administration, which has done a very much better job in its field than the Housing Administration of the Public Works Administration has done.

I am in favor of the bill as it is written. I agree with the Senator from Nebraska [Mr. BURKE] that if the amendment of the Senator from Kentucky should be adopted, the bill should be sent back to the committee to be entirely revamped, because the amendment would completely change the theory of the measure. I submit, however, that in this experiment—and it is confessedly in the nature of an experiment and a demonstration of what may be done, as well as the beginning of what we all hope will be a very successful enterprise—the structure of this bill is preferable to placing this authority under any other governmental agency.

Mr. LEWIS. Mr. President——

Mr. CLARK. I yield to the Senator from Illinois.

Mr. LEWIS. Referring to the observation of the Senator from Michigan [Mr. VANDENBERG] as to the P. W. A., which is under the administration of Mr. Ickes, since the work has gone on under that designation, and since the work seems to have been well done, and there is no complaint as to the work, generally speaking, either for want of competence or want of honesty, and since there is no imputation as against Mr. Ickes' administration, I ask the able Senator from Missouri why that work should be now intercepted, obstructed, and interfered with by new agencies that step in without knowledge of what has been done in the past, when it can be finished and carried on by the same efficiency and honor and competence that has already administered it? It is that to which I refer; and I ask my able friend from Missouri why should that be interfered with?

Mr. CLARK. I shall be very glad to elucidate that matter for the information of my friend from Illinois.

As the Senator from Michigan said a few moments ago, the P. W. A. is an emergency activity, of limited duration, which would have expired a few months ago except for the action of Congress in temporarily continuing it under certain conditions, while this bill contemplates the setting-up of machinery which it is hoped will prove so successful that it may grow and expand and do a great national work. The purpose of placing this activity as a bureau under the Department of the Interior would simply be to give the Interior Department jurisdiction of an entirely new subject. There has been, to be sure, a housing bureau in the Public Works Administration. Opinions may differ as to its success. I am not now reflecting on the success of that activity in the Public Works Administration; but there have been many other governmental housing administrations, none of them under the Department of the Interior, and this proposal simply contemplates an expansion of the Department of the Interior. No other purpose could possibly be accomplished by it.

Let me say that I entirely agree with what the Senator from Illinois has said as to the high character and ability of Mr. Ickes. I also have the very highest opinion of Colonel Hackett and of Colonel Clark and of the other heads of the P. W. A. It is not any reflection on any of them for Congress at this time to say that it desires to put this new and great activity in the hands of an independent agency which shall be directly responsible to Congress, and which will be enabled, without conflict with any administrator or any head of a Department, to work out the task which Congress is assigning to it in this measure.

Mr. ADAMS. Mr. President——

Mr. CLARK. I yield to the Senator from Colorado.

Mr. ADAMS. If the Senator will be kind enough to yield, I wish to direct his attention to subsection (c) on page 40, for this purpose. The section provides that the President may at any time transfer to the Authority any assets or property of any housing agency. I am wondering if the Senator understands from that, as it seems to me, that the President could transfer to this agency the Federal Housing Administration's assets and property, which include certain funds which are there as guaranty funds; whether under that subsection the housing activities of the Resettlement Administration could be transferred; whether under that subsection the housing activities of the Public Works Administration could be transferred.

To me, the term "housing" is a broad one. The term "slum clearance", of course, does not include any of those activities. When it comes to the term "housing", I am wondering if that is a broad enough term so that the President, if he saw fit, could concentrate within this authority all building activities which could be brought under the term "housing."

Mr. CLARK. I should be of opinion that the terms "housing" and "slum clearance" should be read as one term, and therefore the subsection would have to do with housing activities as slum clearance; but while that has nothing to do with the pending amendment, so far I am concerned, I should be very happy to vote for an amendment making that matter specific, because I do not think such activities as Federal housing, particularly the guaranty feature, should be transferred to the authority set up in this bill, and I do not think it is the intention of the bill to do that.

Mr. BORAH. Mr. President, I desire to ask the Senator a question.

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

Mr. BORAH. Aside from the question whether or not the Interior Department at the present time has any similar work to the type devolved upon this authority, is it not better to have all these authorities under a Cabinet officer, under a permanent department of the Government the head of which is a member of the President's Cabinet?

Mr. CLARK. I will say to the Senator from Idaho that, so far as I am concerned, I have never been of that opinion. My great objection to a great many of the activities of the Government is that they tend to degenerate into bureaucracies. I should much prefer to have this new and particularly experimental activity in the hands of an authority the members of which are appointed by the President and confirmed by the Congress than to have at the head of a bureau a mere bureaucrat to be appointed by some Cabinet officer over whom the Congress would have no control.

Mr. BORAH. A Cabinet officer is a member of the President's family, and the President is supposed to be the author of our policies while he is in power.

Mr. CLARK. I am perfectly familiar with the theory advanced by the Senator. It so happens that I do not agree with it, and I never have.

Mr. HATCH and Mr. WAGNER addressed the Chair.

Mr. WAGNER. Does the Senator from New Mexico wish to take the floor at this time?

Mr. HATCH. I merely wish to ask a question or two, so that perhaps the Senator from New York will be able to clear up some things that are in my mind. I prefer to let him do it in my time rather than to take his time.

As a result of the argument which has been made this morning—I did not hear all of the discussion that took place yesterday—I have become somewhat confused, because it would seem to be indicated by the argument and objections which are raised that the amendment of the Senator from Kentucky would remove from the authority some of the powers which are conferred by the bill, and transfer those powers to the Secretary of the Interior. I have been reading the amendment of the Senator from Kentucky, and I fail to find in it any such provision. It seems to me, as I now read the bill, that the bill sets up the housing authority, and, of course, it is given full control of its own operations. Am I correct in that?

Mr. WAGNER. Does the Senator mean in the bill as it now is?

Mr. HATCH. Yes.

Mr. WAGNER. The Senator's statement is correct.

Mr. HATCH. And if the amendment of the Senator from Kentucky should be adopted, none of that authority would be taken from the Board. Am I correct in that?

Mr. WAGNER. No. I suppose I am not betraying any confidence when I say that I inquired of the Senator from Kentucky exactly what "general supervision" meant, and he told me candidly that he was unable to tell me exactly what it meant.

Mr. LOGAN. Mr. President, I may say that that provision is taken verbatim from the Bankhead-Jones Tenant Act. I do not want to transgress the rules of the Senate. I think both the Senator from New York and I have exhausted our time on this question.

Mr. WAGNER. Not on the amendment.

Mr. LOGAN. What I mean is that while the term "general supervision" cannot be defined in any better terms, it means the general direction and not the specific control of the board. It would be my judgment that it means "in an advisory capacity", but I cannot define what "general supervision" means.

Mr. HATCH. As I read the bill, the power is still vested in the board.

Mr. LOGAN. That is correct.

Mr. HATCH. On page 39, paragraph (d), I read this:

The board shall determine all matters of policy and shall exercise the powers hereinafter granted to the authority.

That provision seems to me to be a very plain and specific language, and it does give the power to the board. I am confused, however, about just what authority the Secretary of the Interior would have.

Mr. LOGAN. If the Senator will permit me——

Mr. HATCH. I yield to the Senator from Kentucky.

Mr. LOGAN. The Senator is well aware of the fact that there is an effort to bring all of these independent agencies under some Cabinet officer. The argument in favor of that proposition, as I have understood it, has been that instead of the independent agency reporting directly to the President, it would report to the Cabinet officer, and the Cabinet officer in turn would report to the President. The purpose of this amendment is to do no more than to bring this independent agency, when we create it, under one of the Cabinet officers; and the general supervision that would exist would be to advise and report to the Secretary, and the Secretary would report to the President. That is about all that my amendment does.

Mr. HATCH. If the Senator from Kentucky will pardon me, it occurs to me that his amendment is a very harmless thing.

Mr. LOGAN. I think that is true, and it may be that the whole program to bring all the independent agencies under 12 departmental heads is rather harmless; but it is a step, and we cannot deny the President the right to do it and say that Congress has the power, and then, when we create one of these agencies say, "No; Congress will not exercise that power; we will leave it to the President." Whenever we create an independent agency it ought to be put under some department head.

Mr. BURKE. Mr. President, will the Senator from New Mexico yield?

Mr. HATCH. I yield.

Mr. BURKE. If the Senator from New Mexico will read subsection (d), found on page 39 of the bill as it stands, without the inclusion of the amendment of the Senator from Kentucky, he will find that it clearly shows that it was the purpose of the drafters of the bill, the sponsors of the bill, that the authority to be created should be a policy-making body, and should have complete control and charge of envisioning what should be done in the way of slum clearance, and all that; and how can that be worked out if we add an amendment that says, "But the Secretary of the Interior shall have general supervision over the whole thing"?

To my mind it is perfectly clear that if the amendment of the Senator from Kentucky were to be adopted, and I hope it will not be, it would be necessary to follow that by striking out subsection (d) of the bill altogether, because clearly under the provisions of the amendment of the Senator from Kentucky the board, which was conceived as an independent policy-making body, would then become a mere bureau in the Department of the Interior, and the Secretary of the Interior, subject to whatever supervision remained in the President, would be the policy-making authority, and not the board at all.

Mr. HATCH. Let me say to the Senator from Nebraska that in pointing out the provision to which I referred I was not arguing the case at all. I took the floor to obtain information, to see just what the amendment meant, if it were possible to do so.

I am convinced in my own mind, from reading the bill, that the amendment of the Senator from Kentucky will not take any of those powers from the board whatever, and I will say to the Senator from Nebraska that if the amendment should be adopted and the Secretary should be given general supervision, and any Senator should move then to strike out the policy-making power which I read, I should certainly vote against the amendment.

Mr. LOGAN. Mr. President, I concur exactly in what the Senator has said. He has a very clear understanding of the purpose of the amendment. There is no effort to disturb the policy-making power of the board, but general supervision is sought to be placed in the Secretary of the Interior, who is made the head of the activity, because it is assigned to a particular department.

Mr. BURKE. Mr. President, will the Senator yield to me for just one further observation?

Mr. HATCH. I yield.

Mr. BURKE. If the purpose of the amendment is not to give to Secretary Ickes, and to whomever succeeds him as head of the Department of the Interior, the control and authority which, it seems to me, are clearly contained in the amendment, then the amendment certainly ought not to be adopted, because it would be a useless and unnecessary thing to give general authority to the Secretary of the Interior and then explain it and sell it to the Senate on the theory that it is really not giving him any authority at all, but that the board will continue with all the authority the sponsors of the bill intended it to have. On either horn of the dilemma, it seems to me, the Senator is clearly impaled if he proceeds along that line.

Mr. HATCH. No; the Senator from New Mexico is not impaled on either horn of the dilemma.

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

Mr. HATCH. I yield.

Mr. BARKLEY. In considering the pending amendment, I think the attention of the Senate should be called to the fact that an amendment has already been adopted which was designed not to give either the Board or any Cabinet officer in whose department it might be located final authority to pass upon these projects. That is one thing which, of course, is a vital part of the measure.

If the pending amendment should be adopted, and I am not agitated over it one way or the other, in connection with the amendment which was agreed to providing that no project, or loan, or grant, or expenditure, or extension of credit on any project worked up by the Board should be finally approved except with the approval of the President, the theory is that the Board, as an independent board, would, of course, go through all the minutiae and details of working out these projects, and if it were in the Department of the Interior, it would make a recommendation up through the Secretary of the Interior, which would finally come to the President, and the President would finally act upon all the recommendations of the Board with reference to projects.

The amendment to which I have referred has already been put in the bill, and I think it is a very wise one, because no board or authority or Cabinet member, it seems to me, ought to have authority to commit the Government to the expenditure of $700,000,000 without the President, whoever he may be, having his hand on the rein, so that final authority would not be vested in the Secretary of the Interior or in the Board.

Mr. HATCH. Mr. President, I took the floor to find out just what the amendment meant, because I for one would be opposed to giving any one man final authority in this program. I was very anxious to have the board retain its full powers as outlined in the bill. I do not believe the amendment of the Senator from Kentucky changes that in any respect whatever. I think the power is still in the board, and I have absolutely no objection to giving a Cabinet officer general supervisory power over the board, whatever the general supervisory power may be. Certainly it cannot disturb or change the law as to where the final authority exists.

Mr. PITTMAN. Mr. President, will the Senator from New Mexico yield?

Mr. HATCH. I yield.

Mr. PITTMAN. In view of the language in the bill which has been read by the Senator from Kentucky [Mr. BARKLEY], placing the entire responsibility for the contemplated projects on the President, does it not seem rather inappropriate now to take them out of that responsibility and place them

primarily under a Cabinet member? Is it not a fact that the President, having this responsibility and realizing that he would not have the time or the opportunity to give a project the supervision necessary, would himself select someone to supervise it so as to advise him? Would it not be better to leave it to the President, upon whom is imposed the responsibility, to make his own selection of the officer in whom he desired to repose the confidence?

Mr. HATCH. I do not quite understand the amendment of the Senator from Kentucky as does the Senator from Nevada. The power is still vested in the board. What is the effect of the amendment the senior Senator from Kentucky mentioned a moment ago?

Mr. BARKLEY. Mr. President, the projects are first initiated by the local housing authority, application is made through that authority to the board here for a loan, or grant, or for whatever is allowed under the bill. Of course, if the board is not placed under some department, then the board would itself directly take these matters to the President, and we who know the course of procedure with reference to P. W. A. projects realize that now the President personally passes on every one of them. Every schoolhouse, every courthouse, every one of the projects that has been approved by the State P. W. A. administrator, has come up through Colonel Hackett and through the Secretary of the Interior. They are finally placed on the desk of the President, and he himself investigates every one of them and passes on every one of them. He does not leave that to any subordinate officer. That is what is contemplated by the amendment which has been agreed to. It does not in any way minimize the importance of the board. All the preliminary work, the investigation, the plans and specifications, the financial set-up, the application of the local authority, would be submitted to the board, and if it were under the department, would go from the board to the Secretary of the Interior, who would have no final authority however, under the amendment already agreed to, to act upon the projects, but through him, as a sort of a sifter, they would get up to the President for his final approval.

If the amendment of my colleague should not be adopted, and the board should remain wholly independent, then these applications would go directly from the board to the President. But in either case the President would have the final word in passing upon them.

Mr. HATCH. I may add, in the light of what the Senator from Kentucky has said about the other amendment, that I now believe it is all the more necessary that the amendment of the junior Senator from Kentucky should be adopted. It has more importance than I thought it had; and I apologize to him.

Mr. LOGAN. Mr. President, the Senator from Nevada sugests that the President ought to have the right to select the one to do the work for him. The Secretary of the Interior is a Cabinet officer.

The VICE PRESIDENT. The time of the Senator from New Mexico has expired.

Mr. WAGNER. Mr. President, just to show the difficulty of passing upon legislation——

Mr. LOGAN. A point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. LOGAN. The Senator from New York spoke on the pending amendment yesterday; he spoke numbers of times on the bill; and if he is now to be allowed to make another speech, it seems to me I ought to be allowed to make a reply.

Mr. WAGNER. Had my time expired?

The VICE PRESIDENT. The clerk advises the Chair that the Senator from New York has addressed the Senate on the pending amendment.

Mr. WAGNER. Very well, then; my mouth is shut.

Mr. KING. Mr. President, may I ask the Senator from New York a question?

The VICE PRESIDENT. The Senator from Utah is recognized. Does he yield to the Senator from New York?

Mr. KING. I do not. I wish to ask him a question. I should like to ask the Senator from New York, apropos of the amendment now pending, whether he construes it as delegating to the Secretary of the Interior authority and power which might negative or limit the authority and power conferred upon the board which is hereby created.

Mr. WAGNER. Mr. President, I may answer the question of the Senator from Utah in this way: Two eminent lawyers in this body spoke a moment ago, and they differed as to the interpretation of the word "supervision." One Senator said it conferred nothing. Of course, if it does nothing I see no purpose in having it in this legislation. The junior Senator from Nebraska [Mr. BURKE] contended that it meant everything; that it meant complete control of this particular board by the Interior Department. I may say that the Interior Department so interprets this amendment. I have no fault to find with placing it under the Secretary of the Interior, Mr. Ickes, if he were always to be Secretary. But I agree with the Senator from Nebraska——

Mr. McNARY. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. I ask that the rule applicable to the present situation be followed. The Senator from Utah [Mr. KING] asked the Senator from New York [Mr. WAGNER] a question, and the Senator from New York is making a speech.

The VICE PRESIDENT. The Senator from Utah asked the Senator from New York a question, and the Chair understands that the Senator from New York is answering the question.

Mr. KING. I am not quite satisfied as yet with the answer.

Mr. WAGNER. Mr. President, the Senator from Utah asked me what my opinion would be. My opinion is that there is a purpose in introducing this amendment. If its effects were futile no department would be so anxious as the Department of the Interior is to have this amendment included in the legislation.

Mr. KING. I thank the Senator for his answer.

Mr. McNARY. Mr. President, another point of order. The Senator from Utah [Mr. KING] has certainly lost the floor by reason of the speech made by the Senator from New York if the rules of practice are to be sustained.

The VICE PRESIDENT. If the strict rules of the Senate are applied, as interpreted by the President pro tempore of the Senate, the Senator from Utah [Mr. KING] did lose the floor. The Senator from Utah, under the rule, had a right to yield to the Senator from New York [Mr. WAGNER] for a question, but he does not retain the floor if he permits the Senator from New York to continue and make a speech.

The point of order is well taken, and the Senator from Utah has lost the floor, under a strict application of the rule, as interpreted and applied during the discussion of the so-called Supreme Court bill.

Mr. KING. I shall then speak on the bill, Mr. President.

The VICE PRESIDENT. The Senator from Utah is speaking on the bill.

Mr. KING. Mr. President, I shall not appeal from the decision of the Chair, which, if I may be permitted to say, I think is erroneous. Having such a high regard for the Chair, who, in making his ruling, sanctifies what I might regard to be an erroneous interpretation, I therefore yield to the decision of the Chair.

The VICE PRESIDENT. Will the Senator from Utah permit the Chair to make an observation?

Mr. KING. Yes, indeed.

The VICE PRESIDENT. The Chair said he was following the precedent set and the interpretation of the rule that was applied in the Senate while the present occupant of the Chair happened to be in the State of Texas. I believe that was the time when the Senator should have taken an appeal from the decision.

Mr. KING. Mr. President, the parliamentary interpretation that has been made illustrates the fact that it is unwise for the Senate and disadvantageous to the country for the Vice President to be absent from the Senate, because then we establish precedents which ought not to be followed.

Mr. PITTMAN. Mr. President, I rise to a question of personal privilege.

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

Mr. KING. Do I yield the floor if I yield to the Senator from Nevada?

The VICE PRESIDENT. If the Senator from Utah should yield for anything but a question, and any Senator should make the point of order, the Senator from Utah would lose the floor.

Mr. KING. Then I shall not yield. Of course, I do not want to have any controversy between the President pro tempore, under whose occupancy of the chair probably some of these precedents were established, and the distinguished Vice President, but as between the two, with all due respect to the Senator from Nevada, I am inclined to think I should follow the Vice President.

Mr. BARKLEY. Mr. President, will the Senator from Utah yield for a question?

Mr. KING. Mr. President, I am desirous of speaking on the bill.

Mr. BARKLEY. I wanted to clear that rule up.

Mr. KING. Mr. President, I wish to say just a word or two. I think the Congress has been rather improvident and unwise in creating such a vast number of independent organizations and bureaus without placing them under the jurisdiction of some Cabinet officer or some organization that might bring harmony and cooperation between the 60 or 70 or nearly 100 bureaus and Federal agencies which have been established. No one can tell, in examining the multitude of bureaus and Federal organizations, where the ultimate authority rests.

I shall vote for the amendment, because I believe it is a step in the right direction. It seems to me we must coordinate the activities of the Government, we must bring them under closer observation, closer scrutiny, and have someone directly responsible. I am opposed, I may say, to creating any more Cabinet positions, and I am opposed in that respect to the suggestion that has been made, but we must have Cabinet officers, and I think that so far as possible the organizations and bureaus which are created, and which function within the field in which a Cabinet officer should operate, should be brought under the control of that Cabinet officer. Therefore, I shall vote for the amendment.

Mr. President, I wanted to say, however, that I have not been satisfied at all with the present housing organization, and I am not attributing any delinquency or default to the Secretary of the Interior, because I think that the housing organization which was set up, with a very large fund, $136,480,000, which finally was allocated to it, has not been, in my opinion, sufficiently controlled by the Secretary of the Interior. It has regarded itself as a sort of a roving, independent organization and it has, with the large appropriation which it has had, completed only seven projects. Forty-one projects are under process of completion, and the Lord only knows when they will be completed.

I have no doubt that the $136,000,000 which has been finally allocated to that housing organization will be inadequate to complete the 41 projects which it still has under way, and we shall be appealed to to make larger appropriations in order to complete them.

I think that that housing organization ought to be abolished and that any activities which are to be performed by it in the future should be brought within the periphery and influence and power of the organization that is to be set up under this bill.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. LOGAN] to the amendment of the committee.

Mr. LA FOLLETTE. Mr. President, I desire to make a brief statement concerning this amendment. The Senate Committee on Education and Labor held hearings upon this bill, and, as the Senator from Massachusetts [Mr. WALSH] pointed out yesterday, and so far as I can recall, every witness that appeared before the committee argued in favor of an independent agency or board to carry on this new housing activity.

I would support an amendment which would provide that the so-called financial housekeeping arrangements of this organization should flow through the Department of the Interior, but with the confusion that exists here concerning the scope and effect of the amendment offered by the Senator from Kentucky, I want to make an appeal to the Senate to reject the amendment.

The Senator from New York has given years of study to this problem; he has devoted his time and his energy to bring about its effective solution. I hope that the Senate at this late stage in the proceedings will not adopt an amendment, the language of which is subject to two very divergent constructions as to its scope and as to its effect.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. LOGAN] to the committee amendment.

Mr. LOGAN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. LEWIS. I announce that the Senator from Arkansas [Mrs. CARAWAY] is unavoidably detained.

The Senator from Wisconsin [Mr. DUFFY] and the Senator from Georgia [Mr. RUSSELL] are absent on official duty as members of the committee to attend the dedication of the battle monuments in France.

The Senator from Alabama [Mr. BLACK] and the Senator from New Jersey [Mr. SMATHERS] are absent because of illness in their families.

The Senator from Mississippi [Mr. BILBO], the Senator from Ohio [Mr. DONAHEY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Montana [Mr. WHEELER] are detained in committee meetings.

The Senator from California [Mr. MCADOO] is detained by a conference at the White House.

The Senator from Idaho [Mr. POPE] and the Senator from New York [Mr. COPELAND] are detained on official business.

I further announce that the Senator from California [Mr. MCADOO] is paired on this question with the Senator from New York [Mr. COPELAND]. If present, the Senator from California would vote "yea", and the Senator from New York would vote "nay."

The Senator from Wyoming [Mr. O'MAHONEY] has a pair on this question with the Senator from New Jersey [Mr. SMATHERS]. If present and voting, the Senator from Wyoming would vote "yea", and the Senator from New Jersey would vote "nay."

Mr. AUSTIN. My colleague [Mr. GIBSON] is necessarily absent on official duty as a member of the Battle Monuments Commission. He has a general pair with the Senator from Wisconsin [Mr. DUFFY].

The result was announced—yeas 40, nays 37, as follows:

YEAS—40

Adams	Capper	Johnson, Calif.	Murray
Andrews	Connally	King	Nye
Barkley	Davis	Lee	Reynolds
Borah	Dieterich	Lewis	Schwellenbach
Bridges	Frazier	Logan	Sheppard
Brown, N. H.	Hale	Lonergan	Shipstead
Bulkley	Harrison	Lundeen	Steiwer
Bulow	Hatch	McKellar	Thomas, Okla.
Byrd	Herring	McNary	Van Nuys
Byrnes	Hitchcock	Moore	White

NAYS—37

Austin	Gerry	McGill	Thomas, Utah
Bailey	Gillette	Maloney	Townsend
Berry	Green	Minton	Truman
Bone	Guffey	Neely	Tydings
Brown, Mich.	Holt	Overton	Vandenberg
Burke	Hughes	Pepper	Wagner
Chavez	Johnson, Colo.	Pittman	Walsh
Clark	La Follette	Radcliffe	
Ellender	Lodge	Schwartz	
George	McCarran	Smith	

NOT VOTING—18

Ashurst	Copeland	Hayden	Russell
Bankhead	Donahey	McAdoo	Smathers
Bilbo	Duffy	Norris	Wheeler
Black	Gibson	O'Mahoney	
Caraway	Glass	Pope	

So Mr. LOGAN's amendment to the amendment of the committee was agreed to.

Mr. McCARRAN obtained the floor.

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

The VICE PRESIDENT. Will the Senator from Nevada permit the Chair an oportunity to make a statement?

Mr. McCARRAN. Certainly.

The VICE PRESIDENT. Senators, the Chair wishes to speak for just a moment about your rules. The question has come up this morning with reference to the rules of the Senate when one Senator interrupts another. The Chair has examined the ruling made by the President pro tempore of the Senate in his absence as well as the precedents, and believes the ruling of the present occupant of the chair earlier today was correct.

The Chair wants to call the attention of the Senate, however, to a rule that is in the Senate manual and which places an obligation on the Presiding Officer. The present Presiding Officer believes that if the Senate has rules they ought to be enforced or that this body ought to repeal them. The Chair wishes to read this rule, so if the Chair does enforce it, Senators will understand the situation. The rule reads:

> It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator.

Now, Senators, I am in the chair. The Senator from Nevada has the floor; the Senator from Illinois asked him if he would yield that he might present or insert some matter in the CONGRESSIONAL RECORD. The rule just read states that it is the duty of the Chair to see that the Senator from Nevada does not yield for that purpose. Shall I enforce the rule or shall I continue the custom that has prevailed ever since the present occupant of the chair has been here?

The Chair calls attention to the inconsistency of the rule or to the persistency of the custom of the Senate in violating the rule. There is a direct rule of the Senate putting a mandate on the Presiding Officer to enforce the rule without a point of order being made. The Chair calls attention to the rule so that Senators may observe it in the future, and suggests that if the Rules Committee cares to look over the rules it might be advisable.

Mr. McCARRAN. Mr. President——

The VICE PRESIDENT. The Senator from Nevada.

Mr. LEWIS. Mr. President, will the Senator allow me to send a resolution to the desk? [Laughter.]

The VICE PRESIDENT. It is the duty of the Chair to enforce the rule.

Mr. LEWIS. I am not aware that my able friend from Nevada has as yet presented anything to the Senate that is being interrupted.

The VICE PRESIDENT. The Senator from Nevada has the floor.

Mr. LEWIS. Then I do not wish to interrupt.

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Illinois?

Mr. McCARRAN. Under the rule, I cannot yield.

Mr. LEWIS. I would not wish to ask him to yield if he has tendered anything, but I have seen nothing tendered except his honorable self, which I do not wish to interrupt at any time. [Laughter.]

Mr. McCARRAN. Mr. President, I trust the Senator from Illinois will bear with me, and I have no doubt that the matter for which he desires to gain attention will be heard very shortly.

On Wednesday last there was presented by the junior Senator from Virginia [Mr. BYRD] an amendment to the pending bill. I voted on the prevailing side on the amendment. I now move that the vote by which the amendment of the Senator from Virginia was adopted be reconsidered.

The VICE PRESIDENT. The question is on the motion of the Senator from Nevada.

Mr. BARKLEY and Mr. KING addressed the Chair.

The VICE PRESIDENT. Does the Senator from Nevada desire the floor?

Mr. McCARRAN. I desire to address myself to the motion.

Mr. BARKLEY. I thought the Senator had concluded.

Mr. McCARRAN. Mr. President, in furtherance of my motion to reconsider, I wish to say that since voting for the amendment I have conferred with the able junior Senator from Virginia, to some extent, and with others whom I thought had information and that I stand for and will try to sustain the philosophy behind the pending bill. I believe that the Nation is taking a great step forward. I do not believe that it should be hampered by anything that would be shortsighted. So for that reason, having looked into the subject, I have come to the conclusion that, perchance, the limit of $1,000 per room placed in this bill by the amendment offered by the Senator from Virginia might destroy the efficacy of the bill and might destroy its entire philosophy. I realize the fact that all the time the authority that will administer this bill will have the right and duty, if you please, to see to it that the costs shall not be excessive, and I have been assured, after conferring with the author of the bill, that he in turn, provided my motion is agreed to, will offer an amendment to the bill limiting the expenditure not to exceed $1,400 a room. I realize that between the two—and I have conferred with the Senator from Virginia no later than this morning—is an indeterminate figure, in some instances of $1,200, in some instances over $1,400, in others under a thousand dollars. But it seems to me, in view of the fact that we stand for a national policy that will take care of the underhoused, those who have not been sheltered, we should not take a chance on destroying the entire philosophy and efficacy of the bill by being parsimonious.

If it were true that everyone of these projects would go forward at $1,400 a room, perhaps, one would hesitate, but we realize that up to $1,400 the human judgment must intervene, and, human judgment intervening, we must rely upon those who will execute the law to exercise honest discretion and honest judgment. It is for that reason alone that I am offering the motion to reconsider.

Mr. BARKLEY. Mr. President, before a vote is taken on the motion of the Senator from Nevada I think the Senate is entitled to know what the consequences will be if the motion to reconsider shall be adopted. The Senator from Nevada has made a very clear statement with reference to it. It is not intended that there shall be any objection to a limitation on the cost of the projects.

In company with many others interested in the bill and its success, I have felt that a limitation of $1,000 per room is entirely too low. Under the amendment adopted it would probably be impossible ever to construct a unit house, or apartment containing more than four rooms, because the $4,000 limitation was also inserted for the family unit. There is no rigid rule that can be adopted with respect to the size of units. It may be an unfortunate biological fact, but the poorer people are, usually the more children they have, and, therefore, in the congested areas we find large families. It would be practically impossible to house a family of four or five children in a four-room apartment or four-room house. The bill makes no effort to average homes throughout the United States. It is dealing with an exceptional situation in the crowded areas of our large cities.

I agree entirely with the Senator from Michigan [Mr. VANDENBERG] who yesterday said he very frankly conceded that if it were not for the congested cesspools of disease and crime in the larger cities the bill probably would not be here. It is therefore proposed to reconsider the amendment so that we may raise the limitation per room from $1,000 to $1,400. That is not excessive, but is within reason. I hope the motion of the Senator from Nevada may be adopted so that the Senate may raise the limitation to $1,400 per room, in order that in the larger centers and more expensive building areas the operation of the provisions of the bill may not be handicapped.

Mr. BONE. Mr. President, as part of the very brief statement I wish to make I ask to have printed in the RECORD the amendment offered by the Senator from Virginia [Mr.

BYRD]. I also send to the desk and ask to have inserted in the RECORD immediately after the amendment of the Senator from Virginia a table submitted yesterday by the Senator from Massachusetts [Mr. WALSH] showing that over a period of recent years the cost per room in the various building activities ran from $1,746 down to $1,112, indicating a rather wide range and indicating that also a $1,000 limitation would probably make the program inoperative in a practical way.

There being no objection, the amendment and statement were ordered to be printed in the RECORD.

The amendment of Mr. BYRD is as follows:

On page 60, between lines 8 and 9, it is proposed to insert the following:

"(6) No contract for loans, annual contributions, capital grants, sale, lease, mortgage, or any other agreement or instrument made pursuant to this act shall be entered into by the Authority with respect to any project costing more than $4,000 per family unit or more than $1,000 per room, exclusive of the cost of the land and the cost of removing old buildings, less value of salvage."

Table submitted by Mr. WALSH is as follows:

Cost per room of buildings actually constructed

	Number or rooms	Building cost	Price per room (building only)	Price per unit (of 4 rooms)
Boston (Public Works Administration in depression years)	3,912	$6,124,751	$1,566	$6,264
Chicago (Public Works Administration in depression years)	2,514	4,390,911	1,746	6,984
Do	1,070	1,626,918	1,520	6,080
Do	3,254	5,301,362	1,628	6,512
Miami (Public Works Administration in depression years)	860	956,127	1,112	4,448
Birmingham (Public Works Administration in depression years)	1,588	2,093,850	1,318	5,272
Enid (Public Works Administration in depression years)	311	532,340	1,711	6,844
Omaha (Public Works Administration in depression years)	1,119	1,709,541	1,530	6,120
Detroit (Public Works Administration in depression years)	2,356	3,873,697	1,643	6,572
New York (Knickerbocker Village) private capital under Federal Housing Administration	5,235	6,148,391	1,174	4,696
Federal Housing Administration low-cost projects by private capital (average of 22 projects built or estimated in last 2 years)			1,147	4,588

Mr. TYDINGS. Mr. President, I think the Senate is laboring under a misapprehension. There is no limit of $1,000 per room. The amendment only provides that the Federal Government shall not make a loan of more than $1,000 per room or more than $4,000 per apartment.

If there is any city in the country that wants to engage in slum clearance and the average cost is $1,200 per room, then it is up to that city to provide the other $200. This is only a safeguard to insure repayment of the obligation to the Government. There is no provision that before the project is started any municipality shall put up as much as one cent. They can borrow the entire amount from the Federal Government. Personally, I should like to have an amendment adopted which would compel the local sponsor to put up as much as 5 or 10 percent, as an evidence of good faith, but, in the absence of such a provision, the amendment of the Senator from Virginia [Mr. BYRD], that the Federal Government shall not let the sponsor have more than $1,000 a room, nor more than $4,000 an apartment, seems to me to be no more than in the nature of protection for the Government that is lending the money.

If there are places in the country where these tenements cannot be built for less than $4,000, then I think New York or Baltimore or St. Louis or whatever community wants slum clearance, ought at least to put up the remainder in order that the apartment or the tenement might be constructed.

There is nothing in the bill which will prevent any locality from adding as much more to the $1,000 per room as it wants to add. Therefore, I can see no reason to reconsider the amendment of the Senator from Virginia. As was pointed out yesterday, at an average of $1,000 per room, or $4,000 per apartment, we can take care of only 175,000 families in the whole United States at a cost or original outlay of $700,000,000 by the Federal Government, plus an annual subsidy of $20,000,000.

Let me say to those who really have the interest of these poor people at heart that if they increase the amount of the cost of these rooms and then write into the bill, as has already been written into it, that the tenants who will occupy the rooms shall come from the lowest bracket of the income earners, or, as the Senator from Massachusetts [Mr. WALSH] said, the $50 or $60 a month income earners, how in the name of common sense can we build an apartment costing $5,000 or $6,000 and rent it to the man who is making $50 or $60 a month? Let us be frank about it.

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

Mr. TYDINGS. I yield.

Mr. BARKLEY. I preface my question with this statement——

Mr. TYDINGS. I hope the Senator will ask a question because my time is limited.

Mr. BARKLEY. When we have been able to help the 175,000 families, or any other number of families—which is a considerable number of families, by the way, when we consider only slum districts in the country—does not the Senator feel when we have been able to clear some of the slum areas away and have been able to house those people in better homes their pride and self-respect will increase?

Mr. TYDINGS. Of course.

Mr. BARKLEY. And their earning power will increase so the subsidy of which the Senator is so afraid will gradually be absorbed by the increase in the rentability of the houses.

Mr. TYDINGS. I gave yesterday a break-down of the subsidy figures to show that in the case of a man making $50 or $60 a month, even with the subsidies to be paid by the Government, to provide for him a $4,000 apartment will require him to pay almost $25 a month rent. In other words, half of his entire income, with the Government subsidy thrown in, will have to go to pay the rent of a $4,000 apartment. If we make the figures higher, then to be consistent we ought to reconsider the provision inserted in the bill at the instance of the Senator from Massachusetts [Mr. WALSH], who argued that those getting $50 or $60 a month should have the apartments so created. We cannot build $5,000 or $6,000 apartments and rent them to people who are earning only $50 or $60. Every Senator knows that to be a fact. If $4,000 is too small an amount, let the municipality that wants to have the slums cleared contribute a sufficient amount to permit the Federal Government at least to make its subsidy on the $4,000 basis. Even then the tenant would not be able to pay the rent.

Mr. BRIDGES. Mr. President, the housing measure known as the Wagner housing bill has been before the Senate for debate for a period of several days. It has for its purpose a very worthy objective. Several amendments have been offered to the bill which materially improve it, notably the so-called Byrd amendment, which makes the greatest improvement, in my judgment.

We have heard a great deal of talk in Washington and in this body, during past years and particularly during the past few months, about economy. One of the oustanding advocates of economy in this body who, in a very able and sincere manner, has practiced what he preaches, is the distinguished junior Senator from Virginia [Mr. BYRD]. In a very constructive way he has offered an amendment which was adopted in good faith by a majority of one vote. Immediately after the result of the vote was announced the steam roller started to operate. Lobbyists started to appear. They appeared in my office. They have operated on other Senators. Mail was distributed by Senate officials to the desks of various Senators—a very objectionable practice from my point of view.

We provide in the Byrd amendment, which was adopted in good faith and by an honest vote, a limitation of $4,000 per unit or $1,000 per room. In my State of New Hampshire, a small State to be sure, 80 to 85 percent of the people live in homes which are valued today at less than $4,000, exclusive of land.

Many of them have worked a lifetime to acquire those homes by careful saving and by thrift. They today own their homes, either wholly or in part. To them their homes, although worth a small amount in money, are their homes—their castles. We are today asking these people who have struggled for a lifetime to acquire their homes, and who own them today, either in whole or in part, to contribute to the cost of homes costing more than those they themselves can afford. That in itself is unsound. In addition, we are going to ask them to contribute to maintain those homes.

When we look over the disgraceful expenditures by various Government agencies for housing, when we think about Tugwelltown and its cost of $14,239,951 for 880 units, or a cost of $16,182 per unit, and when we consider the various other wasteful projects in this country, it is about time that somebody who really stands for economy should come forth and make a stand. That stand was made by the distinguished junior Senator from Virginia [Mr. BYRD]. The vote was an honest vote. The steam roller has started. The lobbyists are operating, even right here at the doors of the Senate Chamber.

I hope the motion to reconsider will not prevail.

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

Mr. BRIDGES. Yes, sir.

The PRESIDENT pro tempore. The Senator has yielded the floor.

Mr. MINTON. The Senator refers to a steam roller that he saw in operation around here. I wonder if he saw a little bit of a steam roller over on the other side, manned by an elephant. I notice that all the Republican votes were for the amendment of the Senator from Virginia.

Mr. BRIDGES. I did not see any steam roller operating over here, but I have seen the steam roller operate in other sections of the Chamber.

Mr. LA FOLLETTE. Mr. President, I hope the motion made by the Senator from Nevada [Mr. McCARRAN] will prevail.

As I stated when the amendment was under consideration when originally proposed, I did not object, and I do not think there can be any objection, to placing a limitation upon the cost per room of these projects. However, this particular limitation is admittedly based upon an average figure; and the danger of incorporating an average figure is that it may prevent the construction of low-cost housing projects in certain communities where their cost is above the average of the experience we have had thus far in this country in building low-cost housing.

In the second place, I should like to say that I do not think it is any argument for the Senator from New Hampshire [Mr. BRIDGES] to say today, or as did the Senator from Michigan [Mr. VANDENBERG] on a previous occasion, that the average valuation of housing occupied by private individuals is less than the amount provided in this amendment. I hope Senators will bear in mind that these projects are to be constructed under the terms of this bill, and their cost is to be amortized or repaid over a period of 60 years. Obviously, flimsy construction cannot endure over that long period of time.

It is my understanding that if this motion shall prevail, a motion will be made to increase slightly the limitation per room, and to strike out the limitation per family.

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

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. If the Senator will yield for that purpose, I should like to read the amendment which will be offered as a substitute for the Byrd amendment, so that we may know precisely what is contemplated; but I will not take chances on causing the Senator to lose the floor.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that I may yield to the Senator from Kentucky for the purpose of permitting him to read the amendment he intends to propose.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none.

Mr. BARKLEY. As a substitute for subsection (6) inserted in the bill by the Byrd amendment, it will be proposed to offer the following:

> No contract for loans, contributions, grants, or other expenditures provided for in this act shall be entered into by the Authority with respect to any project costing more than $1,400 per room, exclusive of cost of land and clearance thereof.

In that connection let me say that that does not mean simply a loan of $1,400. It means that there shall be no loan made concerning a project which costs more than that, regardless of any local contribution.

Mr. LA FOLLETTE. I am glad the Senate is now on notice that the purpose of this motion to reconsider is not to eliminate from the bill a limitation on cost per room, but only to increase it slightly so as to take care of situations where building costs may be in excess of the average, which has been $1,000 in our experience to date with low-cost housing in this country.

One more word, Mr. President, concerning the elimination of the family unit provision which is contained in the original amendment offered and adopted at the behest of the Senator from Virginia [Mr. BYRD].

There is no justification for fixing a limitation of cost per room and then multiplying that by four and saying that no project shall be considered where it may be necessary, in order to take care of larger-sized families, to provide more than four rooms. It seems to me that the objective and the purpose of this limitation provision is achieved when we have set a limitation of cost of construction per room, and that it would be unwise to provide a limitation so far as the family unit is concerned, which would make it impossible for the authority to consider the construction of projects which would provide, in part, for families larger than the average. I think we are justified in contending that the limitation, insofar as it applies to the family unit, would be a very serious and unwarranted limitation upon these projects for housing families larger than the average.

Mr. VANDENBERG. Mr. President, I confront a very real perplexity when I face the fundamental problem involved behind the motion to reconsider. I feel very deeply about it, and I want to present this contemplation in utter good faith.

We are proposing to tax the whole American people to provide new housing for the lowest-income group of the country now living in so-called slums. The amendment proposed by the able Senator from Virginia [Mr. BYRD] provides that in transferring these lowest-income groups from the slums into livable quarters, the limit of expenditure shall be $1,000 per room, or $4,000 per family unit, for the construction only. That means that with the land added, we may fairly say that the Byrd amendment permits $5,000 per family unit to be expended on slum clearance.

Under the substitute that has been suggested by the able Senator from Kentucky [Mr. BARKLEY], the limit is to be raised to $1,400 per room, which would represent $5,600 in construction, plus, let us say, another thousand dollars for the land, or an ultimate expenditure of $6,600 per family unit.

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

Mr. VANDENBERG. I cannot yield now. I have only a limited time. I am sorry.

Mr. President, this is the contemplation that staggers me: Under the census figures reported in 1930, I find that 51.6 percent of all the urban home owners in America—those who have toiled and saved to create their homes for themselves, those who represent the great self-supporting middle class, the great backbone of the American community, those who by no stretch of the imagination can be called slum dwellers—live in homes that cost $5,000 or less. So far as the limitation proposed by the Senator from Kentucky is concerned, I find that 73 percent of the average American

urban home owners live in homes that cost less than the amount we are proposing to expend from funds raised by taxation to create homes for those who are to be removed from the slums. When we get out on the countryside, Mr. President, I find that out of 3,600,000 farmers who own their own homes, 3,300,000 of them live in homes that cost less than $5,000.

Are you going to ask me, in the name of slum clearance—an utterly worthy cause, one that I want to support and sustain—are you going to ask me to say to 80 percent of the home owners of America, "We insist upon taxing you to build homes for slum families that cost more than the homes in which you yourselves live? We require you to pay to provide others with better homes than your own, and then we shall tax you, in addition, to contribute subsidy rental to these families."

Can I justify myself in returning to my constituency of home owners and saying to them that I have voted a tax upon them to provide some slum clearance on the basis of homes which are better than those in which they themselves live?

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

Mr. VANDENBERG. I yield.

Mr. BARKLEY. As I said a moment ago, this is not a bill to average the cost of homes in the United States; but does not the Senator realize that out in the various sections of which he speaks, and with which I am familiar, there are many compensations which do not exist in concentrated areas of population, such as fresh air, open country; that there is a lack of facilities which can be utilized, which are desirable always, but absolutely necessary in these crowded areas? So that we cannot, if we are to indulge in this slum-clearance activity, do it on the basis that there are millions of homes that cost less than $5,000, or $4,000. Many of us, I have no doubt, have lived in homes that cost less than $1,000; but we are dealing with an exceptional situation, and it seems that while it is plausible, it is at the same time a specious argument to contend that because many of our people live in homes costing less than $5,000, we are not willing, in a great movement of this sort, to improve the condition of our people by permitting the lending of money to erect homes which may cost more than that.

Mr. VANDENBERG. Mr. President, I think the Senator from Kentucky is the one who offers the specious argument. This is a problem primarily in arithmetic: What does it cost to create a livable home? If across this Nation it has cost less than $5,000 to create livable homes for 80 percent of our people, I do not believe the American Congress is called upon to authorize more than $5,000 to create homes in the name of slum clearance. I do not believe the American people will stand for it.

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

Mr. VANDENBERG. I yield.

Mr. MALONEY. I do not think the Senator from Michigan is laying sufficient emphasis upon his argument. In his computation he says that under the latest proposal a four-room apartment would cost about $6,500. I think he might stretch that just a little and point out that a six-room or seven-room house would cost just that much more, and probably we would put the so-called slum dweller in a $10,000 home being paid for by the taxpayers.

Mr. VANDENBERG. I thank the Senator for his observation. I neglected to say that in connection with the census figures, the average home in which the average American lives, and which cost less than $5,000, in the ordinary course of events is more than a four-room institution.

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

Mr. VANDENBERG. Not at the moment. In other words, the comparison has been utterly conservative from my point of view.

I want the housing program to proceed on a scientific basis and with every possible advantage to develop adequate slum clearance and reasonable housing for those who are cleared from the slums. I want to vote for the bill if it can be done. I cannot vote for the bill if I am asked to vote that those who live in slums cannot be removed to adequate quarters unless we spend upon that proposition more than 80 percent of what the American people have spent to provide themselves with homes at their own expense.

Mr. GUFFEY. Mr. President, for more than 40 years I have been a student of the housing problem. My first interest was attracted to this subject when Theodore Roosevelt was police commissioner of the city of New York, when the late Jacob Riis interested him in the slum-clearance problem of that city. Later, when Theodore Roosevelt was Governor he was instrumental in having enacted some laws which made a beginning in slum clearance in New York.

For 12 years I gave 3 nights a week and Saturday afternoons to welfare work in my home city of Pittsburgh. I studied the housing problem not only from the point of view of social-settlement work, convalescent-home work, welfare work, and fresh-air work, but I was also president of a housing-improvement company in Pittsburgh dealing with the tenement-house problem.

I know that we can do nothing in Pittsburgh to relieve the situation unless we can strike out the amendment of the junior Senator from Virginia. I have had an unfortunate experience with slum clearance. I lost some of my own money in it in an endeavor to help some neighborhood conditions. During the past 2 years, since we have had a progressive Democratic administration in the State of Pennsylvania and in the city of Pittsburgh, we have been able to have torn down almost 3,000 slum houses, but as yet we have been unable to induce capital to step in and replace them with the homes necessary to house those whose dwelling places were demolished. I believe that if the pending bill should be enacted we will be able in Pittsburgh to carry to a successful completion the work some of us have carried on so far.

I have no doubt that the amendment suggested by the Senator from Virginia would meet the necessities in Virginia; and if the standard of wages suggested by the senior Senator from South Carolina prevails in his State, it is entirely too high.

If we comply with the sanitary plumbing laws in the city of Pittsburgh, we cannot build a brick house, with fireproof construction, as required under the ordinance, for the limited amount fixed in the amendment offered by the Senator from Virginia.

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

Mr. GUFFEY. I yield.

Mr. TYDINGS. Can the Senator give us any idea of what it would cost to build a four-room house or apartment?

Mr. GUFFEY. A single house or an apartment?

Mr. TYDINGS. Either.

Mr. GUFFEY. I should say it would cost $6,000 to $6,500.

Mr. TYDINGS. How much would it have to rent for, may I ask the Senator from his experience, in order to furnish enough revenue to pay off the loan?

Mr. GUFFEY. I would not attempt to answer that question today, because I have not the figures; but I know we could not build a house in Pittsburgh under this proposed law with this amendment in it.

Mr. TYDINGS. Is it possible to build a $6,500 or a $6,000 house or apartment and rent it on terms which people who are living in the slums and drawing the lowest possible income can pay in the way of rent?

Mr. GUFFEY. It may not be possible now, but we are trying to improve conditions. We are trying to increase the wage standard. We have to increase the wage standard if we expect to enable men to live under proper conditions.

Mr. TYDINGS. How much incomes does the Senator think a man would have to have a month in order that he might live in one of these $6,500 buildings?

Mr. GUFFEY. From $100 to $125 a month.

Mr. TYDINGS. Then the Senator concedes that we would not be putting into these apartments the people who now are

in the lower-income brackets, and who for the most part compose the population of the slums?

Mr. GUFFEY. In the city of Pittsburgh and the city of New York we are endeavoring constantly to raise the minimum-wage standard. The Steel Corporation in Pittsburgh now has a minimum of $5 a day for day laborers. If that is followed, with 20 days' work a month a man can afford to live in these better houses.

Mr. TYDINGS. What does the Senator say offhand one of these $6,000 apartments or houses would rent for per month?

Mr. GUFFEY. I would not attempt to answer that question.

Mr. TYDINGS. Would the Senator think it would be at least 8 percent of the initial cost?

Mr. GUFFEY. It is not possible to pay 8 percent of the initial cost.

Mr. TYDINGS. I mean for rent, taxes, insurance, upkeep, repairs, and so forth.

Mr. GUFFEY. I told the Senator I had not the details here this morning; but I heard the discussion, and I wanted to give my experience. I know we cannot do it in Pittsburgh. I am not going to answer any questions involving figures, because I am not a member of the committee and I have not worked out the details.

Mr. TYDINGS. Does not the Senator concede from his own practical experience that usually the rent charged is about 10 percent of the cost? I take the figure of only 8 percent of the cost. Eight percent of $6,000 would be $480, which would be $40 a month. Does the Senator think that a laborer making $100 a month can pay $40 a month rent, and have only $60 left over for himself and his family?

Mr. GUFFEY. I say he can pay $30 or $35 and live in better conditions.

Mr. TYDINGS. How much would he have to earn in order to pay $30?

Mr. GUFFEY. One hundred dollars a month.

Mr. TYDINGS. Let me say to the Senator that not one of these apartments about to be built can be rented for $30 a month. There is no way possible that he can figure out taxes, insurance, repairs, depreciation, interest on the loan, and upkeep.

Mr. GUFFEY. I say it can be done, and can be done for $30 a month.

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

Mr. GUFFEY. I am through.

Mr. BYRD. I should like to ask the Senator a question. The $6,500 figure, given as the cost of constructing a four-room apartment house, does not include ground?

Mr. GUFFEY. That includes the ground.

Mr. BYRD. The amendment which has been offered, then, is exclusive of the ground; that is, the amendment suggested by the Senator from Kentucky [Mr. BARKLEY] does not include the land. From the Senator's experience would he say he could build an apartment house for $6,500, including the cost of the land?

Mr. GUFFEY. That would depend entirely on where the apartment was built.

Mr. GLASS. Mr. President, let us have order. We cannot hear what is going on.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. WAGNER. Mr. President——

Mr. GUFFEY. Has my time expired?

Mr. BYRD. I should like to have an answer to the question.

Mr. GUFFEY. What was the question?

Mr. BYRD. The Senator stated that the cost of a four-room apartment would be $6,500. Does that include the land, or not?

Mr. GUFFEY. It does not.

Mr. WAGNER. Mr. President, the Senator from Maryland a moment ago stated that the so-called Byrd amendment—and I think the Senator from Virginia will agree with me on this—did not provide that the rooms must cost no more than $1,000 a room, but merely that no more than $1,000 may be advanced by the Federal Government for each room. Will the Senator from Virginia substantiate me in the statement that his amendment proposes that no project can be constructed with a loan from the Federal Government if any room in the project costs no more than $1,000?

Mr. BYRD. Mr. President, the Senator can read the amendment, or the clerk can read it at the desk.

Mr. WAGNER. Is the Senator from Maryland [Mr. TYDINGS] present in the Chamber? I am sure the amendment provides——

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

Mr. WAGNER. I yield.

Mr. BARKLEY. The amendment provides that no loan or grant shall be made on a project that costs more than a thousand dollars a room.

Mr. WAGNER. I wish to clear up some confusion which seems to exist. I wish to call the attention of the Senator from Maryland [Mr. TYDINGS] to the provision of the amendment. I believe through inadvertence he put a wrong construction on the amendment of the Senator from Virginia [Mr. BYRD].

Mr. President, during the discussion with the Senator from Virginia and others earlier in the debate upon this bill, I made the statement that the average cost throughout the country for projects of this character was $1,000 per room. Of course, if the average cost is a thousand dollars per room, that means that there is a maximum cost above that and a minimum cost below that. The average thus stated was based upon the calculation that the maximum cost is $1,500 and the minimum cost is $500. I think it was on the basis of my statement that the Senator from Virginia offered his amendment. But he took my average as being the absolute maximum throughout the country rather than giving leeway to a maximum of $1,500 or a minimum of $500.

After the amendment offered by the Senator from Virginia was agreed to, I made inquiry of a number of builders and others who are well informed, not only as to New York but also as to other large centers where the question of slum clearance is being considered. They all assured me that $1,500 was the lowest amount for which a room could be built in congested localities.

As I said in answer to a question asked by the distinguished Senator from Kentucky, I was willing to have that amount reduced even below the minimum figure of $1,500, namely, to $1,400. Based upon the information I have received, I desire to assure the Senate that if the amount is limited to $1,000, then in none of the large centers of the country can we do real slum clearance and build decent houses for these particular people.

It is because I desire to make the law universally applicable that I am making this plea to the Senate, in the endeavor at least to raise the limit. That does not mean that every room built in houses in these congested areas must cost $1,400. I am willing to have placed in the measure any kind of provision setting forth that it is the policy of the Congress, or the mandate of Congress, that the authority shall secure the lowest possible price per room in building houses in the congested areas.

Mr. President, I believe that the Senator from Maryland [Mr. TYDINGS] is mistaken in his calculation with respect to the rent that must be charged upon the basis of cost of a thousand dollars per room, or even $1,400 per room. All the calculations that actuaries have made for me in determining the carrying charges, taking into consideration the exemption from taxes in the particular locality, indicate that the carrying charges are far below 10 percent.

The Senator from Louisiana [Mr. ELLENDER] yesterday made that very clear to the Senate, and I do not care to go over those facts again. However, I ask to have inserted as part of my remarks at this point the table which appears on page 14 of the report, which shows clearly that on an investment of a thousand dollars per room, with provision for a subsidy of 3½ percent and an interest charge of 2½ percent, we get down to $3.56 rent per room, and that, of

course, is low enough to reach the low-income group that can be financially aided by this particular legislation.

I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The table is as follows:

TABLE 10.—*Monthly rent per room, including heat, and income groups served by public housing and private enterprise*

	Cost per room, $1,000 (operating expense $2.95)		Cost per room, $1,333 (operating expense $3.93)	
	Rent per room	Income group served	Rent per room	Income group served
Public housing under Wagner-Steagall bill, all Federal loans at 2½ percent for 60 years:				
Subsidy at 3½ percent:				
No local tax exemption	$4.39	$1,054	$5.86	$1,406
Half local tax exemption	3.56	854	4.75	1,140
Full local tax exemption	2.73	655	3.64	874
Subsidy at 2½ percent:				
No local tax exemption	5.22	1,253	6.97	1,673
Half local tax exemption	4.39	1,054	5.86	1,406
Full local tax exemption	3.56	854	4.75	1,140
Public housing under capital grant formula of 40 percent capital grant; balance 2½-percent loans for 60 years:				
No local tax exemption	6.23	1,595	8.30	1,992
Half local tax exemption	5.40	1,296	7.19	1,725
Full local tax exemption	4.57	1,102	6.08	1,459
Private enterprise:				
Actual experience of the 43 low-rent projects of Federal Housing Administration costing $1,333 per room			13.82	3,317
Assuming room cost of $1,000	10.37	2,469		

In the above table, the family income levels are based upon the requirement (in sec. 2, par. 1) that the family income shall not exceed 5 times the annual rental, and upon an allowance of 4 rooms for a family of 5.

Mr. BONE. Mr. President, will the Senator yield to me for a question?

Mr. WAGNER. I yield.

Mr. BONE. Does the Senator from New York feel that the influence on wage levels generally in the country, due to the passage of the Black-Connery bill, is quite likely to have a marked effect on the ability of the low-income groups to meet the problems suggested by the Senator from Maryland [Mr. TYDINGS]?

Mr. WAGNER. I will say, in answer to the Senator's question, that as a matter of fact it will get down to those low-income groups, because the calculations in the table, on page 14 of the report, show that we can get down to as low as $3.56 rental per room, based on the interest rate of 2½ percent, and also taking into consideration all the other carrying charges, including the amortization of the loan.

Mr. CLARK. Mr. President, on what cost per room? You get down to a rental of three dollars and some cents on what per-unit cost?

Mr. WAGNER. On a $1,000-per-room cost. If it runs to $1,400 the rent will become a little larger, but very little higher. Of course, we expect when the loan is made that the local authority is going to be required not only to give tax exemption, but to give other aids so as to make it possible to reach even a lower group.

Mr. CLARK. I do not wish to interrupt the Senator because I know his time is limited, but I cannot understand when the Senator says that there will be very little increase in rental between a room costing $1,000 and one costing $1,400, that difference can only be taken care of by an increase in the subsidy, can it not?

Mr. WAGNER. No; because the amount of $400 is not a very substantial sum.

Mr. CLARK. It is a very large proportional sum. It means the addition of nearly 50 percent. One thousand four hundred dollars is nearly 50 percent more than $1,000.

Mr. WAGNER. The figures are contained in the table I referred to. On a cost of $1,333, with local tax exemption—and, of course, they will all have local tax exemption—we get down to a charge of $3.64 per room.

Mr. CLARK. If the Senator will permit me I will suggest that he started out with a unit figure of $1,000, and if that is increased to $1,400 it is certainly an increase of 40 percent.

Mr. WAGNER. Mr. President, I am glad the Senator called my attention to an error. On the cost per room of a thousand dollars the charge per room is down to $2.73, and the figure of $3.64 is based on a $1,333 cost, which is still sufficiently low to reach the low-income group that we wish to reach under this bill.

Two other statements were made which I should like to correct so that there will be no misunderstanding about the matter. After all, figures are not always all that we can rely upon, but a statement was made that this cost would run into billions of dollars for the Government to finance these projects. As a matter of fact, I may say to the Senate that the total cost placed upon the Government under this program when it shall be completed will be not more than $20,000,000 per year. It seems to me that for an effort to clear the slums of our country $20,000,000 per year maximum is not a very large expenditure, if we can accomplish something in clearing the slums.

What I wanted to say was that we have got to look at this thing realistically. Everyone knows that in these large centers of population it costs more to clear the slums, and costs more to construct the buildings, than in less-populated sections, and the whole question that we must finally determine is whether we are, as humanitarians and as good businessmen, ready to aid these people and get them out of the slums into decent housing, to the economic benefit of the whole country.

I am not clear whether I understood the Senator from Idaho [Mr. BORAH] yesterday that he would like a real slum-clearance bill. All I can say to the Senator is that this bill follows exactly the procedure adopted by all other countries that have succeeded in clearing their slums, particularly Great Britain.

Mr. BORAH. Mr. President——

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

Mr. WAGNER. I yield.

Mr. BORAH. The Senator misunderstood the application of my remarks. What I said was that I regarded this bill purely as a slum-clearing bill, and I wanted to support it; but I did want sufficient safeguards thrown around it with reference to the expenditures.

Mr. WAGNER. Exactly. So do I. It may be that we can build the houses for $1,000 per room. If a change occurs in the price of materials, and in some other costs that enter into building, that may be true. But at the present time I am assured that these houses cannot be built in the particular slum areas for less than $1,400 per room, if we want to clear the sums. I only want a maximum of cost. If we can build them for $1,000 a room it is the duty of the board to see that that is done.

Mr. FRAZIER rose.

Mr. WAGNER. I am sorry but I do not have much time left, and I cannot yield to the Senator from North Dakota.

Mr. President, I recall that during the Hoover administration, when some of us were trying to secure funds for Public Works Program to take care of the unemployed at that time, when we were going down further, further, and further and more and more people were unemployed and great suffering was occurring and starvation stalked throughout the country, that yet there was a hesitancy to help those people. I recall distinctly one of the brilliant statements that the Senator from Idaho made at that time in a discussion with another Senator, the late Senator Fess, of Ohio, in which the Senator from Idaho finally said:

> Let us not talk about bonds; let us not talk about the effect upon the market; let us think of these people that are starving. If the localities cannot take care of the problem, it is the duty of the Federal Government to take care of it and to see that no one in our country starves.

And we all supported the Senator from Idaho in that position.

We have heard very little about the human beings whom we are trying to help. We have been given nothing but figures and figures and figures. It reminds me that I called on President Hoover—I do not think there is anything confidential about it—and pleaded for a billion-dollar program. At that time another Senator, the distinguished Senator from Wisconsin [Mr. LA FOLLETTE], asked for even a larger appropriation for a relief program. I pleaded for a billion-dollar program with which to put people to work, because I said, "People are out of work and we are going to have difficulty when they begin to suffer hunger and general destitution." I was sent by the President to an official who had charge of the finances of the Government. He said to me, "Why a billion-dollar program?" And he took up a pencil and began to figure the effect that the issuance of a billion dollars in bonds would have upon the price of current bond issues upon the market.

I said, "Mr. Secretary, will you not look out of the window, will you not visualize from ten to twelve million people who are on the point of starvation? Let us think of them. Do not be figuring whether the bonds are going to lose a quarter of 1 percent upon the market, but let us think of these people, Americans, who are willing to work, but who, because of our mismanagement of the economic system, have been thrown out of work through no fault of their own. Let us see that they are put back to work so that their morale will not be destroyed. That is the duty of the Federal Government."

The PRESIDENT pro tempore. The time of the Senator has expired on the motion.

Mr. WAGNER. I will speak on the bill for a few moments.

The PRESIDENT pro tempore. The Chair is informed that the Senator from New York has already spoken on the bill.

Mr. WAGNER. I had just reached the point where I wished to make a further statement, but I will have to forego it. I may say, however, that I hope the motion of the Senator from Nevada [Mr. MCCARRAN] will be agreed to.

Mr. FRAZIER obtained the floor.

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

Mr. FRAZIER. No; I cannot yield. We have rules which forbid interruptions except for questions.

Mr. O'MAHONEY. Will not the Senator yield to allow me to propose a unanimous-consent agreement?

Mr. FRAZIER. No. I have not opened my mouth on this bill, or on very many others, but I do wish to say just a word or two in regard to the pending question.

Mr. President, I cannot, for the life of me, understand why there is any objection to limiting the cost of the units which are to be erected in slum-clearance projects to what seems to me to be a reasonable amount, namely, a thousand dollars a room. I cannot understand, for the life of me, why it should cost any more for materials and for the work to build an ordinary livable home in New York City than it does in the smaller cities in the United States, or why it should even cost so much, for in a large city, such as New York, where there is more competition among the firms which furnish the materials and among the contractors than in the smaller cities.

If projects are to be undertaken in cities which have slums that should be cleared up, cities which are in control of political organizations and which take political tolls, the board or those in charge or the Secretary of the Interior should see to it that the new tenement houses or building units which are to replace the slums should be built outside the limits of those cities. We do not expect to have the new homes built on Fifth Avenue in New York City. There is no reason why they should be. There is plenty of land around New York City, land which can be obtained for a reasonable price, where homes may be built for persons who now inhabit the tenement houses in the slums.

There has been all kinds of criticism of graft and politics being played even in relief work under the present administration. I have tried to defend and to protect the administration from any such charges and have felt that, in general, the situation has been very well taken care of; but in some instance there have been such persistent charges made that I am inclined to believe that there is some truth in them in some instances.

If this bill is honestly intended for the purpose that those in charge of the measure say it is, namely, to build new homes for those who now live in slum districts where the conditions are almost unbearable, then let us see to it that graft is cut out of it on the part of any Government official or any city official or anybody else, and see to it that the price or cost of the homes is limited to a reasonable amount.

In my opinion, the amendment of the Senator from Virginia which was adopted on Wednesday last, limiting the cost of such buildings to a thousand dollars a room, is, to say the least, very reasonable. There is no excuse for paying any more for new homes for the people who now live in slum districts and are living there because they cannot earn sufficient money to have better homes.

Mr. President, it goes a little against the grain with me to have Members of the Senate insist that we must have more money for building high-priced homes to replace the slum districts. I am afraid it would not be for the interests of these poor people but for political graft.

Mr. VANDENBERG. Mr. President, I think I have time left.

The PRESIDENT pro tempore. The Chair is advised that the Senator has spoken once on the motion. The unanimous-consent agreement not only deals with the time but with the number of speeches.

Mr. VANDENBERG. I will take my time on the bill.

The PRESIDENT pro tempore. The Senator has time on the bill.

Mr. VANDENBERG. Mr. President, I wish to comment very briefly upon the final observations of the able Senator from New York [Mr. WAGNER]. I decline to accept the implication that those who insist upon consulting the fiscal stability of the United States are doing something that is inhumane in respect to some groups of our people. The able Senator from New York says let us not talk about bonds; let us talk about people who starve. Well, no person with a normal sensibility is ever going to weigh bonds against a human being, but, Mr. President, unless somebody thinks about the financial status of the Government of the United States, and that pretty soon, and brings the Federal Budget back into balance; unless somebody gives a little attention to the question of a limitation of Federal expenditures, those who starve will not be confined to the slums, but, under the impulse of the inflationary movement, which is inevitable under those circumstances, the entire American people will be crucified upon the cross of the high cost of living. Starvation will not be reduced; it will be multiplied. I respectfully submit there is just as much humanity in trying to preserve the public credit and in trying to prevent extravagance and waste as there is in the other attitude.

Mr. MINTON. Mr. President, it has been very interesting to listen to the speeches on the pending bill of the various Senators who have directed their remarks to the problem of housing. Of course, no detail has been furnished with the figures; the Senator from Maryland and the Senator from Virginia have furnished no break-down of the thousand-dollar limitation; nor has any other Senator. They arrive at these figures by a sort of average, as pointed out by the Senator from Wisconsin [Mr. LA FOLLETTE] on Wednesday last. So the figures that have been submitted with such vigor and assurance by the Senator from Maryland, by way of illustration, have been based upon a guess and an estimate upon an average and without a break-down of detailed figures or without an estimate based upon actual experience.

It so happens that in the housing business the Government has had some experience. The P. W. A. has been engaged in the housing business and has had some experience; and, based upon that experience, we are able to get some reliable figures and not altogether guesswork.

The Senator from Maryland has pointed out, under his system of figures, that one of these units would cost so much, that the rental of it would have to be $40 a month, and that the people we want to help have no such income as to justify paying $40 a month rent. Of course, one cannot justify that kind of rent in view of the meager income of those in the low-income group. The people who are going to live in these projects where slums are cleared away and new construction is placed are people who are in the low-income brackets, and they cannot afford to pay over from $15 to $20 a month. Twenty dollars a month is the top and $15 a month is about an average.

Mr. President, let us examine for a minute the figures of the Housing Administration of the P. W. A. and see if people with low incomes can come within the figures. It is not a matter of guesswork with the P. W. A. Housing Administration. They have actually undertaken 51 projects, 27 of which were slum-clearance projects, and one was in one of the worst slums of the country in the State of Massachusetts. Their experience has been that in these 51 projects the average room cost, net, has been $1,370.15, and with all overhead charges, exclusive of land, it has been $1,407. Now, let us take the various units in the various localities and get some idea of what the cost has been to the P. W. A. in the experimental housing projects which they have undertaken in 51 cities of the United States.

In Atlanta, Ga., for instance, the total room cost, exclusive of land, was $898; with land it was $1,260. That was on project H-1101. On project H-1102 it was $853.

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

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

Mr. MINTON. I yield.

Mr. BYRD. I wonder if the Senator has the figures as to the cost per unit of the resettlement projects, such as Tugwelltown and others, where the cost was $14,000 each?

Mr. MINTON. No; I have not the figures. I am talking about the P. W. A. and the Senator knows it. I am talking about housing projects in connection with which the P. W. A. has had actual experience in slum clearance and actual experience as to the cost per room net and cost per room including land.

Mr. BYRD. Is not the Senator aware the Resettlement Administration spent nearly as much as the P. W. A.? Why not take the experience of the Resettlement Administration?

Mr. MINTON. The Senator from Virginia may take it in his own time. I am talking about the P. W. A. The Senator from Virginia permitted things to happen in his own State and expenditures to be made there, and then comes in and cries about the results.

Mr. BYRD. Mr. President, I know the Senator does not want to make a misstatement. He has made a statement which is absolutely incorrect. I did not permit it, and I did all I could to stop it.

Mr. MINTON. Did the Senator object to starting the project?

Mr. BYRD. I was not consulted about starting of the project. It was a lump-sum appropriation, and I did my utmost to stop it.

Mr. MINTON. Did not the Senator know they were going to build the project in his State?

Mr. BYRD. I did not know they were going to construct any of those Virginia projects, one costing $8,000 per room. I assumed they would use ordinary common sense and good judgment in the expenditure of public money, but I was wrong.

Mr. MINTON. My only experience in trying to save money for the Government was in a bill carrying an authorization for appropriations which contained an item of $2,500,000 for a project in my State which we did not think was an economical project, and we did not want it. We opposed it in the beginning and knocked the $2,500,000 out of the appropriation bill, and we did not come in after the project had been started and the money had been spent and squawk about it.

Let me get back to the P. W. A. projects. At Atlantic City the project cost $1,280 per room without land and $1,666 with land. At Birmingham, Ala., the project cost $1,150 per room without land and $1,604 with the land.

In my own State of Indiana, in the city of Indianapolis, we had one project, and the cost per room there without the land was $973 and with the land $1,269.

Mr. HOLT. Mr. President——

The PRESIDING OFFICER (Mr. CLARK in the chair). Does the Senator from Indiana yield to the Senator from West Virginia?

Mr. MINTON. I yield.

Mr. HOLT. Does not the Senator know that the average value of nonfarm homes in Indiana is only $3,654?

Mr. MINTON. No; I do not know that, but I am not surprised. As I travel over the country and observe as I go along I would conclude the room cost is lower than that in West Virginia.

In Louisville, Ky., right across the river from where I live, the average room cost is $1,544 without the land and $1,627 with the land. So it is with all the projects all the way down the line.

The average cost per room under the P. W. A. projects is $5.34 per room per month—of all the projects all over the United States, in Georgia, New York, Massachusetts, Ohio, Texas, South Carolina, Indiana, Tennessee, Wisconsin, Minnesota, Nebraska, Oklahoma, and Pennsylvania. That includes the projects scattered all over the country. The experience has been that the average rental per room, in order to amortize and pay out the projects under their scheme, is $5.34.

If we take those costs and apply the provisions of the Wagner bill, if we take that experience of the P. W. A. in the various States, 51 projects where the P. W. A. has had this experience, and extend the figures of the Wagner bill to those projects, we will find that the average rent per room would be $3.54, so that the rent of a 4-room unit would be four times $3.54, which would be $13 or $14. Thirteen or fourteen dollars is within the reach of the people we are trying to help, those who are in the low-income brackets.

So what becomes of the estimate of the Senator from Maryland [Mr. TYDINGS] which is based upon an average here and an average there, and a guess here and a guess yonder? They fade away in the face of the actual figures and experience of a governmental agency in 51 distinct projects of housing.

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

Mr. MINTON. I yield.

Mr. BYRD. What figures is the Senator quoting? Is he quoting figures of the Federal Housing Administration where the known average rental per room is $14.13?

Mr. MINTON. I am talking about the P. W. A. housing administration. I am not talking about the Federal Housing Administration.

We find, when we consult actual figures and take the actual experience of the Government in housing, that a unit can be built sufficient to take care of these people, adequate in every respect, and can be rented to them under the Wagner bill now pending before the Senate at an average of $3.54 per room. Therefore, it becomes entirely possible to aid the people that everybody is for "but", and everyone wants to help "but", and everyone is pleased to do something "but"; and when we get through "butting" them around the Chamber there is no help in sight for them.

From these figures of the actual experience of a governmental agency, I submit that the bill so ably sponsored by the junior Senator from New York [Mr. WAGNER] meets the

problem, is thoroughly practical, and can be worked out in the interest of the poor people the Senator and his friends are trying to help.

Mr. KING. 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	Clark	Johnson, Colo.	Overton
Andrews	Connally	King	Pepper
Ashurst	Davis	La Follette	Pittman
Austin	Dieterich	Lee	Radcliffe
Bailey	Donahey	Lewis	Reynolds
Barkley	Ellender	Lodge	Schwartz
Berry	Frazier	Logan	Schwellenbach
Bilbo	George	Lonergan	Sheppard
Black	Gerry	Lundeen	Shipstead
Bone	Gillette	McAdoo	Steiwer
Borah	Glass	McCarran	Thomas, Okla.
Bridges	Green	McGill	Thomas, Utah
Brown, Mich.	Guffey	McKellar	Townsend
Brown, N. H.	Hale	McNary	Truman
Bulkley	Harrison	Maloney	Tydings
Bulow	Hatch	Minton	Vandenberg
Burke	Herring	Moore	Van Nuys
Byrd	Hitchcock	Murray	Wagner
Byrnes	Holt	Neely	Walsh
Capper	Hughes	Nye	Wheeler
Chavez	Johnson, Calif.	O'Mahoney	White

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present.

Mr. BYRD. Mr. President, the amendment offered by the junior Senator from Virginia and adopted by the Senate provides a limitation of $4,000 per family unit and $1,000 per room, exclusive of the cost of the land and the removal of any buildings existing on the property purchased. As a reasonable price for the purchase of the land and the demolition of the buildings, let us assume $1,000 for a four-room home. This would permit a cost of $5,000 per family unit.

The Senator from Kentucky [Mr. BARKLEY] has stated that should this amendment be reconsidered, he will offer an amendment to increase the limit of cost to $1,400 per room. I understand that the Senator from New York [Mr. WAGNER] is agreed that the family unit should be limited to six rooms. Therefore, the issue is clearly presented to the Senate, namely, should this amendment be reconsidered, assuming that the cost of the land is $1,000, a four-room family unit will cost $7,600 as compared to the $5,000 limitation proposed in the amendment that I offered.

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

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Kentucky?

Mr. BYRD. I do.

Mr. BARKLEY. The Senator realizes that that is the maximum, and probably the exceptional case.

Mr. BYRD. I understand.

Therefore, assuming that this limitation would be reached, there is a difference of 50 percent between the two proposals. I desire to say here and now that judging by the experience we have had in these matters, we may expect every dollar to be spent that is permitted under this bill. There will be an increase of cost of 50 percent, therefore, assuming a four-room house; but under the proposal of the Senator from Kentucky a six-room house will cost $9,400, nearly twice as much as is proposed in the limitation of the amendment I have offered.

Mr. BARKLEY. Mr. President, if the Senator will yield, how does he get that figure?

Mr. BYRD. Allowing $1,000 for the land and the demolition of the buildings.

Therefore the issue is clearly presented that unless the limitation I propose is retained in the bill, on the basis of a six-room house, 50 percent less of these underprivileged persons can be provided for by this appropriation.

I am not out of sympathy with the general objectives of this legislation, but regard the pending bill as ill-considered and improperly drawn. I think it is worthy of our consideration, however, to give advantages to 50 percent more families than would be possible if the amendment I have offered should be reconsidered and rejected by the Senate.

Mr. President, rarely in the history of the Senate has such a lobby been put in operation as has occurred for the past 24 hours for the purpose of inducing the Senate to reconsider the action it took 2 days ago. The morning newspapers announce that six great national organizations located in Washington are conducting a campaign and bringing pressure upon the Members of the Senate for the purpose of inducing them to change their votes on this amendment. We must remember, Mr. President, that very few bills have been introduced in the Congress of the United States which involve the gigantic expenditures which are expressed and implied in this bill. It will be possible to spend $700,000,000, and that is only a small part of the ultimate cost, because the mayor of New York has stated that the cost of eliminating the slums of New York City alone would be $15,000,000,000; and even though all of this $700,000,000 is spent in the city of New York, it would eliminate the slums there to the extent of only something like 6 percent. The Senator from Massachusetts [Mr. WALSH] the other day said on the floor of the Senate that he estimated the cost of eliminating the slums in this country at $60,000,000,000, one-fourth of the value of all the property in the United States. Is it any wonder, Mr. President, that those who sell materials for this gigantic construction program, that those who sell concrete and lumber and brick and steel, desire to have the highest possible prices for the construction of these homes, without limitation?

Yesterday there was placed on the desks of Senators some propaganda to which I desire to make reference. I entirely absolve the Senator from New York from criticism for being responsible for placing on the desks of Senators erroneous propaganda. I think it was in very bad taste; but I desire to make reference to it because I understand that some Senators have been influenced by the figures which are contained in this pamphlet. I desire to show that the figures are misleading, and in some instances tell only half of the truth.

This memorandum was signed by Langdon Post, president of the American Federation of Housing Authorities. A similar memorandum was distributed in the press gallery, signed by the American Federation of Housing Authorities, the Housing Legislation Information Office, the Labor Housing Conference, the National Association of Housing Officials, and concurred in by the American Federation of Labor and the building trades department of the American Federation of Labor. This circular states that the average cost of the construction of certain projects under the Federal Housing Administration would amount to $1,477 per room.

Mr. President, at my request the Federal Housing Administration has furnished me the exact information with respect to the cost of the projects which have been constructed with the aid that has been furnished by that organization.

Four thousand nine hundred and seventy-seven family units have been built with the aid extended by the Federal Housing Administration. The average cost per family unit is $4,641, including the cost of the land, including the cost of the landscaping, and including all other costs, as compared with an estimate of $5,000 under the amendment proposed by me.

The average cost of the rooms is not $1,477, as stated in this circular, but is $1,282, and this includes the cost of the land.

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

Mr. BYRD. I yield.

Mr. DAVIS. Would the Senator object to increasing the figure to the amount he has just stated, namely, $1,282?

Mr. BYRD. I have just endeavored to make clear to the Senate that this $1,282 includes the cost of the land, the cost of the landscaping, and all the other costs, while the amendment proposed by me limits it to $1,000 per room, exclusive of the land, and with the addition of the land there is no reason to think that the construction at the cost shown by the Federal Housing Administration could not be carried out under the terms of the bill.

Mr. DAVIS. Mr. President, I have a telegram from Cornelius D. Scully, the mayor of Pittsburgh, in which he informs me that—

PITTSBURGH, PA., *August 5, 1937.*

Senator JAMES J. DAVIS:

Limitation of construction cost of low-rent houses to $4,000 very bad. Would eliminate families needing more space. One thousand dollars per room cost is O. K. for Pittsburgh, but unit cost should be $6,000.

CORNELIUS D. SCULLY, *Mayor.*

Mr. Scully is very well informed on housing matters, and I was wondering whether the Senator could not bring himself to increase the amount to $6,000 as the total amount.

Mr. BYRD. Mr. President, as I have just stated, the 4,977 family units constructed all through this country by the Federal Housing Administration have cost $4,641 to complete. That includes the land and the landscaping, and likewise includes a profit to the contractor.

I am informed that the estimated cost per family in apartment houses privately built in 768 cities of the United States was $2,833 for the year 1936 and that multifamily houses built in the city of New York, exclusive of the land, cost $2,740 per family unit, in accordance with the permits for the building of these projects in that city.

Mr. President, the proposed legislation was presented to the Senate without any estimates of cost, notwithstanding the fact that it involved the expenditure of these huge sums of money and the fact that it was proposed to build certain definite building units. To show how loosely drawn the proposed legislation is, no estimates were furnished to the Senate as to the cost of the buildings.

I received from the Housing Administration some pictures and some figures as to the cost of different projects which have been constructed with the assistance of this organization. I have before me now the details as to a brick house, with a nice garage attached to it, and I think no one who would leave the slums would be insulted by being asked to live in this house. It cost $4,650. It is equipped with a steam heating plant; it is equipped with plumbing and with electrical attachments.

Of course, if those responsible are to waste and squander the money, as has been done under the Resettlement Administration, there could be no success; but it is my firm judgment and opinion that with proper economy and efficiency we could build suitable houses for the use and occupancy of the underprivileged people who now live in the slums for a total of $4,000 per unit, and in fact much less, plus the cost of the land and the cost of clearing the buildings which are now on the land.

I think no greater service can be given and no finer result can be accomplished for the long success of this movement than at the beginning to safeguard and prevent gross extravagance like that which has occurred in so many other projects constructed by Government agencies.

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

Mr. BYRD. I yield.

Mr. CLARK. In line with what the Senator has just been saying, yesterday I ran across one of the leading economists in the United States, one of the pioneers in the housing movement in New York City, Mr. John T. Flynn, who told me that there are within the city of New York now, in the Borough of Queens, with ready access to rapid transit, family units of six rooms per house, with grounds and garage, which may be bought on easy terms for less than $5,000—indeed, for $4,950, I think he said, to be exact, so as to keep within the provisions of the tax-exempt provisions of the New York statute. If that can be done by private enterprise, it would certainly seem that a limitation of $4,000 per family unit, exclusive of the land, would be a very reasonable one.

Mr. BYRD. Mr. President, there can be no question about that. As has been stated on the floor of the Senate, the average value of all the residences in the cities of this country is only $4,400. It is proposed that we spend far more in the construction of buildings for the purpose of slum clearance than the average value of all the dwellings in the cities of the country.

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

Mr. BYRD. I yield.

Mr. O'MAHONEY. I was very much impressed by the inquiry which was directed to the Senator by the senior Senator from Pennsylvania [Mr. DAVIS], who quoted a telegram from the mayor of Pittsburgh to the effect that while a satisfactory slum-clearance project could be constructed for $1,000 a room, the limitation of $4,000 was probably too low, and indicating, as I recall, that a maximum of $6,000 per family unit would cover the situation in Pittsburgh.

I inquire of the Senator from Virginia whether, in the light of all of the conflicting figures which are being presented to us on the part of the proponents of the limitation motion and upon the part of those who are opposing it, the suggestion submitted by the Senator from Pennsylvania from the mayor of Pittsburgh might not afford a basis for a general agreement.

Mr. BYRD. Mr. President, it is my frank and considered judgment that a maximum of $5,000 per family unit is sufficient; in fact, the construction cost should be less.

Mr. O'MAHONEY. May I ask, then, does the Senator intend to suggest such a modification of the original amendment?

Mr. BYRD. My contention is, I may say in response to the Senator from Wyoming, that my amendment already provides for a maximum cost of $5,000, because it excludes the cost of the land and excludes the cost of the demolishment of the building. Therefore, under the amendment as it now stands, there can be spent——

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair). The time of the Senator from Virginia has expired.

Mr. BYRD. May I take time on the bill?

The PRESIDING OFFICER. The Senator has already spoken on the bill.

Mr. BYRD. Mr. President, I move to lay on the table the motion to reconsider.

Mr. BARKLEY. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WAGNER. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WAGNER. May I be informed exactly of the question before the Senate?

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia [Mr. BYRD] to lay on the table the motion of the Senator from Nevada [Mr. McCARRAN] that the vote by which the amendment offered by the Senator from Virginia was agreed to be reconsidered. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. LEWIS. I again announce that the Senator from Wisconsin [Mr. DUFFY] and the Senator from Georgia [Mr. RUSSELL] are absent on official duty as members of the committee appointed to attend the dedication of the battle monuments in France.

I further announce that the Senator from Arkansas [Mrs. CARAWAY] is unavoidably detained; that the Senator from Idaho [Mr. POPE] and the Senator from New York [Mr. COPELAND] are detained on official business; and that the Senator from Ohio [Mr. DONAHEY] and the Senator from South Carolina [Mr. SMITH] are detained in important committee meetings.

The Senator from New Jersey [Mr. SMATHERS] is detained from the Senate because of illness in his family.

The Senator from South Carolina [Mr. SMITH] is paired on this question with the Senator from New York [Mr. COPELAND]. If present and voting, the Senator from South Carolina would vote "yea", and the Senator from New York would vote "nay."

The Senator from Ohio [Mr. DONAHEY] is paired with the Senator from New Jersey [Mr. SMATHERS]. If present and voting, the Senator from Ohio would vote "yea", and the Senator from New Jersey would vote "nay."

Mr. AUSTIN. My colleague [Mr. GIBSON] is absent in France in connection with his duties with the Battle Monuments Commission. He has a general pair with the Senator from Wisconsin [Mr. DUFFY].

The result was announced—yeas 44, nays 39, as follows:

YEAS—44

Adams	Capper	Herring	Pittman
Andrews	Clark	Holt	Radcliffe
Ashurst	Connally	Johnson, Calif.	Reynolds
Austin	Davis	Johnson, Colo.	Shipstead
Bailey	Frazier	King	Steiwer
Borah	George	Lodge	Townsend
Bridges	Gerry	Lonergan	Tydings
Bulow	Glass	McNary	Vandenberg
Burke	Hale	Maloney	Van Nuys
Byrd	Harrison	Nye	Wheeler
Byrnes	Hatch	Overton	White

NAYS—39

Barkley	Ellender	Lundeen	Pepper
Berry	Gillette	McAdoo	Schwartz
Bilbo	Green	McCarran	Schwellenbach
Black	Guffey	McGill	Sheppard
Bone	Hitchcock	McKellar	Thomas, Okla.
Brown, Mich.	Hughes	Minton	Thomas, Utah
Brown, N. H.	La Follette	Moore	Truman
Bulkley	Lee	Murray	Wagner
Chavez	Lewis	Neely	Walsh
Dieterich	Logan	O'Mahoney	

NOT VOTING—12

Bankhead	Donahey	Hayden	Russell
Caraway	Duffy	Norris	Smathers
Copeland	Gibson	Pope	Smith

So Mr. BYRD's motion to lay on the table Mr. McCARRAN's motion to reconsider was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7051) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MANSFIELD, Mr. DEROUEN, Mr. GAVAGAN, Mr. SEGER, and Mr. CARTER were appointed managers on the part of the House at the conference.

LOW-COST HOUSING

The Senate resumed the consideration of the bill (S. 1685) to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority, and for other purposes.

Mr. WAGNER. Mr. President, I ask unanimous consent that I may be permitted to offer several amendments, one after the other. They are all corrective amendments, and none of them, with one exception, is substantive. I believe the Senate will agree to the substantive amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered. The clerk will state the first amendment offered by the Senator from New York.

The CHIEF CLERK. In the committee amendment, on page 40, line 6, it is proposed to strike out "Authority" and insert "Administrator", and on the same page, line 7, to strike out "Authority" and insert "Administrator."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the Senator from New York will be stated.

The CHIEF CLERK. In the committee amendment, on page 44, line 9, it is proposed to strike out the comma after the word "rules" and insert in lieu thereof the word "and"; and in the same line to strike out the words "and definitions."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

Mr. CONNALLY. Mr. President, will the Senator from New York yield to me for a question?

Mr. WAGNER. I yield.

Mr. CONNALLY. Since the Senate has adopted the amendment placing this activity under the Department of the Interior, I wish to ask the Senator from New York whether any real necessity exists for having an administrator and four directors at high salaries under the Secretary of the Interior.

Mr. WAGNER. I may say that the construction which the author of the amendment put upon it was that it merely gives the Secretary of the Interior supervisory power. The powers that are to be exercised still exist in this board.

Mr. CONNALLY. It seems to the Senator from Texas entirely extravagant and inconsistent to put this authority as a bureau in the Department of the Interior and then have an overhead of five high-salaried officials.

Mr. WAGNER. The number has now been reduced to three.

Mr. CONNALLY. The number has been reduced to three! The Senator has made some progress.

Mr. WAGNER. That was done some time ago.

Mr. CONNALLY. It seems to me there should be a further reduction. It seems to me that one man, under the Secretary of the Interior, is sufficient.

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

Mr. WAGNER. I yield.

Mr. BURKE. Would it not be the idea of the Senator from Texas that we should strike out the provision for a board of two directors and leave simply the administrator?

Mr. CONNALLY. Exactly.

Mr. BURKE. It seems to me that would be advisable, since the Secretary of the Interior has supervisory power.

Mr. CONNALLY. Exactly. It seems to me we can dispense with the two directors and allow the Administrator to function, because if the Secretary of the Interior is to have supervisory power he will, in the last analysis, be the one who determines policy, and the Administrator can simply carry out the policy of the Secretary of the Interior.

Mr. WAGNER. No such power has been given to the Secretary of the Interior by the amendment which has been offered, and it is my belief that if this work is to be effectively done it must be done by a board to define the policies and the Administrator to carry them out.

Mr. CONNALLY. When the Senator from New York shall have concluded with his amendments I shall ask leave to introduce an amendment to that effect.

The PRESIDING OFFICER. The clerk will state the next amendment offered by the Senator from New York.

The CHIEF CLERK. In the committee amendment, on page 50, line 9, it is proposed to strike out "and" and insert "or."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the Senator from New York will be stated.

The CHIEF CLERK. In the committee amendment on page 55, line 16, it is proposed to strike out "purusuant", and insert "pursuant."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will read the next amendment offered by the Senator from New York.

The CHIEF CLERK. In the committee amendment on page 56 it is proposed to strike out, beginning with the figure "(3)", in line 10, and extending to line 19, and to renumber the succeeding paragraphs of the section to conform to the change thus made.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. KING. Mr. President, may I make an inquiry of the Senator?

Mr. WAGNER. Yes.

Mr. KING. Does the Senator intend to eliminate by that proposed amendment all the lines from line 10 down to and including line 19, or is the Senator merely eliminating the figure "3" in the parentheses?

Mr. WAGNER. It is proposed to take out the paragraph, because elsewhere in the bill the amendment offered by the Senator from Massachusetts [Mr. WALSH] takes care, in a mandatory way, of the matter which this paragraph deals with as merely discretionary.

The PRESIDING OFFICER. The Chair is informed that the amendment last stated to the committee amendment was agreed to on August 3.

Mr. O'MAHONEY. Mr. President, what was the amendment that was agreed to?

Mr. WAGNER. Mr. President, I can explain it. Paragraph (3) on page 56 has to do with the elimination of slums where a housing project is undertaken. Under that paragraph, however, it is only discretionary. The Senator from Massachusetts submitted an amendment, which has been agreed to, making it absolutely mandatory. That having been done by the Senator from Massachusetts, the discretionary provision should go out of the bill. It is surplusage.

Mr. WALSH. Mr. President, this amendment should be adopted, although I think the amendment heretofore offered by me proposed to strike out paragraph (3). The provision that is sought to be stricken out sets up one of the standards that the Authority should consider in making any grants or loans to a local housing authority. The amendment which the Senate adopted and to which the Senator from New York refers as my amendment makes it compulsory. Therefore, the optional provision which fixes it as one of the standards should go out of the bill, there being left in the bill the compulsory provision to which reference has been made.

Mr. KING. Mr. President, will the Senator from New York permit me to ask him a question?

Mr. WAGNER. Yes.

Mr. KING. Is it the understanding of the Senator that by the elimination of the paragraph just referred to, where the insanitary premises have been taken away from the owners and when the buildings have been demolished, the new housing project must be upon the same ground?

Mr. WAGNER. The new housing does not necessarily have to be upon the same ground. The city, for instance, may want to make a park of the slum area by tearing down the buildings, but they must take care of every inhabitant of the slums by erecting buildings at some other place.

Mr. KING. That is what I was interested in. It would seem to me to provide that the new housing units must be built upon the ground where the slum was cleared.

Mr. WALSH. There is no such provision in the bill.

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

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

Mr. WAGNER. I yield.

Mr. CLARK. Is it not a fact the most important thing in connection with the whole business is to take care of the present occupants of the slums, whether they are taken care of on the very ground or otherwise?

Mr. WAGNER. Yes; and put them in decent houses.

Mr. CLARK. And put them in decent houses, improved houses. But I am told that in the city of New York there are 500,000 persons occupying buildings of a type that has been forbidden by law for 38 years, but at any suggestion of purchasing that property it is held by the owners at an absolutely prohibitive price. Is not the important thing to do to move the occupants of those slums to better homes some place else, and then for the State of New York or the city of New York or other States or other cities, as the case may be, to go in, and, by the process of condemnation, as a matter of public health and public safety, wipe out those slums?

Mr. WAGNER. That is exactly what this bill proposes to do. There is to be no private purchase of those properties; they are to be purchased as a result of condemnation. So there can be no question of any land speculation involved.

Mr. ADAMS. Mr. President——

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

Mr. WAGNER. I yield.

Mr. ADAMS. I should like to inquire if a great city—I am not referring to New York—has slum dwellings which do not meet the requirements of use—that is, if they are insanitary and unsafe—why should the Federal Government and why should the city, why should the housing authority be compelled to buy those buildings?

Why could not the city acquire them under its police power and destroy them and tear them down? The occasion for constructing the new buildings is in order that those who now by force of necessity occupy the slum areas may have other places to which to go. But we certainly should not pay the owner for dwellings which are not fit for habitation, even though he has been obtaining rent from them.

Mr. WAGNER. That is all a matter of court procedure. Where such properties are unfit for human habitation, the courts provide no price for them; in some cases the owners are required to demolish the buildings; but the land, of course, cannot be taken without paying compensation.

Mr. ADAMS. We do not want this bill to be a bill for the benefit of the owners of slum dwellings.

Mr. WAGNER. Of course not. Various suggestions of that character have been made, but I hope the Senator does not think that those who are sponsoring the bill have the owners of that type of uninhabitable houses in mind?

Mr. ADAMS. I do not think so at all. I made the inquiry because of this proper provision that there must be compulsory clearance of the slums. My inquiry was as to the method. I do not want the method to involve payment for insanitary, unfit dwellings.

Mr. WAGNER. No such requirements, of course, are provided. If the courts find that buildings are unfit for habitation, and are worthless, there is no compensation paid for them, but compensation is paid for the land; and we have the power under the law—I do not know how much it has been exercised—even to compel the demolition of properties of that character.

Mr. ADAMS. It cannot have been exercised, because the cities have had the power to compel the demolition of these buildings, anyway, and little or nothing has been done.

Mr. WAGNER. The Senator must recognize the tremendous problem involved. If the people who occupy the slums were to be put out without having any other place to go, they would have to live on the streets. As speedily as we can, we will get rid of the slums, but we cannot do so until we build new houses. There have been some demolitions which have forced people to leave their old dwellings, and, having no other place to go, they are now living in tents. That is true not only in New York but in other places. When Senators go home I think they may find evidence awaiting them as to the seriousness of the housing shortage in their own sections.

Mr. LEWIS. But our constituencies do not lose touch with us.

Mr. WALSH. Mr. President, in reply to the Senator from Colorado, and to reiterate what the Senator from New York has stated in a different way, let me say that it is not contemplated that any money shall be expended by the Federal Government to remove slums. There is ample legal authority in any State that wants to exercise the power to remove slums without any cost to municipality or the State or to the Federal Government.

It is provided by the amendment to which reference has been made that when an application is filed for a loan for houses to take the place of slums that have been destroyed by the city or State, there shall be submitted, with the application, plans showing that the slums have been or are to be removed, as well as plans for the new houses. The loans are

to be premised upon the removal of slum areas. If it is not desirable to build houses there, they can be built in an entirely different part of the city. So that it is quite possible for the local authority to come to the board and say, "We have or will destroy 25 houses in a slum area in the city of New York"—or Boston or Philadelphia—"they are demolished. We now want a loan to permit us to build 25 or 50 houses to accommodate the people who formerly lived in the slum area in another part of the city." The amendment should be adopted, as it is unnecessary in view of my compulsory amendment in another part of the bill.

The PRESIDING OFFICER. The clerk will report the next amendment submitted by the Senator from New York to the committee amendment.

The CHIEF CLERK. In the committee amendment on page 61, line 21, it is proposed to insert a parenthesis at the beginning of the line.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment offered by the Senator from New York.

The CHIEF CLERK. In the committee amendment, on page 63, it is proposed to strike out lines 16 to 22, inclusive.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from New York to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the Senator from New York will be stated.

The CHIEF CLERK. On page 63, line 23, it is proposed to capitalize the word "Authority."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. WAGNER. Mr. President, there is one other amendment. Having amended the section which deals with expenses, the words on page 43, line 3, beginning with "such", down to the end of the sentence, are no longer necessary.

The PRESIDING OFFICER. The amendment offered by the Senator from New York to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment, on page 43, it is proposed to strike out, beginning in line 3 and running through line 7, the following words:

Such examination shall be for the sole purpose of making a report to the Congress and to the Authority of expenditures in violation of law, together with such recommendations thereon as the Comptroller General deems advisable.

The PRESIDING OFFICER. Without objection, the amendment to the committee amendment is agreed to.

Mr. McKELLAR. Mr. President, I offer an amendment which I ask the clerk to read.

The PRESIDING OFFICER. The amendment offered by the Senator from Tennessee to the committee amendment will be stated.

The CHIEF CLERK. In the committee amendment, on page 54, line 18, it is proposed to strike out the period after the word "reasonable" and insert:

Provided, That upon the certification of the Secretary of the Interior that persons owning lands not suitable for agricultural purposes within existing and authorized national parks or national forests, have tendered satisfactory options for their sale to the United States for national-park purposes, the Authority may allocate to the said Secretary not to exceed $1,000,000 for their acquisition so the vendors may rehabilitate themselves on other lands more suitable for agricultural purposes.

Mr. McKELLAR. Mr. President, is not the Senator from New York willing to accept the amendment?

Mr. WAGNER. I think it is outside of the scheme of things contemplated by the bill, but I have no objection to letting it go to conference.

Mr. WALSH. Mr. President, before that is done I think the amendment ought to be explained.

Mr. McKELLAR. The amendment is to be inserted on page 54, at the end of line 18. It merely provides that certain lands may be acquired for park and other recreational facilities. For instance, at Knoxville, Tenn., this would enable the completion of a park which the Government already owns. That is all there is to the amendment.

Mr. WALSH. As I understand the provision to which the Senator's amendment applies, namely, subsection (f) on page 54, it merely gives the authority power to convert slum areas into parks or lease them for automobile storage or parking purposes.

Mr. McKELLAR. My amendment is purely permissive. It does not require it to be done.

Mr. WALSH. I am speaking of what is provided in the bill. Rather than leave the slum areas vacant, they can be converted by lease or by sale into something useful, a park or parking spaces such as have been created in other places. What addition to that authority would be made by the Senator's amendment?

Mr. McKELLAR. It would merely give the housing authority permission to do what is provided by the amendment if they see fit. The project I have in mind is to complete a park which belongs to the Government and which can be utilized for recreational purposes.

Mr. WALSH. I do not think the Senator ought to press it in connection with this matter. It ought to be on the P. W. A. bill.

Mr. McKELLAR. But the P. W. A. bill is not before the Senate.

Mr. WALSH. The projects under the bill now before us are presumed to be concerned solely and alone with slum areas and their removal by local authorities, and the building of new homes for people who are to be housed.

Mr. McKELLAR. Will the Senator be on the conference committee?

Mr. WALSH. I do not know whether or not I will be.

Mr. McKELLAR. I suggest that the Senator take the amendment to conference and see whether it can be worked out.

Mr. WALSH. I certainly should like to accommodate the Senator, but I really believe the amendment ought not to be adopted on the bill now before the Senate.

Mr. WAGNER. Mr. President, has not the Senator from Utah [Mr. KING] some amendments which would strike out certain provisions of the bill?

Mr. McKELLAR. They have not been offered as yet.

Mr. WAGNER. I understand this paragraph is to be stricken from the bill.

Mr. KING. My understanding is that it has already been stricken from the bill.

Mr. McKELLAR. No. I just asked the clerks and was informed it has not been stricken. Let the paragraph be perfected, and then if it is stricken out the entire matter will go out.

Mr. KING. I advise the Senator that section 12 has been stricken from the bill.

Mr. McKELLAR. I was advised just a few moments ago that section 13 has not been stricken from the bill. My amendment does not apply to section 12. It applies to section 13.

Mr. WAGNER. Mr. President, the Senator from Utah [Mr. KING] 2 days ago offered an amendment to the bill, to which I did not object, proposing to strike out the authorization conferred upon the board to build demonstration projects.

The PRESIDING OFFICER. That is provided for in section 12.

Mr. WAGNER. The Senator from Utah has been given a memorandum, I am sure, to move to strike out other sections of the bill which would confer the same type of power upon the board, namely, that having the power to construct demonstration projects they were also to be given the power to obtain land for parks and playgrounds and other recreation facilities in connection with demonstration projects. If no demonstration projects are to be built, the amendment of the Senator from Tennessee would be pure surplusage. I understood the Senator from Utah [Mr. KING]

was going to endeavor to perfect the bill by moving to strike that section from the bill. Am I correct?

Mr. KING. The Senator is correct.

Mr. McKELLAR. Before that is done I think my amendment should be adopted. It is entirely in order to perfect the paragraph first.

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

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Missouri?

Mr. McKELLAR. I yield.

Mr. CLARK. Is there any purpose in the Senator's amendment except to enlarge a park at a particular place in one town?

Mr. McKELLAR. That is exactly the purpose of it.

Mr. CLARK. I do not think that ought to be put on a bill of this kind. This is a slum-clearance bill and has for its purpose to move people out of infested districts or infested tenements and put them in comfortable, proper homes. To suggest now the addition of an amendment for the extension of a park in one particular city in one particular State seems to me absolutely to destroy the purpose of the bill.

Mr. McKELLAR. In my opinion, it is in perfect accord with the purposes of the bill.

Mr. CLARK. I might be in favor of the amendment of the Senator from Tennessee if offered as a separate measure, but I do not think specific projects of that sort, even where the Government already owns the park, ought to be tacked onto a measure of the kind now under consideration.

Mr. McKELLAR. It is in perfect keeping with the provisions now in the bill. Of course, if the section goes out, the whole proposal would go out.

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

Mr. McKELLAR. Certainly.

Mr. BURKE. Am I to understand the Senator's amendment would give permissive authority to the board to spend money appropriated under the bill to buy lands located within the borders of a national park?

Mr. McKELLAR. Yes. It is in direct line with subparagraph (f), on page 54, which provides:

The Authority may dedicate land for parks, playgrounds, and other recreational facilities, for sewers, for the opening or widening of streets, for incidental improvements, or for any other public purpose—

It will be seen that it takes in all public purposes.

and may grant licenses and easements upon such terms as it deems reasonable.

If the paragraph is all going out, that is all right.

Mr. WAGNER. It should be stricken from the bill.

Mr. KING. Mr. President, I move to strike from the bill paragraph (f) on page 54.

The PRESIDING OFFICER. The motion is not now in order. The pending question is on the amendment of the Senator from Tennessee to the amendment of the committee.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. I have been unable to follow the discussion because three Senators have been on their feet at the same time, all talking at the same time. I understand there is pending a motion to strike out and another motion to add to that which is to be stricken out. May I ask just what is the question before the Senate?

The PRESIDING OFFICER. The amendment of the Senator from Tennessee [Mr. McKELLAR] to the amendment of the committee.

Mr. O'MAHONEY. May we have the amendment again stated?

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Tennessee to the amendment of the committee.

The CHIEF CLERK. In the amendment of the committee, on page 54, line 18, it is proposed to strike out the period after the word "reasonable" and insert:

Provided, That upon the certification of the Secretary of the Interior that persons owning land not suitable for agricultural purposes within existing and authorized national parks or national forests, have tendered satisfactory options for their sale to the United States for national purposes, the Authority may allocate to the said Secretary not to exceed $1,000,000 for their acquisition so the vendors may rehabilitate themselves on other lands more suitable for agricultural purposes.

Mr. O'MAHONEY. Am I to understand that this is an amendment to a paragraph of the bill as to which a motion is pending to strike out?

The PRESIDING OFFICER. The motion to strike out has not as yet been made.

Mr. KING. I indicated a few days ago I should move to strike out this paragraph. I hope the amendment of the Senator from Tennessee will be rejected, and then I shall move to strike out the whole subdivision.

Mr. McKELLAR. The bill, which is perfectly plain, provides:

The Authority may dedicate lands for parks, playgrounds, and other recreational facilities.

I wanted it to apply to a project in my State; that is all.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. BURKE. Mr. President, in my own time I wish to ask the Senator from Tennessee the question that I started to ask a few moments ago. This is a slum-clearance bill; and before I can vote for the Senator's amendment I want him to tell me definitely in what national park in this country there is a slum area that needs to be cleared up.

Mr. McKELLAR. There is no such slum area in a national park that I know of.

Mr. BURKE. Then I am against the Senator's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. McKELLAR] to the amendment reported by the committee.

The amendment to the amendment was rejected.

Mr. KING. Mr. President, I now move to strike out subdivision (f) on page 54, in the following words:

(f) The Authority may dedicate land for parks, playgrounds, and other creational facilities, for sewers, for the opening or widening of streets, for incidental improvements, or for any other public purpose, and may grant licenses and easements upon such terms as it deems reasonable.

Mr. McKELLAR. Mr. President, I hope the amendment will be agreed to.

I desire to call the attention of the Senator from Idaho [Mr. BORAH] to pages 52, 53, 54, and 55 of this bill, which provide for just the kind of things to which my amendment applied. If they are all stricken out, that will suit me entirely, and I hope they will all be stricken out; but certainly the provision of the bill known as section 13 ought to go out. It ought not to apply to part of the country without applying to all of the country. It ought to go out, and I think it will go out.

Mr. BORAH. I agree with the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. KING] to strike from the amendment reported by the committee paragraph (f) on page 54.

The amendment to the amendment was agreed to.

Mr. TYDINGS obtained the floor.

Mr. O'MAHONEY. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Wyoming will state it.

Mr. O'MAHONEY. There has been so much disorder in the Chamber that it is impossible to know what is being done.

Mr. BARKLEY. Mr. President, let us have order. I make the point of order that the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. McNARY. What was the decision of the Chair on the amendment offered by the Senator from Utah [Mr. KING]?

The PRESIDING OFFICER. The amendment was agreed to.

Mr. McNARY. I thank the Chair.

Mr. McKELLAR. What was the amendment, Mr. President?

Mr. KING. To strike out subdivision (f) on page 54.

Mr. McKELLAR. As I understood, a few moments ago the author of the bill stated that the entire section 13, under the heading of "General Powers of the Authority", was surplusage and ought not to be in the bill. Therefore, I move that the entire section 13 be stricken out.

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

Mr. McKELLAR. Yes; I yield.

Mr. WAGNER. I think the Senator misunderstood me. I said section 10.

Mr. TYDINGS. Mr. President, a parliamentary inquiry. Was I recognized by the Chair?

The PRESIDING OFFICER. The Senator from Maryland has the floor.

Mr. TYDINGS. I send to the desk an amendment which I offer and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Maryland to the amendment of the committee will be stated.

The CHIEF CLERK. In the amendment of the committee, at the proper place, it is proposed to insert the following new section:

No part of the fund herein provided shall be made available for any project unless and until the State, city, county, or other political subdivision in which such project is situated shall have contributed or agreed to contribute 5 percent of the sum granted or loaned hereunder and 5 percent of the rental subsidy herein provided.

Mr. BORAH. Mr. President, I should like to ask the Senator a question. Must the State, city, or county contribute that sum?

Mr. TYDINGS. Whatever it may be—the city or the county or the State.

Mr. President, I have offered this amendment in the best of faith, and I have made the requirement for the sponsor's contribution as low as it possibly can be made. Five percent of $1,000,000 is only $50,000.

Figure what will happen in any large city in America—a city of 800,000, 1,000,000, 2,000,000, or 5,000,000 persons. There are large areas of slums, we will assume, which it is desired to eliminate. Every man who owns property will be interested in the elimination of those slums as a personal, financial consideration. Therefore, in order that the sponsor, whether it be a city, a county, or a State, and the taxpayers therein, may be conscious——

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

Mr. TYDINGS. Let me finish my statement.

Mr. WAGNER. Perhaps we might save some time. The Senator's amendment provides for a 5-percent contribution?

Mr. TYDINGS. That is all.

Mr. WAGNER. I shall not object to it.

Mr. TYDINGS. I assume that unless there are some other questions, the Senator's agreement will insure the inclusion of the amendment in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland [Mr. TYDINGS] to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer the amendment which I send to the desk to the amendment of the committee.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin to the amendment of the committee will be stated.

The CHIEF CLERK. On page 61, line 11, after the word "architects" and the comma, it is proposed to insert "technical engineers, draftsmen", so as to read:

(2) Any contract for loans, annual contributions, capital grants, sale, or lease pursuant to this act shall contain a provision requiring that the wages prevailing in the locality, as determined or adopted (subsequent to a determination under applicable State or local law) by the Authority, shall be paid to all architects, technical engineers, draftsmen, technicians, laborers, and mechanics employed in the development or administration of the low-rent housing or slum-clearance project involved; and the Authority may require certification as to compliance with the provisions of this paragraph prior to making any payment under such contract.

Mr. LA FOLLETTE. Mr. President, I am sure there will be no objection on the part of any one to this amendment. The amendment simply clarifies what is obviously the intent of the paragraph.

Mr. WAGNER. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. KING. Mr. President, a day or two ago the provision of the bill with respect to experiments was stricken out. Section 12 was eliminated. That necessitates a number of perfecting amendments in other parts of the bill.

For instance, on page 36, in line 14, after the word "Authority", I move to strike out the comma and "whether or not developed pursuant to section 12."

The PRESIDING OFFICER. The amendment offered by the Senator from Utah to the amendment reported by the committee will be stated.

The CHIEF CLERK. On page 36, line 14, after the word "Authority", it is proposed to strike out the comma and the remainder of the section down to the period in line 15, in the following words:

whether or not developed pursuant to section 12.

Mr. WAGNER. That is all right.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. KING. On page 55, line 21, after the comma, I move to insert the word "or"—just a perfecting amendment.

Mr. WAGNER. That is all right.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah to the amendment reported by the committee will be stated.

The CHIEF CLERK. On page 55, line 21, after the comma, it is proposed to insert the word "or", so as to read:

In making any loan pursuant to section 9, any annual contributions pursuant to section 10, or—

And so forth.

The amendment to the amendment was agreed to.

Mr. KING. On the same page, page 55, beginning with the word "or" in line 22, I move to strike out through the comma in line 23.

The PRESIDING OFFICER. The clerk informs the Chair that that language has already been stricken out.

Mr. KING. Very well.

On page 59, I move to strike out lines 21 to 24, both inclusive, and lines 1 and 2 on page 60.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah to the amendment reported by the committee will be stated.

The CHIEF CLERK. On page 59, it is proposed to strike out lines 21 to 24, inclusive, and lines 1 and 2 on page 60, in the following words:

(4) When a lease of a low-rent housing project is made pursuant to section 12, the Authority shall retain the right to terminate such lease in the event of a substantial breach of the condition (which shall be embodied in such lease) providing for the maintenance of the low-rent character of such housing project.

The amendment to the amendment was agreed to.

Mr. KING. I offer the amendment which I send to the desk to the amendment reported by the committee.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. In the committee amendment it is proposed to insert, at the proper place, the following:

Appointment to positions made under the provisions of this act, the annual salary of which is $4,000 or more, shall be subject to confirmation by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. Are there further amendments to be offered? If not, the question is on agreeing to the amendment reported by the committee, as amended.

The amendment, as amended, was agreed to.

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

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that in enrolling the bill the clerks may have authority to renumber the sections and to reletter the paragraphs.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The bill having been read three times, the question is, Shall it pass?

Mr. LA FOLLETTE and Mr. TYDINGS called for the yeas and nays, and they were ordered.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

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

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

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present. The question is on the passage of the bill. On that question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The question is on the passage of the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLACK (when Mr. BANKHEAD's name was called). My colleague the junior Senator from Alabama [Mr. BANKHEAD] is unavoidably detained. If present, he would vote for the bill.

Mr. KING (when Mr. COPELAND's name was called). The senior Senator from New York is unavoidably detained. I agreed to pair with him. If he were present, he would vote "yea." If I were permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. LEWIS. I announce that the Senator from Idaho [Mr. POPE] is detained from the Senate on official business, that the Senator from Montana [Mr. WHEELER] is detained in an important committee meeting, and that the Senator from New Jersey [Mr. SMATHERS] is detained because of illness in his family. I am advised that if present and voting these Senators would vote "yea."

I again announce that the Senator from Wisconsin [Mr. DUFFY] and the Senator from Georgia [Mr. RUSSELL] are absent on official duty as members of the commission to attend the dedication of the battle monuments in France.

I am authorized to state that the Senator from Arkansas [Mrs. CARAWAY], were she present and voting, would vote "yea." I am also instructed by the junior Senator from New York [Mr. WAGNER] to state that I am also authorized by the senior Senator from New York [Mr. COPELAND], now absent, to announce that were he present and voting he would vote "yea."

Mr. LA FOLLETTE. The senior Senator from Nebraska [Mr. NORRIS] is unavoidably detained from the Senate. If present, he would vote "yea."

Mr. ASHURST. The junior Senator from Arizona [Mr. HAYDEN] is unavoidably absent. If he were present, he would vote "yea."

Mr. BULKLEY. My colleague the junior Senator from Ohio [Mr. DONAHEY] is unavoidably detained from the Senate.

Mr. McKELLAR (after having voted in the affirmative). I inquire if the Senator from Delaware [Mr. TOWNSEND] has voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. McKELLAR. I have a general pair with the Senator from Delaware, which I transfer to the junior Senator from New Jersey [Mr. SMATHERS], and allow my vote to stand.

Mr. AUSTIN. My colleague the junior Senator from Vermont [Mr. GIBSON] is absent attending to his duties as a member of the Battle Monuments Commission. He has a general pair with the Senator from Wisconsin [Mr. DUFFY].

The result was announced—yeas 64, nays 16, as follows:

YEAS—64

Adams	Clark	Lee	Overton
Andrews	Davis	Lewis	Pepper
Ashurst	Dieterich	Logan	Pittman
Barkley	Ellender	Lonergan	Radcliffe
Berry	Frazier	Lundeen	Reynolds
Bilbo	Gillette	McAdoo	Schwartz
Black	Green	McCarran	Schwellenbach
Bone	Guffey	McGill	Sheppard
Borah	Harrison	McKellar	Shipstead
Brown, Mich.	Hatch	Maloney	Thomas, Okla.
Brown, N. H.	Herring	Minton	Thomas, Utah
Bulkley	Hitchcock	Moore	Truman
Bulow	Holt	Murray	Vandenberg
Burke	Hughes	Neely	Van Nuys
Capper	Johnson, Colo.	Nye	Wagner
Chavez	La Follette	O'Mahoney	Walsh

NAYS—16

Austin	Byrnes	Hale	Smith
Bailey	Connally	Johnson, Calif.	Steiwer
Bridges	George	Lodge	Tydings
Byrd	Glass	McNary	White

NOT VOTING—15

Bankhead	Duffy	King	Smathers
Caraway	Gerry	Norris	Townsend
Copeland	Gibson	Pope	Wheeler
Donahey	Hayden	Russell	

So the bill (S. 1685) was passed.

The title was amended so as to read: "A bill to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the eradication of slums, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority, and for other purposes."

Mr. CLARK. Mr. President, in connection with the housing bill, I ask that there be printed in the RECORD a statement furnished me by the Federal Housing Administration.

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

The Federal Housing Administration was established 3 years ago for the declared purpose of encouraging improvement in housing standards and conditions and creating a sound system of home financing to replace the practices which had proven so disastrous in the depression period. The progress made in the pursuit of these objectives up to August 1 may be summarized as follows:

Gross business transacted including mortgages selected for appraisal, commitments to insure large scale rental projects, and modernization notes insured, totaled nearly $1,800,000,000.

Home mortgages accepted for insurance reached a total of 220,000, valued at $890,000,000. The homes securing these mortgages would provide for a city of nearly a million inhabitants.

More than 2,500 additional families are becoming their own landlords under this program each week.

Mortgages on large-scale projects providing rental housing for persons of moderate means amounted to $27,332,000.

Modernization and repair notes amounting to slightly over $560,000,000 were insured under the emergency provisions of title I which expired on April 1. By this means the Housing Administration has raised the living standards of millions of persons living in the more than 1,250,000 urban dwellings and farm properties improved, and has enabled more than 100,000 small business concerns to modernize their plants and equipment. In addition, it is estimated that the "better housing campaigns" sponsored by the Housing Administration in more than 8,000 communities has stimulated modernization and repair work amounting to several times the value of the insured notes officially recorded.

A distinctive feature of the Federal Housing Administration is that it lends no money and makes no grants of Federal funds. It simply insures loans made by banks, building and loan associations, insurance companies, and other private lending institutions to finance the construction of new homes, to refinance homes already built. and up to April 1, 1937, for the repair and modernization of old structures.

Moreover, the Housing Administration is now paying the major portion of its operating expenses. Eventually, it should be on an entirely self-sustaining basis and will operate as the National Housing Act originally contemplated, without cost to the Government. Income is now being received by the Housing Administration, principally through revenue derived from mortgage insurance premiums and appraisal fees, at the rate of more than $500,000 a month. This will increase substantially as the volume of mortgage insurance grows. Thus, during the present fiscal year $5,000,000 of income will be used to pay the expenses of the administration's 66 insuring offices, leaving a substantial amount to be turned into the mutual mortgage insurance fund to meet possible losses on foreclosed mortgages.

The mutual mortgage insurance fund now exceeds $19,000,000. Of this amount $10,000,000 was supplied by Congress as an original revolving fund. The remainder has been accumulated through the receipt of mortgage insurance premiums, appraisal fees, and interest on reinvested funds. Chargeable against the fund are debentures amounting to less than $100,000. The Federal Housing Administration has assets in the form of foreclosed properties turned over to the Administrator adequate to retire all but a small fraction of the debentures outstanding.

In this connection, the soundness of the Federal Housing Administration appraisal methods, now standardized throughout the country, is attested by the foreclosure record on properties financed under the insured mortgage system. Of the 219,000 homes on which commitments to insure mortgages have been made, only 31 have been conveyed to the Administrator after foreclosure.

When the Housing Administration began operations, residential construction in America had almost ceased. During 1934 only about 50,000 urban and suburban homes were built in the entire United States. Last year this number was increased over 500 percent. Data gathered by the Bureau of Labor Statistics on building permits, supported by F. H. A. operating figures, indicate a still further improvement in 1937.

Newly constructed homes represent approximately 56 percent of the total value of mortgages accepted for insurance by the F. H. A. for the past year. Approximately one-half of the estimated value of all mortgage loans eligible for insurance on newly constructed, single-family urban homes are being financed under the F. H. A. plan. The widespread distribution of the benefits of the F. H. A. system may be seen in the fact that approximately 40 percent of the mortgages insured on new homes are in small cities and towns where heretofore it has been exceedingly difficult and expensive to obtain mortgage money.

In carrying out the mandate "to encourage improvement in housing standards and conditions" and "to create a sound-mortgage market", the Federal Housing Administration has found it necessary to discourage certain outmoded lending practices, such as the second mortgage, oppressive interest rates, costly commissions, and expensive renewal fees which prevailed prior to the real-estate collapse of the early thirties, as well as the old-fashioned lot-selling rackets and jerry building. In the place of those practices, the F. H. A. has devised a new system, based upon the principle of insurance to spread losses, conservative, standardized appraisals, long-term monthly amortization, reasonable interest rates and careful consideration of the home buyer's capacity to pay. Recognizing that the home surroundings may deteriorate more rapidly than the home structure itself, closest scrutiny is being given to subdivision planning and neighborhood standards.

Funds for home financing which had almost disappeared from the market when the Federal Housing Administration came into being are now generally available on fairer terms than ever before in the history of the country. The acquisition of a home has been made easier and safer for the family of moderate means. Over half of the families buying homes under the F. H. A. plan have annual incomes of $2,500 or less and 9 out of 10 of them are using less than one-fifth of their incomes to meet their monthly payments on their homes.

In measuring the progress of the F. H. A., consideration should be given to the increased revenue flowing into the National Treasury from taxes paid by corporations and individuals, formerly "in the red", deriving their income directly or indirectly from the revived construction industry and also to the lightening of the Government relief load as a consequence of providing employment for hundreds of thousands of workers in the construction and related industries benefited by the F. H. A.

COURT REFORM AND JUDICIAL PROCEDURE

Mr. McCARRAN. Mr. President, I move that the Senate proceed to the consideration of House bill 2260, to provide for appearance on behalf of and appeal by the United States in certain cases in which the constitutionality of acts of Congress is involved.

Mr. McNARY. Mr. President, I have no objection to making the bill the unfinished business, provided we can go forward with the calendar today and tomorrow.

Mr. BARKLEY. Mr. President, I have two or three times announced on the floor, and in private more frequently, that the program is to make the bill just referred to the unfinished business, and immediately to lay it aside and have a call of the calendar for action on unobjected-to bills. If that is the information the Senator desires, I am glad to give it to him.

Mr. McNARY. I appreciate that, but I was going one step further. Is it the understanding that we will not take up the Court bill until Monday?

Mr. BARKLEY. There is no such understanding. We are to have a session tomorrow, and if we finish with the calendar, we will take up the Court bill.

Mr. McNARY. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 2260) to provide for appearance on behalf of and appeal by the United States in certain cases in which the constitutionality of acts of Congress is involved, which had been reported from the Committee on the Judiciary with amendments.

CONSIDERATION OF UNOBJECTED-TO BILLS ON CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside in order that the Senate may proceed with a call of the calendar for action on unobjected-to bills.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will proceed with the call of the calendar.

BILLS PASSED OVER

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

Mr. KING. Let that bill go over.

The PRESIDING OFFICER. 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.

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. The bill will be passed over.

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

Mr. McKELLAR. Over.

The PRESIDING OFFICER. The bill will be passed over.

BILL INDEFINITELY POSTPONED

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.

The PRESIDENT pro tempore. This bill has been incorporated as an amendment to a bill which has already been passed by the Senate, and it should be indefinitely postponed.

Mr. VANDENBERG. I move that the bill be indefinitely postponed.

The motion was agreed to.

BILLS PASSED OVER

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

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. 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.

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. The bill will be passed over.

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

Mr. McKELLAR. Over.

The PRESIDING OFFICER. The bill will be passed over.

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

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. 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 PRESIDING OFFICER. The bill will be passed over.

PHILIPPINE CURRENCY RESERVES

The Senate proceeded to consider the bill (S. 892) to repeal the act entitled "An act relating to Philippine currency reserves on deposit in the United States", which was read, as follows:

Be it enacted, etc., That the act entitled "An act relating to Philippine currency reserves on deposit in the United States", approved June 19, 1934, is hereby repealed.

Mr. KING. I would like to have an explanation of this bill.

Mr. ADAMS. Mr. President, a bill similar to this passed the Senate a year ago, during the latter days of the session, but time did not permit its consideration by the House.

The bill involves certain financial transactions growing out of the deposits of Philippine moneys in American banks. The Philippine government had on deposit in American banks at the time of the declaration of the gold policy some $56,000,000. In some way, through some misunderstanding, both of fact and of law, it was concluded by Members of Congress that the Philippine government was entitled to an increment upon this deposit, and a bill was passed authorizing the payment to the Philippine government of $24,000,000, being the amount by which the deposits of the Philippine government would have increased had they been in gold and had they belonged to the United States Government, rather than simply to have been bank deposits.

There were at that time in the banks of the United States deposits of the Federal Government and States and counties aggregating some $4,000,000,000. There were deposits of private citizens in the banks amounting to some $40,000,000,000, which were in the exact situation of the deposits of the Philippine government. But there was some misunderstanding of the situation, and the bill was passed authorizing the payment to the Philippine government of $24,000,000.

As a matter of fact, the Philippine government has drawn from the banks every single dollar that was on deposit. They did not lose a cent. Their money was like other moneys on deposit, and this bill is for the purpose of repealing that authorization which was passed under a mistaken understanding both as to facts and law.

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

Mr. ADAMS. I yield.

Mr. KING. My recollection is that a bill passed the Senate at the last session making similar provision, and I understood it had become law.

Mr. ADAMS. No; it did not pass the House. It was passed after a full discussion on the floor of the Senate, and after hearings before the Banking and Currency Committee.

Mr. McKELLAR. What the Senator means is that if the bill shall pass it will repeal the previous action, and the increment will not be paid?

Mr. ADAMS. It is one of the few bills which save the United States money. It will save the United States $24,000,000.

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. 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. AUSTIN. I ask that the bill be passed over.

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

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. LA FOLLETTE. Mr. President, it seems to me that with the approval of the authors of the bill it might be indefinitely postponed, since it was made a part of the wage and hour bill which has already passed the Senate.

Mr. KING. I suggest that it be passed over, but that it maintain its place on the calendar.

Mr. BARKLEY. I suggest that the bill go over, and remain on the calendar for the time being.

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

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. I ask that the bill be passed over.

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

BENEFITS UNDER SOIL CONSERVATION ACT

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, if this bill is to pass I suggest an amendment to be placed at the end of line 9, reading as follows:

Provided such exemptions are made a public record.

The purpose of this bill is to permit Members of Congress to enjoy benefits under the Soil Conservation Act. I have no objection if they shall elect to do so, but I believe that if Members of Congress do so it should be a matter of public record, and it ought not to be difficult to get the information, as is otherwise the case. I offer the amendment as indicated.

Mr. KING. I think the bill had better go over.

Mr. VANDENBERG. Let the amendment be pending with the bill.

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

TROUP MILLER AND HARVEY D. HIGLEY

Mr. McADOO. Mr. President, I ask unanimous consent for the consideration of the House amendment to a Senate bill, just passed by the House and sent to the Senate. The bill relates to the claim of two officers of the Army from whom was taken $5,257.50. The bill was passed by the Senate, and the House has made one change in the language of the bill by striking out the words "such sum representing money paid by such officers", and inserting in lieu thereof "in full satisfaction of their claims against the United States for money paid."

I should like to have the action of the House laid before the Senate so that I may move concurrence in the House amendment.

There being no objection, the President pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1160) for the relief of Troup Miller and Harvey D. Higley, which was, on page 1, line 9, to strike out "such sum representing money paid by such officers" and to insert "in full satisfaction of their claims against the United States for money paid."

Mr. McADOO. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

ESTABLISHMENT OF A NATIONAL SAFETY STANDARDS COMMISSION

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

Mr. LONERGAN. Mr. President, I send to the desk an amendment offered as a substitute for section 2 (a) of the bill, which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 2, after line 6, it is proposed to strike out section 2 (a), contained in lines 7 to 18, inclusive, and in lieu thereof to insert the following:

SEC. 2. (a) It shall be the duty of the Commission to make investigations, studies, and examinations of devices, appliances, systems, and methods now in use or hereafter proposed for the protection of the public and the promotion of safety on railroads, drawbridges, and highways in those cases where the duty or authority to make such investigations, studies, and examinations is not vested in any other Federal agency or department; to collect and consolidate information resulting from such investigations, studies, and examinations by other Federal agencies and departments; to coordinate the work of other Federal agencies and departments in promoting safety on railroads, drawbridges, and highways; to recommend safety standards for devices, appliances, systems, and methods used on railroads, drawbridges, and highways for the protection of the public and the promotion of safety in cases (1) where such safety standards established by other Federal agencies or departments are in conflict, and (2) where, because of the intersection of a drawbridge with a railroad or highway or the intersection of a railroad and a highway, two or more Federal agencies or departments exercise such jurisdiction within the area contingent to such intersection; and to make available to the States and their political subdivisions the results of its investigations, studies, and examinations; and to establish such safety standards in cases where other Federal agencies or departments are not authorized to establish such safety standards: *Provided*, That nothing in this section, with the exception of the authority of the Commission to recommend such safety standards in cases where other Federal safety standards are in conflict and in connection with intersections, shall be considered as a repeal or modification of the provisions of any other act but shall be construed as supplemental thereto.

Mr. McKELLAR. Mr. President, may I ask the Senator, what would be the cost of participation? Section 6 provides:

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

Mr. LONERGAN. That paragraph is not necessary. The bill provides for a coordination of the work of the Public Roads Bureau, the War Department, and the Interstate Commerce Commission in the prevention of highway accidents.

Mr. McKELLAR. I am in complete sympathy with the purposes of the bill, but it provides for an unlimited authority, and anyone who is put in charge of it could easily use all the money he wanted. I think it is a worthy measure, but I do not like that provision.

Mr. LONERGAN. I move to strike out the last paragraph on page 6 of the bill.

Mr. LA FOLLETTE. Mr. President, upon an examination of the report I find that the Department of Agriculture has recommended against the bill, that the Interstate Commerce Commission has reported as being adverse to its consideration, and in view of those two adverse reports, from the Interstate Commerce Commission and the Secretary of Agriculture, I ask that the bill go over until I may have an opportunity to study it more carefully.

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

BILL AND JOINT RESOLUTION PASSED OVER

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

Mr. WHITE. I ask that the bill be passed over.

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

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. KING. I ask that the joint resolution be passed over.

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

CONSTRUCTION OF SMALL RESERVOIRS UNDER FEDERAL RECLAMATION LAWS

The Senate proceeded to consider the bill (H. R. 2512) to authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws, which had been reported from the Committee on Irrigation and Reclamation, with an amendment to strike out all after the enacting clause and insert:

That from any funds in the Treasury available for relief or work relief there is hereby authorized to be expended the sum of $500,000 by the Secretary of the Interior, under the Federal reclamation laws, in the construction of small storage reservoirs at such locations within the States subject to the Federal reclamation laws as the said Secretary may select, no reservoir to be constructed hereunder the estimated cost of which exceeds $50,000.

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.

Mr. O'MAHONEY subsequently said: Mr. President, as to House bill 2512, being Calendar 811, which was passed earlier in the day, I move that the Senate insist upon its amendment, ask for a conference with the House thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wyoming.

The motion was agreed to; and the Presiding Officer appointed Mr. ADAMS, Mr. O'MAHONEY, and Mr. NYE conferees on the part of the Senate.

BILLS 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 be passed over.

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

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 was announced as next in order.

Mr. KING. I ask that the bill be passed over.

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

CONGRESSIONAL CONSENT TO MINIMUM-WAGE COMPACT

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 was announced as next in order.

Mr. WALSH. Mr. President, a House joint resolution of a similar nature and character is on the calendar, being Calendar No. 1082, being House Joint Resolution 321, and I ask unanimous consent that the House joint resolution be substituted for the Senate joint resolution and that the Senate consider the House joint resolution.

The PRESIDENT pro tempore. Is there objection?

Mr. KING. Mr. President, I should like to have an explanation.

Mr. WALSH. I will say that the compact represents an agreement on the part of the States referred to, namely, Massachusetts, New Hampshire, and Rhode Island, to set up in their minimum-wage laws the same standards for the

minimum-wage law in these States. Of course, any State in the Union has a right to pass whatever minimum-wage law it sees fit. This compact between the States is an agreement that they will adopt the same standards fixed by mutual agreements. In other words, the compacts are an agreement for the same type of minimum-wage laws in these States.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the House joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 321) granting the consent of Congress to the minimum-wage compact ratified by the Legislatures of Massachusetts, New Hampshire, and Rhode Island, which was ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage, in States ratifying the same, which was signed in Concord, N. H., on May 29, 1934, by representatives of the Governors of Maine, New Hampshire, Connecticut, Massachusetts, Rhode Island, New York, and Pennsylvania, and which was ratified by the Legislature of Massachusetts on June 30, 1934, by the Legislature of New Hampshire on May 29, 1935, and by the Legislature of Rhode Island on May 1, 1936, is hereby approved and declared to be effective in said States in accordance with the terms thereof, and hereafter in such States as may at any time ratify the same; which compact is as follows:

COMPACT FOR ESTABLISHING UNIFORM STANDARDS FOR CONDITIONS OF EMPLOYMENT, PARTICULARLY WITH REGARD TO THE MINIMUM WAGE, IN STATES RATIFYING THE SAME

TITLE I—POLICY AND INTENT

Whereas enforcement among the industrial States of the Union of reasonably uniform standards for labor in industry, determined in accordance with the general welfare, would not only benefit labor but would be of real advantage to employers, removing the pressure toward low wages, long hours of work, exploitation of minors and women, and similar action commonly admitted to be injurious to all concerned; and

Whereas the advantages of such uniform standards have already been indicated by the operation of the National Industrial Recovery Act and the codes of fair competition adopted thereunder; and

Whereas such operation points to the desirability of continued uniform legislation affecting labor standards, by Federal action or otherwise, and of joint action by the States to establish such uniform standards; and

Whereas the establishment of reasonably uniform standards in States concerned with the same general fields of industry and competitors in the same markets will afford the advantages of stability in labor legislation to all concerned, with disadvantage to none: Now, therefore

The States whose commissioners have signed this compact and which have, by their legislature, ratified the same, acting to promote the general welfare of the people, do hereby join in establishing the said compact to provide uniform minimum standards affecting labor and industry in the said States: *Provided, however,* That nothing herein contained shall be construed as abrogating, repealing, modifying, or interfering with the operation of laws already in effect in any State party hereto which establish standards equivalent to or above those herein specified, nor to prevent or discourage the enactment of additional laws establishing similar or higher standards; nor shall anything herein contained repeal or affect any laws concerning conditions of employment that are not in conflict herewith or that deal with subjects not included herein: *And provided further,* That no part of any title of this compact nor of any legislation adopted in pursuance thereof, except as may be expressly specified in such title or in such legislation, shall be in effect in any State party hereto until this compact shall have been approved as provided in section 6 of title II, but whenever title I and II hereof and any other title included herein are so approved and ratified, such titles shall be in full force and effect as laws of the States so approving and ratifying the same.

TITLE II—GENERAL PROVISIONS

SECTION 1. Each State party to this compact shall require its administrative agency or agencies charged with the administration and enforcement of this compact and of State laws relating thereto, to make comprehensive and detailed reports concerning the operation and administration of said compact and laws. Such agency shall report at least once each year and shall send copies of such report to the interstate commission established under the following section, to the Governors of the several ratifying States, and to the appropriate administrative agencies in such States.

SEC. 2. Each State party hereto shall make provision for a continuing unpaid commission representing industry, labor, and the public, and appointed by the Governor of said State, to deal with the other ratifying States concerning questions arising under this compact and the operation of the same within the limits of their respective States. The chairman of such State commission shall be designated by the Governor and shall be the representative of his State on an interstate commission which shall be composed of the representatives so designated by the several States parties to this compact. The Governors of the signatory States shall request the President of the United States to appoint a representative of the Federal Government to the interstate commission. The expenses of the interstate commission shall be shared equally by the States ratifying this compact. The interstate commission shall annually make a report of its activities and shall furnish copies to the Governors of the ratifying States and to the permanent commissions of said States.

SEC. 3. Should any question arise on the part of one or more of the States ratifying this compact concerning a matter involved in said compact or in any State law adopted in pursuance thereof, then such question shall be brought before the said interstate commission for consideration. Said interstate commission shall make any necessary investigations, shall publish its findings and any recommendations, and shall furnish copies of such findings and recommendations to the State commissions in each State party to this compact.

SEC. 4. If any ratifying State should desire a modification of any provision or provisions of this compact, or a revision of the entire compact, or if for any reason it should become desirable to extend the scope of said compact, the aforesaid interstate commission shall, upon the application of one or more of the ratifying States, and after 30 days' notice to the Governors and State commissions of the other States, proceed to consider such application and the reasons advanced for the proposed modification or revision and shall make such recommendations to the ratifying States concerning the same as may seem fitting and proper. Whenever said modification, revision, or extension is ratified in the manner prescribed in section 6 of this title for the ratification of this original compact and the Congress of the United States has consented thereto, then such modification, revision, or extension shall be in full force and effect in the States ratifying the same.

SEC. 5. Each State party to this compact agrees that it will not withdraw therefrom until it has reported to the interstate commission the reasons for its desire to withdraw. The interstate commission shall, upon receipt of such report, investigate the situation and shall, within 6 months, submit its recommendations. If the State still desires to withdraw from the compact, it shall defer such action for 2 years from the date of the findings of the interstate commission.

SEC. 6. Upon ratification by the legislative act of the requisite number of States as specified in subsequent titles of this compact, and with the consent of the Congress of the United States, this compact shall be in full force and effect in the States ratifying the same. Each State so ratifying shall forthwith enact necessary and suitable legislation to establish and maintain the minimum standards set forth in the following title or titles and shall make provision for the continuing State commission required by section 2 of this title. The appropriate administrative agencies of each State shall thereafter enforce and supervise the operation of the laws relating to this compact and the laws enacted to make the provisions of said compact effective.

SEC. 7. Any State may at any time become a party to this compact by taking the action required by the preceding section of this title to ratify the same, subject to the consent of the Congress of the United States.

SEC. 8. If any part of this compact or the application thereof to any person or circumstance should be held to be contrary to the constitution of any ratifying State or of the United States, all other separable parts of said compact and the application of such parts to other persons or circumstances shall continue to be in full force and effect.

TITLE III—MINIMUM WAGE

SECTION 1. No employer shall pay a woman, or a minor under 21 years of age, an unfair oppressive wage.

SEC. 2. The State agency administering the minimum-wage law enacted in conformity with this compact shall have authority to investigate the wages of women and minors; to appoint wage boards, upon which employers, employees, and the public shall have equal representation, for the purpose of recommending minimum fair-wage rates for women and minors; and after a public hearing, to enter directory orders based on the determinations of the wage boards, together with such administrative rulings as are appropriate to make the determinations effective; and may have further authority, without the agency of a wage board, to enter such orders in the case of occupations with less than a specified number of employees.

SEC. 3. The State administrative agency and the wage boards appointed by such agency shall have authority to administer oaths and to require by subpena the attendance and testimony of witnesses and the production of records relative to the wages of women and minors.

SEC. 4. The State administrative agency shall have further authority to inspect to determine compliance with its orders; to publish the names of employers violating a directory order; and, after a directory order has been in effect for a specified period, to make such order mandatory after a public hearing thereon. Such mandatory order shall carry a penalty of fine, imprisonment, or both. Said agency shall have authority to reconvene wage boards or to form new wage boards for the purpose of modifying wage orders. It shall have authority at any time on its own motion to modify administrative regulations after a public hearing thereon.

SEC. 5. The State administrative agency shall have authority to issue special licenses to employees who, by reason of physical or mental condition are incapable of earning the minimum fair-wage rate established for the occupation in which they are employed. Said agency shall have authority to take assignment of

wage claims at the request of women or minor employees paid less than the minimum wage to which they are entitled under a mandatory order, and to bring legal action necessary to collect such claims. Such employees shall be authorized, under the statute, to recover by civil action the full amount to which they are entitled under a mandatory fair-wage order.

SEC. 6. Employers subject to the minimum-wage law enacted in conformity herewith shall be required to keep specified records, including the names, addresses, occupations, hours, and wages of the women and minors in their employ; to permit the inspection and transcript of such records by the State administrative agency and its authorized representatives; and upon request, to furnish said agency with a sworn statement of the same. Employers shall further be required to post and maintain the notices regarding wage orders issued by the State administrative agency.

SEC. 7. Each minimum-wage law so enacted shall contain provisions for appeal to the courts on questions of law by persons aggrieved by the decisions of said agency. Said law shall also contain a provision to the effect that in no case shall wage orders or decrees entered under a previously existing law be nullified until the provisions of the law enacted in conformity herewith have become operative and until new wage orders covering the same occupations have been entered and made effective.

SEC. 8. Each minimum-wage law enacted in conformity herewith shall contain a saving clause to the effect that if any provisions of such law or its application be held invalid, the remainder of the law and its application elsewhere shall not be affected thereby.

SEC. 9. Mandatory fair-wage legislation now in effect in any of the signatory States, and such legislation in course of passage in any of such States as is in conformity with the provisions of this compact, is hereby declared to meet the minimum standards required by this compact.

SEC. 10. This compact as applied to minimum wage shall, when ratified by two or more States in accordance with the provisions of section 6 of title II, be in full force and effect in the States so ratifying the same.

In witness whereof the commissioners of the States of Connecticut, Maine, New Hampshire, New York, Rhode Island, and of the Commonwealths of Massachusetts and Pennsylvania have signed this compact in a single original which shall be deposited in the archives of the Department of State of the United States of American at Washington, D. C., and of which a duly certified copy shall be forwarded to the Governor of each of the signatory States.

Done at Concord, N. H., this 29th day of May, A. D. 1934.

(Signed by members of commissions and by delegates of the States of Connecticut, Maine, New Hampshire, New York, Rhode Island, and the Commonwealths of Massachusetts and Pennsylvania.)

The PRESIDENT pro tempore. Without objection, Senate Joint Resolution 137 will be indefinitely postponed.

PUNISHMENT FOR IMPERSONATION OF CERTAIN GOVERNMENT OFFICERS

The Senate proceeded to consider 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.

Mr. BARKLEY. Mr. President, may we have an explanation of that bill?

Mr. HATCH. The letter from the Attorney General which accompanies the report is short and explains the purpose of the proposed legislation. It states that the existing law makes it a crime to impersonate any officer or employee of the United States with intent to defraud. This bill extends the existing law to employees of a Government-owned corporation.

That, in brief, is the purpose of the bill.

Mr. BARKLEY. I have no objection.

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, as follows:

Be it enacted, etc., That section 32 of the Criminal Code (act of Mar. 4, 1909, ch. 321, sec. 32; 35 Stat. 1095; U. S. C., title 18, sec. 76) be amended to read as follows:

"Whoever, with intent to defraud either the Untied States or any person, shall falsely assume or pretend to be an officer or employee acting under the authority of the United States, or any department, or any officer of the Government thereof, or under the authority of any corporation owned or controlled by the United States, and shall take upon himself to act as such, or shall in such pretended character demand or obtain from any person or from the United States, or any department, or any officer of the Government thereof, or any corporation owned or controlled by the United States, any money, paper, document, or other valuable thing, shall be fined not more than $3,000 or imprisoned not more than 5 years, or both."

JUDICIAL PROCEEDINGS TO WHICH UNITED STATES IS A PARTY

The bill (S. 2386) to give precedence to certain proceedings to which the United States is a party, 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 if, in any civil or criminal proceeding to which the United States is a party, arising under the customs or internal-revenue laws, the district attorney files, at any time after joinder of issue, with the clerk of the district court in which such proceeding is pending a certificate that such proceeding involves a charge of fraud upon the revenues of the United States, thereupon such proceeding shall be given precedence over other cases on the civil or criminal docket of such court and shall be assigned for hearing and trial at the earliest practicable date, and be expedited in every way.

MARINE HOSPITAL IN FLORIDA

The bill (H. R. 4716) authorizing the construction and equipment of a marine hospital in the State of Florida, was considered, ordered to 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 to acquire by gift, purchase, condemnation, or otherwise, a suitable site in the State of Florida, to be selected by the Federal Board of Hospitalization, and to cause to be erected thereon a suitable building or buildings for a marine hospital, together with the necessary auxiliary structures, equipment, furniture, accessories, appurtenances, approaches, walkways, roads, parkways, ground improvements, wharfage, dockage, and trackage facilities, heating, ventilation, air conditioning, water, sewers and sanitary facilities, and the necessary preparation and improvements to the site.

SEC. 2. That the plans, specifications, and full estimates for said building shall be previously made and approved according to law, and the cost thereof, including the cost of the site and the improvement thereof, shall not exceed the sum of $1,500,000.

SEC. 3. There is hereby authorized to be appropriated the sum of $1,500,000 to carry out the provisions of this act.

BILLS PASSED OVER

The bill (S. 2601) to provide for refund of amounts collected as tax under the Bankhead Cotton Act, 1934; the Kerr Tobacco Act as amended; and the Potato Act of 1935, was announced as next in order.

Mr. KING. Mr. President, I should like to have an explanation of that bill.

Mr. LOGAN. Mr. President, there is a good deal involved in the bill, and consequently I will ask that it go over.

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

The bill (H. R. 4689) to provide an additional sum for the payment of claims under the act entitled "An act to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the Navy and Marine Corps for personal property lost, damaged, or destroyed as a result of the earthquake which occurred at Managua, Nicaragua, on March 31, 1931", approved January 21, 1936 (49 Stat. 2212), was announced as next in order.

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

The PRESIDENT pro tempore. An explanation is requested.

Mr. McKELLAR. If not, let the bill go over.

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

MARKING OF WRECKED AND SUNKEN CRAFT

The bill (S. 2579) to provide more effectively for the marking of wrecked and sunken craft for the protection of navigation, to improve the efficiency of the Lighthouse Service, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. The Chair is advised that there is an identical House bill on the calendar, being House bill 7402. Without objection, the House bill will be substituted for the Senate bill, and be considered at this time. Is there objection?

There being no objection, the bill (H. R. 7402) to provide more effectively for the marking of wrecked and sunken craft for the protection of navigation, to improve the efficiency of the Lighthouse Service, and for other purposes, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 4676 of the Revised Statutes, as amended, is hereby amended to read as follows:

"SEC. 4676. Whenever the owner of any sunken vessel, boat, watercraft, raft, or other similar obstruction existing on any river, lake, harbor, sound, bay, or canal or other navigable waters of the United States has failed to mark, or in the judgment of the Commissioner of Lighthouses has failed suitably to mark, the same in accordance with the provisions of section 15 of the act of March 3, 1899 (ch. 425, 30 Stat. 1152), the Commissioner of Lighthouses is authorized to suitably mark the same for the protection of navigation. Until such time as abandonment of any such obstruction has been established in accordance with the provisions of section 19 of the act of March 3, 1899 (ch. 425, 30 Stat. 1154), the owner thereof shall pay to the Commissioner of Lighthouses the cost of such marking. As soon as abandonment of any such obstruction has been so established, it shall be the duty of the Secretary of War to keep the same so marked pending removal thereof in accordance with the provisions of section 19 of the act of March 3, 1899 (ch. 425, 30 Stat. 1154), but the Commissioner of Lighthouses may at the request of the Department of War continue the suitable marking of any such obstruction for and on behalf of that Department. The cost of continuing any such marking shall be borne by the Department of War. All moneys received by the Commissioner of Lighthouses from the owners of obstructions, in accordance with the provisions of this section, shall be covered into the Treasury of the United States as miscellaneous receipts. No provision of this section shall be construed so as to relieve the owner of any such obstruction from the duty and responsibility suitably to mark the same in accordance with the provisions of section 15 of the act of March 3, 1899 (ch. 425, 30 Stat. 1152)."

SEC. 2. The Lighthouse Service is authorized, whenever an aid to navigation or other property belonging to that Service is damaged or destroyed by a private person, and such private person or his agent shall pay to the satisfaction of the proper official of the Lighthouse Service for the cost of repair or replacement of such property, to accept and deposit such payments, through proper officers of the Division of Disbursement, Treasury Department, in special deposit accounts in the Treasury, for payment therefrom to the person or persons repairing or replacing the damaged property and refundment of amounts collected in excess of the cost of the repairs or replacements concerned.

SEC. 3. The Commissioner of Lighthouses, subject to the approval of the Secretary of Commerce, is authorized in his discretion hereafter to establish and maintain aids to navigation to mark rivers, waterways, or channels, connected by navigable waters with the sea or the Great Lakes, which have been improved for navigation by the United States under proper authority, and appropriations made for the support of the Lighthouse Service are made available for the expenses of establishing and maintaining such aids to navigation.

SEC. 4. Section 4 of the act of Congress approved June 17, 1910 (ch. 301, 36 Stat. 537; U. S. C., title 33, secs. 711, 721), is hereby amended to read as follows:

"SEC. 4. There shall be in the Department of Commerce a Bureau of Lighthouses and a Commissioner of Lighthouses, who shall be the head of said Bureau, to be appointed by the President. There shall also be in the Bureau a Deputy Commissioner, to be appointed by the President, and a Chief Clerk, who shall perform the duties of Chief Clerk and such other duties as may be assigned to him by the Secretary of Commerce or by the Commissioner. There shall also be in the Bureau such inspectors, clerical assistants, and other employees as may from time to time be authorized by Congress. The Commisisoner of Lighthouses shall make an annual report to the Secretary of Commerce, who shall transmit the same to Congress at the beginning of each regular session thereof. The Commissioner of Lighthouses, subject to the approval of the Secretary of Commerce, is authorized to consider, ascertain, adjust, and determine all claims for damages, where the amount of the claim does not exceed the sum of $500, occasioned by collisions, for which collisions vessels of the Lighthouse Service shall be found to be responsible, and report the amounts so ascertained and determined to be due to the claimants to Congress at each session thereof through the Treasury Department for payment as legal claims out of appropriations that may be made by Congress therefor."

SEC. 5. That so much of section 20 of the act approved May 28, 1935 (Public, No. 81, 74th Cong.), entitled "an act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes", as reads "to convey to the town of Southold, State of New York" is hereby amended to read "to convey to the Southold Park District in the town of Southold, State of New York."

SEC. 6. The Secretary of Commerce is authorized to convey to the State of Florida for public roadway purposes an additional portion of the Crooked River Range Lighthouse Reservation, Fla., 34 feet in width and approximately 500 feet in length adjoining the strip of land conveyed pursuant to section 4 of the act approved May 28, 1935 (Public, No. 81, 74th Cong.), to provide for a roadway 100 feet in width across the reservation. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred and the conditions imposed by section 36 of the act of May 28, 1935 (Public, No. 81, 74th Cong.)

The PRESIDENT pro tempore. Without objection, Senate bill 2579 will be indefinitely postponed.

FISHERIES OF ALASKA

The bill (H. R. 5860) making further provision for the fisheries of Alaska was announced as next in order.

Mr. McKELLAR. Mr. President, I think we ought to have an explanation of the bill.

The PRESIDENT pro tempore. An explanation is requested.

Mr. McKELLAR. Let the bill go over.

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

Mr. WHITE subsequently said: Mr. President, my attention was diverted when Calendar No. 887, being House bill 5860, was called. I understood the Senator from Tennessee to ask that it go over.

Mr. McKELLAR. I asked for an explanation, and there seemed to be no one to give it.

Mr. WHITE. Mr. President, this is a bill that is of particular interest to the Pacific coast, and I take it that some Senator from that region could make a better explanation than could I, and yet I understand its terms and effect.

Under the act of 1924 it is provided that in Alaskan waters there may be granted no exclusive or several right of fisheries; that if any area was opened up to fishing at all, it should be opened up to all who might desire to fish therein.

This proposed legislation relates only to Bristol Bay, which is the great salmon area of Alaska. The bill is designed to protect the natives and residents of that locality against fishing operations by those who come from outside. It provides, in substance, that a certain type of fishing shall be permitted in that area only by the persons who have resided there for a period of 5 years.

I think the bill is aimed both at Japanese fishermen who have been coming into that area and also, I think, at the large fishing operations which originate down the coast, but which move up into that area and now threaten the commercial fisheries of the natives and the inhabitants of that section.

Mr. McKELLAR. Will the bill permit the natives to fish in the area mentioned?

Mr. WHITE. It will permit the residents of that area to fish there and would exclude others.

Mr. McKELLAR. All others?

Mr. WHITE. The bill would work a change in a principle of law which was written in the statute in 1924, but I understand it is satisfactory to the Department and to the people who are residents there. I know of no objection coming from any source.

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

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

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

Mr. CHAVEZ subsequently said: Mr. President, in order to clear the record I ask unanimous consent that the Senate recur to Calendar No. 887, being House bill 5860, making further provision for the fisheries of Alaska. Under a misapprehension as to the calendar number, I objected when that bill was called, thinking that the clerk had called Calendar No. 889. I have no objection to Calendar 887, being House bill 5860.

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

There being no objection, the bill (H. R. 5860) was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act approved June 6, 1924, entitled "An act for the protection of the fisheries of Alaska, and for other purposes" (43 Stat. 464), as amended, is further amended by inserting in said section at the end of the first proviso thereof another proviso to read as follows: "*Provided further*, That in the area embracing Bristol Bay and the arms and tributaries thereof, no person shall at any time fish for or take salmon with a stake net or set net, for commercial purposes, unless such person shall have theretofore continuously resided for the period of at least 5 years within a radius of 30 miles of the place where such net is staked or set."

WILDLIFE RESTORATION PROJECTS

The bill (S. 2670) to provide that the United States shall aid the States in wildlife restoration projects, and for other purposes, was announced as next in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that that bill be passed over and be called at the end of the calendar, inasmuch as the Senator who is now presiding over the body is interested in the measure.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PUBLIC SCHOOL BOARD AT WOLF POINT, MONT.

The bill (S. 2372) for expenditure of funds for cooperation with the public-school board at Wolf Point, Mont., for completing the construction, extension, equipment, and improvement of a public-school building to be available to Indian children of the Fort Peck Indian Reservation, Mont., 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 authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $50,000 for the purpose of cooperating with the public-school board of district no. 45, town of Wolf Point, county of Roosevelt, Mont., for completing the construction, extension, equipment, and improvement of the public high-school building at Wolf Point, Mont.: *Provided*, That the expenditure of any money so authorized shall be subject to the express conditions that the school maintained by the said district in the said building shall be available to all Indian children of the Fort Peck Indian Reservation, Mont., on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That plans and specifications for construction, extension, or improvement of structures shall be furnished by local or State authorities, without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended on any project hereunder shall be recouped by the United States within a period of 30 years, commencing with the date of occupancy of the project, through reducing the annual Federal tuition payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such schools without cost to the United States; and in computing the amount of recoupment for each project interest at 3 percent per annum shall be included on unrecouped balances.

RESOLUTIONS PASSED OVER

The resolution (S. Res. 140) authorizing an investigation of the delivery or nondelivery of mail to establishments where industrial strife is in progress, which has been reported adversely from the Committee on Post Offices and Post Roads was announced as next in order.

SEVERAL SENATORS. Over.

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

PUNISHMENT FOR VIOLATION OF NARCOTIC LAWS

The Senate proceeded to consider the bill (H. R. 6283) to increase the punishment of second, third, and subsequent offenders against the narcotic laws was announced as next in order.

Mr. KING. Mr. President, I find no report on that bill. I should like to have an explanation of the measure.

Mr. HUGHES. Mr. President, the bill was referred by the Judiciary Committee to a subcommittee of which I was chairman. House bill 6283 was substituted for the Senate bill. The purpose of the bill is to provide for more severe sentences in cases of conviction for selling narcotics for second and other offenses. For the second offense the penalty is increased to $5,000 or 10 years' imprisonment, or both, and for the third and subsequent offenses to $10,000 or 20 years' imprisonment, or both. it is a bill for which the Attorney General has asked because of the difficulty of dealing with offenders against the narcotic laws. Under the penalties which are now imposed offenders violate the law time and time again and repeatedly repeat the offense. This bill provides for the second, third, and subsequent offenses more severe penalties than are now provided.

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

Mr. HUGHES. Yes.

Mr. McKELLAR. Is the passage of the bill recommended by the Department of Justice?

Mr. HUGHES. It is.

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 a person who, after having been convicted of selling, importing, or exporting, or conspiring to sell, import, or export, opium, coca leaves, cocaine, or any salt, derivative, or preparation of opium, coca leaves, or cocaine, again sells, imports, or exports, or conspires to sell, import, or export, any of the said narcotic drugs, in violation of the laws of the United States, shall, upon conviction of such second offense, be fined not more than $5,000 or imprisoned in a Federal penitentiary for not more than 10 years, or both, in the discretion of the court, whenever the fact of such previous conviction is established in the manner prescribed in section 3 of this act.

SEC. 2. A person who, after having been two times convicted of selling, importing, or exporting, or conspiring to sell, import, or export, opium, coca leaves, cocaine, or any salt, derivative, or preparation of opium, coca leaves, or cocaine, again sells, imports, or exports, or conspires to sell, import, or export, any of the said narcotic drugs, in violation of the laws of the United States, shall, upon conviction of such third offense, or any offense subsequent thereto, be fined not more than $10,000 or imprisoned in a Federal penitentiary for not more than 20 years, or both, in the discretion of the court, whenever the fact of such previous convictions is established in the manner prescribed in section 3 of this act.

SEC. 3. Whenever it shall appear, after conviction and before or after sentence, that a person convicted of unlawfully selling, importing, or exporting, or conspiring unlawfully to sell, import, or export, any of the narcotic drugs enumerated in this act has previously been convicted of unlawfully selling, importing, or exporting, or conspiring unlawfully to sell, import, or export, any of said narcotic drugs, in violation of the laws of the United States, it shall be the duty of the United States district attorney for the district in which such subsequent conviction was had to file an information alleging that the defendant has previously been so convicted, and further alleging the number of such previous convictions. The court in which the defendant was convicted shall cause the said defendant, whether confined in prison or otherwise, to appear before it and shall apprise him of the allegations of the information and of his right to a trial by jury as to the truth thereof. The court shall inquire of the defendant whether he is the person who has previously been convicted. If the defendant states he is not such person, or if he refuses to answer or remains silent, a plea of not guilty shall be entered by the court, and a jury shall be empaneled to determine whether the defendant is the person alleged in the information to have previously been convicted, and the number of such previous convictions. If after a trial on the sole issue of the truth of such allegations the jury determines that the defendant is in fact the person previously convicted as charged in the information, or if he acknowledges in open court, after being duly cautioned as to his rights, that he is such person, he shall be punished as prescribed in sections 1 or 2 of this act, as the case may be, and the previous sentence of the court, if any, shall be vacated and there shall be deducted from the new sentence the amount of time actually served under the sentence so vacated.

LEO L. HARRISON

The bill (S. 2768) authorizing the Comptroller General to adjust and settle the claim of Leo L. Harrison was considered, ordered to be engrossed for 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 adjust and settle the claim of Leo L. Harrison for blood furnished February 19, 1937, for transfusion to George L. Oertel, a patient in a Government hospital, and to allow in full and final settlement of said claim an amount not in excess of $25, under the appropriation of the Veterans' Administration available for payment for blood transfusion: *Provided*, That no part of the amount 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.

IRVIN U. JOHNSON

The bill (S. 2769) authorizing the Comptroller General to adjust and settle the claim of Irvin H. Johnson was considered, ordered to be engrossed for 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 adjust and settle the

claim of Irvin H. Johnson for blood furnished January 26, 1937, for transfusion to Nellie L. Ruble, a patient in a Government hospital, and to allow in full and final settlement of said claim an amount not in excess of $25, under the appropriation of the Veterans' Administration available for payment for blood transfusion: *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.

AL COCHRAN AND OTHERS

The Senate proceeded to consider the bill (S. 2427) for the relief of the estates of Al Cochran, Willis Cochran, and Russell Cochran, and for the relief of Shirley Cochran and Matilda Cochran, which had been reported from the Committee on Claims with amendments, on page 1, line 7, after the words "sum of", to strike out "$15,095" and insert "$5,145.55"; on line 9, after the words "the sum of", to strike out "$10,000" and insert "$3,505"; on page 2, line 1, after the words "sum of", to strike out "$10,000" and insert "$4,514.50"; in line 3, after the words "sum of", to strike out "$5,338.10" and insert "$2,338.10"; in line 4, after the words "sum of", to strike out "$16,557" and insert "$5,057.93"; in line 14, after the words "excess of", to strike out "10" and insert "5"; and in line 20, after the words "excess of", to strike out "10" and insert "5", 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 Russell E. Smith, as administrator of the estate of Al Cochran, deceased, the sum of $5,145.55; to Russell E. Smith, as administrator of the estate of Willis Cochran, deceased, the sum of $3,505; to Russell E. Smith, as administrator of the estate of Russell Cochran, deceased, the sum of $4,514.50; to Russell E. Smith, as guardian of the estate of Shirley Cochran, a minor, the sum of $2,338.10; and to Matilda Cochran the sum of $5,057.93; in full satisfaction of the claims of such estates and said Matilda Cochran against the United States on account of the deaths of Al Cochran, Willis Cochran, and Russell Cochran, and personal injuries to Shirley Cochran and Matilda Cochran resulting from an accident on August 14, 1936, 4 miles west of Alberton, Mont., on United States Highway No. 10, caused by a Civilian Conservation Corps ambulance striking the automobile in which the persons killed and injured were then riding: *Provided*, That no part of the amount appropriated in this act in excess of 5 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 such 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 5 percent thereof on account of services rendered in connection with such 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.

The amendments were agreed to.

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

BILL PASSED OVER

The bill (S. 2707) conferring jurisdiction upon the Court of Claims to hear and determine the claim of the Mack Copper Co. was announced as next in order.

Mr. KING and Mr. McKELLAR asked that the bill go over.

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

WILLIAM A. PATTERSON AND OTHERS

The Senate proceeded to consider the bill (S. 1700) for the relief of William A. Patterson, Albert E. Rust, Louis Pfeiffer, and John L. Nesbitt and Cora B. Geller, as executors under the will of James T. Bentley, which had been reported from the Committee on Claims with amendments.

Mr. KING. Mr. President, I should like an explanation of the bill.

Mr. SCHWELLENBACH. Mr. President, this bill provides for repayment to the claimant of the sum of $46,670 which is now in a special fund in the Treasury and which was paid during the war as the result of a regulation of the Wool Section of the War Industries Board. The particular check which was given to the Wool Section of the War Industries Board contained on the back of it, as part of the endorsement by which it was accepted, the specific statement that it was paid with the understanding that the money would be returned if the regulation was declared invalid. The regulation was later declared invalid by the circuit court of appeals for the second circuit, in which the claimant was domiciled.

The objection of the Department to the bill is not so much the repayment of the money, but the Department contends that the passage of the bill would create a precedent. The committee did not feel that it would create a precedent.

There is a total in the special fund of only $51,000, some four or five thousand dollars more than the amount of this particular check. That money was put in by three or four other persons. So, since it was understood that the money was to be returned if the regulation was declared invalid by the Court, and the Court has declared it invalid, and since the Government accepted the check under the condition stated in the endorsement, it was the feeling of the committee that the money should be repaid.

It will not come out of the general fund of the Treasury. The money has been kept there all these years in a special fund, the Government recognizing that it was not entitled to this money.

Mr. McKELLAR. Mr. President, may I call the attention of the Senator to the fact that the report of the Secretary of Agriculture states:

The total amount of $760,702.91 was collected from 1,014 wool dealers. The amounts involved range from a few dollars to $80,000, the latter amount having been paid by one dealer in 1920 without court action, similar to the payment of $46,670.34 made by Patterson & Co.

It is stated that the matter for Congress to consider is as to whether all these sums should be paid back and there is indicated opposition on the part of the Department to paying one without paying all.

Mr. SCHWELLENBACH. Mr. President, as I said before, the position of the Department is to the effect that it may create a precedent. In view of the fact that this check was accepted under special circumstances on the endorsement specifically providing that it would be repaid, and since the Government put it into a special fund which contains a total of only four or five thousand dollars more than the amount of the check, the committee could not see how it would create a precedent.

Mr. McKELLAR. Is the remainder of the money held in the same way?

Mr. SCHWELLENBACH. Only some $4,000 or $5,000. I think there is $51,000 in the fund.

Mr. McKELLAR. The remainder of $760,000 is in the Treasury and would not be affected by the passage of the bill?

Mr. SCHWELLENBACH. It is the belief of the committee that it would not be affected.

The PRESIDENT pro tempore. The amendments of the committee will be stated.

The amendments were, on page 2, line 4, after the word "sum" to insert "which is to be in full and final settlement", 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 Agriculture is authorized and directed to repay, out of the special fund in the Treasury subject to check of the disbursing officer of the Department of Agriculture in which a payment of $46,670.34 made by Patterson & Co. on August 31, 1920, was deposited, said sum of $46,670.34 to William A. Patterson, Albert E. Rust, and Louis Pfeiffer, surviving members of the firm of Patterson & Co., a copartnership doing business in Boston, Mass., on August 31, 1920; and John L. Nesbitt and Cora B. Geller as executors under the will of James T. Bentley, a deceased member of said firm. Said sum, which is to be in full and final settlement, represents a payment made by Patterson & Co. in compliance with regulations promulgated on or about May 21, 1918, by the Wool Section of the War Industries Board, which regulations have since been held to be invalid by the Circuit Courts of Appeals for the First and Fourth Circuits, and was made under protest and upon condition that it be repaid if it should be determined by the courts that said regulations were of no legally binding effect: *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.

A. C. WILLIAMS

The Senate proceeded to consider the bill (S. 1043) for the relief of A. C. Williams, which had been reported from the Committee on Claims, with amendments, on page 1, line 6, to strike out "$5,000" and insert "$2,962.63"; in line 8, after the word "injuries", to insert "and property damage"; 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 A. C. Williams, of Sentinal, Okla., the sum of $2,962.63 in full settlement of any and all claims against the Government on account of personal injuries and property damage sustained by him in an automobile collision with a truck owned by the United States Government and driven by Charles Cordell, agent and employee of the Government, in the service of the Works Progress Administration, near Socorro, N. Mex., on July 31, 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 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.

REPAIR AND CONSTRUCTION OF NAVAL SHORE ESTABLISHMENTS

The bill (S. 2338) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, was announced as next in order.

Mr. KING. Mr. President, we have already passed during this session a very large appropriation bill for the Navy in which a very generous amount was carried for the acquisition of naval bases and lands in connection with the development of naval bases.

Mr. WALSH. Mr. President, the statement of the Senator from Utah is entitled to consideration, for he is always deeply concerned about Government expenses. Annually it becomes necessary for our Government to replace obsolete naval vessels and remodel, repair, and expand shore establishments of the Navy. The bill would authorize the construction and repair of certain shore establishments of the Navy. The original request from the Navy Department was for an authorized appropriation of about $20,000,000. The committee reduced it to $6,000,000. The exact amount to be authorized for appropriation is $6,099,057.

Nearly all of the projects referred to in the bill are on the west coast. Some of them are for the construction of radio stations, one for the construction of suitable housing facilities at Pearl Harbor, Hawaii, and at the submarine base at New London, where the present barracks buildings for the enlisted personnel are of temporary wooden wartime construction, totally inadequate to meet the demands upon them; are cold and draughty, without suitable accommodations for sleeping, bathing, recreation, or study; are in bad state of repair and constitute a menace to the health and life of the personnel occupying them. This group of buildings, nos. 14A, B, C, D, E, F, G, and no. 49, constitute a grave fire hazard, which is combated by constant and ever-watchful supervision and patrol. It is believed that should a fire get started in this group it could not readily be brought under control and might be accompanied by loss of life. The average number of enlisted men attached to the base, attending the Submarine School, Submarine Division 4, and transients from submarines having overhaul work done at the base, is approximately 550. The limited accommodations do not permit of segregating these men entirely by units and exercising the proper unit control over them. Because of the limited space and the uncomfortable living accommodations, many enlisted men are now, by preference, living in shops and other places where they are employed. It is expected that these buildings will become wholly unlivable within the next few years. The bad effect on health and morale of enlisted men living in the present barracks cannot be too strongly emphasized. It is believed that the existing barracks buildings are in such a bad state of repair that it is no longer economical to keep them in repair and that before long, repairs required will be tantamount to reconstruction.

The estimated cost of the building, with all services and accessories, is $675,000. As nearly as can be estimated in a period of rapidly changing prices, this figure is good as of April 1937.

Other projects approved by the committee are quarters for officers at the Fleet Air Base at Canal Zone, naval radio-station improvements at Annapolis, Md., Mare Island, Calif., and Hawaii, and improvements in marine barracks at Parris Island, S. C.

Mr. KING. The point I am making is that we passed a bill recently carrying over $500,000,000 for the Navy.

Mr. WALSH. It carried the usual authorizations.

Mr. KING. The same information must have been possessed then by the naval officials that was possessed by them when this bill was drafted and considered. Why were not these appropriations carried in the former bill?

Mr. WALSH. There was no authorization. The Navy cannot rebuild or repair buildings without authorization. Each year they have to obtain these authorizations. They cannot replace anything without an authorization. This is simply an authorization bill, and the committee decided that these matters requested were so essential and so necessary that the request ought to be granted.

I want particularly to stress the situation in other naval bases, particularly the one at New London, Conn., which I saw with my own eyes, where the young men who are working on our submarines are housed in quarters which are unsafe and unfit for habitation. We have just passed a slum-clearance bill. Both of the Senators from Connecticut are fully aware that the conditions in New London are as bad as many so-called city slums.

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

Mr. WALSH. I yield.

Mr. MALONEY. It is also true that valuable machinery is being stored in New London in a building which constitutes an extreme fire hazard.

Mr. WALSH. In New London I saw a valuable marine machine that cost $90,000 in a building which cost, probably, less than $5,000, and which could easily be burned and destroyed by fire. Almost all the buildings at this naval station are real fire hazards.

Mr. CLARK. Mr. President, I dislike very much to object to any bill sponsored by the Senator from Massachusetts, but I think an appropriation of $50,000,000 is of such importance that it ought not to be considered and passed by unanimous consent on a call of the calendar for the consideration of unobjected bills.

More than that, we have had the experience in the last 3 or 4 years of having the Navy come back year after year always with requests for larger appropriations. They have been given unprecedented appropriations. They are like Oliver Twist, coming back and saying "More, more." So far as I am concerned, I think the matter should be considered more leisurely than can be done today, and accordingly I ask that the bill go over.

Mr. WALSH. I think the request of the Senator is in every way reasonable and I am glad to yield to it. I have no desire to press the matter at this time except I thought the amount involved so small that there would not be any objection.

Mr. CLARK. The amount is small only in comparison with what the Department asked.

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

ARTHUR W. BASS, UNITED STATES NAVY

The Senate proceeded to consider the bill (S. 2598) to provide for the advancement on the retired list of the Navy of Arthur W. Bass, a lieutenant (junior grade), United States Navy, retired, which was read, as follows:

Be it enacted, etc., That from and after date of enactment of this act Arthur W. Bass, lieutenant (junior grade), United States Navy, retired, shall have the rank of a lieutenant on the retired list of the United States Navy: *Provided*, That the said Arthur W. Bass shall not receive any increase in retired pay, allowances, or other benefits as a result of the passage of this act.

Mr. WALSH. Mr. President, this is a bill recommended by the Navy Department and introduced at the request of the Navy Department simply to do justice to an officer of the Navy who because of illness was not given the promotion to which he was entitled. I hope there will be no objection to its passage.

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.

MUNICIPAL BANKRUPTCY SYSTEM

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 announced as next in order.

SEVERAL SENATORS. Over.

Mr. BARKLEY. Mr. President, may I ask the Senators who objected to withhold their objection for a moment in order that I may make a statement?

This is a bill in which the late Senator Robinson, of Arkansas, was very much interested. The bill was drawn after the Supreme Court declared unconstitutional the so-called Municipal Bankruptcy Act, which was previously passed. The bill was very carefully considered by the Judiciary Committee and framed along the lines outlined in the decision of the Supreme Court. It provides six divisions which are included under the bill—drainage, levee districts, and so forth; local improvement districts, involving sewers, paving, and other things of that kind; local improvement districts involving roads and highways; public-school districts, cities, and towns. Unless there is serious objection to it, in view of the care to which it has been drawn, I hope it may be considered at this time and passed.

Mr. ASHURST. Mr. President, supplementing what the able Senator from Kentucky [Mr. BARKLEY] has said, let me say that the bill passed the House and came to the Senate and was referred to the Committee on the Judiciary. It was the subject of close and careful examination by that committee. Division of opinion took place as to some parts of the bill, whereupon a subcommittee was named, of which I believe the Senator from Illinois [Mr. DIETERICH] was chairman, and the other members of which were the Senator from Kentucky [Mr. LOGAN] and the Senator from Oregon [Mr. STEIWER]. After a careful examination the subcommittee reported favorably to the main committee, and the main committee has reported the bill favorably to the Senate.

I hope Senators may find it within the scope of their duty to withhold any objection, because the bill is designed to cure, or to meet rather, the objections of the Supreme Court of the United States wherein the Court declared certain features of the previous bankruptcy law to be invalid.

No one will claim this is a perfect bill. Indeed I believe the able chairman of the subcommittee, the Senator from Illinois [Mr. DIETERICH] is not in accord with some provisions of the bill, but the bill is the result of a vast amount of study and faithful work.

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

Mr. ASHURST. Certainly.

Mr. CLARK. Does not the Senator think this is an extremely important bill to be passed under the circumstances, on a call of the calendar for the consideration of unobjected bills? I have been told by the representatives of municipalities in my own State and also of municipalities in other States that both the original bankruptcy bill and the one to which reference is now being made involve the credit of every solvent municipality in the United States. The bill could not be carefully considered at this time under the circumstances. I have no doubt the subcommittee and the full Committee on the Judiciary considered it carefully, but it seems to me, being of such vast importance and involving such vast ramifications, it is entitled to a more careful consideration by the Senate than can be given to it at this time.

Mr. ASHURST. If it were a question of first instance and the prior bill and all the features surrounding it had never been the subject of examination, I would say the able Senator from Missouri was correct in his conclusions.

I do not know whether I ought to say this or not, but certainly it is true that the departed former Senator from Arkansas [Mr. Robinson]—may the sod rest lightly on his breast—seemed to take great interest in this measure.

Mr. KING. I think the bill ought to be passed over.

Mr. CONNALLY. Mr. President, in that connection may I suggest that the late Senator Robinson was very deeply interested because of the drainage and other districts in his State which would be affected.

Mr. ASHURST. I am sure that is true.

Mr. CONNALLY. The bill involves a broad general policy.

Mr. ASHURST. The late Senator Robinson did not have any other than a perfectly proper interest in the bill.

Mr. PEPPER. Mr. President, has objection been made?

The PRESIDENT pro tempore. Objection has been made.

Mr. KING. Mr. President, I shall be glad to join in moving at some proper time that the bill be taken up for consideration. I objected to some of the provisions in the committee, but I have no doubt we can arrange to consider it hereafter.

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

Mr. PEPPER. Mr. President, I give notice that at the earliest possible time I shall move to take up this bill for consideration.

Mr. BARKLEY. Mr. President, I do not wish to press the matter now, during the call of the calendar. I think we may look forward within a few days to an opportunity to consider this bill on its merits.

Mr. KING. I shall be glad to join the Senator.

Mr. ASHURST. Very well.

AMENDMENT OF MERCHANT MARINE ACT, 1936

The bill (S. 2455) to amend the Merchant Marine Act, 1936 (act of June 29, 1936, ch. 858; 49 Stat. 1985), was announced as next in order.

SEVERAL SENATORS. Let the bill go over.

Mr. McKELLAR. As I understand, that bill goes over under a previous order.

Mr. WHITE. Mr. President, was Senate bill 2455 passed over?

The PRESIDENT pro tempore. Objection was made to its consideration.

Mr. McKELLAR. The Senator from New York [Mr. COPELAND] brought it up last evening, and it went over until his return on Monday.

Mr. WHITE. Did he bring up this particular bill?

Mr. McKELLAR. Yes.

Mr. McNARY. No, Mr. President.

Mr. McKELLAR. Was it not this bill?

Mr. WHITE. I do not think it was this bill.

Mr. McNARY. The bill which the Senator from New York brought up yesterday evening was the flood-control bill.

Mr. WHITE. The flood-control bill and the river and harbor bill. This is a bill in which I know the Senator from New York is very much interested. It is designed to cure the current defects in the Merchant Marine Act of 1936. I can make a very brief explanation of the bill if the Senator desires it.

Mr. KING. I shall be glad to hear it.

Mr. WHITE. Mr. President, by section 202 of the Merchant Marine Act of 1936 there were transferred to the new Maritime Commission all the physical properties which were in the possession and control of the old United States Shipping Board and the Merchant Fleet Corporation, by whatever names they went. A question has been raised by the Comptroller General as to the right of the new Commission to lease some of the docks and piers and terminal facilities. The first part of the bill is designed to clear up that doubt, and to make certain that the original purpose of the Congress in passing the 1936 act shall be carried out.

The next major point in the bill is the right of the Commission to have in its funds the rentals and other income derived from these leases. Senators will remember that by the 1920 act there was set up a construction loan fund. That was carried on through the 1934 act and through the 1928 act and all other legislation of the Congress. In the 1936 act, all of these physical properties, including the entire construction loan fund, whatever was in it, and all amounts accruing to it from any source, were turned over to the Maritime Commission. Again, the Comptroller General has raised the question whether the Commission may carry in this fund the rentals and income from these properties which are under lease. The Comptroller General held that those receipts must be turned into the miscellaneous receipts of the Treasury.

This bill is designed to make certain that the purpose of the Congress in the 1936 act shall be fully carried out, and that these funds shall be available for the Maritime Commission.

Mr. McKELLAR. Mr. President, when the bill first came up I thought it was House bill 7646, Calendar No. 940, providing for flood control. That was the bill which was passed over last night before the Senator from New York [Mr. COPELAND] left.

Mr. WHITE. I know of no objection on the part of anyone to this bill.

Mr. McKELLAR. If it is a question of changing the law under which certain receipts are covered into the Treasury, I am not so sure but that the law ought to remain that way.

Mr. WHITE. I think I may say that there is in the record a very definite statement from the Director of the Budget that this bill does not conflict with the budgetary plans; and I am sure every one who has expressed himself concerning this measure has spoken approvingly of it, because it is simply designed to carry out the plain purpose of the Congress in the 1936 act.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments, in section 2, page 2, line 23, after the words "shall be" to strike out "controlled and employed" and insert "available for expenditure"; on page 3, line 1, after the word "provisions", to strike out "of titles IV, V, VI, and VII"; and in line 4, after the words "authority of", to strike out "said titles" and insert "this act", so as to make the bill read:

Be it enacted, etc., That section 202 of the Merchant Marine Act, 1936 (act of June 29, 1936, ch. 858, 49 Stat. 1985, 1986), is hereby amended by adding a sentence at the end thereof to read as follows: "Notwithstanding any other provision of law, the Commission may, in accordance with good business methods and on such terms and conditions as it determines to effectuate the policy of this act, operate or lease any lands, docks, wharves, piers, or real property under its control, and all money heretofore or hereafter received from such operation or lease shall be available for expenditure by the Commission as provided in this act."

SEC. 2. That section 206 of the Merchant Marine Act, 1936 (act of June 29, 1936, ch. 858, 49 Stat. 1985, 1987), is hereby amended to read as follows:

"SEC. 206. All sums of money now in the construction loan fund created by section 11 of the Merchant Marine Act, 1920, as amended, together with the proceeds of all debts, accounts, choses in action, and the proceeds of all notes, mortgages, and other evidences of indebtedness, hereby transferred to the Commission, and all of the proceeds of sales of ships and surplus property heretofore or hereafter made, including proceeds of notes or other evidences of debt taken therefor and the interest thereon, and, notwithstanding any other provision of law, all money representing amounts of unclaimed wages, salvage awards and miscellaneous unclaimed items carried as liabilities on the books of the United States Shipping Board Merchant Fleet Corporation and all money heretofore or hereafter received from the operation or leasing of lands, docks, wharves, piers, or real property shall be deposited in the Treasury of the United States and there maintained as a revolving fund, herein designated as the construction fund, and shall be available for expenditure by the Commission in carrying out the provisions of this act. All moneys received by the Commission under the provisions of this act shall be deposited in its construction fund, and all disbursements made by the Commission under authority of this act shall be paid out of said fund, and, notwithstanding any other provision of law, all disbursements applicable to the money referred to in this section may be made by the Commission out of said fund. Further appropriations by Congress to replenish said fund are hereby authorized."

SEC. 3. That section 209 (b) of the Merchant Marine Act, 1936 (act of June 29, 1936, ch. 858, 49 Stat. 1985, 1988), is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and, notwithstanding any other provision of law, without deduction, allocation, or segregation in any manner for amounts of unclaimed wages, salvage awards, and miscellaneous unclaimed items carried as liabilities on the books of the United States Shipping Board Merchant Fleet Corporation."

SEC. 4. The sections of this act shall be deemed operative as of the effective date of the sections of the Merchant Marine Act, 1936, amended thereby.

The amendments were agreed to.

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

BILLS PASSED OVER

The bill (H. R. 7646) to amend an act entitled "An act authorizing the construction of certain public works on rivers and harbors, for flood control, and for other purposes", approved June 22, 1936, 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. 2575) to increase the efficiency of the Coast Guard was announced as next in order.

Mr. LA FOLLETTE. May we have an explanation of that bill, Mr. President?

Mr. McKELLAR. Let it go over.

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

MISSOURI RIVER DIKE NEAR PIERRE, S. DAK.

The Senate proceeded to consider the bill (H. R. 6693) to legalize a dike in the Missouri River 6.9 miles downstream from the South Dakota State highway bridge at Pierre, S. Dak., which was read.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill? I do not know anything about the bill.

Mr. SHEPPARD. Mr. President, the State Highway Commission of South Dakota obtained permission from the War Department to build a dike to protect the banks of the Missouri River from damage due to the construction of a highway bridge at Pierre, S. Dak. They actually constructed the dike a mile below the point where they were authorized to locate it. The bill corrects that situation and legalizes the dike where it now stands, in order that the War Department may continue to have jurisdiction of it.

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

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

RESERVOIR SYSTEM, PITTSBURGH AND JOHNSTOWN, PA.

The Senate proceeded to consider the bill (S. 2478) to amend an act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, which was read, as follows:

Be it enacted, etc., That the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, as amended by act of Congress approved April 27, 1937, is hereby further amended to provide that, if, in the execution of the project for a reservoir system for the protection of Pittsburgh, it is found that geological and engineering conditions make it impracticable to construct a reservoir to provide protection for

the city of Johnstown, Pa., flood protection shall be provided for said city by channel enlargement or other works: *Provided*, That the total estimated construction cost of the entire project shall not be increased.

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

Mr. GUFFEY. Mr. President, legislation previously enacted provided for the construction of certain reservoir dams near the city of Johnstown. In drilling test holes, it was found that reservoir dams of the size contemplated could not be built there.

The city of Johnstown and Cambria County, Pa., have appropriated $2,000,000 to help build the wall and dredge the river through Johnstown; and we desire the permission of the Government to build smaller dams and help on that matter, all the money to be expended under the direction of the Army Engineers.

Mr. KING. The bill does not call for an additional appropriation?

Mr. GUFFEY. No additional appropriation; the same appropriation.

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.

BEQUESTS OF JAMES REUEL SMITH

The joint resolution (S. J. Res. 179) to authorize the acceptance on behalf of the United States of certain bequests of James Reuel Smith, late of the city of Yonkers, State of New York, was announced as next in order.

The PRESIDENT pro tempore. This joint resolution is similar to Calendar No. 1037, House Joint Resolution 446, which, without objection, will be substituted for it and be considered at this time.

There being no objection, the joint resolution (H. J. Res. 446) to authorize the acceptance on behalf of the United States of certain bequests of James Reuel Smith, late of the city of Yonkers, State of New York, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection. Senate Joint Resolution 179 will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 988) to amend an act entitled "An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes", approved March 3, 1927, as amended, was announced as next in order.

Mr. BARKLEY. Mr. President, the Senator from New York [Mr. COPELAND] asked that that bill be allowed to go over, due to his absence. Therefore I ask that it be passed over.

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

SUSPENSION OR REVOCATION OF LICENSES OF MERCHANT MARINE OFFICERS

The Senate proceeded to consider the bill (S. 2433) to amend section 4450 of the Revised Statutes of the United States, as amended by the act of May 27, 1936 (49 U. S. Stat. 1380, 1383; title 46, U. S. C., sec. 239), which was read, as follows:

Be it enacted, etc., That section 4450 of the Revised Statutes of the United States, as amended by the act of May 27, 1936 (49 U. S. Stat. 1380, 1383; 46 U. S. C., sec. 239), be, and it is hereby, amended by inserting in the third sentence of paragraph (g) of said section the words "suspended or", after the word "is" and before the word "revoked", so that the said paragraph (g) of said section, when amended, shall read as follows:

"(g) In any investigation of acts of incompetency or misconduct or of any act in violation of the provisions of this title, or of any of the regulations issued thereunder, committed by any licensed officer or any holder of a certificate of service, the person whose conduct is under investigation shall be given reasonable notice of the time, place, and subject of such investigation and an opportunity to be heard in his own defense. The whole record of the testimony received by the board conducting such investigation and the findings and recommendations of such board shall be forwarded to the Director of the Bureau of Marine Inspection and Navigation, and if that officer shall find that such licensed officer or holder of certificate of service is incompetent or has been guilty of misbehavior, negligence, or unskillfullness, or has endangered life, or has willfully violated any of the provisions of this title or any of the regulations issued thereunder, he shall, in a written order reciting said findings, suspend or revoke the license or certificate of service of such officer or holder of such certificate. The person whose license or certificate of service is suspended or revoked may within 30 days appeal from the order of the said Director to the Secretary of Commerce. On such appeal the appellant shall be allowed to be represented by counsel. The Secretary of Commerce may alter or modify any finding of the board which conducted the investigation or of the Director of the Bureau of Marine Inspection and Navigation, but the decision of the Secretary of Commerce shall be based solely on the testimony received by the said board and shall recite the findings of fact on which it is based."

Mr. LA FOLLETTE. Mr. President, may we have an explanation of this bill?

Mr. WHITE. Mr. President, under existing law there is authority either to revoke or to suspend the license of an officer of the merchant marine who has been guilty of any offense or of any inefficiency. The law provides that he may have an appeal to the Secretary of Commerce from the action of a board which finds him guilty of an act which warrants revocation. The law does not give him an appeal in case of a suspension. The pending bill is designed to give him the same right of appeal to the Secretary from an order of suspension that he now enjoys from an order of revocation.

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. 2578) to authorize the Secretary of Commerce to continue the existing system of classification and pay of positions of lighthouse keepers was announced as next in order.

Mr. KING. Mr. President, does the present law expire and call for an additional statute to protect the rights of employees?

Mr. WHITE. Mr. President, if the inquiry is addressed to me, I must admit that I am not familiar with this particular bill.

Mr. BARKLEY. Let it go over.

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

The bill (S. 2638) to amend an act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, was announced as next in order.

Mr. BARKLEY. Let the bill go over.

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

The bill (S. 2729) to authorize the Secretary of Commerce to transfer the two unused lighthouse sites in Kahului Townsite, 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, the Kahului Railroad Co., and the Hawaiian Commercial & Sugar Co., Ltd., was announced as next in order.

The PRESIDENT pro tempore. This bill is the same as Calendar No. 1080, House bill 7714, which, without objection, will be substituted for it.

Mr. O'MAHONEY. Let the bills go over, Mr. President.

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

GUANICA LIGHTHOUSE RESERVATION, P. R.

The bill (S. 2786) to authorize the Secretary of Commerce to exchange with the people of Puerto Rico the Guanica Lighthouse Reservation for two adjacent plots of insular forest land under the jurisdiction of the commissioner, department of agriculture and commerce, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. This bill is the same as Calendar No. 957, House bill 7823, which, without objection, will be substituted for it.

The bill (H. R. 7823) to authorize the Secretary of Commerce to exchange with the people of Puerto Rico the Guanica Lighthouse Reservation for two adjacent plots of insular forest land under the jurisdiction of the commissioner, department of agriculture and commerce, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 2786 will be indefinitely postponed.

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 413) to permit the transportation of passengers by Canadian passenger vessels between ports or places in the United States on Lake Ontario and the St. Lawrence River was announced as next in order.

Mr. McKELLAR. May we have an explanation of this? If not, let it go over.

Mr. WHITE. Let the joint resolution go over.

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

HUNTING ISLAND LIGHTHOUSE RESERVATION

The bill (H. R. 4642) to provide for the conveyance by the United States to the county of Beaufort, S. C., of the Hunting Island Lighthouse Reservation was considered, ordered to a third reading, read the third time, and passed.

CATANO RANGE REAR LIGHTHOUSE RESERVATION, P. R.

The bill (H. R. 6045) authorizing and directing the Secretary of Commerce to transfer to the government of Puerto Rico a portion of land within the Catano Range Rear Lighthouse Reservation, P. R., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

COAST GUARD STATION, DAUPHIN ISLAND, ALA.

The bill (H. R. 6976) to provide for the establishment of a Coast Guard station on the coast of Alabama at or near Dauphin Island, Ala., was considered, ordered to a third reading, read the third time, and passed.

COAST GUARD STATION NEAR FORT MYERS, FLA.

The Senate proceeded to consider the bill (H. R. 6048) to provide for the establishment of a Coast Guard station in the vicinity of Fort Myers, Fla.

Mr. KING. Mr. President, during the past few weeks we have passed a large number of bills similar to that now before the Senate, establishing Coast Guard stations, and I am told that the expense is considerable not only for the establishment of such stations but for their maintenance. I was wondering whether at the mouth of every little creek, or bayou, or river, or at every indentation along the coast, there was to be established a Coast Guard station.

Mr. PEPPER. Mr. President, I know the Senator would not be disposed to object to this bill, because it is recommended by the Department. There is a long coast line that is not sufficiently protected, and it was the Department's idea, as much as that of anyone else, that a station should be established at this point. I hope, in view of the committee having passed on the matter, the House having passed the bill, and the Department having recommended it, that the Senator will not object.

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

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

ST. LAWRENCE RIVER BRIDGE, NEW YORK

The bill (H. R. 7514) to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., was considered, ordered to a third reading, read the third time, and passed.

QUALIFICATION OF EMPLOYEES IN THE LEGISLATIVE BRANCH

The Senate proceeded to consider the bill (S. 2024) to amend the civil-service law to permit certain employees of the legislative branch of the Government to qualify for positions under the competitive classified civil service.

Mr. McKELLAR. Mr. President, I move that in lines 10 and 11, on page 1, and in lines 1 and 2, there be stricken out the words "or assistant clerk to a Senator and/or as a clerk to a Representative and/or as a clerk or employee to the several committees of the House and the Senate."

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

Mr. McKELLAR. May not the amendment be pending?

The PRESIDENT pro tempore. The amendment will be pending.

Mr. McKELLAR. I wish also to suggest another amendment, on page 2, to strike out "the 1st of the first month following its approval", and make it effective on the 1st day of July, 1937. I ask the Senator from Utah whether the amendment may not be agreed to?

Mr. KING. I think we had better let the bill go over. I find a letter of objection from the Chairman of the Civil Service Commission, Mr. Mitchell, and I am induced to make the objection by reason of the letter.

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

TRANSFER OF LAND IN BRECKINRIDGE COUNTY, KY.

The bill (H. R. 4705) to authorize the transfer of a certain piece of land in Breckinridge County, Ky., to the Commonwealth of Kentucky, was considered, ordered to a third reading, read the third time, and passed.

CONSOLIDATION OF HOLDINGS OF FEDERAL AND STATE LANDS

The Senate proceeded to consider the bill (S. 2682) to authorize the Secretary of the Interior to issue patents to States under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), subject to prior leases issued under section 15 of the said act, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior in adjudicating State exchanges, under section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), involving lands embraced in outstanding leases under section 15 of said act issued prior to the filing of the State exchange application, is hereby authorized upon the request of any State to issue patent to the State, subject to such outstanding lease: *Provided*, That the United States shall not by reason of the issuance of any such patents be required to account to the State for any money due and collected prior thereto as rent for any part of the then-current annual rental period except as is now provided by law.

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

Mr. O'MAHONEY. Mr. President, this measure comes from the Committee on Public Lands, and it bears the recommendation of the Department of the Interior.

Under the grazing law States to which have been granted public lands in the past are authorized to offer those lands in exchange for other lands for the purpose of consolidating the holdings both of the Federal Government and of the States. It was found that where the Department of the Interior had issued grazing leases upon Government-owned land that constituted an impediment to the exchange. The only effect of the bill is to permit the Department to exchange the lands subject to any leases which may be outstanding.

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. 589) prohibiting the operation of motor vehicles in interstate commerce by unlicensed operators was announced as next in order.

Mr. KING. Mr. President, this is too important a bill to be considered under the present proceeding. Let it go over.

Mr. CONNALLY. I should like to ask the chairman of the Committee on Interstate Commerce whether this bill would apply to commercial vehicles only, or also to pleasure cars.

Mr. KING. I have asked that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over, under objection.

ESTABLISHMENT OF MARINE SCHOOLS

The Senate proceeded to consider the bill (H. R. 7614) to amend the act entitled "An act for the establishment of marine schools, and for other purposes", approved March 4, 1911, which was read as follows:

Be it enacted, etc., That the first section of the act entitled "An act for the establishment of marine schools, and for other purposes", approved March 4, 1911 (36 Stat. 1353; U. S. C., title 34, secs. 1121–1123), is amended by adding at the end of the first section the following paragraph:

"The port of Norfolk specified in the preceding paragraph shall be construed as embracing Norfolk, or Portsmouth, or Newport News, or any other city, town, municipality, or locality within the territorial limits of the customs-collection district having its headquarters at Norfolk, Va."

Mr. WALSH. Mr. President, the title of this bill is very misleading. Existing law permits the establishment of a marine school at Norfolk. In fact, the law enacted in 1911 authorizes the Secretary of the Navy to furnish vessels or other naval equipment to any State which established under State authority a marine school. In the original act certain places were designated, and among them Norfolk was named as a place where a marine school could be established.

The officials of the State of Virginia desire to locate this school, not at Norfolk, but at Portsmouth or Newport News, and a Senate bill was introduced for that purpose by the junior Senator from Virginia [Mr. BYRD], but a House bill similar to it is now under consideration, and the committee reported the House bill favorably. All the measure does is to change the word "Norfolk", so as to permit the authorities to locate the school at Newport News or Portsmouth, which are near Norfolk.

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

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

REIMBURSEMENT OF NAVAL EMPLOYEES

The bill (H. R. 4676) to provide for the reimbursement of certain civilian employees of the Navy for the value of personal effects destroyed in a fire at the naval air station, Hampton Roads, Va., May 15, 1936, was considered, ordered to a third reading, read the third time, and passed.

MEMORIAL TO MAJ. GEN. GEORGE W. GOETHALS

The bill (S. 2676) to amend the act approved August 24, 1935, entitled "An act to authorize the erection of a suitable memorial to Maj. Gen. George W. Goethals within the Canal Zone" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, That section 2 of the act to authorize the erection of a suitable memorial to Maj. Gen. George W. Goethals within the Canal Zone, approved August 24, 1935, be, and the same is hereby, amended as follows: Strike out the figures "$75,000" where they occur in said section and insert in lieu thereof "$160,000", so that section 2 as amended will read: "There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, a sum not to exceed $160,000 for every object connected with the purposes of this act, including site development and any essential approach work."

MINIMUM SALARY OF DEPUTY UNITED STATES MARSHALS

The bill (H. R. 6453) to increase the minimum salary of deputy United States marshals to $2,000 per annum, was considered, ordered to a third reading, read the third time, and passed.

FORT SCHUYLER MILITARY RESERVATION, N. Y.

The Senate proceeded to consider the bill (S. 2639) to authorize the Secretary of War to lease the Fort Schuyler Military Reservation, N. Y., which had been reported from the Committee on Military Affairs with amendments, on page 1, line 4, to strike out the word "chiefly," and on line 10, to strike out the comma after the word "occupancy", so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to lease to the State of New York, for nautical education purposes in the interests of national defense, the Fort Schuyler Military Reservation, N. Y., or portions thereof, for such term or terms, and upon such conditions as the Secretary of War may deem advisable, and he may authorize the State of New York incident to making the premises suitable for occupancy to change the contour of the land, alter or demolish existing buildings and other structures, erect new buildings and structures, construct roads and other utilities, and landscape the reservation: *Provided*, That all alterations, construction, and improvements made shall become the property of the United States: *Provided further*, That the consideration for said lease or leases shall be the repair and maintenance of the property by the State of New York in accordance with the terms of the lease, and such lease or leases shall reserve to the United States of America the right to resume possession and occupy said premises or any portion thereof whenever in the judgment of the Secretary of War an emergency exists that requires the use and appropriation of the same for the public defense.

The amendments were agreed to.

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

OATHS OF OFFICE OF CIVILIAN EMPLOYEES

The Senate proceeded to consider the bill (H. R. 6295) to dispense with unnecessary renewals of oaths of office by civilian employees of the executive departments and independent establishments, which was read, as follows:

Be it enacted, etc., That civilian employees of the executive departments and independent establishments of the United States who, upon original appointment, have subscribed to the oath of office required by section 1757 of the Revised Statutes, shall not be required to renew the said oath because of any change in status so long as their services are continuous in the department or independent establishment in which employed, unless in the opinion of the head of the department or independent establishment the public interests require such renewal.

Mr. KING. Mr. President, what change would this bill make in existing law?

Mr. McGILL. The bill would change the law by providing that so long as civilian employees in any department or independent agency of the Government are in continuous service, they shall not be required to renew their oaths of office by reason of some change in their status. At the present time there are, in the Treasury Department in particular, as I understand, a number of employees in the field service, and when any change is made with reference to their status they have to go some distance to renew their oaths of office before they can perform any services for the Government. What is provided for in the bill is now provided by existing law insofar as the Department of Agriculture and the Veterans' Administration are concerned. The bill before us would make the law general as to all departments of the Government as it now prevails with reference to those two departments.

Mr. McKELLAR. It merely means that where a man has been sworn in once that is regarded as sufficient?

Mr. McGILL. So long as he works continuously in the same department or independent agency.

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

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

BURR CREEK, BRIDGEPORT, CONN.

The bill (S. 2708) to declare Burr Creek, from Fairfield Avenue southward to Yacht Street in the city of Bridgeport, Conn., a nonnavigable stream was announced as next in order.

Mr. LONERGAN. Mr. President, I ask that there be substituted for the Senate bill and considered at this time House bill 7766, Order of Business 1081.

There being no objection, the Senate proceeded to consider the bill (H. R. 7766) to declare Burr Creek, from Fairfield Avenue southward to Yacht Street in the city of Bridgeport, Conn., a nonnavigable stream.

Mr. BLACK. Mr. President, what is the object of declaring this a nonnavigable stream?

Mr. LONERGAN. Mr. President, Burr Creek is an open sewer in Bridgeport, and the health authorities want it closed.

Mr. BLACK. What is the object of declaring it a nonnavigable stream?

Mr. LONERGAN. My colleague can answer the Senator.

Mr. MALONEY. Mr. President, the power authorities of the War Department are quite satisfied to have the bill passed.

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

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

The PRESIDENT pro tempore. Without objection, Senate bill 2708 will be indefinitely postponed.

ADJUSTMENT OF TAXES OF CERTAIN ENROLLED INDIANS

The bill (S. 879) to carry out certain obligations to certain enrolled Indians under tribal agreement was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That any person duly enrolled as a member of an Indian tribe who received in pursuance of a tribal treaty or agreement with the United States an allotment of land which by the terms of said treaty or agreement was exempted from taxation, restricted against alienation, or which by the terms of any act of Congress was continued under the supervision of the United States during the minority of such allottee, and from which land the restrictions have or have not been removed, and who was required or permitted to pay any Federal income tax on the rents, royalties, or other gains arising from such lands during such tax-exempt period or on income from any allotment during the minority of the allottee, or any such person who has been erroneously or illegally taxed by reason of not having claimed or received the benefit of any deduction or exemptions permitted by law, and who would be entitled under this or previous acts or rulings of the Treasury Department in similar Indian cases to a refund of the taxes so illegally or erroneously collected but for the fact that he failed to file a claim for such refund within the time prescribed by law, shall be allowed 2 years after the approval of this act within which to file such claim, and if otherwise entitled thereto he may recover such taxes in the same manner and to the same extent as if such claims for refund had been theretofore duly filed as required by law, it not being the policy of the Government to invoke or plead a statute of limitations to escape the obligations of agreement solemnly entered into with the Indian wards, or to exact for its own use and benefit an income tax from them while their property continued under the supervision of the United States and/or during the minority of such Indian allottee: *Provided, however*, That in the case of the death of any member of an Indian tribe any such illegal taxes paid by him or on his account may in like manner be claimed and recovered by the person or persons who would have received such money had it constituted a part of his estate at the time of his death.

That all acts and parts of acts in conflict herewith are modified for the purpose, and only for the purpose, of carrying into effect the provisions hereof.

NAVAL HOSPITAL, WASHINGTON, D. C.

The bill (H. R. 6547) to authorize the Secretary of the Navy to proceed with the construction of certain public works in or in the vicinity of the District of Columbia, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over.

Mr. WALSH. Mr. President, I should like to make a brief statement about this measure.

On February 25, 1931, Congress authorized an appropriation of $3,200,000 for the remodeling and reconstruction of the naval hospital here in Washington. Nothing has ever been done since the authorization due to several reasons, one of them being that the present site was thought not to be sufficiently large, and secondly, because the National Planning Commission of Washington thought that the present site should be used for other purposes.

It is desirable when we undertake to build the new naval hospital to have ample acreage, so that in the event of war the hospital facilities can be extended, and provision made for temporary accommodations of many thousands who may be injured or incapacitated.

The bill now under consideration increases the amount of the original authorization, which was $3,200,000, and provides for $1,600,000 additional, part of it being for the purchase of land. No location has as yet been agreed upon. No location is designated in the bill. There is a provision in the bill that has already passed the House that not more than 15 percent of the appropriation, however, shall be used for the purchase of land.

I may add one other word. Probably every Senator on the floor knows about the inadequacy of the present Naval Hospital. If not, all Senators ought to know about it, because it is the place where Members of Congress are usually taken when they are ill. Most of the buildings of the Naval Hospital are temporary wartime buildings, obsolete and inadequate. It is highly desirable that steps be taken in the immediate future to build a new hospital. We already have authorized $3,200,000. It is generally agreed that the Naval Hospital should not be built at its present location because sufficient land is not available; that it ought to be built on a larger acreage of ground, on an acreage of at least 50 acres; the present location consists of only a few acres; and that in building this hospital we should have in mind the possibilities of a rapid expansion, if necessary in time of war.

Mr. McKELLAR. Mr. President, earlier today I heard the Senator object very strenuously to using any money for buying any land at this time. We have made enormous appropriations for the Navy Department, and we have a very excellent hospital now. I have not been there as a patient, but I frequently go there to see my friends, and the hospital is a very excellent and well set up one. It seems to me in this particular when we have spent so much money; and especially when we have spent so much money on the Navy, that as the Senator from Massachusetts argued a while ago in connection with another bill, we can let the purchase of land go over a little while. I hope the Senator will let the bill go over.

Mr. WALSH. I am sorry that the Senator should feel that he should make an objection to a bill of such a public and humane character because of objections to an amendment offered by him to the slum-clearance bill that I did not think germane.

Mr. McKELLAR. When I referred to the Senator's objection I did it in a joking manner.

Mr. WALSH. I have one more word to say. This is an administration bill. It is not my bill. It is a bill in which the President of the United States is sincerely interested. He has given much thought to the question of naval hospitalization, and it is through his resistance to building a new hospital on the present site, and at the amount provided, that this measure providing for a new hospital is prevented. I think the President is correct in desiring a different location for the hospital, and desiring that the building of a hospital be on a more expansive scale.

Mr. President, the buildings of the present hospital have so deteriorated as to compel their abandonment as hospital spaces with the result that the bed capacity at the naval hospital has been reduced from 600 to 178. Buildings of permanent construction also have deteriorated to a point where special safety precautions have had to be installed. Estimated bare maintenance costs for the next 7 years are $276,753. Any appropriation toward the modernization of this plant would cost at least $1,000,000 and the facilities still would be inadequate.

The Naval Hospital, Washington, serves the personnel of a very large area, including the Navy Department; Washington Navy Yard; Naval Air Station, Anacostia; Naval Research Laboratory; Marine Barracks, Quantico; Naval Proving Ground, Dahlgren; Naval Powder Factory, Indian Head; Naval Observatory; Naval Radio Station; certain special cases from the Naval Academy, Annapolis; a large number of retired personnel living in Washington and vicinity; and certain officers and personnel of other governmental activities. Unusually extensive facilities for the hospitalization of officers under examination to determine their physical qualifications for retention in or retirement from the service are required. Provision also must be made at this hospital for the care of all Navy and Marine Corps mental cases pending final determination as to their disposition.

The facilities at the present naval hospital are entirely inadequate to fully and completely provide for the above activities and, too, the space for expansion is so limited that there is no room for the additional requirements that would be necessary in time of an emergency.

In view of all of the above, the committee considers that the authority provided in this bill should be granted and therefore recommends enactment of the bill.

Mr. McKELLAR. The Navy Department already has an appropriation for the hospital?

Mr. WALSH. An appropriation in 1931 was authorized for $3,200,000, but it has not been appropriated as no action toward building the new hospital has been taken. That authorization law in 1931 provided for the hospital buildings being located on the present site. The pending bill seeks to remove that requirement and permits building elsewhere on a larger area.

Mr. McKELLAR. Where will the hospital be built if the proposed legislation is passed?

Mr. WALSH. It will be built wherever the Navy authorities, under the guidance, direction, and approval of the President, directs the location of the new site.

Mr. McKELLAR. Let the bill be passed over for the present.

Mr. GILLETTE. Mr. President, I originally asked that the bill be passed over. In view of the explanation made by the distinguished chairman of the Naval Affairs Committee [Mr. WALSH], I desire to explain briefly the objection which I made to the consideration of the bill at this time.

In accordance with the statement just made, ever since 1931, or for a period of 6 years, the sum of over $3,000,000 has been available for building the Naval Hospital. In the hearings it was shown that over $100,000 was spent in the preparation of plans which were never used. If a great need existed for building the hospital, attention is called to the fact that for 6 years the money was available. It seems to me there has been carelessness almost amounting to nonfeasance in connection with this matter.

Mr. President, I very much dislike to disagree with the chairman of the committee, or to go against the President's wishes, but it seems to me the measure ought not to be passed by unanimous consent.

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

IRRIGATION CONSTRUCTION COSTS ON WAPATO PROJECT, WASHINGTON

The Senate proceeded to consider the bill (S. 558) amending acts fixing the rate of payment of irrigation construction costs on the Wapato Indian irrigation project, Yakima, Wash., and for other purposes, which had been reported from the Committee on Indian Affairs with an amendment, to add a new section at the end of the bill, so as to make the bill read:

Be it enacted, etc., That so much of the act approved February 14, 1920 (41 Stat. 431), as amended by the act approved May 25, 1922 (42 Stat. L. 595 and 596), as fixes the annual rate of payment of irrigation construction costs or assessments on the Wapato Indian irrigation project on the Yakima Reservation in the State of Washington be, and it is hereby, amended so as to fix the per-acre per-annum assessment rate of $1.25 against those lands classed as A or B which are subject to construction assessments pursuant to existing law. Such rate is to take effect immediately upon approval of this act and shall continue until the total cost assessable under existing law against such of the A and B lands shall have been repaid.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to modify the annual repayment schedule set forth in the memorandum agreement of March 9, 1921, approved March 31, 1921, as amended, wherein provision is made among other things for payment of the actual cost of the 250,000 acre-feet of water for certain of the lands under the Wapato Indian irrigation project so as to extend payment of the balance of the cost of such water over a 24-year period commencing with the payment due December 31, 1937.

Mr. KING. Mr. President, I ask the Senator who introduced the bill, the Senator from Washington [Mr. SCHWELLENBACH], whether this appropriation comes out of a tribal fund, or whether it is a direct appropriation out of the United States Treasury. I should like an explanation.

Mr. SCHWELLENBACH. The bill simply brings this one particular project in line with all other irrigation projects and all other Bureau of Reclamation projects in the country insofar as it refers to the repayment of construction costs.

The Indians have a 40-year period within which to repay the construction costs. The only objection the Department offers to the bill in the report is that a House bill calling for a general investigation of the financing of Indian irrigation projects is now on the calendar. The representatives of the Department who appeared before the committee at the time of the hearing interposed no objection, and it was pointed out by them that in this particular case, as shown by the report, they have all the facts and all the information. All that the bill does is to put this project upon precisely the same basis as every other Indian project and every other reclamation project in the country. The bill extends the period of repayment to a total of 40 years, and it will not make any difference so far as the Treasury is concerned.

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

The amendment was agreed to.

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

RELINQUISHMENT OF LAND TO BLACKFEET TRIBE, MONTANA

The bill (S. 2774) to authorize the Secretary of the Interior to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Mont., the interest in certain land acquired by the United States under the Federal Reclamation laws 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 Interior is hereby authorized to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Mont., the interest acquired by the United States for Federal reclamation purposes in the lands within the exterior boundaries of the present Blackfeet Indian Reservation, that were acquired for Federal reclamation purposes and are determined in the opinion of said Secretary not to be needed for such purposes. Such relinquishment shall be conditioned upon the repayment into the reclamation fund of a sum equal to the amount taken therefrom for the purchase of the lands so relinquished, including the amounts paid for the benefit of allottees where the land acquired for Federal reclamation purposes was allotted land. Upon such relinquishment and payment being made, the title to said lands shall be and remain in the United States in trust for the Indians of the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana: *Provided*, That in making such relinquishments the Secretary may reserve for Federal reclamation purposes such easements and rights as in his opinion may be required for present or future developments under the Federal reclamation laws, and the amount payable into the reclamation fund on account of such relinquishment shall be reduced by the value of the easements and rights so retained for Federal reclamation purposes, such value to be conclusively ascertained by said Secretary: *Provided further*, That no relinquishments herein authorized shall be effective unless approved in writing by the Blackfeet Tribal Council.

SEC. 2. The Secretary of the Interior is hereby authorized to expend from any moneys on deposit in the Treasury of the United States to the credit of the Blackfeet Indians not to exceed $30,000 for the purpose of carrying out the purposes of this act.

ACQUISITION OF LAND FOR SHOSHONE IRRIGATION PROJECT, WYOMING

The bill (H. R. 6914) to authorize the acquisition by the United States of certain tribally owned lands of the Indians of the Shoshone or Wind River Indian Reservation, Wyo., for the Wind River irrigation project was considered, ordered to a third reading, read the third time, and passed.

FLOOD CONTROL IN CONNECTICUT RIVER VALLEY

The joint resolution (S. J. Res. 177) consenting to an interstate compact relating to flood control in the Connecticut River Valley was announced as next in order.

Mr. BARKLEY and Mr. LA FOLLETTE asked that the joint resolution be passed over.

Mr. MALONEY. Mr. President, I ask that the objection to Calendar No. 979, being Senate Joint Resolution 177, be withdrawn.

Mr. LA FOLLETTE. Mr. President, I am willing to withdraw my objection if the Senator wishes to make a statement. However, I assure the Senator that the joint resolution cannot be acted on today.

Mr. MALONEY. I rather suspected that it could not be acted on today. I wish, however, to call attention to the fact that the joint resolution would ratify a flood compact between four States. The commissioners of those four States met under the guidance of the War Department, I am advised by the commissioners representing my State, and entered into a compact. The four States,

through their legislative authorities, concurred in the compact. Officials of the War Department sat in on the various meetings during the time the compact was being drawn; and it was our understanding, and I believe my colleague from Connecticut [Mr. LONERGAN] and the Senators from Massachusetts [Mr. WALSH and Mr. LODGE]—these are the States most particularly affected by the floods—concur in the thought that all the conditions laid down by the Federal Government have been satisfied.

It now develops that there is objection on the part of the Federal Power Commission, on the ground that the compact trespasses on the Federal Power Act of 1920 and the subsequent legislation of 1936. I disagree with that opinion, Mr. President; and I should like to have Senators know that this is probably the last chance that the States of New England, which suffered to such a considerable extent from the disastrous floods of the last 2 years, will have in any way to correct that situation without calling into special session the legislative bodies of the States involved.

Mr. LA FOLLETTE. I ask that the joint resolution be passed over.

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

BILLS PASSED OVER

The bill (S. 2838) to establish a public airport in the vicinity of the National Capital was announced as next in order.

Mr. BYRD. I ask that the bill be passed over.

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

The bill (S. 2846) to promote air commerce by providing for the enlargement of Washington Airport in the public interest was announced as next in order.

Mr. BYRD. I ask that the bill be passed over.

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

WORK ON BONNEVILLE PROJECT

The bill (H. R. 7642) to authorize the completion, maintenance, and operation of Bonneville project for navigation, and for other purposes, was announced as next in order.

The PRESIDENT pro tempore. It is my desire that the bill go over.

Mr. McNARY. Mr. President, on page 18 of the calendar will be found a Senate bill, being Senate bill 2092, Calendar No. 1046, which covers the same subject matter. I ask unanimous consent that all after the enacting clause of the House bill be stricken out, and that the language of the Senate bill, as reported from the committee, be inserted in lieu thereof.

The PRESIDENT pro tempore. The Senator from Nevada, the present occupant of the chair, objects to the present consideration of the bill.

Mr. McNARY. That may be, Mr. President; but I am entitled to this form of order at this time.

The PRESIDENT pro tempore. The Senator from Oregon asks unanimous consent that the Senate proceed to the consideration of House bill 7642 for the purpose of amending that bill by striking out all after the enacting clause and inserting the language of Senate bill 2092, being Calendar No. 1046, as reported from the committee. Is there objection? The Chair hears none, and it is so ordered.

The amendment offered by Mr. McNARY was to strike out all after the enacting clause and to insert the following:

That for the purpose of improving navigation on the Columbia River, and for other purposes incidental thereto, the dam, locks, power plant, and appurtenant works now under construction at Bonneville, Oreg. (hereinafter called Bonneville project), shall be completed, maintained, and operated under the direction of the Secretary of War and the supervision of the Chief of Engineers, subject to the provisions of this act relating to the powers and duties of the Bonneville power administrator provided for in section 2 (a) (hereinafter called the administrator) respecting the transmission and sale of electric energy generated at said project. The Secretary of War shall provide, construct, operate, maintain, and improve at Bonneville project such machinery, equipment, and facilities for the generation of electric energy as the administrator may deem necessary to develop such electric energy as rapidly as markets may be found therefor. The electric energy thus generated and not required for the operation of the dam and locks at such project and the navigation facilities employed in connection therewith shall be delivered to the administrator for disposition as provided in this act.

SEC. 2. (a) The electric energy generated in the operation of the said Bonneville project shall be disposed of by the said administrator as hereinafter provided. The administrator shall be appointed by the Secretary of the Interior, by and with the advice and consent of the Senate; shall be responsible to said Secretary of the Interior; shall receive a salary at the rate of $10,000 per year; and shall maintain his principal office at a place selected by him in the vicinity of the Bonneville project. The administrator shall, as hereinafter provided, make all arrangements for the sale and disposition of electric energy generated at Bonneville project not required for the operation of the dam and locks at such project and the navigation facilities employed in connection therewith. He shall act in consultation with an advisory board composed of a representative designated by the Secretary of War, a representative designated by the Secretary of the Interior, a representative designated by the Federal Power Commission, and a representative designated by the Secretary of Agriculture. The form of administration herein established for the Bonneville project is intended to be provisional pending the establishment of a permanent administration for Bonneville and other projects in the Columbia River Basin. The administrator is authorized and empowered to direct and require the Secretary of War to install and maintain additional machinery, equipment, and facilities for the generation of electric energy at the Bonneville project when in the judgment of the administrator such additional generating facilities are desirable to meet actual or potential market requirements for such electric energy. The Secretary of War shall schedule the operations of the several electrical generating units and appurtenant equipment of the Bonneville project in accordance with the requirements of the administrator. The Secretary of War shall provide and maintain for the use of the administrator at said Bonneville project adequate station space and equipment, including such switches, switchboards, instruments, and dispatching facilities as may be required by the administrator for proper reception, handling, and dispatching of the electric energy produced at the said project, together with transformers and other equipment required by the administrator for the transmission of such energy from that place at suitable voltage to the markets which the administrator desires to serve.

(b) In order to encourage the widest possible use of all electric energy that can be generated and marketed and to provide reasonable outlets therefor, and to prevent the monopolization thereof by limited groups, the administrator is authorized and directed to provide, construct, operate, maintain, and improve such electric transmission lines and substations, and facilities and structures appurtenant thereto, as he finds necessary, desirable, or appropriate for the purpose of transmitting electric energy, available for sale, from the Bonneville project to existing and potential markets, and, for the purpose of interchange of electric energy, to interconnect the Bonneville project with other Federal projects and publicly owned power systems now or hereafter constructed.

(c) The administrator is authorized, in the name of the United States, to acquire, by purchase, lease, condemnation, or donation, such real and personal property, or any interest therein, including lands, easements, rights-of-way, franchises, electric transmission lines, substations, and facilities and structures appurtenant thereto, as the administrator finds necessary or appropriate to carry out the purposes of this act. Title to all property and property rights acquired by the administrator shall be taken in the name of the United States.

(d) The administrator shall have power to acquire any property or property rights, including patent rights, which in his opinion are necessary to carry out the purposes of this act, by the exercise of the right of eminent domain and to institute condemnation proceedings therefor in the same manner as is provided by law for the condemnation of real estate.

(e) The administrator is authorized, in the name of the United States, to sell, lease, or otherwise dispose of such personal property as in his judgment is not required for the purposes of this act and such real property and interests in land acquired in connection with construction or operation of electric transmission lines or substations as in his judgment are not required for the purposes of this act: *Provided, however,* That before the sale, lease, or disposition of real property or transmission lines, as herein provided, the administrator shall secure the approval of the President of the United States.

(f) Subject to the provisions of this act, the administrator is authorized, in the name of the United States, to negotiate and enter into such contracts, agreements, and arrangements as he shall find necessary or appropriate to carry out the purposes of this act.

SEC. 3. As employed in this act, the term "public body", or "public bodies", means States, public power districts, counties, and municipalities, including agencies or subdivisions of any thereof.

As employed in this act, the term "cooperative", or "cooperatives", means any form of non-profit-making organization or organizations of citizens supplying, or which may be created to supply, members with any kind of goods, commodities, or services, as nearly as possible at cost.

SEC. 4. (a) In order to insure that the facilities for the generation of electric energy at the Bonneville project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers, the administrator shall at all times, in disposing of electric energy generated at said project, give preference and priority to public bodies and cooperatives.

(b) To preserve and protect the preferential rights and priorities of public bodies and cooperatives as provided in section (a) and to effectuate the intent and purpose of this act that at all times up to January 1, 1941, there shall be available for sale to public bodies and cooperatives not less than 50 percent of the electric energy produced at the Bonneville project, it shall be the duty of the administrator in making contracts for the sale of such energy to so arrange such contracts as to make such 50 percent of such energy available to said public bodies and cooperatives until January 1, 1941: *Provided*, That the electric energy so reserved for but not actually purchased by and delivered to such public bodies and cooperatives prior to January 1, 1940, may be disposed of temporarily so long as such temporary disposition will not interfere with the purchase by and delivery to such public bodies and cooperatives at any time prior to January 1, 1940: *Provided further*, That nothing herein contained shall be construed to limit or impair the preferential and priority rights of such public bodies or cooperatives after January 1, 1940; and in the event that after such date there shall be conflicting or competing applications for an allocation of electric energy between any public body or cooperative on the one hand and a private agency of any character on the other, the application of such public body or cooperative shall be granted.

(c) An application by any public body or cooperative for an allocation of electric energy shall not be denied, or another application competing or in conflict therewith be granted, to any private corporation, company, agency, or person, on the ground that any proposed bond or other security issue of any such public body or cooperative, the sale of which is necessary to enable such prospective purchaser to enter into the public business of selling and distributing the electric energy proposed to be purchased, has not been authorized or marketed, until after a reasonable time, to be determined by the administrator, has been afforded such public body or cooperative to have such bond or other security issue authorized or marketed.

(d) It is declared to be the policy of the Congress, as expressed in this act, to preserve the said preferential status of the public bodies and cooperatives herein referred to, and to give to the people of the States within economic transmission distance of the Bonneville project reasonable opportunity and time to hold any election or elections or take any action necessary to create such public bodies and cooperatives as the laws of such States authorize and permit, and to afford such public bodies or cooperatives reasonable time and opportunity to take any action necessary to authorize the issuance of bonds or to arrange other financing necessary to construct or acquire necessary and desirable electric distribution facilities, and in all other respects legally to become qualified purchasers and distributors of electric energy available under this act.

SEC. 5. (a) Subject to the provisions of this act and to such rate schedules as the Federal Power Commission may approve, as hereinafter provided, the administrator shall negotiate and enter into contracts for the sale at wholesale of electric energy, either for resale or direct consumption, to public bodies and cooperatives and to private agencies and persons. Contracts for the sale of electric energy to any private person or agency other than a privately owned public utility engaged in selling electric energy to the general public, shall contain a provision forbidding such private purchaser to resell any of such electric energy so purchased to any private utility or agency engaged in the sale of electric energy to the general public, and requiring the immediate canceling of such contract of sale in the event of violation of such provision. Contracts entered into under this subsection shall be binding in accordance with the terms thereof and shall be effective for such period or periods, including renewals or extensions, as may be provided therein, not exceeding in the aggregate 20 years from the respective dates of the making of such contracts. Contracts entered into under this subsection shall contain (1) such provisions as the administrator and purchaser agree upon for the equitable adjustment of rates at appropriate intervals, not less frequently than once in every 5 years, and (2) in the case of a contract with any purchaser engaged in the business of selling electric energy to the general public, the contract shall provide that the administrator may cancel such contract upon 5 years' notice in writing if in the judgment of the administrator any part of the electric energy purchased under such contract is likely to be needed to satisfy the requirements of the said public bodies or cooperatives referred to in this act, and that such cancelation may be with respect to all or any part of the electric energy so purchased under said contract to the end that the preferential rights and priorities accorded public bodies and cooperatives under this act shall at all times be preserved. Contracts entered into with any utility engaged in the sale of electric energy to the general public shall contain such terms and conditions, including among other things stipulations concerning resale and resale rates by any such utility, as the administrator may deem necessary, desirable, or appropriate to effectuate the purposes of this act and to insure that resale by such utility to the ultimate consumer shall be at rates which are reasonable and nondiscriminatory. Such contract shall also require such utility to keep on file in the office of the administrator a schedule of all its rates and charges to the public for electric energy and such alterations and changes therein as may be put into effect by such utility.

(b) The administrator is authorized to enter into contracts with public or private power systems for the mutual exchange of unused excess power upon suitable exchange terms for the purpose of economical operation or of providing emergency or breakdown relief.

SEC. 6. Schedules of rates and charges for electric energy produced at the Bonneville project and sold to purchasers as in this act provided shall be prepared by the administrator and become effective upon confirmation and approval thereof by the Federal Power Commission. Subject to confirmation and approval by the Federal Power Commission, such rate schedules may be modified from time to time by the administrator, and shall be fixed and established with a view to encouraging the widest possible diversified use of electric energy. The said rate schedules may provide for uniform rates or rates uniform throughout prescribed transmission areas in order to extend the benefits of an integrated transmission system and encourage the equitable distribution of the electric energy developed at the Bonneville project.

SEC. 7. It is the intent of Congress that rate schedules for the sale of electric energy which is or may be generated at the Bonneville project in excess of the amount required for operating the dam, locks, and appurtenant works at said project shall be determined with due regard to and predicated upon the fact that such electric energy is developed from water power created as an incident to the construction of the dam in the Columbia River at the Bonneville project for the purposes set forth in section 1 of this act. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of Bonneville project) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment over a reasonable period of years. Rate schedules shall be based upon an allocation of costs made by the Federal Power Commission. In computing the cost of electric energy developed from water power created as an incident to and a byproduct of the construction of the Bonneville project, the Federal Power Commission may allocate to the costs of electric facilities such a share of the cost of facilities having joint value for the production of electric energy and other purposes as the power development may fairly bear as compared with such other purposes.

SEC. 8. Notwithstanding any other provision of law, all purchases and contracts made by the administrator or the Secretary of War for supplies or for services except for personal services, shall be made after advertising, in such manner and at such times, sufficiently in advance of opening bids, as the administrator or Secretary of War, as the case may be, shall determine to be adequate to insure notice and opportunity for competition. Such advertisement shall not be required, however, when (1) an emergency requires immediate delivery of the supplies or performance of the services; or (2) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (3) the aggregate amount involved in any purchase or supplies or procurement of services does not exceed $500; in which cases such purchases of supplies or procurement of services may be made in the open market in the manner common among businessmen. In comparing bids and in making awards, the administrator or the Secretary of War, as the case may be, may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

SEC. 9. (a) The administrator, subject to the requirements of the Federal Water Power Act, shall keep complete and accurate accounts of operations, including all funds expended and received in connection with transmission and sale of electric energy generated at the Bonneville project.

(b) The administrator may make such expenditures for offices, vehicles, furnishings, equipment, supplies, and books; for attendance at meetings; and for such other facilities and services as he may find necessary for the proper administration of this act.

(c) In December of each year, the administrator shall file with the Congress, through the Secretary of the Interior, a financial statement and a complete report as to the transmission and sale of electric energy generated at the Bonneville project during the preceding governmental fiscal year.

SEC. 10. The administrator, the Secretary of War, and the Federal Power Commission, respectively, shall appoint such attorneys, engineers, and other experts as may be necessary for carrying out the functions entrusted to them under this act, without regard to the provisions of the civil-service laws and shall fix the compensation of each of such attorneys, engineers, and other experts at not to exceed $10,000 per annum; and they may, subject to the civil-service laws, appoint such other officers and employees as may be necessary to carry out such functions and fix their salaries in accordance with the Classification Act of 1923, as amended.

SEC. 11. All receipts from transmission and sale of electric energy generated at the Bonneville project shall be covered into the Treasury of the United States to the credit of miscellaneous receipts, save and except that the Treasury shall set up and maintain from such receipts a continuing fund of $500,000, to the credit of the administrator and subject to check by him, to defray emergency expenses and to insure continuous operation. There is hereby authorized to be appropriated from time to time,

out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

SEC. 12. The administrator may, in the name of the United States, bring such suits, at law or in equity, as he may find necessary in carrying out the purposes of the act; and he shall be represented in all litigation affecting the status or operation of Bonneville project by such counsel as he may select.

SEC. 13. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Mr. McNARY. I now move that the Senate bill be indefinitely postponed.

The PRESIDENT pro tempore. Without objection, Senate bill 2092 will be indefinitely postponed, and House bill 7642 will be passed over.

Mr. McNARY. Mr. President, this bill has been on the calendar for some time. It conforms to the wishes of the administration in every particular; it has been agreed upon by the Senators from Washington and Oregon, inasmuch as the dam is in the Columbia River between these two Northwestern States.

I apprehend from what the Chair stated a moment ago that he objects to the consideration of the bill at this time. With that I certainly could have no objection, but I do wish to give notice that I shall do everything that I may to have the bill considered immediately following the disposition of the court bill.

SELECTION OF SITE FOR NATIONAL AIRPORT

Mr. KING. Mr. President, I ask unanimous consent for a minute in which to explain the airport bill.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Utah may proceed.

Mr. KING. Mr. President, some time ago the President of the United States and Congress joined in the appointment of a commission to select a site for a national airport. The commission functioned; they selected a site for an airport; they submitted a report; a bill has been submitted pursuant to the report. Objection was made to its consideration. I merely wish to state that the bill is of the greatest importance to the District of Columbia and the Nation, and I shall seek an early opportunity for its consideration.

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

Mr. KING. Yes.

Mr. McKELLAR. Is it proposed to locate the airport in the vicinity of where it is now or near the Potomac River?

Mr. KING. I can answer the Senator categorically, no. We were charged with the duty of selecting a site that would be safe and suitable under all conditions of weather for a national airport. We carried out, I think, the instructions which were embodied in the authorization.

Mr. O'MAHONEY. Mr. President, may I ask the Senator does the bill select the site for the airport?

Mr. KING. Yes; we were authorized to select a site, and that was done.

Mr. O'MAHONEY. What is the site which was selected?

Mr. KING. It is several miles from Washington and is known as Camp Springs, containing about 2,300 acres. The best experts of the United States testified in regard to the matter. Forty-two sites were examined by the experts and by representatives of the committee.

Mr. O'MAHONEY. Is there any serious objection to that site?

Mr. KING. A number of persons wanted us to select a site nearer than about 8 or 9 miles from the city, and I understand that the Navy Department objected because they claimed there would be interference with some radio operations 3 or 4 miles away. I will be prepared at any time to show the fallacy of that contention.

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

Mr. O'MAHONEY. Mr. President——

Mr. KING. I am trespassing upon the time of the Senate, because the bill is not now before the Senate.

Mr. O'MAHONEY. The questions that I ask are suggested by the fact that the next bill on the calendar apparently refers to the same subject matter.

Mr. KING. That has been objected to also.

Mr. McNARY. Mr. President, may I, with the indulgence of the Senate, make an inquiry of the Senator from Utah on the same subject? I think I have on my desk some correspondence advocating the location of the airport in Anacostia, and also I have had literature like those sponsoring what is called the Washington Airport, in Virginia. Have those two sites been examined and is the one the Senator has mentioned the ultimate site that the committee recommends?

Mr. KING. Mr. President, the committee was charged with the duty of locating an airport. We examined 42 proposed airport sites and selected one which met all the requirements contained in the act under which we were charged with responsibility. We disregarded the Washington Airport; we did not report favorably upon it, nor upon the other site to which the Senator refers. After examining 42 sites we unanimously selected one.

Mr. BARKLEY. Mr. President, I was out of the Chamber for a moment. May I inquire where that location is?

Mr. KING. Camp Springs is about in a direct line from the Capital, I should say, 8 or 9 miles. It embraces 2,300 acres; it is on high ground where there will be no fog. It would be free from obstruction and the experts testified that it would be safe 100 percent every day of the year.

Mr. BARKLEY. I merely wish to observe that it seems to me that in the Capital of the Nation, with as much land as there is in close proximity to Washington, it ought to be possible to select a location for an airport for the city.

Mr. KING. I think so.

Mr. BARKLEY. I am satisfied the Senator and his colleagues have diligently sought to do that, and, while I know nothing of this subject, if the committee examined 42 sites and found the one mentioned the most feasible, that fact would weigh a great deal with me in undertaking to locate a site.

Mr. KING. May I trespass a moment further by saying that General Westover, Chief of the Air Corps of the Army, and one of the most competent pilots in the United States, if not in the world, was the head of the subcommittee that examined aerially and over the terrain the 42 airport sites, and he and the executive committee were unanimous. Then the full committee, consisting of three Senators, three Members of the House of Representatives, and three members appointed by the President of the United States, likewise joined in the unanimous report.

The PRESIDENT pro tempore. The next bill on the calendar will be stated.

LEWIS LEONARD WOOD AND WINIFRED WOOD

The bill (S. 1673) for the relief of Lewis Leonard Wood and Winifred Wood was announced as next in order.

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

Mr. MALONEY. Mr. President, I will be pleased to explain the bill.

Mr. McKELLAR. Mr. President, I find that I have already read the report, and that the bill is a proper one; so the Senator need not explain it so far as I am concerned.

Mr. MALONEY. Very well.

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, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Lewis Leonard Wood and Winifred Wood shall be held and considered to have been legally admitted to the United States for permanent residence on April 9, 1925.

SEC. 2. The Secretary of Labor is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued in the cases of said Lewis Leonard Wood or said Winifred Wood upon the ground of unlawful residence in the United States.

FLOOD CONTROL IN MERRIMACK RIVER VALLEY

The joint resolution (S. J. Res. 178) consenting to an interstate compact relating to flood control in the Merrimack River Valley was announced as next in order.

Mr. LA FOLLETTE. Let the joint resolution go over.

Mr. WALSH. Mr. President, I think it is appropriate that the same disposition should be made of this joint resolution as was made of the one relating to the Connecticut River, preceding it on the calendar. I should like to state for the RECORD that the Senator from New Hampshire has today introduced a resolution at the request of the administration which sets forth their position in reference to such flood-control compacts as the two on the calendar. Apparently the administration feels that the provision in the compact to the effect that the States may have the use or sale of the power generated at dams on flood-control reservoirs is not in conformity with the national program which the administration is planning. The authorities of the States claim that they seek control of power generated only by permission and consent of the Federal Government and that there is provision in the act of ratification to enable the Government to repeal or change the conditions. In any event, the point I wish to make is that there is another joint resolution dealing with the same subject, and I think that in time both the Federal authorities and the State authorities may be able to reach an agreement.

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

PUBLIC SCHOOL BUILDING, MASON COUNTY, WASH.

The Senate proceeded to consider the bill (S. 2368) to provide funds for cooperation with School District No. 2, Mason County, State of Washington, in the construction of a public-school building, to be available to both white and Indian children, which was read as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $25,000 for the purpose of cooperating with School District No. 2, Mason County, State of Washington, for the construction and equipment of a public-school building at Lower Skokomish, State of Washington: *Provided*, That said school shall be conducted for both white and Indian children without discrimination, and that the cost of education of white children shall be defrayed by the State and local public-school authorities, in accordance with such agreement or agreements as may be made between the Secretary of the Interior and State or local officials, and any and all sums of money obtained by reason of such agreement or agreements shall be available for reexpenditure for support and maintenance of said school.

Mr. KING. Mr. President, I should like to ask the Senator from Washington whether there is not now a schoolhouse for the Indians at the place mentioned in the bill?

Mr. SCHWELLENBACH. Mr. President, the report of the Department shows that the schoolhouse there is not adequate or safe and that there is the necessity for a new schoolhouse.

Mr. KING. Why was not an appropriation made from the Indian funds and carried in the Indian appropriation bill?

Mr. SCHWELLENBACH. It should be remembered that this is not an appropriation. It comes under the general act under which the Department asks for appropriations every year for certain schoolhouses. They have left us out, the committee thought, a little too long. So I wanted it specifically designated so that when the appropriation is made for the operation of schools under the Indian Service the school referred to in the bill may be provided for.

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.

FIXING OF FEES IN RECEIVERSHIP AND BANKRUPTCY CASES

The Senate proceeded to consider the bill (S. 2849) to prohibit certain agreements fixing fees or compensation in receiverships, bankruptcy, or reorganization proceedings, which was read as follows:

Be it enacted, etc., That (a) it shall be unlawful for any party in interest, or any attorney for any party in interest, in any receivership, bankruptcy, or reorganization proceeding, in or under the supervision of any court of the United States, to enter into any agreement, written or oral, express or implied, with any other party in interest, or any attorney of any other party in interest, in such proceeding for the purpose of fixing the amount of the fees or other compensation to be paid to any party in interest or any attorney of any party in interest in such proceeding, for services rendered in connection therewith. As used in this section, the term "party in interest" includes any debtor, creditor, receiver, or trustee and any representative of any of them.

(b) It shall be unlawful for the judge of any court of the United States to approve the payment of any fees or compensation the amount of which is fixed as the result of any act declared to be unlawful by subsection (a) of this section.

(c) Any person who commits any act declared by this section to be unlawful shall, upon conviction, be fined not more than $10,000 or imprisoned not more than 5 years, or both.

Mr. McKELLAR. Mr. President, apparently there is no report accompanying the bill. Will the Senator from Idaho explain it?

Mr. BORAH. Mr. President, it is rather an important measure, but I think I can explain it by making a short statement. In the first place, it has been reported by the Judiciary Committee. The bill simply provides that any agreement between attorneys in bankruptcy cases and reorganization cases as to fees shall be illegal, also as to compensation of receivers. It prohibits any agreement between parties in interest fixing compensation of receivers or fixing the compensation of attorneys. We have found out through investigation that the heart of the misdoings with reference to receivership cases was that attorneys get together and agree upon large fees, agree upon a receiver, agree upon receivers' fees, agree upon the compensation of all parties concerned, and the result is that they simply divide up the carcass and there is nothing left for creditors or anybody else.

Mr. McKELLAR. In view of the many scandals that have arisen in regard to receivership fees and even attorneys' fees in receivership cases, I am heartily in favor of the Senator's bill, and I hope not only the Senate will pass it but that the other House will pass it and that it will become a law.

Mr. BORAH. I thank the Senator.

I desire to offer an amendment for clarification more than anything else. I send it to the desk and ask that it may be read.

The PRESIDENT pro tempore. The amendment will be stated.

The amendment was on page 2, line 2, after the word "therewith" to insert:

When such fees or other compensation are to be paid from the assets of the estate in receivership, bankruptcy, or reorganization.

So as to make the section read:

That (a) it shall be unlawful for any party in interest, or any attorney for any party in interest, in any receivership, bankruptcy, or reorganization proceeding, in or under the supervision of any court of the United States, to enter into any agreement, written or oral, express or implied, with any other party in interest, or any attorney of any other party in interest, in such proceeding for the purpose of fixing the amount of the fees or other compensation to be paid to any party in interest or any attorney of any party in interest in such proceeding, for services rendered in connection therewith when such fees or other compensation are to be paid from the assets of the estate in receivership, bankruptcy, or reorganization. As used in this section, the term "party in interest" includes any debtor, creditor, receiver, or trustee and any representative of any of them.

Mr. BORAH. It was thought the bill as written would prevent a client from agreeing with his own attorney as to how much compensation he should pay his attorney, so we are proposing to limit the agreement to such compensations or attorneys' fees as are to come out of the estate or the reorganization fund, and so forth.

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

The amendment was agreed to.

Mr. BORAH. I desire to offer another amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The amendment was on page 2, after line 9, to insert a new paragraph, as follows:

(c) It shall be unlawful for the judge of any court of the United States to appoint as receiver, or trustee, any person related to such judge by consanguinity, or affinity, within the fourth degree.

The amendment was agreed to.

Mr. BORAH. I move to amend further by renumbering the last paragraph.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 10, it is proposed to renumber the paragraph by striking out "(c)" and inserting "(d)."

The amendment was agreed to.

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

INVESTIGATION OF AGRICULTURAL COMMODITY PRICES, ETC.

The Senate proceeded to consider the resolution (S. Res. 158) to provide for an investigation of agricultural commodity prices, of an ever-normal granary for major agricultural commodities, and of the conservation of national soil resources, submitted by Mr. SMITH on the 23d instant.

Mr. BLACK. Mr. President, I have an amendment which I desire to offer to the resolution. I send it to the desk and ask that it may be stated.

The PRESIDENT pro tempore. The amendment will be stated.

The amendment was, on page 1, line 12, after the word "Senate", to strike out the words "at the earliest practicable date" and insert "not later than October 15, 1937", so as to make the resolution read:

Resolved, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to conduct investigations and draft legislation to maintain both parity of prices paid to farmers for agricultural commodities marketed by them for domestic consumption and export and parity of income for farmers marketing such commodities; and, without interfering with the maintenance of such parity prices, to provide an ever-normal granary for each major agricultural commodity; and to conserve national soil resources and prevent the wasteful use of soil fertility; and, in particular, so to consider S. 2787. The committee shall report to the Senate, not later than October 15, 1937, the result of its investigations together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-fifth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. SMITH. Mr. President, I hope the amendment will not be agreed to. The committee unanimously agreed that they would take their time in making the investigation. I understand the object of the amendment, and I hope the Senate will accept the action of the Committee on Agriculture and Forestry which was taken in good faith. We propose to make the investigation as thorough as possible in the interest of agriculture. This is a matter which was threshed out yesterday on the floor of the Senate.

Mr. McKELLAR. Mr. President, Senators know there is no one for whom I have greater respect and admiration than I have for the Senator from South Carolina [Mr. SMITH], chairman of the Committee on Agriculture and Forestry. The Senator knows that the price of cotton has been going down very regularly in recent days, probably due to the fact that a great many people think we will have a very much larger crop than we have had in the last several years. While the price of cotton has been going down rather steadily lately, the new crop is about to come in.

If ever there was a time when we need control and a law for control it is now, for the reason that in the next 3 months the farmers, for whose interest the Senator from South Carolina has worked in this body as probably no other Senator has, are going to dispose of their cotton crop. If we are to have control, if we are to have regulation so as to benefit the farmers who have made this crop, the sooner we have it the better it will be for all concerned.

Mr. SMITH. Mr. President, the Senator from South Carolina knows about the movement of the cotton crop. We have a law now that will take care of the situation. Cotton has been produced and it is now being sold. It will be sold through September. It will be sold through October. By that time we could have a bill back here and by the time Congress got through arguing over it, the whole cotton crop would be sold.

This is nothing more nor less than an attempt by those who have gotten themselves in bad by sponsoring a bill that has destroyed the South, to come here now and try to placate the farmers of the South with an impossible thing.

I appeal to the Senate. Cotton is now moving in Texas, South Carolina, Georgia, and elsewhere. By the 15th of October the bulk of it will have been sold. Now a proposition is made here which is obvious to everybody, that we shall reconvene October 15 and debate a bill which is highly debatable, and there would be no assurance at all as to the time we would get through with it and ultimately have the desired regulation. I am as much in favor of regulation as is any other Member of this body, but I want common sense used in connection with it.

Mr. BYRD. Mr. President, if this matter is going to lead to an extended discussion, as apparently it is, I ask that the resolution may go over.

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

Mr. SMITH. Mr. President, let me say just one word, if I may have unanimous consent to do so. The committee wanted to begin its work and wanted to know what funds were available for it. If it is desired to deprive the committee of its funds, it is perfectly all right with me, but I am not going to sit here and allow this kind of thing to happen without a vigorous protest. Let the resolution go over.

Mr. BILBO. Mr. President, there will be no harm done by letting the resolution go over, because the committee will not commence its investigations until after the adjournment of Congress.

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

LEAVE OF ABSENCE TO HOMESTEAD SETTLERS DURING 1937

The bill (S. 189) granting a leave of absence to settlers of homestead lands during the year 1937 was announced as next in order.

Mr. MURRAY. Mr. President, a similar bill passed the House and has been reported to the Senate by the Committee on Public Lands and Surveys and is now on the calendar, being Calendar No. 1041. I ask that the House bill may be substituted for the Senate bill and be considered at this time.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 2888) granting a leave of absence to settlers of homestead lands during the year 1937, which had been reported from the Committee on Public Lands and Surveys with amendments.

The first amendment was, on page 3, after line 3, to insert a new section 3, as follows:

SEC. 3. There is hereby authorized to be appropriated an amount equal to the amount of the unpaid balance of principal and interest which the Secretary of the Interior may find to be due on homestead and other entries or purchases on opened lands of the Coeur d'Alene, Cheyenne River, Colville, Fort Berthold, Fort Peck, Pine Ridge, Rosebud, Shoshone, and Standing Rock Reservations, and the Chippewa lands in Minnesota opened in accordance with the act of January 14, 1889 (25 Stat. L. 642), on the date of the enactment of this act, less an amount equal to the amount of payments made on such homestead entries after the enactment of this act and before the appropriation herein authorized has been made. Such an amount when appropriated shall be placed to the credit of the Indian tribes of such reservations in the Treasury of the United States, and shall be available upon the recommendation of the Indian tribe or tribes concerned for making permanent improvements on lands of the Indians, including the development of irrigation and the granting of aid to individual

Indians in establishing permanent homes, and for the purchase of lands on said reservations from individual Indians or from white owners, in the discretion of the Secretary of the Interior, and under such regulations as he may prescribe. Title to any lands so purchased shall be taken in the name of the United States in trust for the respective Indian tribes and such lands shall not be allotted in severalty.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to insert a new section 4, as follows:

SEC. 4. The provisions of this act shall in no way affect the liability of entrymen or purchasers on such opened lands in the said Indian reservations to complete payments on their entries. Any payments made by said homesteaders after the appropriation authorized by this act has been made shall be covered into the general fund of the Treasury of the United States. If any entry or purchase shall be relinquished or canceled on which the United States shall have advanced payments to the Indians of the reservation involved, said payments shall be reimbursed to the United States out of any funds on deposit in the Treasury of the United States to the credit of the said Indians.

The amendment was agreed to.

The next amendment was, on page 4, line 17, to renumber the section.

The amendment was agreed to.

The next amendment was, on page 4, line 20, before the word "entry", to strike out "this" and insert "his"; and in line 24, before the word "entry", to strike out "this" and insert "his", so as to make the section read:

SEC. 5. Any homestead entryman or purchaser of ceded Indian land who is delinquent in the payment of the purchase money or interest, or both, due on the land embraced in his entry, entries, purchase, or purchases, and who is unable to make payment thereof in accordance with existing laws, shall be accorded the privilege of relinquishing any subdivision, or subdivisions, as shown on the approved plat, of his entry, entries, purchase, or purchases, so that the purchase money paid on the whole of such entry, entries, purchase, or purchases, will be sufficient to complete payment on the lands retained, which retained lands shall be in reasonably compact form. Relinquishments heretofore made may be accepted under the provisions of this section.

The amendment was agreed to.

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

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to grant relief to homesteaders and purchasers of public and ceded Indian lands and to authorize advance of amounts due on delinquent homestead entries on certain Indian reservations."

The PRESIDENT pro tempore. Without objection, the bill (S. 189) granting leave of absence to settlers of homestead lands during the year 1937 is indefinitely postponed.

PERISHABLE AGRICULTURAL COMMODITIES

The bill (H. R. 6762) to amend the act known as the "Perishable Agricultural Commodities Act, 1930", approved June 10, 1930, as amended, was announced as next in order.

Mr. KING. Mr. President, that seems to be rather a formidable measure. I should like to have some explanation of it.

Mr. SMITH. Mr. President, that bill may go over.

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

EAST COAST SHIP & YACHT CORPORATION, OF NOANK, CONN.

The Senate proceeded to consider the bill (S. 718) for the relief of the East Coast Ship & Yacht Corporation, of Noank, Conn., which had been reported from the Committee on Claims with amendments, on page 1, line 7, after "(1)", to strike out "$4,200" and insert "$2,100"; in line 11, after "(2)", to strike out "$7,200.34" and insert "$4,518.74"; on page 2, line 3, after the word "contract", to strike out "and (3) $1,950, representing liquidated damages withheld by the Government under a contract numbered W-52, qm 416, entered into by said corporation with the War Department for repairs to the United States distribution box boat *L-40*"; 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 East Coast Ship & Yacht Corporation, of Noank, Conn., the following sums: (1) $2,100, representing liquidated damages withheld by the Government under a contract numbered W-51, qm-412, entered into by said corporation with the War Department for repairs to the United States steamer *Colonel Barnett;* (2) $4,518.74, representing payment for additional repairs which said corporation was required to make upon said steamer and which were not specified by said contract. The payment of such sums shall be in full satisfaction of all claims of said corporation against the United States arising out of said contracts or in connection with the repairs made on either of said vessels: *Provided*, That in the settlement of the claim the rights of subrogation by the Home Insurance Co. shall be fully protected: *Provided further*, 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 AT MILITARY POSTS

The bill (H. R. 7645) to authorize appropriations for construction and rehabilitation at military posts, and for other purposes, was announced as next in order.

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

Mr. SHEPPARD. Mr. President, this bill is similar to a bill which passed the Senate a few weeks ago, and represents the minimum housing needs of the Army. It also provides for the acceptance by the Government of some very valuable property at Denver, Colo., and for the establishment there of an Air Corps technical school and firing ranges which are immediately necessary. It carries no appropriation, and none will be asked for during the present fiscal year.

Mr. McKELLAR. I observe that the bill authorizes an appropriation of $25,587,000.

Mr. SHEPPARD. The War Department's complete housing program calls for $162,000,000. After combing the matter thoroughly the Senate and the House Military Affairs Committees have developed a minimum priority program of about $25,000,000. The House added to what was in the Senate bill projects amounting to four or five million dollars and left out several items that were in the Senate bill. When the House bill came to the Senate, these Senate items were restored by the Senate Military Affairs Committee.

Mr. McKELLAR. Has the money already been appropriated? Is the money in hand to carry out the provisions of the bill, or will this be new money?

Mr. SHEPPARD. This is only an authorization.

Mr. McKELLAR. I know; but will the authorization prepare the way before the Appropriations Committee for supplemental appropriations, or for a deficiency appropriation?

Mr. SHEPPARD. Not at all.

Mr. McKELLAR. In other words, will the matter come up in the appropriation bill?

Mr. SHEPPARD. In the appropriation bill of the next fiscal year it will be necessary to have some kind of a program so that the War Department may begin its plans. The housing facilities at many of these posts are deplorable, and the construction of this school at Denver is immediately imperative. There we have a chance to secure the donation of a very valuable amount of property.

Mr. KING. Mr. President, if I may say so—and I hope my friend will pardon me—I think if we should close about two-thirds of the Army posts in the United States, it would make for economy and make for efficiency in the Army. I think we have scores more posts than are needed, and we have upon the shores a large number of naval stations that we do not need.

Mr. SHEPPARD. It is probably true that a number of posts ought to be dispensed with.

Mr. KING. Why not practise a little economy, instead of planning now for further appropriations and further posts?

Mr. SHEPPARD. This bill does not apply to the posts which are not needed.

Mr. KING. Let the bill go over.

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

Mr. ASHURST subsequently said: Mr. President, I apologize for discussing a subject not immediately before the Senate; but we have today passed a housing bill calling for many millions of dollars. Now a bill is on our calendar which provides for the housing and hospitalization of our troops in various Army posts.

I respect the right of every Senator to object; but let Senators visit these Army posts. I have visited two of them, and I should not think of quartering a human being in some of the quarters now occupied by troops of the United States. One commanding general told me he was ashamed to quarter his troops in such a place.

Mr. ADAMS. Mr. President, I may say to the Senator that some of the pictures on the wall show better structures than those in some of the posts.

Mr. ASHURST. Quite so. These so-called slums, pictures of which are on the wall, are in some respects superior to the housing facilities of United States troops in places that I could mention. Indeed, in one post the soldiers are required to take iron bars to support the walls, to keep the walls from falling in upon them.

Having authorized the expenditure of millions of dollars to provide homes for people in so-called slums—with that I have no quarrel—at the same time, in the case of the troops of the United States who are protecting the lives and the liberty of the people, the soldiers whose civil rights are more or less suspended, we find ourselves in a situation where we cannot pass a bill providing for adequate housing and hospital facilities for the troops of the United States.

I find no fault with any Senator who deems it his duty to object; but I believe the able Senator from Texas would be within his rights in serving notice that at the earliest moment he will try to secure action upon this bill.

Mr. SHEPPARD. I shall be glad to do so.

Mr. ASHURST. I thank the Senator from Texas because of the diligence he has exercised in the matter.

Take, for example, if you will, the report of the Senator from Texas upon the bill to which I refer. It authorizes hospitals and beds, hospitals and quarter barracks, and now and then telephone construction. Forsooth, I do not like the idea of going into the purlieus of our large cities and there providing homes far better than the homes in which the majority of United States Senators were born for persons many of whom will not be citizens of the United States, and then shamefully neglecting the soldiers who have suspended their civil rights and gone into the Army to protect the people of the United States.

I should feel recreant to my ideas of duty and propriety if I did not say this much.

LOSSES TO FOREIGN SERVICE OFFICERS DUE TO APPRECIATION OF FOREIGN CURRENCIES

The bill (H. R. 7512) to amend the act approved March 26, 1934, was considered, ordered to a third reading, read the third time, and passed.

WATER LEVELS OF LAKE OF THE WOODS

The Senate proceeded to consider the bill (H. R. 6338) to fulfill certain treaty obligations with respect to water levels of the Lake of the Woods, which had been reported from the Committee on Foreign Relations with an amendment, on page 2, line 8, after the word "claimant", to strike out "or, in case the claim has been assigned, to the assignee thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of War is authorized and directed to pay the claims for damages against the United States arising out of the fluctuations of the water levels of the Lake of the Woods as ascertained by him under authority of section 3 of the act entitled "An act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods concluded on the 24th day of February 1925", approved May 22, 1926, as amended. The amount paid with respect to each claim shall be the amount of award set forth in the letter of the Secretary of War of February 16, 1931 (House Document No. 774, 71st Cong., 3d sess.), and the letter of the Secretary of War of December 8, 1931 (House Document No. 133, 72d Cong., 1st sess.). Such sums shall be paid to the claimant, or, in case the claimant is dead or insane, to the legal representative of the claimant. The Secretary of War is authorized and directed to prescribe such rules and regulations as may be necessary for the purpose of establishing the identity of claimants or their assignees or representatives, and his determination thereof shall be final. Payment by the Secretary of War shall be in full settlement of all claims for damages cognizable under section 2 of such act of May 22, 1926, as amended. If with diligent effort the Secretary of War has been unable to pay any such claim within 3 years after the date of the enactment of this act, the amount of such claim shall be covered into the Treasury as miscellaneous receipts.

SEC. 2. There is authorized to be appropriated the sum of $73,270.97 to carry out the purposes of this act.

The amendment was agreed to.

Mr. KING. Mr. President, I should like an explanation of this bill. I see that the Secretary of State approves it with certain amendments. I wonder if those amendments have been made. If the distinguished President pro tempore approves of the bill, he being chairman of the Foreign Relations Committee, I have no objection to it. Is the Senator from Idaho [Mr. BORAH] familiar with the bill? If not, let it go over.

Mr. CONNALLY. Mr. President, I should like to say to the Senator from Utah that this Lake of the Woods matter has been pending before the two Houses for a long while. It is a border matter which is regulated by treaty between Canada and the United States.

Mr. KING. I am familiar with that state of affairs; but an appropriation is asked for, and I notice that in a letter from the Secretary of State he states he approves of the bill if certain amendments are made. If those amendments are made, I have no objection to the consideration of the bill.

Mr. BORAH. The bill has been recommended by the Department.

Mr. KING. I have no objection.

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.

CECILE C. CAMERON

The bill (H. R. 7387) for the relief of Cecile C. Cameron was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1567) to amend the act entitled "An act to amend the act entitled 'An act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes' ", was announced as next in order.

Mr. LODGE. Let the bill go over.

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

Mr. KING. Mr. President, I inquire what disposition was made of Calendar No. 996, House bill 2260.

The PRESIDENT pro tempore. That bill is the unfinished business of the Senate.

EXCHANGE OF LAND BY IGNATIUS T. FULKS AND OTHERS

The bill (H. R. 6145) authorizing the Secretary of Commerce to accept title to a certain parcel of land at Gaithersburg, Md., was considered, ordered to a third reading, read the third time, and passed.

REPORT OF SUBCOMMITTEE ON TECHNOLOGY

The concurrent resolution (H. Con. Res. 21) authorizing the printing of the report of the Subcommittee on Technology to the National Resources Committee, entitled "Technological Trends and National Policy, Including the Social Implications of the New Inventions", as a document was considered and agreed to.

INTERNATIONAL PETROLEUM EXPOSITION

The Senate proceeded to consider the bill (H. R. 7127) authorizing the President to invite the States of the Union

and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held May 14 to May 21, 1938, which had been reported from the Committee on Foreign Relations with an amendment, on page 2, line 2, to strike out "All articles that shall be imported from foreign countries for the sole purpose of exhibition at the International Petroleum Exposition upon which there shall be a tariff or customs duty shall be admitted free of the payment of duty, customs, fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell any goods or property imported for and actually on exhibition" and to insert "All articles which shall be imported from foreign countries for the purpose of exhibition at the International Petroleum Exposition, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within 3 months after the close of the said exposition to sell within the area of the exposition any articles provided for herein", so as to make the bill read:

Be it enacted, etc., That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed International Petroleum Exposition, to be held at Tulsa, Okla., from May 14, 1938, to May 21, 1938, inclusive, for the purpose of exhibiting samples of fabricated and raw products of all countries used in the petroleum industry and bringing together buyers and sellers for promotion of trade and commerce in such products.

SEC. 2. All articles which shall be imported from foreign countries for the purpose of exhibition at the International Petroleum Exposition, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within 3 months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within 3 months after the close of the exposition any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law, and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Petroleum Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this act, shall be reimbursed by the International Petroleum Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

SEC. 3. That the Government of the United States is not by this act obligated to any expense in connection with the holding of such exposition and is not hereafter to be obligated other than for suitable representation thereat.

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.

LUTHER JENNINGS WORKMAN

The bill (H. R. 4527) for the relief of Luther Jennings Workman, a minor, was considered, ordered to a third reading, read the third time, and passed.

EMILY HYER LAVERGNE, EXECUTRIX OF ESTATE OF W. K. HYER

The Senate proceeded to consider the bill (S. 593) for the relief of Emily Hyer LaVergne, executrix of the estate of W. K. Hyer, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, 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 "$10,000" and insert in lieu thereof "$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, to Emily Hyer LaVergne, executrix of the estate of W. K. Hyer, the sum of $2,500 in full settlement of all claims against the United States on account of personal injuries resulting in the death of the said W. K. Hyer, in a collision on October 21, 1935, between an automobile owned and operated by the said W. K. Hyer and a Government vehicle operated in connection with the Civilian Conservation Corps near Charleston, S. C.: *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 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.

AGNES EWING HARTER

The bill (H. R. 1114) for the relief of Agnes Ewing Harter was considered, ordered to a third reading, read the third time, and passed.

D. E. SWEINHART

The bill (H. R. 4775) for the relief of D. E. Sweinhart was considered, ordered to a third reading, read the third time, and passed.

ETHEL B. LORD, A MINOR

The bill (H. R. 5168) for the relief of Ethel B. Lord, a minor, was considered, ordered to a third reading, read the third time, and passed.

THOMAS H. M'LAIN

The bill (H. R. 5703) for the relief of Thomas H. McLain was considered, ordered to a third reading, read the third time, and passed.

ADELAIDE GUERINI

The bill (H. R. 991) for the relief of Adelaide Guerini was considered, ordered to a third reading, read the third time, and passed.

DEXTER P. COOPER

The bill (H. R. 1095) for the relief of Dexter P. Cooper was considered, ordered to a third reading, read the third time, and passed.

WILLIAM SPERRY

The bill (H. R. 4378) for the relief of William Sperry was considered, ordered to a third reading, read the third time, and passed.

JOHN P. RYAN

The bill (H. R. 5158) for the relief of John P. Ryan was considered, ordered to a third reading, read the third time, and passed.

A. F. AMORY

The bill (H. R. 851) conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claim of A. F. Amory, was considered, ordered to a third reading, read the third time, and passed.

DOROTHY KRICK AND OTHERS

The bill (H. R. 1241) for the relief of Dorothy Krick, Ernest Krick, and the estate of James Albert Ferren, deceased, was considered, ordered to a third reading, read the third time, and passed.

CLIFFORD L. BONN

The bill (H. R. 3192) for the relief of Clifford L. Bonn was considered, ordered to a third reading, read the third time, and passed.

LUDWIG BAHNWEG

The bill (H. R. 5144) for the relief of Ludwig Bahnweg was considered, ordered to a third reading, read the third time, and passed.

WILLIAM SULLIVAN

The bill (H. R. 6010) for the relief of William Sullivan was considered, ordered to a third reading, read the third time, and passed.

HARRY W. DUBISKE

The Senate proceeded to consider the bill (S. 937) for the relief of Harry W. Dubiske, which had been reported from the Committee on Claims with an amendment to add a proviso at the end of the bill, so as to make the bill read:

Be it enacted, etc., That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to receive, consider, and determine, in accordance with law but without regard to any statute of limitations, any claim filed not later than 6 months after the passage of this act by Harry W. Dubiske, whose business address is 208 South La Salle Street, Chicago, of the State of Illinois, for the refund of income and profits taxes erroneously collected from the said Harry W. Dubiske for the year 1919: *Provided*, That the Commissioner of Internal Revenue shall deduct from the amount of any overpayment determined under the provisions of this act the amount of any additional tax determined to be due for the year 1919, whether or not the assessment or collection of such additional tax is barred by any statute of limitations: *Provided further*, That in the settlement of said claim there shall be no allowance of interest.

The amendment was agreed to.

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

CLAIMS AGAINST MEXICO

The Senate proceeded to consider the joint resolution (H. J. Res. 437) relative to determination and payment of certain claims against the Government of Mexico, which had been reported from the Committee on Foreign Relations with amendments, on page 5, line 2, after the word "by", to insert the words "said special Mexican Claims Commission during its existence and thereafter by", and to add a new section at the end of the joint resolution, so as to make the joint resolution read:

Whereas the act entitled "An act to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934", approved April 10, 1935 (49 Stat. 149), provides for the establishment of the Special Mexican Claims Commission and confers upon that Commission jurisdiction to hear and determine all claims against the Republic of Mexico, notices of which were filed with the Special Claims Commission, United States and Mexico, established by a convention of September 10, 1923, in which the said Commission failed to award compensation, except such claims as may be found by the committee provided for the Special Claims Convention of April 24, 1934, to be general claims and recognized as such by the General Claims Commission; and

Whereas the said Special Claims Convention of April 24, 1934, provides that the jurisdiction in and validity of the claims found by the said committee to be general claims shall be determined in each case when examined and adjudicated by the Commissioners or Umpire in accordance with the provisions of the General Claims Convention of September 8, 1923, and the protocol of April 24, 1934, or the Special Claims Convention of September 10, 1923, and the protocol of June 18, 1932, in the event it shall be found by the Commissioners or Umpire to have been improperly eliminated from the special claims settlement; and

Whereas certain claims filed with the said Special Claims Commission, United States and Mexico, established by the said convention of September 10, 1923, were found by the said committee to be general claims but have not yet been the subject of any determination by the said General Claims Commission; and

Whereas the said Special Mexican Claims Commission, established in pursuance of the said act approved April 10, 1935, expires by the terms of the said act on August 31, 1937; and

Whereas, by the terms of the protocol of April 24, 1934, between the United States of America and the United Mexican States, the said General Claims Commission expires on October 24, 1937, and the two Governments have undertaken, upon the basis of the joint report of the members of the said Commission, to conclude a convention for the final disposition of the claims pending before the said Commission, the said convention to take either the form of an agreement for an en-bloc settlement of the said claims or the form of an agreement for the disposition of the claims upon their individual merits by reference to an umpire; and

Whereas the committee provided for in the Special Claims Convention of April 24, 1934, found that the amount to be paid by the Government of Mexico in settlement of the special claims comprehended in that convention was $5,448,020.14, it being understood that the sum thus determined was susceptible of increase after express decision of the General Claims Commission in case the said Commission might decide to be within the jurisdiction of the Special Commission any one or more of the claims which the said committee found to be general claims; and

Whereas the said Special Mexican Claims Commission, in the event that the total amount of the awards made by it upon all claims is greater than the amount which the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims, is required by the said act approved April 10, 1935, to reduce the awards on a percentage basis to such amount; and

Whereas, in the circumstances set forth, it is not now possible to ascertain which, if any, of the claims found by the said committee to be general claims will be found by the said General Claims Commission to be special claims, nor what will be the amount of the total en-bloc settlement provided for in the said Special Claims Convention of April 24, 1934; and

Whereas payments on awards of the said Special Mexican Claims Commission from funds paid to the Government of the United States by the Government of Mexico under the Special Claims Convention of April 24, 1934, should not, in justice to the beneficiaries, be deferred until the question of the jurisdiction of the claims now pending before the General Claims Commission, by virtue of the classification of such claims as general claims by the joint committee, shall have been finally determined in the manner provided for in the said convention of April 24, 1934, or in the said protocol of the same date: Therefore be it

Resolved, etc., That the jurisdiction of the Special Mexican Claims Commission established in pursuance of the act approved April 10, 1935 (49 Stat. 149), shall not be deemed to include any of the claims found by the committee provided for in the Special Claims Convention of April 24, 1934, to be general claims.

SEC. 2. That for the purposes of the reduction of awards on a percentage basis as provided for in section 4 of the act approved April 10, 1935 (49 Stat. 149), the amount which the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims shall, subject to the provision in section 3 hereof, be deemed to be the sum of $5,448,020.14, set forth in the report of the said committee provided for in the said convention of April 24, 1934.

SEC. 3. That, in the event of the reclassification as special claims of any of the claims found by the said committee to be general claims, the claims so reclassified shall be passed upon by said Special Mexican Claims Commission during its existence and thereafter by a commission to be established in conformity with the said act of April 10, 1935, and the total amount payable by the Government of Mexico to the Government of the United States on account of the claims so reclassified, together with interest on all deferred payments under the Special Claims Convention of April 24, 1934, shall be added to the sum of $5,448,020.14 set forth in the report of the said committee. The total amount awarded by the Commission so established upon the claims so reclassified shall be added to the total amount of the original awards made by the Special Mexican Claims Commission, and any necessary readjustment of the awards of the Special Mexican Claims Commission and those that may be made by the Commission to be established pursuant to this section shall be made by the Secretary of the Treasury on the basis prescribed by section 4 of the act approved April 10, 1935.

SEC. 4. Upon the certification of the Secretary of the Treasury of the awards of the Special Mexican Claims Commission, he shall proceed to make payments as provided for in section 9 of the act approved April 10, 1935; and upon the certification of the Secretary of the Treasury of awards upon any claims reclassified as special claims he shall, after making the readjustments provided for in section 3 of this resolution, accord priority of payment on such awards until the beneficiaries thereof shall have been placed upon an equal percentage basis as to payments with the beneficiaries of awards of the Special Mexican Claims Commission.

SEC. 5. Section 6 of the act approved April 10, 1935, creating the Special Mexican Claims Commission, and for other purposes, is amended to read as follows:

"SEC. 6. The Commission shall complete its work within 3 years from the date on which it undertakes the performance of its duties, at which time all powers, rights, and duties conferred by this act upon the Commission shall terminate."

The amendments were agreed to.

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

The joint resolution was read the third time and passed.

The preamble was agreed to.

RESERVATION OF MINERALS IN CHOCTAW-CHICKASAW LANDS IN OKLAHOMA

The bill (S. 2851) to authorize the reservation of minerals in future sales of lands of the Choctaw-Chickasaw Indians in Oklahoma was announced as next in order.

Mr. KING. I should like to have an explanation of this bill. If there is no explanation to be made, let it go over.

The PRESIDING OFFICER (Mr. CLARK in the chair). The bill will be passed over.

Mr. THOMAS of Oklahoma subsequently said: Mr. President, during my momentary absence from the Chamber Senate bill 2851, Calendar No. 1018, was reached and was objected to. I ask unanimous consent that we return to that order of business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 2851) to authorize the reservation of minerals in future sales of lands of the Choctaw-Chickasaw Indians in Oklahoma, which was read, as follows:

Be it enacted, etc., That hereafter, in all sales of tribal lands of the Choctaw and Chickasaw Indians in Oklahoma provided for by existing law, the Secretary of the Interior is hereby authorized to offer such lands for sale subject to a reservation of the mineral rights therein, including oil and gas, for the benefit of said Indians, whenever in his judgment the interests of the Indians will best be served thereby.

SEC. 2. That the provisions of this act shall not apply to the so-called timberlands of said Indians described in notice of sale of such lands published by the Superintendent of the Five Civilized Tribes Indian Agency, Muskogee, Okla., dated June 19, 1937.

Mr. THOMAS of Oklahoma. Mr. President, all this bill does is to authorize the Secretary of the Interior, in the sale of Indian lands in my State, to withhold the mineral rights, to sell the surface only. That is the only object of the bill.

I do wish to offer an amendment, to strike out section 2. When the bill was introduced the Secretary had advertisements out for the sale of certain lands, and because the advertisements were running we placed a clause in the bill to exempt the lands under that advertisement. Since that time the lands have been withdrawn, so that there is no occasion now to withhold the provisions of the act. Therefore, I move to strike out section 2.

Mr. KING. Mr. President, I should like to ask the Senator, in view of several letters which I received several months ago, whether the rights of the Indians in the oil and other minerals in the State of Oklahoma are fully safeguarded now by the Indian Bureau, and by the legislation which has been enacted recently by the Congress.

Mr. THOMAS of Oklahoma. If they are not, there has been no complaint, because our committee has been very diligent, and every bill that has come before the committee which has been recommended by the Department has received a favorable report from the committee.

Mr. KING. The complaints that came to me were as to administrative features, rather than as to legal questions.

Mr. THOMAS of Oklahoma. I have heard no complaint myself, I will say to the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

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

LEASING OF INDIAN LANDS

The bill (S. 2689) to regulate the leasing of certain Indian lands for mining purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That hereafter unallotted lands within any Indian reservation or lands owned by any tribe, group, or band of Indians under Federal jurisdiction, except those hereinafter specifically excepted from the provisions of this act, may, with the approval of the Secretary of the Interior, be leased for mining purposes, by authority of the tribal council or other authorized spokesmen for such Indians, for terms not to exceed 10 years and as long thereafter as minerals are produced in paying quantities.

SEC. 2. That leases for oil- and/or gas-mining purposes covering such unallotted lands shall be offered for sale to the highest responsible qualified bidder, at public auction or on sealed bids, after notice and advertisement, upon such terms and subject to such conditions as the Secretary of the Interior may prescribe. Such advertisement shall reserve to the Secretary of the Interior the right to reject all bids whenever in his judgment the interest of the Indians will be served by so doing, and if no satisfactory bid is received, or the accepted bidder fails to complete the lease, or the Secretary of the Interior shall determine that it is unwise in the interest of the Indians to accept the highest bid, said Secretary may readvertise such lease for sale, or with the consent of the tribal council or other governing tribal authorities, a lease may be made by private negotiations: *Provided*, That the foregoing provisions shall in no manner restrict the right of tribes organized and incorporated under sections 16 and 17 of the act of June 18, 1934 (48 Stat. 984), to lease lands for mining purposes as therein provided and in accordance with the provisions of any constitution and charter adopted by any Indian tribe pursuant to the act of June 18, 1934.

SEC. 3. That hereafter lessees of restricted Indian lands, tribal or allotted, for mining purposes, including oil and gas, shall furnish corporate surety bonds, in amounts satisfactory to the Secretary of the Interior, guaranteeing compliance with the terms of their leases: *Provided*, That personal surety bonds may be accepted where the sureties deposit as collateral with the said Secretary of the Interior any public-debt obligations of the United States guaranteed as to principal and interest by the United States equal to the full amount of such bonds, or other collateral satisfactory to the Secretary of the Interior, or show ownership of unencumbered real estate of a value equal to twice the amount of the bonds.

SEC. 4. That all operations under any oil, gas, or other mineral lease issued pursuant to the terms of this or any other act affecting restricted Indian lands shall be subject to the rules and regulations promulgated by the Secretary of the Interior. In the discretion of the said Secretary, any lease for oil or gas issued under the provisions of this act shall be made subject to the terms of any reasonable cooperative unit or other plan approved or prescribed by said Secretary prior or subsequent to the issuance of any such lease which involves the development or production of oil or gas from land covered by such lease.

SEC. 5. That the Secretary of the Interior may, in his discretion, authorize superintendents or other officials in the Indian Service to approve leases for oil, gas, or other mining purposes covering any restricted Indian lands, tribal or allotted.

SEC. 6. Section 1, 2, 3, and 4 of this act shall not apply to the Papago Indian Reservation in Arizona, the Crow Reservation in Montana, the ceded lands of the Shoshone Reservation in Wyoming, the Osage Reservation in Oklahoma, nor to the coal and asphalt lands of the Choctaw and Chickasaw Tribes in Oklahoma.

SEC. 7. All acts or parts of acts inconsistent herewith are hereby repealed.

CHEYENNE AND ARAPAHOE INDIAN LANDS, OKLAHOMA

The bill (S. 2698) to set aside certain lands in Oklahoma for the Cheyenne and Arapahoe Indians, 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 eliminated from the Seger School Reserve and set aside for the use and benefit of the Indians of the Cheyenne and Arapahoe Reservation in Oklahoma, in township 10 north, range 14 west, Indian meridian, all of sections 22 and 23, all of section 21, except the east half northwest quarter and east half east half west half northwest quarter, and in section 15 a tract beginning at the northeast corner thereof, thence west along the north line of the section 88 rods, thence south 160 rods, thence east 88 rods to the east line of the section, thence north 160 rods to the point of beginning: *Provided*, That until otherwise directed by Congress none of the lands shall be allotted in severalty.

BILLS PASSED OVER

The bill (S. 1351) to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes, was announced as next in order.

Mr. McKELLAR. May we have an explanation of this bill?

Mr. GILLETTE. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1344) providing for relief in cases of desert-land applications, or entries of lands within Verde River irrigation and power district, Arizona, was announced as next in order.

Mr. ADAMS. This bill was reported adversely by the committee, and I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

LANDS IN TUSCUMBIA, ALA.

The bill (H. R. 3421) to quiet title and possession with respect to certain lands in Tuscumbia, Ala., was considered, ordered to a third reading, read the third time, and passed.

POLICE JURISDICTION OVER SHENANDOAH NATIONAL PARK

The bill (H. R. 7086) to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

OIL AND GAS PERMITS AND LEASES

The Senate proceeded to consider the bill (S. 2613) for the relief of certain applicants for oil and gas permits and leases, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to issue oil and gas prospecting permits pursuant to applications filed therefor under section 13 of the act of February 25, 1920 (41 Stat. 437), 90 days or more prior to the date of the amendatory act of August 21, 1935 (49 Stat. 674), by Blanche S. Trigg, attorney in fact for the respective applicants, said applications bearing serial numbers Las Cruces 050186, 050589, 050590, 050591, 050592, 050595, 050607, 050903, 050911, 050912, 050913, 050914, 050916, 050917, 050918, 050922, 051017, 051018, 051052, 051053, 051054, 051055, 051056, 051125, 051127, 051128, 051129, 051160, 051161, 051162, 051163, 051173, 051201, 051202, 051203, 051204, 051205, 051206, 051207, 051208, 051209, 051210, 051211, 051239, 051241, 051242, 051243, 051244, 051245, 051246, 051247, 051248, 051249, 051250, 051251, 051252, 051255, 051256, 051257, 051258, 051259, 051260, 051262, 051264, 051266, Sante Fe 069715, 069716, 069799, 069800, 069801, 069803, 069805, 069806, 069807, 070093, 070094, and to issue oil and gas leases under the ninth and tenth provisos of section 13 of the act of February 25, 1920, as amended by the act of August 21, 1935, pursuant to applications for prospecting permits filed after 90 days prior to the effective date of the amendatory act by said attorney in fact, said applications bearing serial numbers Las Cruces 051275, 051301, 051302, 051303, 051304, 051305, 051321, 051322, 051323, 051324, 051325, 052231, 052232, 052233, 052234, 052235, 052236, 052237, notwithstanding that the proof of qualifications submitted by each applicant in connection with his application was not under oath although acknowledged before a notary public, and notwithstanding that a curative qualifying affidavit was not filed until after the passage of the amendatory act of August 21, 1935, the delay in furnishing said curative qualifying affidavit being attributable to the suspension in the General Land Office of action on all applications for prospecting permits pending the enactment of the aforesaid amendatory act and the promulgation of regulations thereunder: *Provided*, That the lands applied for and described in said applications are unreserved and unappropriated public lands not subject to prior claims and that the applications are otherwise regular and allowable.

Mr. LA FOLLETTE. Mr. President, may we have an explanation of this bill?

Mr. HATCH. Mr. President, this is a bill giving the Secretary authority to issue permits under the new law passed in 1935. Difficulty arose because the applications for the permits filed prior to the enactment of the law of 1935 contained a technical defect, and the defect was that under the old law it was required that the applicant should make an affidavit as to his qualifications. The applicants in these cases did not make affidavits. They attached to their applications a notary's acknowledgement instead of an affidavit. That is the only difference. The Secretary of the Interior construed that as a defect, and held that the applications were void because of that difference.

Then the act of 1935 came into effect, and the error was not discovered until after the act became effective. The Secretary held that under the new act he had no legal authority to grant relief although the applicants filed their new applications or affidavits in strict compliance with the former law.

It is a purely technical defect, and the Secretary in his report advises that he has no objection to issuing the permits under the law in effect at the time the applications were filed, and which the 1935 law attempted to safeguard, but which, because of the technical defect, could not be safeguarded.

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.

O. W. WADDLE

The bill (S. 112) for the relief of O. W. Waddle was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That sections 15 to 20, 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 O. W. Waddle, of Tishomingo, Miss., for injuries alleged to have resulted from a poisoning contracted while in the performance of his duties with the United States Engineer Service during the year 1926: *Provided*, That no benefits shall accrue prior to the approval of this act.

LOWRENZA D. JOHNSTON

The Senate proceeded to consider the bill (S. 181) for the relief of Lowrenza D. Johnston, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of", to strike out "$10,000" and insert "$1,500"; in line 8, after the figures "26", to strike out "1934" and insert "1924"; and 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 Lowrenza D. Johnston the sum of $1,500 in full settlement of all claims against the Government on account of the crushing and maiming of his left hand, received April 26, 1924, while serving a sentence as a military prisoner at Fort Leavenworth, Kans.: *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.

ADDITION TO GOSHUTE INDIAN RESERVATION, UTAH

The bill (S. 2671) to reserve certain lands in Utah as an addition to the Goshute Indian Reservation was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all vacant unappropriated lands in the following-described area be, and they are hereby, added to the Goshute Indian Reservation, subject to all valid existing rights and claims:

Township 10 south, range 19 west, and fractional sections 1, 12, 13, 24, 25, and 36, township 10 south, range 20 west, Salt Lake meridian, Utah.

PUBLIC SCHOOL BUILDING, WORLEY, IDAHO

The bill (S. 2862) to provide funds for cooperation with the school board at Worley, Idaho, in the construction of a public-school building to be available to Indian children in the town of Worley and county of Kootenai, Idaho, 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 authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $101,000 for the purpose of cooperating with the public-school board of district no. 57, Kootenai County, Idaho, for the construction and equipment of a public-school building at Worley, Idaho: *Provided*, That the expenditure of any money so appropriated shall be subject to the express conditions that the school maintained by said school district in the said building shall be available to all Indian children of the town of Worley and county of Kootenai, Idaho, on the same terms, except as to payment of tuition, as other school children of said districts: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

CHOCTAW INDIANS, MISSISSIPPI

The Senate proceeded to consider the bill (S. 1478) conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi, which had been reported from the Committee on

Indian Affairs with an amendment to strike out section 5 and insert a new section 5, so as to make the bill read:

Be it enacted, etc., That the Court of Claims be, and it is hereby, authorized and directed to hear and determine all claims against the United States of the Choctaw Indians of the State of Mississippi based upon the provisions of any treaty or agreement with or statute of the United States, or upon the failure of the United States to recognize or fairly and adequately to provide for the settlement of any interest, vested or contingent, of the aforesaid Choctaw Indians in administering or liquidating the assets or property of the Choctaw Nation and allotting in severalty the lands of said nation and distributing its property to the individual citizens of said nation enrolled on its final aproved citizenship rolls, or for indemnification to the extent of the aggregate average value of the interest in any lands lost by them, as to which they shall be entitled to recover if the said court shall find that, by treaty provisions or by acts of Congress, they would have been entitled to share therein upon identification and removal to and residence in the Choctaw Nation, and that the performance of any of these necessary conditions prior to the final closing of the citizenship rolls was prevented by the United States or by its officers or agents by their neglect, misrepresentation, failure to provide adequate or timely aid in removal after advising them against or obstructing private aid in their removal and the giving of assurances that the Government would so provide for their removal, disapproval of a general roll of identification embracing more than 500 of the present claimants without consideration of the merits of their application for identification, failure to exercise reasonable diligence to give actual notice to many of said Indians of the limitations placed by Congress upon the exercise of their treaty rights, or by any other acts, conduct, or omissions not consistent with the rules of fair and honorable dealing with Indians under the circumstances and conditions then existing: *Provided, however*, That the jurisdiction conferred by this act shall not extend to or embrace any claim or claims of any nature against the Choctaw Nation of Indians in Oklahoma, but solely to claims against the United States asserted by those Indians hereby authorized to sue, and no sum or sums recovered in any action hereby authorized or sums appropriated in payment or settlement thereof shall ever be the subject of a charge against or claim for reimbursement out of any of the property or funds of the said Choctaw Nation of Indians in Oklahoma, directly or indirectly, or as a set-off or counter-claim against any claim or demand of said nation against the United States now or hereafter asserted, whether said claim or demand be of a legal or equitable nature, or for a gratuity.

SEC. 2. That for the purposes of the action to be brought in said Court of Claims under the provisions of this act, the said Indians are hereby recognized as having the status of a separate band with authority in their representatives to employ counsel and to execute and file a petition or petitions setting forth their claims, and to prosecute said suit or suits to a final determination: *Provided, however*, That any question which may arise, or objection which may be made, as to the representative character of the organization so acting on behalf of said Choctaw Indians of the State of Mississippi, shall be heard and adjudicated by the said Court of Claims in the suit or suits hereby authorized to be brought.

SEC. 3. That any petition or petitions filed in the said Court of Claims under the provisions of this act shall be submitted to said court within 2 years from the date of this act, and said cause or causes shall thereupon be proceeded with in accordance with the law and practice of said court, and any claims not so presented within the said period of 2 years shall be thereafter forever barred: *Provided, however*, That, should the Court of Claims find that a petition so presented within said time is not presented by persons fairly representative of the said Indians, said court shall have the authority to permit amendments thereafter bringing proper parties before the court.

SEC. 4. That the hearing and adjudication of said claims shall be governed by equitable principles and shall fairly and finally determine the merits of the claims of said Indians and the obligations of the United States to them in administering the affairs of Indians subject to the guardianship and authority of the United States, in accordance with the customary action and precedents in the conduct of the estates of incompetent Indians, if the court shall find that said Mississippi Choctaw Indians were in fact as a group incompetent to manage their own affairs.

SEC. 5. That the amount of any judgment rendered in said cause when appropriated shall be set aside as a special fund to be paid or disbursed only upon such terms and conditions as Congress may by its subsequent legislation direct: *Provided, however*, That in entering its final judgment in said cause the Court of Claims shall hear and determine the amount, not to exceed 10 percent of the amount of any final award, which on a quantum meruit basis it shall find to be a reasonable compensation for the respective services and expenses of James E. Arnold as the representative, and of William E. Richardson and Thomas E. Rhodes as attorneys for said Indians, heretofore rendered or which may hereafter be rendered in the suit authorized by the provisions of this act, and shall as a part of said judgment award so much thereof as may be necessary to pay said compensation and reimbursement upon the basis herein directed to such person or persons, respectively, as the said court may find entitled thereto.

SEC. 6. That said court shall have further jurisdiction to hear and determine any counterclaims or counterdemands on the part of the United States against the said Choctaw Indans of Mississippi upon the said basis of equity and justice as directed in respect to the adjudication of all matters under the authority of this act.

SEC. 7. That either party aggrieved by any final decision of the said Court of Claims in said cause shall have the right to appeal such final decision to the Supreme Court of the United States as provided by law in respect to appeals from the Court of Claims to said Supreme Court: *Provided*, That the question of the validity of the claim or claims of said Choctaw Indians against the United States, or any counterclaims or demands of the United States against said Indians, the appellate jurisdiction of said Supreme Court of the United States is hereby expressly extended to the hearing and determination of an appeal by or on behalf of said Choctaw Indians or the United States.

SEC. 8. That for the purpose of this act the term "Choctaws of the State of Mississippi" shall include only those persons who on July 1, 1902, were residents in the States of Mississippi, Alabama, and Louisiana, having not less than one-eighth Choctaw Indian blood, and their descendants, and such persons as were thereafter identified on any approved roll of Mississippi Choctaws and their descendants, and shall not include any persons who were enrolled on the final citizenship rolls of the Choctaw Nation in Oklahoma.

The amendment was agreed to.

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

R. F. LASSLY

The bill (S. 2476) for the relief of R. F. Lassly was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of R. F. Lassly, former chief disbursing clerk, Department of the Interior, for the payment of $30 to D. W. Robinson, Jr., of Columbia, S. C., for the preparation of a legal opinion at the request of the South Carolina State Advisory Board for the Public Works Administration on the application of the town of Summerton, S. C., for a loan from the Federal Emergency Administration of Public Works, and for the payment of $75 to J. M. Cantez, Jr., of Columbia, S. C., for the preparation of a legal opinion at the request of the South Carolina State Advisory Board for the Federal Emergency Administration of Public Works, on the application of the city of Columbia, S. C., for a loan from the Federal Emergency Administration of Public Works, which payments were made by vouchers no. 7127 and 7128, respectively, and disallowed by the Comptroller General of the United States.

CARL E. PADGETT

The Senate proceeded to consider the bill (S. 1810) for the relief of Carl E. Padgett, which had been reported from the Committee on Claims with an amendment on page 2, line 3, after the word "disability", to strike out "resulting" and to insert "alleged to have resulted", so as to make the bill read:

Be it enacted, etc., That the requirements 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 the case of Carl E. Padgett, of Kansas City, Mo., formerly employed as a ward attendant, United States Veterans' Hospital, Kansas City, Mo., and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such act, as amended, within 1 year after the date of enactment of this act, for compensation for disability alleged to have resulted from disease contracted by him while in the performance of his duties as such employee; but compensation, if any, shall be paid from and after the date of enactment of this act. Such payments of compensation shall be made out of funds heretofore or hereafter appropriated for the payment of awards under the provisions of such act of September 7, 1916, as amended.

The amendment was agreed to.

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

NELSON W. APPLE

The Senate proceeded to consider the bill (S. 2138) for the relief of Nelson W. Apple, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "the sum of", to strike out "$2,260" and insert "$1,000", and on page 2, line 1, after the word "signals", to strike out "in the middle of" and to insert "on",

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 Nelson W. Apple, Gallup, N. Mex., the sum of $1,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Nelson W. Apple on account of personal injuries received on the night of September 26, 1936, when the automobile in which he was riding ran into the rear of a truck, with trailer attached, in the service of the Office of Indian Affairs, such truck being parked without proper warning signals on the highway about 10 miles east of Gallup, N. Mex.: *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.

CAMILLE CARMIGNANI

The Senate proceeded to consider the bill (S. 2139) for the relief of Camille Carmignani, which had been reported from the Committee on Claims with amendments, on page 1, line 3, after the word "Treasury", to strike out "is" and to insert "be, and he is hereby"; on the same page, line 6, after the words "sum of", to strike out "$10,000" and insert "$5,000"; on page 2, line 2, after the word "signals", to strike out "in the middle of" and to insert "on"; 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 Camille Carmignani, Gallup, N. Mex., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Camille Carmignani on account of the death of her son, George Carmignani, who lost his life on the night of September 26, 1936, when the automobile which he was driving ran into the rear of a truck, with trailer attached, in the service of the Office of Indian Affairs, such truck being parked without proper warning signals on the highway about 10 miles east of Gallup, N. Mex.: *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.

REDEMPTION OF CERTAIN DOCUMENTARY REVENUE STAMPS

The Senate proceeded to consider the bill (S. 886) authorizing the redemption by the United States Treasury of certain documentary revenue stamps now held by L. J. Powers, which had been reported from the Committee on Claims with amendments, on page 1, line 4, after the word "authorized", to strike out "to redeem certain documentary revenue stamps, to wit: One for $500, serial no. 928; one for $500, serial no. 3577; total, $1,000; said stamps having been purchased to be used upon a deed of conveyance, which was never executed, and now owned by and in the possession of L. J. Powers, of Waterloo, Iowa", and to insert "and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to L. J. Powers, of Waterloo, Iowa, in full settlement of all claims against the United States for redemption of certain documentary revenue stamps now in the possession of said L. J. Powers; one known as serial no. 928, for $500, and one known as serial no. 3577, for $500: *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."

And to strike out section 2, as follows:

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to L. J. Powers, of Waterloo, Iowa, the sum of $1,000 for the redemption of said documentary revenue stamps.

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 L. J. Powers."

BILL PASSED OVER

The bill (H. R. 2904) for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

COMPENSATION TO UNITED STATES EMPLOYEES INJURED IN PERFORMANCE OF DUTIES

The Senate proceeded to consider the bill (S. 1802) to amend section 40 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, which had been reported from the Committee on Indian Affairs with an amendment, in section 1, page 1, line 8, after the words "and all", to strike out "to persons, other than independent contractors and their employees, employed on the Menominee Indian Reservation in the State of Wisconsin, subsequent to September 7, 1916, in operations conducted pursuant to the act entitled 'An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin', approved March 28, 1908, as amended" and insert "employees (other than independent contractors and their employees) any part of the compensation of whom is paid out of any Indian tribal funds held in trust by the United States", so as to make the bill read:

Be it enacted, etc., That section 40 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, is amended by inserting after the words "Panama Railroad Co.", the following: "and all employees (other than independent contractors and their employees) any part of the compensation of whom is paid out of any Indian tribal funds held in trust by the United States."

SEC. 2. Any award heretofore made by the United States Employees' Compensation Commission under such act of September 7, 1916, to persons coming within the purview of the first section hereof, for disability or death resulting from a personal injury sustained prior to the enactment of this act, shall be valid, if such award would be valid if made in respect to an injury or death sustained after the enactment of this act. Any claim for disability or death to any person coming within the purview of the first section hereof, if such disability or death occurred prior to the enactment of this act, may be filed at any time within 1 year after the enactment hereof.

Mr. KING. Mr. President, what about Calendar No. 1037?

The PRESIDING OFFICER. The Chair is informed that that joint resolution was passed a short time ago, when a similar Senate joint resolution was reached on the calendar.

Mr. KING. Mr. President, I inquire what change is made in existing law by the pending measure?

Mr. LA FOLLETTE. Mr. President, it is my contention that this measure does not make any change in what has always been the policy of the United States Compensation Commission in relation to Indian employees or persons in the Bureau who are paid out of tribal funds so far as the compensation act applying to them is concerned; but for 20 years, in every instance that I know of, no injury was

incurred by the Indians or employees of the Indian Service for which they were paid out of the tribal funds. They were compensated for under the Compensation Act.

In September 1936, however, the Compensation Commission reversed its policy which had existed ever since 1916, and held that Indians injured in lumber operations on the Menominee Indian Reservation were not entitled to compensation under the Compensation Act, because they were paid out of tribal funds. As I introduced the bill it was designed to take care only of that particular decision; but after we had the matter under consideration in the committee it was decided that the bill should apply to all similar instances. So, at the suggestion of the committee, the bill was amended to apply to all similar instances. It will simply define a policy which had existed for 20 years, from 1916 to 1936, and which is now in effect in many similar and analogous situations to that existing on the Menominee Reservation in Wisconsin.

Mr. KING. May I inquire of the Senator, in view of the statement he has made, whether the Indians, if they were employed in the lumber regions for private individuals, would come within the terms of this measure?

Mr. LA FOLLETTE. No; they must be employed and paid out of tribal funds in order to come within the provisions of the measure.

Mr. KING. And doing work for the benefit of the tribe, or in connection with the activities of the Government when it is dealing with the tribe?

Mr. LA FOLLETTE. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

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

PROTECTION OF CERTAIN ENLISTED MEN OF THE ARMY

The Senate proceeded to consider the bill (S. 2871) for the protection of certain enlisted men of the Army, which had been reported from the Committee on Military Affairs 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, notwithstanding the language contained in the second proviso on page 6 of the act of July 1, 1937 (Public, No. 176, 75th Cong., 1st sess.), or any other act, during the 3-year period following the enactment of this act, enlisted personnel of the Army who have legally declared their intention to become citizens, or who do so during their current enlistment, and who also agree to complete expeditiously their naturalization and become citizens of the United States may be reenlisted and receive the pay to which, except for the aforesaid proviso, they would otherwise be legally entitled: *Provided*, That Filipinos who were serving in the Army on July 1, 1937, may be reenlisted without regard to their citizenship status, and receive the pay to which otherwise legally entitled.

The amendment was agreed to.

Mr. THOMAS of Utah. Mr. President, I offer an amendment to the bill, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, line 9, after the word "enlistment", it is proposed to insert "or who have been discharged from the Army since July 1, 1937."

Mr. KING. Mr. President, I inquire of my colleague whether Filipinos who served in the United States Army, and who returned to the Philippine Islands and are now being regarded as citizens of the Philippine Republic that is soon to be, will come within the terms of this bill and could be reenlisted in the United States Army.

Mr. THOMAS of Utah. I shall have to go back and make a statement in order that there may be an understanding of what the bill provides.

The appropriation act for 1937 carries a provision that none but citizens shall receive pay as civilians, or those in the Army. Since the 1st of July the enlistment periods of quite a number of noncommissioned officers who are Filipinos have come to an end. Exception has been made of them. The bill will make it possible for those to be continued. Among the noncommissioned officers there are many who have served for many years, some of them over 20 years, and they have taken out their first papers, but they have not completed their citizenship. The bill, of course, has the approval of and is recommended by the War Department, and is for the benefit of these particular classes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. THOMAS].

The amendment was agreed to.

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

PURCHASE OF METAL FOR MINOR COINS OF THE UNITED STATES

The Senate proceeded to consider the bill (S. 2794) to amend section 3528 of the Revised Statutes relating to the purchase of metal for minor coins of the United States.

The PRESIDING OFFICER. This bill is similar to Calendar No. 1130, House bill 8025. Without objection, the House bill will be substituted for the Senate bill and will be considered at this time.

The bill (H. R. 8025) to amend section 3528 of the Revised Statutes relating to the purchase of metal for minor coins of the United States was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2794 is indefinitely postponed.

ISSUANCE OF NOTES IN AMOUNTS LESS THAN ONE DOLLAR

The bill (S. 2592) to repeal section 178 of the Criminal Code entitled "Issuing notes less than $1" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 178 of the Criminal Code reading "No person shall make, issue, circulate, or pay out any note, check, memorandum, token, or other obligation for a less sum than $1, intended to circulate as money or to be received or used in lieu of lawful money of the United States; and every person so offending shall be fined not more than $500, or imprisoned not more than 6 months, or both" (R. S., sec. 3583; March 4, 1909, ch. 321, sec. 178, 35 Stat. 1122; 18 U. S. C. 293) is hereby repealed.

AMENDMENT OF FEDERAL CREDIT UNION ACT

The Senate proceeded to consider the bill (S. 2675) to amend certain sections of the Federal Credit Union Act approved June 26, 1934 (Public, No. 467, 73d Cong.), which had been reported from the Committee on Banking and Currency with amendments.

The first amendment was, in section 1, page 1, line 4, after "(U. S. C.", to insert "1934 edition", and in line 6, before the word "Federal", to insert "Sec. 6", so as to make the section read:

Be it enacted, etc., That section 6 of the Federal Credit Union Act, approved June 26, 1934 (U. S. C., 1934 edition, title 12, sec. 1756), be, and the same is hereby, amended to read as follows:

"SEC. 6. Federal credit unions shall be under the supervision of the Governor, and shall make such financial reports to him (at least annually) as he may require. Each Federal credit union shall be subject to examination by, and for this purpose shall make its books and records accessible to, any person designated by the Governor. The Governor shall fix a scale of examination fees to be paid by Federal credit unions, giving due consideration to the time and expense incident to such examinations, and to the ability of Federal credit unions to pay such fees, which fees shall be assessed against and paid by each Federal credit union promptly after the completion of such examination. Examination fees collected under the provisions of this section shall be deposited to the credit of the special fund created by section 5 hereof, and shall be available for the purposes specified in said section 5."

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 13, after "(U. S. C.", to insert "1934 edition", so as to make the section read:

SEC. 2. Paragraph (7) of section 7 of the Federal Credit Union Act (U. S. C., 1934 edition, title 12, sec. 1757) is hereby amended by striking out the period at the end thereof, inserting a semicolon, and adding the following: "(c) in accordance with rules and regulations prescribed by the Governor, in loans to other credit unions in the total amount not exceeding 25 percent of its paid-in and unimpaired capital and surplus; (d) and in shares or accounts of Federal savings and loan associations."

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 22, after "(U. S. C.", to insert "1934 edition", so as to make the section read:

SEC. 3. Section 16 of the Federal Credit Union Act (U. S. C., 1934 edition, title 12, sec. 1766) is hereby amended by adding subsection (e) to read as follows:

"(e) The Governor is hereby authorized to make investigations and to conduct researches and studies of the problems of persons of small means in obtaining credit at reasonable rates of interest, and of the methods and benefits of cooperative saving and lending among such persons. He is further authorized to make reports of such investigations and to publish and disseminate the same."

The amendment was agreed to.

The next amendment was, in section 4, page 3, line 9, after "(U. S. C.," to insert "1934 edition", and in line 11, before the word "The", to insert "Sec. 18", so as to make the section read:

SEC. 4. Section 18 of the Federal Credit Union Act (U. S. C., 1934 ed., title 12, sec. 1768) is hereby amended to read as follows:

"SEC. 18. The Federal credit unions organized hereunder, their property, their franchises, capital, reserves, surpluses, and other funds, and their income shall be exempt from all taxation now or hereafter imposed by the United States or by any State, Territorial, or local taxing authority; except that any real property and any tangible personal property of such Federal credit unions shall be subject to Federal, State, Territorial, and local taxation to the same extent as other similar property is taxed. Nothing herein contained shall prevent holdings in any Federal credit union organized hereunder from being included in the valuation of the personal property of the owners or holders thereof in assessing taxes imposed by authority of the State or political subdivision thereof in which the Federal credit union is located: *Provided, however,* That the duty or burden of collecting or enforcing the payment of such tax shall not be imposed upon any such Federal credit union and the tax shall not exceed the rate of taxes imposed upon holdings in domestic credit unions."

The amendment was agreed to.

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

CONSTRUCTION OF BRIDGES IN MARYLAND

The Senate proceeded to consider the bill (S. 2761) authorizing the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, page 2, line 15, after the word "Island", to insert "*Provided,* That the latter bridge shall not be built or commenced until the plans and specifications for its construction, together with such drawings of the proposed construction and such map of the proposed location as may be required for a full understanding of the subject, have been submitted to the Secretary of War and Chief of Engineers for their approval, nor until they shall have approved such plans and specifications and the location of such bridge and approaches thereto"; on page 3, line 6, after the word "Fairfield", to insert "*Provided,* That the said bridge shall not be built or commenced until the plans and specifications for its construction, together with such drawings of the proposed construction and such map of the proposed location as may be required for a full understanding of the subject, have been submitted to the Secretary of War and Chief of Engineers for their approval, nor until they shall have approved such plans and specifications and the location of such bridge and approaches thereto"; and on page 4, line 15, after the word "other", to strike out "public board" and insert "corporation, public board", so as to make the section read:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the State of Maryland by and through its State Roads Commission or the successors of said commission, be, and is hereby, authorized to construct, maintain, and operate any or all of the following bridges and approaches thereto, at points suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act, to wit:

A bridge across the Potomac River from a point in Charles County at or near Ludlows Ferry to a point approximately opposite in the State of Virginia near Dahlgren and Colonial Beach.

A bridge across the Chesapeake Bay from a point in Baltimore County at or near Millers Island to a point approximately opposite in Kent County at or near Tolchester; or, as an alternate thereto, a bridge across the Chesapeake Bay from a point in Anne Arundel County at or near Annapolis to a point approximately opposite on Kent Island: *Provided,* That the latter bridge shall not be built or commenced until the plans and specifications for its construction, together with such drawings of the proposed construction and such map of the proposed location as may be required for a full understanding of the subject, have been submitted to the Secretary of War and Chief of Engineers for their approval, nor until they shall have approved such plans and specifications and the location of such bridge and approaches thereto.

A bridge across the Susquehanna River from a point in Cecil County at or near Perryville to a point approximately opposite in Harford County at or near Havre de Grace.

A bridge across the Patapsco River south of the city of Baltimore from a point at or near the mouth of North West Branch to a point approximately opposite at or near Fairfield: *Provided,* That the said bridge shall not be built or commenced until the plans and specifications for its construction, together with such drawings of the proposed construction and such map of the proposed location as may be required for a full understanding of the subject, have been submitted to the Secretary of War and Chief of Engineers for their approval, nor until they shall have approved such plans and specifications and the location of such bridge and approaches thereto.

The times for commencing and completing the construction of any of the bridges authorized by this section shall expire 3 and 5 years, respectively, from the date of approval hereof.

In lieu of any bridge hereinabove mentioned in this section, the State of Maryland by, and through its State roads commission or the successors of said commission be, and is hereby, authorized to construct, maintain, and operate a tunnel and approaches thereto at the same location; but no such tunnel shall be built or commenced until the plans and specifications for its construction, together with such drawings of the proposed construction and such map of the proposed location as may be required for a full understanding of the subject, have been submitted to the Secretary of War and Chief of Engineers for their approval, nor until they shall have approved such plans and specifications and the location of such tunnel and accessory works. The word "bridge" or "bridges" as hereinafter used in this act shall be deemed to include and to apply to any such tunnel or tunnels, and the powers granted by and the conditions and limitations contained in this act shall be applicable in all respects to any such tunnel or tunnels.

The authority herein granted to construct, maintain, and operate any of the foregoing bridges shall not be deemed to be exclusive or to repeal the authority heretofore granted to any other corporation, public board, or agency to construct a bridge at the same location.

The amendment was agreed to.

The next amendment was, in section 7, page 8, line 1, after the word "bridges", to insert "(except as applied to any bridge over the Potomac River)", so as to make sections 2 to 8 read:

SEC. 2. There is hereby conferred upon the State of Maryland and its State roads commission or the successors of said commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of any or all such bridges and their approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

SEC. 3. The State of Maryland, by and through its State Roads Commission or the successors of said commission, is hereby authorized to fix and charge tolls for transit over any or all such bridges and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. The State of Maryland, by and through its State Roads Commission or the successors of said commission, may unite or group all or such of said bridges into one or more separate projects for financing purposes as in its judgment shall be deemed practicable. If tolls are charged for the use of a bridge or bridges in a project, the rates of toll to be charged for the use of such bridge or bridges embraced in the particular project shall be so adjusted as to provide a fund not to exceed an amount sufficient to pay the reasonable costs of maintaining, repairing, and operating the bridge or all of the bridges included in the particular project and their approaches under economical management, and not to exceed an amount sufficient in addition to the foregoing, to provide a sinking fund sufficient to amortize the aggregate cost of the bridge or all of the bridges embraced in the particular project, and their approaches, including reasonable interest and financing costs, as soon as possible under reasonable charges, but within a period not exceeding 40 years from the completion of such bridge or from the date of comple-

tion of the last completed bridge in the particular project. The tolls derived from the bridge or bridges embraced in any particular project may be continued and paid into the appropriate sinking fund until all such costs of the bridge or bridges embraced in the particular project shall have been amortized. In any event, tolls may be charged on the basis aforesaid for transit over the bridge or bridges in each project for which revenue bonds of said State are issued, and such tolls may be continued and adjusted at such rates as may be necessary to pay such bonds with interest thereon and any lawful premium for the retirement thereof before maturity, subject only to the power of the Secretary of War or other authorized Federal authority to regulate such rates.

SEC. 5. The failure of the State of Maryland, by and through its State roads commission, to construct, maintain, and operate any one or more of the foregoing bridges, or to unite or group any two or more for financing purposes, shall in no wise affect its authority or powers hereby granted to construct, maintain, and operate such bridge or bridges as it may deem expedient, and any one of the bridges herein authorized may be constructed, maintained, and operated as a single project without uniting such bridge in a joint project with other bridges authorized herein.

SEC. 6. After a sinking fund sufficient to amortize the cost of any bridge or bridges in any particular project or group or sufficient to pay the principal and interest on bonds issued for the purpose of financing such particular bridge or bridges or project or group shall have been provided to the extent hereinbefore required, the bridge or bridges included in any such project or group shall thereafter be maintained and operated free of tolls: *Provided, however,* That tolls for the use of any such bridge or bridges may be continued thereafter in the event that such tolls shall have been pledged by the State roads commission to the payment of revenue bonds issued for any other bridge or bridges the construction of which shall have been authorized by Congress. An accurate record of the cost of each bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 7. The powers conferred by this act are supplementary and additional to all other authority and powers heretofore granted by law for the construction of the hereinbefore-named bridges, but all acts or parts of acts heretofore enacted, authorizing the construction of the hereinbefore-named bridges (except as applied to any bridge over the Potomac River) which are in conflict with the terms of this act be, and the same are, hereby repealed insofar as such conflict exists. Nothing in this act shall be construed as authorizing tolls to be charged for the use of any one or more of the hereinbefore-named bridges except as hereinabove provided, and nothing herein shall be construed so as to prohibit the State of Maryland from paying all or any part of the costs of the construction of any one or more of such bridges or their approaches, and any and all bonds issued for such purposes, from any funds of the State which may now or hereafter be made available for that purpose.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

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

CLAIMS FOR REFUNDS UNDER AGRICULTURAL ADJUSTMENT ACT

The Senate proceeded to consider the bill (S. 1681) to extend the time for filing claims for refunds under section 15 (c) of the Agricultural Adjustment Act, which had been reported from the Committee on Agriculture and Forestry, with amendments, in line 3, after the word "refund" to strike out "of processing taxes", and in line 5 to strike out "July 1, 1937", and insert "January 1, 1938", so as to make the bill read:

Be it enacted, etc., That the time for filing claims for refund under section 15 (c) of the Agricultural Adjustment Act, as amended and reenacted, is hereby extended to January 1, 1938.

Mr. KING. Mr. President, I inquire of the Senator from Tennessee [Mr. McKELLAR] as to the necessity for this measure.

Mr. McKELLAR. Mr. President, it is an entirely proper measure, merely extending the time for the filing of claims for refund to certain parties. The bill would merely give them an opportunity to present their claims. It does not require the payment of any claims.

Mr. KING. Is it approved by the Department of Agriculture?

Mr. McKELLAR. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

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

BILL PASSED OVER

The bill (S. 610) to amend the act entitled "An act conferring upon the United States District Court for the Northern District of California, Southern Division, jurisdiction of the claim of Minnie C. de Back against the Alaska Railroad", approved June 24, 1935, was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

ESSIE E. LEATHERWOOD

The Senate proceeded to consider the bill (S. 1660) for the relief of Essie E. Leatherwood, 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 Essie E. Leatherwood, of Albuquerque, N. Mex., the sum of $5,000 in settlement of any and all claims against the Government on account of the death of her minor son, William Eugene Leatherwood, who died as a result of injuries received in an automobile collision with a truck owned by the Government and driven by Lauren Allen, agent and employee of the Government, in the service of the Division of Grazing, near what is commonly known as Five Points, on the public highway in Bernalillo County, N. Mex., on August 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 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.

FLOOD CONTROL IN LOWELL CREEK, ALASKA

The bill (S. 2258) to authorize a modification of the project for the control of floods in Lowell Creek, Alaska, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the project for the control of floods in Lowell Creek, Alaska, is hereby modified in accordance with the recommendation in House Document No. 154, Seventy-fifth Congress, first session, and subject to the conditions set forth therein, the work to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers.

RECORD OF NAMES AND ADDRESSES OF PASSENGERS ON VESSELS

The bill (S. 2874) requiring the deposit in a safe place ashore of the names and addresses of passengers sailing on vessels plying the inland or coastal waters of the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That from and after 10 days following the approval of this act it shall be the duty of the owner or operator of every vessel carrying passengers for hire upon the inland or coastal waters of the United States upon a voyage of one or more nights' duration, or upon a voyage for which the use of staterooms is sold, to deposit in a secure place ashore, prior to the sailing of said vessel, a complete list of the names and addresses of passengers sailing on said voyage.

SEC. 2. It shall be the duty of the Bureau of Marine Inspection and Navigation of the Department of Commerce to enforce the provisions of this act by appropriate inspection from time to time; and in case of failure to comply with said provisions, the Secretary of Commerce may levy a fine of not less than $100 nor more than $500 against the owner or operator of a vessel so failing to comply, which fine may be collected by suit in admiralty in any court of competent jurisdiction.

BILL PASSED OVER

The bill (S. 2817) providing for the purchase by the United States of air-navigation facilities established with the approval of the Secretary of Commerce by air-mail contractors on their contract routes was announced as next in order.

Mr. McCARRAN. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

JUROR FEES IN FEDERAL COURTS

The bill (H. R. 8007) to restore the per-diem fee of $4 for service of jurors in Federal courts was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the twenty-third paragraph under the heading "Medical and Hospital Service" in the Department of

Justice Appropriation Act, 1938, approved June 16, 1937, which continues for the fiscal year 1938 the reduction of jurors' fees from $4 to $3, is hereby repealed.

BILL PASSED OVER

The bill (S. 2580) to amend existing laws so as to promote safety at sea by requiring the proper design, construction, maintenance, inspection, and operation of ships; to give effect to the Convention of Promoting Safety of Life at Sea, 1929, and for other purposes, was announced as next in order.

Mr. KING. Over.

The PRESIDING OFFICER. The bill will be passed over.

COURT AT SHAWNEE, OKLA.

The bill (H. R. 4605) relating to the accommodations for holding court at Shawnee, Okla., was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the establishment of a term of the District Court of the United States for the Western District of Oklahoma at Shawnee, Okla.", approved May 13, 1936 (U. S. C., 1934 ed., Supp. II, title 28, sec. 182), is amended by striking out the period at the end of the proviso and adding the following: "until, subject to the recommendation of the Attorney General of the United States with reference to providing such rooms and accommodations for holding court at Shawnee, a public building shall have been erected or other Federal space provided for court purposes in said city."

REGULATIONS FOR PREVENTING COLLISIONS AT SEA

The Senate proceeded to consider the bill (S. 1273) to adopt regulations for preventing collisions at sea, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert the following:

That the Rules and Regulations for Preventing Collisions at Sea, appearing in annex II, as amended, of the Convention for Promoting Safety of Life at Sea, signed at London May 31, 1929, and proclaimed by the President of the United States September 30, 1936, so far as the same are applicable are hereby adopted and approved as the rules and regulations of the United States applying to all public and private vessels of the United States upon the high seas and in all waters connected therewith navigable by seagoing vessels.

SEC. 2. Said rules and regulations shall become of full force and effect upon proclamation thereof by the President.

Mr. McKELLAR. Mr. President, this is a very important matter. We ought to have an explanation of the bill.

Mr. WHITE. Mr. President, this is a bill to make effective certain means for preventing collisions at sea, under the recommendations of the International Congress held in 1929 dealing with the general subject. At that conference detailed provisions were adopted with respect to safety at sea. The conference considered as a part of its work the problem of signaling, the "language of the sea", if I may so express it, which is designed to minimize accidents arising from collisions. The conference did not adopt and make a part of the treaty those regulations. It simply approved the regulations and made recommendations to the nations of the world that the regulations be adopted.

We have on our statute books at the present time the act of 1890, which deals with the whole subject matter. The act of 1890 embodied previous international agreements with respect to what I call the "language of the sea", the meaning of lights and signals, rules for determining the rights-of-way of vessels approaching and crossing and overtaking each other, and all that sort of thing.

The conference made recommendation to the nations of the world that they adopt the provisions and regulations there worked out. This bill simply adopts the regulations there recommended and requires the President to make proclamation of the regulations. They become effective upon the proclamation of the President.

Mr. McKELLAR. Of course, we are all in favor of something of this kind. What nations have adopted these regulations?

Mr. WHITE. I cannot name the various nations which have done so, but I think most of the maritime nations of the world have adopted the rules and are following them in the navigation of their vessels.

Mr. McKELLAR. Will the Senator ascertain and place in the RECORD tomorrow the names of the nations which have adopted similar regulations?

Mr. WHITE. I shall undertake to get the information and insert it in the RECORD tomorrow.

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

Mr. WHITE. I desire to offer an amendment to the committee amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to add a new section 3, as follows:

The act of Congress approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea" and all laws or parts of laws inconsistent with the rules and regulations contained in said annex II are hereby repealed, said repeal to become effective upon issuance of the proclamation by the President authorized by section 2 hereof.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

WELTON B. HUTTON

The Senate proceeded to consider the bill (H. R. 4536) to provide for the holding of an examination by the Board of Optometry of the District of Columbia for a license to practice optometry in the District of Columbia for Welton B. Hutton, which was read, as follows:

Be it enacted, etc., That notwithstanding any limitations relating to the time required to be engaged in the practice of optometry as set forth in the act entitled "An act to regulate the practice of optometry", District of Columbia, 1924, the Board of Optometry in and for the District of Columbia is authorized and directed to hold an examination for a license to practice optometry in the District of Columbia for Welton B. Hutton, Washington, D. C., in accordance with the other provisions of the aforesaid act.

Mr. McKELLAR. Mr. President, will the Senator from Utah [Mr. KING] explain the bill?

Mr. KING. Dr. Hutton has been practicing more than 12 years in the District and has an excellent reputation for integrity, honor, and ability. The bill merely authorizes the board to give him a special examination.

The PRESIDING OFFICER. The question is, Shall the bill be read a third time?

The bill was ordered to be read a third time.

The bill was read the third time, and passed.

OPERATION OF AUTOMATIC MERCHANDISE VENDING MACHINES, ETC.

The bill (H. R. 6446) to prohibit in the District of Columbia the operation of any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle designed to receive or be operated by lawful coin of the United States of America, or a token provided by the person entitled to the coin contents of such receptacle in connection with the sale, use, or enjoyment of property or service by means of slugs, spurious coins, tricks, or devices not authorized by the person entitled to the coin contents thereof; and to prohibit in the District of Columbia the manufacture, sale, offering for sale, advertising for sale, distribution, or possession for such use of any token, slug, false or counterfeited coin, or any device or substance whatsoever except tokens authorized by the person entitled to the coin contents of such receptacle; and providing a penalty for violation thereof was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That any person who shall operate or cause to be operated, or who shall attempt to operate or attempt to cause to be operated, in the District of Columbia any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle, designed to receive or be operated by lawful coin of the United States of America or a token provided by the person entitled to the coin contents of such receptacle, in furtherance of or in connection with the sale, use, or enjoyment of property or service, by means of a slug or any false token, counterfeited, mutilated, sweated or foreign coin, or by any means, method, trick, or device whatsoever not authorized by the person entitled to the coin contents of such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle; or

any person who shall take, obtain, or receive from or in connection with any such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle described in this section any goods, wares, merchandise, gas, electric current, or other article of value, or the use or enjoyment of any transportation or any telephone or telegraph facilities or service, or of any musical instrument, phonograph, or other property, in the District of Columbia, without depositing in and surrendering to such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle described in this section lawful coin of the United States of America to the amount required therefor by the person entitled to the coin contents of any such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle, or tokens provided and to the amount required by the person entitled to the coin contents of such legal receptacle, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding $500 or by imprisonment not to exceed 6 months, or by both fine and imprisonment in the discretion of the court.

SEC. 2. Any person who, with intent to cheat or defraud the owner, lessee, licensee, or other person entitled to the coin contents of any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle, designed to receive or be operated by lawful coin of the United States of America or a token provided by the person entitled to the coin contents of such legal receptacle, in furtherance of or in connection with the sale, use, or enjoyment of property or service, or any person who, knowing or having cause to believe that the same is intended for fraudulent or unlawful use on the part of the purchaser, donee, or user thereof, shall manufacture, sell, offer to sell, advertise for sale, give away, or possess, in the District of Columbia, any token, slug, false or counterfeit coin, or any device or substance whatsoever intended or calculated to be placed, deposited, or used in the operation of any such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not to exceed 6 months, or by both fine and imprisonment in the discretion of the court.

SEC. 3. The word "person", where used in this act, shall be construed to include any individual, individuals, copartnerships, associations, groups, and corporations.

INSPECTION OF MOTOR VEHICLES, DISTRICT OF COLUMBIA

The bill (S. 2194) to provide for the semiannual inspection of all motor vehicles in the District of Columbia was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That at the time of the registration of each motor vehicle there shall be levied and collected a fee known as the "inspection fee" of $1 for the calendar year 1938 for each motor vehicle registered in the District of Columbia, including electrics, and that during 1939 and each year thereafter inspection fee thus levied shall be 50 cents on each vehicle.

SEC. 2. The inspection fee shall be paid to the collector of taxes and shall be deposited in the Treasury of the United States to the credit of the revenues of the District of Columbia.

SEC. 3. The annual estimates of appropriations for the government of the District of Columbia for the fiscal year 1938 and succeeding fiscal years shall include estimates of appropriations for the construction and/or rental and/or leasing of ground and buildings, the purchase of equipment and supplies, and the payment of salaries of mechanics, laborers, clerks, and other employees to carry out the semiannual inspection of all motor vehicles in the District of Columbia.

SEC. 4. All motor vehicles owned and officially used by the Government of the United States or by the government of the District of Columbia or by the representatives of foreign governments, shall be subject to semiannual inspection, such inspections to be furnished without charge.

SEC. 5. The Commissioners of the District of Columbia or their designated agent may refuse to register any motor vehicle or trailer which has not been inspected as required, or which is unsafe or improperly equipped, or otherwise unfit to be operated, and for like reason they may revoke or suspend any registration already made: *Provided*, That the provisions of section 13 (a) of the Traffic Acts, District of Columbia, shall be applicable in all cases where registration is refused, revoked, or suspended under the terms of this act.

SEC. 6. Any individual, partnership, firm, or corporation found guilty of using or permitting the use of any unregistered motor vehicle or trailer, or who is found guilty of using or permitting the use of the same during the period for which any such vehicle's registration is revoked or suspended under the terms of this act shall, for each such offense, be fined not more than $300.

SEC. 7. The Commissioners of the District of Columbia shall make such regulations as in their judgment are necessary for the administration of this act, and may affix thereto such reasonable fines and penalties as in their judgment are necessary to enforce such regulations.

PRACTICE OF THE HEALING ART, DISTRICT OF COLUMBIA

The bill (H. R. 6696) to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929, be amended by striking from the first paragraph of section 24 thereof the sentence reading as follows: "After 5 years after the approval of this act the commission shall issue no license to practice the healing art in the District of Columbia on the basis of a license to practice medicine and surgery or to practice midwifery, in the District of Columbia, in force on the date of its approval."

PROTECTION OF BUYERS OF POTATOES IN THE DISTRICT OF COLUMBIA

The bill (H. R. 6242) to protect the buyers of potatoes in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

OFFENSES AGAINST PROPERTY

The Senate proceeded to consider the bill (H. R. 6388) to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia, relating to offenses against property.

Mr. LA FOLLETTE. Mr. President, these blind titles convey no information. I ask for an explanation of this bill.

Mr. KING. The Senator from Delaware [Mr. HUGHES] reported the bill from the committee, and I am sure he will explain it.

Mr. HUGHES. Mr. President, the District Commissioners and the United States Attorney for the District of Columbia drafted this bill and brought it before the District Committee. It appears that as the laws now stand in the District there is difficulty in arriving at the distinction between grand and petit larceny. The purpose was to simplify the procedure, provide what is grand larceny and what is petit larceny, and fix the penalty for each of them. The same thing is true as to obtaining money under false pretenses.

Mr. LA FOLLETTE. Mr. President, if the Senator will yield, I have no further objections.

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

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

INCREASE IN AGE OF CONSENT IN THE DISTRICT

The bill (H. R. 5462) to increase the age of consent for marriage in the District of Columbia to 18 years of age in the case of males and 16 years of age in the case of females was considered, ordered to a third reading, read the third time, and passed.

DRS. M. L. PERRY AND N. E. JACKSON

The Senate proceeded to consider the bill (S. 1732) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. M. L. Perry, of Lumberton, N. C., and to Dr. N. E. Jackson, of Laurinburg, N. C., which was read, as follows:

Be it enacted, etc., That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice the healing art in the District of Columbia to Dr. M. L. Perry, of Lumberton, N. C., and to Dr. N. E. Jackson, of Laurinburg, N. C., in accordance with the other provisions of the first paragraph of section 24 of the Healing Arts Practice Act, District of Columbia, 1928.

Mr. KING. Mr. President, I was acting in good faith when I said I thought the bill of which I spoke was the last bill of its kind. The bills about to be acted on are the last of these physicians' bills.

Mr. LA FOLLETTE. Have the bills been recommended by the District authorities?

Mr. KING. Oh, yes; by the Commissioners and by the medical board. No measure comes from our committee which is not recommended by the Commissioners.

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.

DR. FREDERICK W. DIDIER

The bill (H. R. 4876) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Frederick W. Didier was considered, ordered to a third reading, read the third time, and passed.

DR. WILLIAM JUSTIN OLDS

The bill (H. R. 4982) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. William Justin Olds was considered, ordered to a third reading, read the third time, and passed.

DR. RUSSELL V. PEMBERTON

The bill (H. R. 5110) to provide for the issuance of a license to practice chiropractic in the District of Columbia to Dr. Russell V. Pemberton was considered, ordered to a third reading, read the third time, and passed.

HARBORING OF PERSONS CHARGED WITH CRIME

The Senate proceeded to consider the bill (S. 1547) to amend the law relating to the harboring of persons charged with crime, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the word "shall", to strike out "rescue or attempt to rescue" and insert "take or attempt to take", so as to make the bill read:

Be it enacted, etc., That section 141 of the Criminal Code (U. S. C., title 18, sec. 246) be, and the same is hereby, amended to read as follows:

"SEC. 141. Whoever shall take or attempt to take from the custody of any officer or person lawfully assisting him any person arrested upon a warrant or other process issued under the provisions of any law of the United States, or shall, directly or indirectly, aid, abet, or assist any person so arrested to escape from the custody of such officer or other person, or shall harbor or conceal any person for whose arrest a warrant or process has been so issued, for the purpose of preventing his discovery or arrest, after notice or knowledge of the fact that a warrant or process has been issued for the apprehension of such person, or shall harbor or conceal any person who has committed an offense against the United States, for the purpose of preventing his discovery or arrest, knowing that such person has committed such offense, shall be fined not more than $2,000, or imprisoned not more than 5 years, or both."

Mr. ASHURST. Mr. President, I think I should make a short explanation of this bill. I ask that the committee amendment be rejected, because upon a careful investigation of the Criminal Code it has been found that the original language of the law reads "rescue or attempt to rescue"; and since that language has been construed by the courts, I think it is safer to retain the original language. Therefore, I ask that the committee amendment be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

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

GRAND JURY EXTENSIONS

The bill (S. 481) to permit grand-jury extensions to be ordered by any district judge was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 284 of the Judicial Code, as amended (U. S. C., title 28, sec. 421), be, and the same is hereby, amended to read as follows:

"SEC. 284. No grand jury shall be summoned to attend any district court unless the judge thereof, in his own discretion or upon a notification by the district attorney that such jury will be needed, orders a venire to issue therefor. If the United States attorney for any district which has a city or borough containing at least 300,000 inhabitants shall certify in writing to a district judge of the district that the exigencies of the public service require it, the judge may, in his discretion, also order a venire to issue for a second grand jury. If the United States attorney for the southern district of New York shall certify in writing to the senior district judge of said district that the exigencies of the public service require it, said judge may, in his discretion, also order a venire to issue for a third grand jury. The district court may in term order a grand jury to be summoned at such time, and to serve such time as it may direct, whenever, in its judgment, it may be proper to do so. A district judge may, upon request of the district attorney or of the grand jury or on his own motion, by order authorize any grand jury to continue to sit during the term succeeding the term at which such request is made, solely to finish investigations begun but not finished by such grand jury, but no grand jury shall be permitted to sit in all during more than three terms. Nothing herein shall operate to extend beyond the time permitted by law the imprisonment before indictment found of a person accused of crime or offense, or the time during which a person so accused may be held under recognizance before indictment found."

BILL PASSED OVER

The bill (H. R. 7561) to amend the act entitled "An act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes", approved March 24, 1934, was announced as next in order.

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

The PRESIDING OFFICER. The Senator from Tennessee asks for an explanation of House bill 7561.

Mr. McKELLAR. If not, let it go over.

SEVERAL SENATORS. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF BANKRUPTCY ACT

The bill (H. R. 4343) to amend section 77B of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended, was considered, ordered to a third reading, read the third time, and passed.

PROCEEDINGS IN ADOPTION IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 2281) to regulate proceedings in adoption in the District of Columbia, which had been reported from the Committee on the District of Columbia with amendments.

Mr. KING. That is a good bill, Mr. President.

The PRESIDING OFFICER. The amendments of the committee will be stated.

The first amendment was, in section 1, on page 2, line 13, after the words "adoptee is", to strike out "a minor" and insert "under 21 years of age"; in line 15, after the word "attached", to insert "which shall be served in such manner as the court shall therein direct"; in line 16, after the words "directed to", to insert "all parties to the decision who do not appear and consent to the adoption and to"; and in line 22, after the word "within", to insert "a period not in excess of", so as to make the section read:

Be it enacted, etc., That jurisdiction is hereby conferred upon the District Court of the United States for the District of Columbia to hear and determine petitions and decrees of adoption of any adult or child (hereinafter called adoptee) with authority to make such rules, not inconsistent with this act, as shall bring fully before the court for consideration the interests of the adoptee, the natural parents, the petitioner, and any other properly interested party. No petition shall be considered by the court unless petitioner's spouse joins in the petition or consents to the adoption.

Jurisdiction is conferred if either of the following circumstances exist:

(1) If petitioner is a legal resident of the District of Columbia;

(2) If petitioner has actually resided in the District of Columbia for at least 1 year.

The petition shall state, so far as known, the name, age, race, occupation, and address of the natural parents, when known, and of the petitioner, whether the petitioner is married or single, the age and sex of the adoptee, the property owned by the adoptee, and such other facts as the court may require.

The court shall thereupon, if the adoptee is under 21 years of age, issue a rule with copy of the petition attached, which shall be served in such manner as the court shall therein direct, directed to all parties to the petition who do not appear and consent to the adoption, and to the Board of Public Welfare to verify the allegations of the petition, to make a thorough investigation for the purpose of ascertaining if the adoptee is a proper subject for adoption and if the home of the petitioner is a suitable one for the adoptee and within a period not in excess of 60 days to report its findings with recommendations to the court. If an investigation already has been made by a qualified social agency, the Board of Public Welfare shall accept it instead of making one itself.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 6, after the word "age", to strike out "the legal guardian of adoptee,

if any"; in line 17, after the word "parents", to insert "or adoptive parents by a previous adoption,"; in line 22, after the word "order", to strike out "or"; in the same line, after the word "where", to insert "it shall appear to the court that they have abandoned the adoptee and voluntarily failed to contribute to his or her support for a period of at least 1 year next preceding the date of the filing of the petition; or (4) where", so as to make the section read:

SEC. 2. If adoptee is under 21 years of age, no decree of adoption shall be made unless the court shall find that the following persons have consented to the adoption: Adoptee, if 14 or more years of age; and the natural parents or adoptive parents by a previous adoption, if living. The consent of the father of an adoptee born out of wedlock shall not be necessary unless he has both acknowledged the adoptee and contributed voluntarily to its support. The consent of a parent who is a minor shall not be voidable because of that minority.

If adoptee shall have attained the age of 21 years or over, the only consents which shall be required are those of such adoptee, and its spouse, if any.

The consent of a natural parent, or parents, or adoptive parents by a previous adoption, may be dispensed with (1) where after such notice as the court shall direct it shall appear to the court that such person or persons cannot be located; (2) where they have been permanently deprived of custody of the adoptee by court order; (3) where it shall appear to the court that they have abandoned the adoptee and voluntarily failed to contribute to his or her support for a period of at least 1 year next preceding the date of the filing of the petition; or (4) where investigation has shown to the satisfaction of the court extraordinary cause why such consent should be dispensed with.

The amendment was agreed to.

The next amendment was, in section 3, page 4, line 13, after the words "shall be", to strike out "signed by the court" and insert "entered"; in line 15, after the words "of the", to strike out "petition and if" and insert "petition. If, however"; and in line 17, after the word "court", to strike out "shall" and insert "may", so as to make the section read:

SEC. 3. After considering the petition, the consents, and such evidence as the parties and any other properly interested person may wish to present, the court may enter a final decree of adoption if it is satisfied (a) that adoptee is physically, mentally, and otherwise suitable for adoption by the petitioner; (b) that the petitioner is fit and able to give the adoptee a proper home and education; and (c) that the change will be for the best interests of adoptee.

No final decree of adoption shall be entered unless the adoptee shall have been living with the adoptor at least 6 months prior to the filing of the petition. If, however, it shall appear in the interests of the adoptee, the court may enter an interlocutory decree for adoption, which decree shall by its terms automatically become a final decree of adoption on a day therein named, which shall not be more than 6 months from the entry of such interlocutory decree unless such decree shall be set aside for cause shown. If it shall appear in the interests of the adoptee, the Board of Public Welfare shall visit the adoptee during the period of the interlocutory decree at regular intervals.

The amendment was agreed to.

The next amendment was, in section 5, page 5, line 10, after the word "all", to strike out "legal"; in line 17, after the word "adoptee", to strike out "its" and insert "his or her"; and in line 18, after the word "off" and the period, to insert "In the event one of the natural parents shall be the spouse of petitioner, then the rights and relations as between adoptee, such natural parent, and his or her parents and collateral relatives, including mutual rights of inheritance and succession, shall in nowise be altered", so as to make sections 4 and 5 read:

SEC. 4. Notice of a final decree of adoption shall be sent to the Bureau of Vital Statistics of the Health Department. This Bureau shall cause to be made a new record of the birth in the new name and with the names of the adoptor and shall then cause to be sealed and filed the original birth certificate with the order of the court and such sealed package shall be opened only by order of court.

SEC. 5. Entry of a final decree of adoption shall establish the relation of natural parent and natural child between adoptor and adoptee for all purposes including mutual rights of inheritance and succession the same as if adoptee was born of adoptor, except that adoptee shall not inherit from collateral relatives of or the parents of adoptor although such collateral relatives and parents of adoptor shall have the right of inheritance from adoptee. All rights and duties including those of inheritance and succession between adoptee, his or her natural parents, their issue, collateral relatives, and so forth, shall be cut off. In the event one of the natural parents shall be the spouse of petitioner, then the rights and relations as between adoptee, such natural parent, and his or her parents and collateral relatives, including mutual rights of inheritance and succession, shall in nowise be altered.

The family name of the adoptee shall be changed to that of adoptor unless the decree shall otherwise provide, and the given name of the adoptee may be fixed or changed at the same time.

The amendment was agreed to.

The next amendment was, in section 7, page 6, line 23, after "395", to insert "(title 15, sec. 1, New Code)", so as to make sections 6 and 7 read:

SEC. 6. Records and papers in adoption proceedings, after the petition is filed and prior to the entry of a final decree, shall be open to inspection by the parties or their attorneys, and members of the Board of Public Welfare or their agents, upon order of the court. Upon the entry of a final decree the Board of Public Welfare and the clerk of the court shall seal all papers in the proceedings. Said seals shall not be broken, and said papers shall not be inspected by any person, including the parties to the proceeding, except upon order of the court. Application for leave to inspect papers in adoption proceedings shall be by petition and shall be granted only for extraordinary cause shown. The court may appoint a master to consider and investigate the facts upon which such a petition is based, who shall make his findings and recommendations to the court.

The clerk of the court shall keep a docket of all adoption proceedings which shall only be inspected upon order of the court upon the same conditions hereinabove set out for the inspection of papers.

SEC. 7. Section 395 (title 15, sec. 1, New Code) of the Code of Law of the District of Columbia is hereby repealed. The provisions hereof shall have no retroactive effect and shall not be construed as affecting in any way the rights and relations obtained by any decree of adoption entered heretofore, and all proceedings instituted and pending on the date of this enactment shall be carried to their final determination in accordance with the provisions of section 395 as if this act had not been enacted, and all orders and decrees entered therein shall remain valid and binding on all parties thereby affected.

The amendment was agreed to.

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

SMALL CLAIMS COURT FOR THE DISTRICT

The Senate proceeded to consider the bill (S. 1835) establishing a small claims and conciliation branch in the municipal court of the District of Columbia for improving the administration of justice in small cases and providing assistance to needy litigants, and for other purposes, which had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 4, page 2, line 9, after the word "cases", to insert "within the jurisdiction of the court"; in line 11, after the word "exceed", to strike out "$100" and insert "$50"; and in line 14, after the word "authority", to insert "with the consent of all parties"; so as to make the section read:

SEC. 4. (a) Said branch shall have exclusive jurisdiction over all cases within the jurisdiction of the court in which the amount of the plaintiff's claim or the claimed value of personal property in controversy does not exceed $50, exclusive of interest, attorneys' fees, protest fees, and costs.

(b) In order to effect the speedy settlement of controversies said branch shall also have authority with the consent of all parties to settle cases, irrespective of the amount involved, by the methods of arbitration and conciliation. The judges of said branch may also act as referees or arbitrators, either alone or in conjunction with other persons, under title 24, chapter 5, sections 91 to 109, inclusive, of the Code of Law for the District of Columbia, or under the United States Arbitration Act of February 12, 1925 (U. S. C., 1934 ed., title 9, secs. 1 to 15), or otherwise. No judge, officer, or other employee of the municipal court shall receive or accept any fee or compensation in addition to his salary for services performed under this subsection.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 1, after the word "constitute", to insert "prima facie"; under the subhead "municipal court of the District of Columbia—small claims and conciliation branch", after the word "clerk" and the comma, to strike out "shall" and insert "may, if action is on a contract, express or implied,"; on page 5, after the word "foregoing", to strike out "verified"; and at the end of the form of affidavit to insert "clerk of the small claims and conciliation branch, municipal court", so as to make the section read:

SEC. 5. (a) Actions shall be commenced in said branch by the filing of a statement of claim, in concise form and free of technicalities. The plaintiff or his agent shall verify the statement

of claim by oath or affirmation in the form herein provided, or its equivalent, and shall affix his signature thereto. The clerk of said branch shall, at the request of any individual, prepare the statement of claim and other papers required to be filed in an action in this branch, but his services shall not be available to any corporation, partnership, or association in the preparation of such statements or other papers. A copy of the statement of claim and verification shall be made a part of the notice to be served upon the defendant named therein. The mode of service shall be by the United States marshal, as provided by law; or by registered mail with return receipt; or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose.

(b) When notice is to be served by registered mail, the clerk shall enclose a copy of the statement of claim, verification, and notice in an envelope addressed to the defendant, prepay the postage with funds obtained from plaintiff, and mail the same forthwith, noting on the records the day and hour of mailing. When such receipt is returned, the clerk shall attach the same to the original statement of claim, and it shall constitute prima-facie evidence of service upon the defendant.

(c) When served by a private individual, as above provided, he shall make proof of service by affidavit before the clerk, showing the time and place of such service.

(d) When served by the marshal, or by registered mail, the actual cost of service shall be taxable as costs. When served by an individual, as above provided, the cost of service, if any, shall not be taxable as costs.

(e) The statement of claim, verification, and notice shall be in the following or equivalent form, and shall be in lieu of any forms now employed and of any form of summons now provided by law:

MUNICIPAL COURT OF THE DISTRICT OF COLUMBIA

SMALL CLAIMS AND CONCILIATION BRANCH

(Location of room in courthouse) (Address of court)

Washington, D. C.

_____ Plaintiff	
_____ Address	No._____
vs.	
_____ Defendant	

STATEMENT OF CLAIM

(Here the plaintiff, or at his request the clerk, will insert a statement of the plaintiff's claim, and the original, to be filed with the clerk, may, if action is on a contract, express or implied, be verified by the plaintiff or his agent, as follows:)

DISTRICT OF COLUMBIA, *ss:*

_____, being first duly sworn, on oath says the foregoing is a just and true statement of the amount owing by defendant to plaintiff, exclusive of all set-offs and just grounds of defense.

_____
Plaintiff (or agent)

Subscribed and sworn to before me this ____ day of ____ 19___.

_____
Clerk (or notary public)

NOTICE

To: _____
Defendant

_____
Home address

_____
Business address

You are hereby notified that _____ has made a claim and is requesting judgment against you in the sum of _____ dollars ($_____), as shown by the foregoing statement. The court will hold a hearing upon this claim on _____ at _____ m. in the small claims and conciliation branch (address of court).

You are required to be present at the hearing in order to avoid a judgment by default.

If you have witnesses, books, receipts, or other writings bearing on this claim, you should bring them with you at the time of the hearing.

If you wish to have witnesses summoned, see the clerk at once for assistance.

If you admit the claim, but desire additional time to pay, you must come to the hearing in person and state the circumstances to the court.

You may come with or without an attorney.

[SEAL] _____,
Clerk of the Small Claims and Conciliation Branch, Municipal Court.

(f) The foregoing verification shall entitle the plaintiff to a judgment by default, without further proof, upon failure of defendant to appear, when the claim of the plaintiff is for a liquidated amount; when the amount is unliquidated, plaintiff shall be required to present proof of his claim.

(g) The clerk shall furnish the plaintiff with a memorandum of the day and hour set for the hearing, which time shall be not less than 5 nor more than 15 days from the date of the filing of the action. All actions filed in this branch shall be made returnable herein.

The amendment was agreed to.

The next amendment was, in section 7, page 6, line 9, after the word "for", to strike out "commencing" and insert "issuing summons and copies, trial, judgment, and satisfaction in"; and in line 11, after the figure "$1" and the period, to insert "other fees shall be as the court shall prescribe", so as to make the section read:

SEC. 7. The fee for issuing summons and copies, trial, judgment, and satisfaction in an action in said branch shall be not more than $1. Other fees shall be as the court shall prescribe. The judge sitting in said branch shall have full discretionary power to waive the prepayment of costs or the payment of costs accruing during the action upon the sworn statement of the plaintiff or upon other satisfactory evidence of his inability to pay such costs. When costs are so waived the notation to be made on the records of said branch shall be "Prepayment of costs waived", or "Costs waived." The term "pauper" or "in forma pauperis" shall not be employed in said branch. If a party shall fail to pay accrued costs, though able to do so, the judge of said branch shall have power to deny said party the right to file any new case in said branch while such costs remain unpaid, and likewise to deny such litigant the right to proceed further in any case pending in said branch. The award of costs shall be according to the discretion of the judge who may include therein the reasonable cost of bonds and undertakings, and other reasonable expenses incident to the suit, incurred by either party.

The amendment was agreed to.

The next amendment was, on page 7, after line 4, to strike out:

SEC. 8. The judge shall have full power in his discretion to award costs in a sum to be fixed by said judge, but not in any event to exceed the sum of $25, against any party, whether the prevailing party or not, who has set up a frivolous, vexatious, or false claim, or defense, or has made an unfair, insufficient, or misleading answer, or has in any other manner sought to hamper a party or interfere with the judge in securing a speedy determination of the claim upon its just merits; and to enter judgment and issue execution for such an award of costs or to set the same off against the affirmative award of costs, as justice may require.

The amendment was agreed to.

The next amendment was, on page 7, line 16, to change the section number from 9 to 8, and in line 20, after the word "conciliation" and the period, to strike out "No attorney shall have the right to represent any party in such effort at conciliation", so as to make the section read:

SEC. 8. (a) On the return day mentioned in section 5 hereof, or such later time as the judge may set, the trial shall be had. Immediately prior to the trial of any case the judge shall make an earnest effort to settle the controversy by conciliation. If the judge fails to induce the parties to settle their differences without a trial, he shall proceed with the hearing on the merits pursuant to section 9 (b) of this act.

(b) The parties and witnesses shall be sworn. The judge shall conduct the trial in such manner as to do substantial justice between the parties according to the rules of substantive law, and shall not be bound by the statutory provisions or rules of practice, procedure, pleading, or evidence, except such provisions relating to privileged communications.

(c) If the defendant fails to appear, judgment shall be entered for the plaintiff by default as above provided, or under any rule or rules of the municipal court now existing or hereafter promulgated, or on ex-parte proof. If the plaintiff fails to appear, the suit may be dismissed for want of prosecution, or a nonsuit may be ordered, or defendant may proceed to a trial on the merits, or the case may be continued or returned to the files for further proceedings on a later date, as the judge may direct. If both parties fail to appear, the judge may return the case to the files, or order the same dismissed for want of prosecution, or make any other just and proper disposition thereof, as justice may require.

The amendment was agreed to.

The next amendment was, on page 9, line 6, to change the section number from 11 to 10; in line 12, after the word "case", to insert "if all parties consent"; in line 13, after the word "or", to strike out "may" and insert "in the absence of such consent shall"; and in line 14, after the word "court", to strike out the comma and "as justice may require" and insert "for trial", so as to make the section read:

SEC. 10. Whenever the interests of justice shall seem to require it, and all parties consent thereto, any judge of the municipal court may certify any case to said branch for conciliation, or to endeavor to obtain a complete or partial agreed statement of facts or stipulation, which will simplify and expedite the ultimate trial

of the case. The trial of any such case if all parties consent may be completed in said branch or in the absence of such consent shall be recertified to another judge of the court for trial.

The amendment was agreed to.

The next amendment was, on page 10, line 8, to change the section number from 13 to 12; and in the same line, before the words "judge shall", to strike out "The" and insert "In all cases where the judgment is founded in whole or in part on a claim for wages or personal services the", so as to make the section read:

SEC. 12. In all cases where the judgment is founded in whole or in part on a claim for wages or personal services the judge shall, upon motion of the party obtaining judgment, order the appearance of the party against whom such judgment has been entered, but not more often than once each four weeks for oral examination under oath as to his financial status and his ability to pay such judgment, and the judge shall make such supplementary orders as may seem just and proper to effectuate the payment of the judgment upon reasonable terms.

The amendment was agreed to.

The next amendment was, on page 11, after line 22, to insert:

SEC. 18. In any case filed or pending in said branch in which any party is entitled to demand a trial by jury and files such demand, the case shall be assigned to and tried in one of the regular branches of the court under the procedure provided for such trials.

The amendment was agreed to.

The next amendment was, on page 12, after line 3, to strike out:

SEC. 19. Nothing in this act contained shall deprive any party of the constitutional right to trial by jury.

The amendment was agreed to.

The bill was 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 in the municipal court of the District of Columbia a small claims and conciliation branch.

SEC. 2. Whenever used in this act—

(a) "Branch" means the small claims and conciliation branch of the municipal court, herein created.

(b) "Judge" means the judge or judges presiding in said branch.

(c) "Clerk" means the clerk or any assistant clerk of said municipal court assigned to said branch.

(d) "Court" means the municipal court of the District of Columbia and the several judges thereof.

SEC. 3. One or more judges of the municipal court shall serve in said branch for such periods and in such order of rotation as the judges of the court may determine.

SEC. 4. (a) Said branch shall have exclusive jurisdiction over all cases within the jurisdiction of the court in which the amount of the plaintiff's claim or the claimed value of personal property in controversy does not exceed $50 exclusive of interest, attorneys' fees, protest fees, and costs.

(b) In order to effect the speedy settlement of controversies said branch shall also have authority with the consent of all parties to settle cases, irrespective of the amount involved, by the methods of arbitration and conciliation. The judges of said branch may also act as referees or arbitrators, either alone or in conjunction with other persons, under title 24, chapter 5, sections 91 to 109, inclusive, of the Code of Law for the District of Columbia, or under the United States Arbitration Act of February 12, 1925 (U. S. C., 1934 ed., title 9, secs. 1 to 15), or otherwise. No judge, officer, or other employee of the municipal court shall receive or accept any fee or compensation in addition to his salary for services performed under this subsection.

SEC. 5. (a) Actions shall be commenced in said branch by the filing of a statement of claim, in concise form and free of technicalities. The plaintiff or his agent shall verify the statement of claim by oath or affirmation in the form herein provided, or its equivalent, and shall affix his signature thereto. The clerk of said branch shall, at the request of any individual, prepare the statement of claim and other papers required to be filed in an action in this branch, but his services shall not be available to any corporation, partnership, or association in the preparation of such statements or other papers. A copy of the statement of claim and verification shall be made a part of the notice to be served upon the defendant named therein. The mode of service shall be by the United States marshal, as provided by law; or by registered mail with return receipt; or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose.

(b) When notice is to be served by registered mail, the clerk shall enclose a copy of the statement of claim, verification, and notice in an envelope addressed to the defendant, prepay the postage with funds obtained from plaintiff, and mail the same forthwith, noting on the records the day and hour of mailing. When such receipt is returned, the clerk shall attach the same to the original statement of claim, and it shall constitute prima-facie evidence of service upon the defendant.

(c) When served by a private individual, as above provided, he shall make proof of service by affidavit before the clerk, showing the time and place of such service.

(d) When served by the marshal, or by registered mail, the actual cost of service shall be taxable as costs. When served by an individual, as above provided, the cost of service, if any, shall not be taxable as costs.

(e) The statement of claim, verification, and notice shall be in the following or equivalent form, and shall be in lieu of any forms now employed and of any form of summons now provided by law:

MUNICIPAL COURT OF THE DISTRICT OF COLUMBIA

SMALL CLAIMS AND CONCILIATION BRANCH

(Location of room in courthouse) (Address of court)

Washington, D. C.

_____ Plaintiff	
_____ Address	No._____
vs.	
_____ Defendant	

STATEMENT OF CLAIM

(Here the plaintiff, or at his request the clerk, will insert a statement of the plaintiff's claim, and the original, to be filed with the clerk, may, if action is on a contract, express or implied, be verified by the plaintiff or his agent, as follows:)

DISTRICT OF COLUMBIA, *ss:*

_____, being first duly sworn, on oath says the foregoing is a just and true statement of the amount owing by defendant to plaintiff, exclusive of all set-offs and just grounds of defense.

_____
Plaintiff (or agent)

Subscribed and sworn to before me this ____ day of _____ 19__.

_____
Clerk (or notary public)

NOTICE

To: _____
Defendant

_____
Home address

_____
Business address

You are hereby notified that _____ has made a claim and is requesting judgment against you in the sum of _____ dollars ($_____), as shown by the foregoing statement. The court will hold a hearing upon this claim on _____ at _____ m. in the small claims and conciliation branch (address of court).

You are required to be present at the hearing in order to avoid a judgment by default.

If you have witnesses, books, receipts, or other writings bearing on this claim, you should bring them with you at the time of the hearing.

If you wish to have witnesses summoned, see the clerk at once for assistance.

If you admit the claim, but desire additional time to pay, you must come to the hearing in person and state the circumstances to the court.

You may come with or without an attorney.

[SEAL] _____,
Clerk of the Small Claims and Conciliation Branch, Municipal Court.

(f) The foregoing verification shall entitle the plaintiff to a judgment by default, without further proof, upon failure of defendant to appear, when the claim of the plaintiff is for a liquidated amount; when the amount is unliquidated, plaintiff shall be required to present proof of his claim.

(g) The clerk shall furnish the plaintiff with a memorandum of the day and hour set for the hearing, which time shall be not less than 5 nor more than 15 days from the date of the filing of the action. All actions filed in this branch shall be made returnable herein.

SEC. 6. A separate small claims and conciliation docket shall be maintained in said branch, in which shall be indicated every proceeding and ruling had in each case.

SEC. 7. The fee for issuing summons and copies, trial, judgment, and satisfaction in an action in said branch shall be not more than $1. Other fees shall be as the court shall prescribe. The judge sitting in said branch shall have full discretionary power to waive the prepayment of costs or the payment of costs accruing during the action upon the sworn statement of the plaintiff or upon other satisfactory evidence of his inability to pay such costs. When costs are so waived the notation to be made on the records of said branch shall be "Prepayment of costs waived", or "Costs waived." The term "pauper" or "in forma pauperis" shall not be employed in said branch. If a party shall fail to pay accrued costs, though able to do so, the judge of said branch shall have power to deny said party the right to file any new case in said

branch while such costs remain unpaid, and likewise to deny such litigant the right to proceed further in any case pending in said branch. The award of costs shall be according to the discretion of the judge who may include therein the reasonable cost of bonds and undertakings, and other reasonable expenses incident to the suit, incurred by either party.

SEC. 8. (a) On the return day mentioned in section 5 hereof, or such later time as the judge may set, the trial shall be had. Immediately prior to the trial of any case, the judge shall make an earnest effort to settle the controversy by conciliation. If the judge fails to induce the parties to settle their differences without a trial, he shall proceed with the hearing on the merits pursuant to section 9 (b) of this act.

(b) The parties and witnesses shall be sworn. The judge shall conduct the trial in such manner as to do substantial justice between the parties according to the rules of substantive law, and shall not be bound by the statutory provisions or rules of practice, procedure, pleading, or evidence, except such provisions relating to privileged communications.

(c) If the defendant fails to appear, judgment shall be entered for the plaintiff by default as above provided, or under any rule or rules of the municipal court now existing or hereafter promulgated, or on ex-parte proof. If the plaintiff fails to appear, the suit may be dismissed for want of prosecution, or a nonsuit may be ordered, or defendant may proceed to a trial on the merits, or the case may be continued or returned to the files for further proceedings on a later date, as the judge may direct. If both parties fail to appear, the judge may return the case to the files, or order the same dismissed for want of prosecution, or make any other just and proper disposition thereof, as justice may require.

SEC. 9. If the defendant asserts a set-off or counterclaim, the judge may, in his discretion, require a formal plea of set-off to be filed, or may waive the same. If plaintiff requires time to prepare his defense against such counterclaim or set-off, the judge may, in his discretion, continue the case for such purpose. If the set-off or counterclaim be for more than the jurisdictional limit of said branch but within the jurisdictional limit of this court, the action shall nevertheless remain in said branch and be tried therein in its entirety.

SEC. 10. Whenever the interests of justice shall seem to require it, and all parties consent thereto, any judge of the municipal court may certify any case to said branch for conciliation, or to endeavor to obtain a complete or partial agreed statement of facts or stipulation, which will simplify and expedite the ultimate trial of the case. The trial of any such case if all parties consent may be completed in said branch or in the absence of such consent shall be recertified to another judge of the court for trial.

SEC. 11. When judgment is to be rendered and the party against whom it is to be entered requests it, the judge shall inquire fully into the earnings and financial status of such party and shall have full discretionary power to stay the entry of judgment, and to stay execution, except in cases involving wage claims, and to order partial payments in such amounts, over such periods, and upon such terms, as shall seem just under the circumstances and as will assure a definite and steady reduction of the judgment until it is finally and completely satisfied. Upon a showing that such party has failed to meet any installment payment without just excuse, the stay of execution shall be vacated. When no stay of execution has been ordered or when such stay of execution has been vacated as provided herein, the party in whose favor the judgment has been entered shall have the right to avail himself of all remedies otherwise available in said municipal court for the enforcement of such judgment.

SEC. 12. In all cases where the judgment is founded in whole or in part on a claim for wages or personal services the judge shall, upon motion of the party obtaining judgment, order the appearance of the party against whom such judgment has been entered, but not more often than once each four weeks for oral examination under oath as to his financial status and his ability to pay such judgment, and the judge shall make such supplementary orders as may seem just and proper to effectuate the payment of the judgment upon reasonable terms.

SEC. 13. The clerk of said branch shall maintain an accurate daily record of all transactions had therein and shall prepare and transmit to the Attorney General of the United States a monthly report in detail showing the number and nature of all such transactions.

SEC. 14. All provisions of law relating to the municipal court and the rules of the municipal court shall apply to the practice herein so far as they may be made applicable and are not in conflict with the provisions of this act or with the rules hereunder promulgated. In case of conflict the provisions of this act and the rules hereunder promulgated shall control.

SEC. 15. The judges of the municipal court shall forthwith make rules to provide for a simple, inexpensive, and speedy procedure to effectuate the purposes of this act and shall have power to prescribe, modify, and improve the forms to be used therein, from time to time, to insure the proper administration of justice and to accomplish the purposes of this act.

SEC. 16. The small-claims branch with a judge in attendance shall be open for the transaction of business on every day of the year except Saturday afternoons, Sundays, and legal holidays, and shall also hold at least one night session during each week.

SEC. 17. Nothing in this act contained shall deprive any party of the right now existing to petition the United States Court of Appeals for the District of Columbia for a writ of error to review any judgment rendered in said branch of said municipal court.

SEC. 18. In any case filed or pending in said branch in which any party is entitled to demand a trial by jury and files such demand, the case shall be assigned to and tried in one of the regular branches of the court under the procedure provided for such trials.

SEC. 19. Except as otherwise provided in this act, or in the rules promulgated hereunder, a party obtaining a judgment in said branch shall be entitled to the same remedies, processes, costs, and benefits as are given or inure to other judgment creditors in said municipal court.

SEC. 20. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 21. 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 provisions to other persons or circumstances, shall not be affected thereby.

SEC. 22. This act shall take effect on the thirtieth day after the date of its enactment.

VERDE RIVER IRRIGATION AND POWER DISTRICT, ARIZONA

Mr. ADAMS. Mr. President, I should like permission to return to Calendar No. 1022, Senate bill 1344, before the Senator from Arizona [Mr. ASHURST] leaves the Chamber.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent to return to Calendar No. 1022, Senate bill 1344. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 1344) providing for relief in cases of desert-land applications or entries of lands within Verde River irrigation and power district, Arizona, which had been reported adversely from the Committee on Public Lands and Surveys.

Mr. ADAMS. Mr. President, this bill was passed over on the call of the calendar at my request. Under the circumstances, in view of the report that has been made both by the Department and by the committee, I think the bill should be indefinitely postponed and retired from the calendar, and I make that motion.

Mr. ASHURST. Mr. President, of course I want to be a good loser. I introduced the bill. The Department reported unfavorably upon it; and the Senate Committee on Public Lands and Surveys, of which I am a member, and over which the Senator from Colorado [Mr. ADAMS] presides with great fairness, was almost unanimously against me.

I do not wish to indulge in any brutum fulmen, any harmless thunderbolts. In a case in which the Department and the committee of which I am a member are so nearly unanimous, I see nothing to do but acquiesce as gracefully as I may. There is nothing else I can do.

Mr. ADAMS. I move that the bill be indefinitely postponed.

The motion was agreed to.

COLLECTION OF STATE TAXES

The bill (S. 1551) to amend section 24 of the Judicial Code, as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to the collection of State taxes 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 24 of the Judicial Code, as amended, is amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this paragraph, no district court shall have jurisdiction of any suit to enjoin, suspend, or restrain the assessment, levy, or collection of any tax imposed by or pursuant to the laws of any State where a plain, speedy, and efficient remedy may be had at law or in equity in the courts of such State."

SEC. 2. The provisions of this act shall not affect suits commenced in the district courts, either originally or by removal, prior to its passage; and all such suits shall be continued, proceedings therein had, appeals therein taken, and judgments therein rendered, in the same manner and with the same effect as if this act had not been passed.

JOINT COMMITTEE ON HAWAII

The concurrent resolution (S. Con. Res. 18) to provide for the creation of a Joint Committee on Hawaii was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby created a joint congressional committee to be known as the Joint Committee on Hawaii, which shall be

composed of not to exceed 12 Members of the Senate, to be appointed by the President of the Senate, and not to exceed 12 Members of the House of Representatives and the Delegate from Hawaii, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman from among its members. The committee shall cease to exist upon making its report to Congress pursuant to this resolution.

SEC. 2. The committee is authorized and directed to conduct a comprehensive investigation and study of the subject of statehood and of other subjects relating to the welfare of the Territory of Hawaii. The committee shall report to the Senate and to the House of Representatives not later than January 15, 1938, the results of its investigation and study, together with its recommendations for such legislation as it deems necessary or desirable.

SEC. 3. For the purposes of this resolution, the committee is authorized to sit and act, as a whole or by subcommittee, at such times and places as it deems advisable, to hold such hearings, to administer such oaths and affirmations, to take such testimony, and to have such printing and binding done as it deems necessary.

ROBERT G. DUNCAN

The Senate proceeded to consider the bill (S. 1646) for the relief of Robert G. Duncan, which had been reported from the Committee on Claims with amendments, on page 1, line 3, after the word "Treasury", to strike out "is" and insert "be, and he is hereby"; in line 5, after the word "appropriated", to insert "and in full and final settlement of all claims against the Government"; 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, and in full and final settlement of all claims against the Government, to Robert G. Duncan, of Portland, Oreg., the sum of $500, such sum representing the amount of a fine for violation of the Radio Act of 1927, which was paid by him on November 12, 1931, and covered into the Treasury, said Robert G. Duncan having also served a sentence in jail because of such violation: *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.

FRANK PASHLEY AND BROWN GARRETT

The bill (S. 2832) authorizing the adjustment of the claims of Frank Pashley and Brown Garrett was considered, ordered to be engrossed for 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 adjust and settle the claims of Frank Pashley for blood furnished February 24 and 27, 1937, for transfusion to Llewelyn T. McKee, a patient in a Government hospital, and to allow in full and final settlement of said claims an amount not in excess of $15 and $10, a total of $25; also to adjust and settle the claim of Brown Garrett for blood furnished February 11, 1937, for transfusion to Albert King, a patient in a Government hospital, and to allow in full settlement of said claim an amount not in excess of $25, all under the appropriation of the Veterans' Administration available for payment for blood transfusion: *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.

F. P. WEAVER COAL CO., LTD.

The Senate proceeded to consider the bill (S. 2458) to carry out certain treaty obligations of the United States and for the relief of the F. P. Weaver Coal Co., Ltd., and for other purposes, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund and pay to the F. P. Weaver Coal Co., Ltd., a corporation, of Quebec, Canada, out of any money in the Treasury not otherwise appropriated, the sum of $10,957.10: *Provided*, That the Secretary of the Treasury shall be satisfied that the F. P. Weaver Coal Co. would have been entitled to receive such a refund if it had filed a proper and timely protest against the action of the collector of customs in the premises: *Provided further*, 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.

SEC. 2. This act shall take effect upon its passage.

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

Mr. WHITE. Mr. President, the bill authorizes the refund to this company of customs duties collected upon the importation of coal into the United States.

The company is a Canadian company which imported coal from Great Britain in a British vessel. The coal was received at the port of Portland some time in 1932. A contract for the purchase of the coal was entered into, and the importation of the coal was made in reliance upon rulings of the Treasury Department.

The particular ruling relied upon was, in substance, as follows: This is a ruling interpreting the Revenue Act of 1932. It says:

In view of the provisions in the treaties between the United States, and Great Britain and Germany, respectively, and of the express provision made by the Congress in section 601 (a) of the Revenue Act of 1932 for an exception from the application of the taxes thereby imposed in cases where treaty provisions of the United States otherwise provide, held that, so long as coal from Canada or any other country is exempt from the tax prescribed in section 601 (c) (5) of the revenue act, coal from Great Britain or Germany is entitled to similar treatment when imported into this country. Bureau letter dated November 14, 1932.

Notwithstanding that ruling, the tax was collected. Subsequently, the Assistant Secretary of the Treasury issued instructions to the effect that coal imported from Canada during the year 1933 would not be subject to the tax provided for in this section. Still later, the courts of the United States handed down decisions to the effect that coal imported from Great Britain was entitled to entry free of the said tax, so long as coal from Canada was entitled to such free entry.

It is in reliance upon that Treasury ruling, in reliance upon these decisions of our courts, and in reliance upon our treaty obligations, that these people are seeking the refund of taxes.

Mr. McKELLAR. Mr. President, I have come to the conclusion that there is no reason why this bill should not be passed.

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.

The title was amended so as to read: "A bill for the relief of the F. P. Weaver Coal Co., Ltd."

SAM KIMZEY

The Senate proceeded to consider the bill (S. 824) for the relief of Sam Kimzey, which had been reported from the Committee on Claims with an amendment to add 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 be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Kimzey, of Cornelia, Ga., the sum of $1,500, in full satisfaction of his claim against the United States for damages arising out of the removal of certain buildings of an abandoned Civilian Conservation Corps camp from land owned by said Sam Kimzey: *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.

TRANSFER OF LIGHTHOUSE SITES IN HAWAII

The bill (H. R. 7714) to authorize the Secretary of Commerce to transfer the 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, the Kahului Railroad Co. and the Hawaiian Commercial & Sugar Co., Ltd., was considered, ordered to a third reading, read the third time, and passed.

Mr. O'MAHONEY subsequently said: I ask unanimous consent that the vote by which House bill 7714 was passed be reconsidered.

The PRESIDING OFFICER. The Senator from Wyoming asks unanimous consent that the vote by which House bill 7714 was passed be reconsidered. Is there objection? The Chair hears none, and the vote is reconsidered.

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

The PRESIDING OFFICER. The bill will be passed over.

RELIEF OF INDIANS OF CALIFORNIA

The Senate proceeded to consider the bill (S. 1651) to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California", approved May 18, 1928 (45 Stat. 602), which had been reported from the Committee on Indian Affairs with an amendment, on page 2, to strike out, beginning with line 1, through line 13, page 7, as follows:

"SECTION 1. That for the purposes of this act the Indians of California shall be defined to be all Indians who were residing in the State of California on June 1, 1852, and their descendants living on May 18, 1928, who are now on the census roll of the Indians of California under the act of May 18, 1928 (45 Stat. 602), as amended, and who may be enrolled in addition thereto under the provisions of this act."

SEC. 3. That sections 2 and 3 of the act of May 18, 1928 (45 Stat. 602), be amended to read as follows:

"SEC. 2. That all claims of whatsoever nature the Indians of California as defined in section 1 of this act may have against the United States by reason of lands taken from them in the State of California by the United States without just compensation or for the failure or refusal of the United States to protect their interests in lands in said State and for the loss of the use of the same, may be submitted to the United States Court of Claims by attorneys acting for and on behalf of said Indians, and it is hereby declared that the loss to the said Indians on account of their failure to secure the lands and compensation provided for in the 18 unratified treaties entered into with certain bands of said Indians in 1851 and 1852, and the loss to such Indians who were not parties to said unratified treaties of their lands to which they had title rising from occupancy and use, without just compensation therefor, is sufficient ground for equitable relief, and jurisdiction is hereby conferred upon the said court, with the right of either party to appeal to the Supreme Court of the United States, to hear, consider, and determine all such claims submitted to them and the said courts shall settle the equitable rights therein and decree just compensation therefor, notwithstanding the lapse of time or statutes of limitation or the fact that the same claim or claims have or have not been presented to any other tribunal, including the commission created by the act of March 3, 1851 (9 Stat. L. 631): *Provided*, That the courts shall determine, as near as may be, the acreage of the lands described in said unratified treaties as lands set apart forever for the occupancy and use of the tribes or bands of Indians parties to the said unratified treaties and shall compute the value of said acreage at $1.25 per acre, which amount shall be the basis upon which the court shall render judgment for just compensation for the taking of said lands: *And provided further*, That the courts shall consider and determine, as near as may be, the value of the personal property, rights, services, facilities, and improvements set out, described, and proposed in the aforesaid 18 unratified treaties and include just compensation for the value and loss of the benefit of the same in any decree rendered hereunder: *And provided further*, That the court shall determine, as near as may be and so far as necessary, the acreage of lands which such tribes of Indians, not parties to the said treaties, claimed by reason of occupancy and use, and shall compute the value of said acreage at $1.25 per acre, which amount shall be the basis upon which the court shall render judgment for just compensation for the taking of said lands: *Provided, however*, That the amount to be allowed on account of such nontreaty Indians shall not be less than the amount allowed on account of the treaty Indians, and shall be limited to an amount which shall bear a relation to the amount allowed by reason of said treaties, not greater than the number of tribes of nontreaty Indians bore to the number of tribes of treaty Indians and the court shall determine as near as may be the number of such tribes. Any payment which may have been made by the United States or moneys heretofore expended for the benefit of the Indians of California made under specific appropriations for the support, education, health, and civilization of Indians of California, including purchases of land, shall not be pleaded as an estoppel but may be pleaded by way of set-off against the total amount found due the treaty Indians and nontreaty Indians."

SEC. 4. That the act of May 18, 1928 (45 Stat. 602), be amended by adding a new section as follows:

"SEC. 3. That the Indians of California shall have the right to be represented by an attorney or attorneys of their own selection under contract or contracts approved by the Secretary of the Interior, and the courts are directed to recognize such attorneys as attorneys of record: *Provided*, That for the purposes of this act the Secretary of the Interior shall classify by counties the Indians enrolled as Indians of California under the provisions of the act approved May 18, 1928, as amended by the act of April 29, 1930 (46 Stat. 259), and determine the number of units therein of 100 each or fraction thereof, and under such regulations as he may prescribe shall provide for the election of Indian delegates to be held at one or more convenient places in each county in the State of California within 90 days after the approval of this act, provided each county shall be entitled to one vote for each unit or major fraction thereof and any Indian enrolled under said act shall be eligible for election as a delegate, and said Indians of each country may elect a delegate to represent each vote or one delegate to represent all its votes and any delegate may be elected by more than one county, and said Secretary shall provide for two conventions of such delegates to select and retain attorneys to represent the Indians of California; one convention to convene at Riverside and include all delegates in counties south of the southern boundaries of San Luis Obispo and Kern Counties and the northern boundary of San Bernardino County and the other convention at San Francisco to include all delegates north of said boundaries. Said conventions shall be held within 30 days after said election and shall be conducted in accordance with such rules as are usual for a convention: *Provided further*, That due and proper notice shall be given of the time, place, and purpose of said election and conventions; and upon final determination of such suit, said court is authorized and directed to fix and determine a reasonable fee for such attorney or attorneys, the aggregate amount of such fees not to exceed 5 percent of the amount recovered on a quantum meruit basis, for services actually rendered, and in addition thereto all necessary and proper expenses incurred in the preparation and prosecution of the suit and such fees and expenses shall be paid by the Secretary of the Treasury out of the appropriation made by Congress in payment of any decree renderd and the balance of such appropriation shall be placed in the Treasury of the United States to the credit of the Indians of California and shall draw interest at the rate of 4 percent per annum and shall be thereafter subject to appropriation by Congress for the benefit of said Indians."

SEC. 4. That section 7 of the act of May 18, 1928 (45 Stat. 602), as amended by the act of April 29, 1930 (46 Stat. 259), is further amended by adding the following proviso: "*Provided further*, That the Secretary of the Interior is hereby authorized and directed to allow 1 year from the date of the approval of this act in which to receive applications for enrollment of Indians residing in the State of California on June 1, 1852, and their descendants living on May 18, 1928, not now on the census roll of the Indians of California under the act of May 18, 1928 (45 Stat. 602), as amended, and the Secretary of the Interior shall have 6 months thereafter to approve such supplemental roll, at the expiration of which time the roll shall be forever closed and thereafter no additional names shall be added thereto.

"The time for filing amendments to the petition is hereby continued and extended to any time prior to the entry of judgment."

And to insert:

"SECTION 1. That for the purposes of this act the Indians of California shall be defined to be all Indians who were residing in the State of California on June 1, 1852, and their descendants living on May 18, 1928, and others born thereafter and living on date of entry of judgment of the Court of Claims herein, and all Indians who are now on the census roll of the Indians of California as authorized by the act of May 18, 1928 (45 Stat. 602), as amended, and who may be enrolled in addition thereto under the provisions of this act."

SEC. 3. That sections 2 and 3 of the act of May 18, 1928 (45 Stat. 602), be amended to read as follows:

"SEC. 2. That all claims of whatsoever nature the Indians of California as defined in section 1 of this act may have against the United States by reason of lands taken from them in the State of California by the United States without just compensation or for the failure or refusal of the United States to protect their interests in lands in said State, may be submitted to the United States Court of Claims by the attorney general of the State of California acting with associate attorneys selected by said Indians, and it is hereby declared that the loss to the said Indians on account of their failure to secure the lands and compensation provided for in the 18 unratified treaties entered into with certain bands of said Indians in 1851 and 1852, and the loss to such Indians who were not parties to said unratified treaties of their said lands without just compensation therefor, is sufficient ground for relief, and jurisdiction is hereby conferred upon the said court, with the right of either party to appeal to the Supreme Court of the United States, anything in the Judicial Code of the United States to the contrary notwithstanding, to hear, consider, and determine all such claims submitted to them, and the said courts shall decree just compensation therefor, notwithstanding the lapse of time or statutes of limitation or the fact that the same claim or claims have or have not been presented to

any other tribunal, including the commission created by the act of March 3, 1851 (9 Stat. L. 631), and the court shall determine, as near as may be, the acreage of the lands described in said unratified treaties and shall compute the value of said acreage at $1.25 per acre and shall render judgment for just compensation for the taking of said lands, and shall determine, as near as may be, the just value of the personal property, rights, services, facilities, and improvements set out, described, and proposed in the aforesaid 18 unratified treaties and award just compensation therefor in any decree rendered hereunder, and it is hereby declared that it was the purpose of the Congress that the Commission appointed to negotiate treaties with the Indians of California should negotiate the same kind of treaties with all of said Indians and it is the purpose of this act to treat those Indians not parties to said unratified treaties the same as if similar treaties had been negotiated with them, and the court shall consider that such unnegotiated treaties, if negotiated, would have commuted the claim of occupancy of those Indians, not parties to the unratified treaties, into reduced acreages and into pledged goods and services in the same ratios as that which the court shall find to have been promised in the said unratified treaties. To this end and under this declared policy of the Congress, the court shall find and determine as near as may be on the evidence submitted and such finding and determination shall be final and conclusive upon the parties, the number of bands who were parties to the 18 unratified treaties and the number of bands with whom no treaties were negotiated, and in lieu of more definite and conclusive evidence the court is hereby instructed to receive and accept official documents, maps, and records, including reports, records, and maps in the possession of the Smithsonian Institution, and depositions of experts, as sufficient proof. And the court shall find that each band of those Indians not parties to said unratified treaties is entitled to compensation for the wrong done and loss inflicted limited to the average amount allowed each band of those Indians who were parties to said unratified treaties and shall render judgment therefor. The court in finding the number of bands shall consider a village or rancheria as a band.

"Any payment which may have been made by the United States or moneys heretofore expended for the benefit of the Indians of California made under specific appropriations for the support, education, health, and civilization of Indians of California, including purchases of land, shall not be pleaded as an estoppel but may be pleaded by way of set-off against the total amount found due the treaty and nontreaty Indians. The court is hereby authorized and directed to hear, determine, and fix reasonable fees for the attorneys, and the compensation for other persons, for services rendered which the court may determine to have merit and value for the benefit of the Indians of California since approval of the enabling act of May 18, 1928, on a quantum meruit basis for such services, less any amount that the court upon evidence submitted may find to have been received on account of such services, such fees and compensation not to exceed 5 percent of the amount recovered, and the court shall find and fix, on the evidence presented, reasonable expenses incurred in the performance of such services, and shall deduct from such finding any amount which the court finds has been paid as expenses for such services, and the difference shall be the amount finally fixed as reasonable expenses, and such fees and compensation and expenses shall be paid by the Secretary of the Treasury out of the appropriation made by Congress in the payment of any decree rendered and the balance of such appropriation shall be placed in the Treasury of the United States to the credit of the Indians of California and shall draw interest at the rate of 4 percent per annum and shall be thereafter subject to appropriation by Congress for the benefit of the Indians."

"SEC. 3. That the act of May 18, 1928 (45 Stat. 602), be amended by striking from section 6 thereof the following words: 'and no part of said judgment shall be paid out in per capita payments to said Indians.'"

SEC. 4. That section 7 of the act of May 18, 1928 (45 Stat. 602), as amended by the act of April 29, 1930 (46 Stat. 259), is further amended by adding the following proviso: "*Provided further*, That the Secretary of the Interior is hereby authorized and directed to allow 1 year from the date of entry of judgment of the Court of Claims in which to receive applications for enrollment of Indians residing in the State of California on June 1, 1852, and their descendants living on May 18, 1928, and others born thereafter and living on the date of judgment, not now on the census roll of the Indians of California under the act of May 18, 1928 (45 Stat. 602), as amended, and the Secretary of the Interior shall have 6 months thereafter to approve such supplemental roll, at the expiration of which time the roll shall be forever closed and thereafter no additional names shall be added thereto.

"The right to present the claims hereunder to the Court of Claims either by original petition or amendment to the petition now pending in the court is extended to any time prior to the entry of judgment."

SEC. 5. That the act of May 18, 1928 (45 Stat. 602), be amended by adding a new section as follows:

"SEC. 8. That after the word 'that' and before the word 'notwithstanding' in the first line of section 8, insert the following: 'the claims of the Indians of California may be submitted to the United States Court of Claims by the attorney general of the State of California acting with associate attorneys selected by said Indians and notwithstanding any provision in the act of May 18, 1928, or in the Judicial Code of the United States to the contrary, any 500 or more of said Indians, who are 18 years of age or over, enrolled as Indians of California under existing law, may within 90 days after the approval of this act serve notice upon and file with the Secretary of the Interior a statement signed by them stating that they have retained an attorney or attorneys therein named, and the said Secretary shall within 30 days after the receipt of each of said statements certify to the Court of Claims the number of Indians signing each of said statements who are qualified to sign as herein provided, and immediately thereupon such attorney or attorneys thereby become associate attorney or attorneys with the attorney of record, provided there shall be only one attorney selected for each 500 qualified signers, and shall have the duties, responsibilities, and authority usually vested in associate attorneys to the end that the said Indians may have their claims hereunder adjudicated with the advantage of their selected attorney or attorneys and the Court of Claims is hereby instructed to recognize such attorney or attorneys so selected as associate attorney or attorneys of record and shall order that notices of all proceedings in said suit thereafter be sent to all such associate attorneys, and the attorney general of California shall continue as principal attorney of record. The Court of Claims is authorized and directed to fix and determine a reasonable fee for such attorney or attorneys on a quantum meruit basis for services rendered and the total amount paid for all services whether to attorneys or other persons acting for the Indians of California since the date of the enabling act of May 18, 1928, shall not exceed 5 percent of the judgment rendered hereunder, and shall determine and fix necessary and proper expenses, including compensation for experts and other persons, incurred in the preparation and prosecution of the suit and such fees and expenses as determined by the court, shall be paid by the Secretary of the Treasury out of the appropriation made by Congress in payment of any judgment rendered'."

So as to make the bill read:

Be it enacted, etc., That the act of May 18, 1928 (45 Stat. 602), entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California", as amended by the act of April 29, 1930 (46 Stat. 259), be, and the same is hereby, amended as follows:

SEC. 2. That section 1 of the act of May 18, 1928 (45 Stat. 602), be amended to read as follows:

"SECTION 1. That for the purposes of this act the Indians of California shall be defined to be all Indians who were residing in the State of California on June 1, 1852, and their descendants living on May 18, 1928, and others born thereafter and living on date of entry of judgment of the Court of Claims herein, and all Indians who are now on the census roll of the Indians of California as authorized by the act of May 18, 1928 (45 Stat. 602), as amended, and who may be enrolled in addition thereto under the provisions of this act."

SEC. 3. That sections 2 and 3 of the act of May 18, 1928 (45 Stat. 602), be amended to read as follows:

"SEC. 2. That all claims of whatsoever nature the Indians of California as defined in section 1 of this act may have against the United States by reason of lands taken from them in the State of California by the United States without just compensation or for the failure or refusal of the United States to protect their interests in lands in said State, may be submitted to the United States Court of Claims by the attorney general of the State of California acting with associate attorneys selected by said Indians, and it is hereby declared that the loss to the said Indians on account of their failure to secure the lands and compensation provided for in the 18 unratified treaties entered into with certain bands of said Indians in 1851 and 1852, and the loss to such Indians who were not parties to said unratified treaties of their said lands without just compensation therefor, is sufficient ground for relief, and jurisdiction is hereby conferred upon the said court, with the right of either party to appeal to the Supreme Court of the United States, anything in the Judicial Code of the United States to the contrary notwithstanding, to hear, consider, and determine all such claims submitted to them, and the said courts shall decree just compensation therefor, notwithstanding the lapse of time or statutes of limitation or the fact that the same claim or claims have or have not been presented to any other tribunal, including the commission created by the act of March 3, 1851 (9 Stat. L. 631), and the court shall determine, as near as may be, the acreage of the lands described in said unratified treaties and shall compute the value of said acreage at $1.25 per acre and shall render judgment for just compensation for the taking of said lands, and shall determine, as near as may be, the just value of the personal property, rights, services, facilities, and improvements set out, described, and proposed in the aforesaid 18 unratified treaties and award just compensation therefor in any decree rendered hereunder, and it is hereby declared that it was the purpose of the Congress that the Commission appointed to negotiate treaties with the Indians of California should negotiate the same kind of treaties with all of said Indians and it is the purpose of this act to treat those Indians not parties to said unratified treaties the same as if similar treaties had been negotiated with them, and the court shall consider that such unnegotiated treaties, if negotiated, would have commuted the claim of occupancy of those Indians, not parties to the unratified treaties, into reduced acreages and into pledged goods and services in the same ratios as that which the court shall find to have been promised in the said unratified treaties. To this end and under this declared policy of Congress, the court shall find and determine as near as may be on the evidence submitted and such finding

and determination shall be final and conclusive upon the parties, the number of bands who were parties to the 18 unratified treaties and the number of bands with whom no treaties were negotiated, and in lieu of more definite and conclusive evidence the court is hereby instructed to receive and accept official documents, maps, and records, including reports, records, and maps in the possession of the Smithsonian Institution, and depositions of experts, as sufficient proof. And the court shall find that each band of those Indians not parties to said unratified treaties is entitled to compensation for the wrong done and loss inflicted limited to the average amount allowed each band of those Indians who were parties to said unratified treaties and shall render judgment therefor. The court in finding the number of bands shall consider a village or rancheria as a band.

"Any payment which may have been made by the United States or moneys heretofore expended for the benefit of the Indians of California made under specific appropriations for the support, education, health, and civilization of Indians of California, including purchases of land, shall not be pleaded as an estoppel but may be pleaded by way of set-off against the total amount found due the treaty and nontreaty Indians. The court is hereby authorized and directed to hear, determine, and fix reasonable fees for the attorneys, and the compensation for other persons, for services rendered which the court may determine to have merit and value for the benefit of the Indians of California since approval of the enabling act of May 18, 1928, on a quantum meruit basis for such services, less any amount that the court upon evidence submitted may find to have been received on account of such services, such fees and compensation not to exceed 5 percent of the amount recovered, and the court shall find and fix, on the evidence presented, reasonable expenses incurred in the performance of such services, and shall deduct from such finding any amount which the court finds has been paid as expenses for such services, and the difference shall be the amount finally fixed as reasonable expenses, and such fees and compensation and expenses shall be paid by the Secretary of the Treasury out of the appropriation made by Congress in the payment of any decree rendered and the balance of such appropriation shall be placed in the Treasury of the United States to the credit of the Indians of California and shall draw interest at the rate of 4 percent per annum and shall be thereafter subject to appropriation by Congress for the benefit of the Indians."

"SEC. 3. That the act of May 18, 1928 (45 Stat. 602), be amended by striking from section 6 thereof the following words: 'and no part of said judgment shall be paid out in per capita payments to said Indians.'"

SEC. 4. That section 7 of the act of May 18, 1928 (45 Stat. 602), as amended by the act of April 29, 1930 (46 Stat. 259), is further amended by adding the following proviso: "*Provided further*, That the Secretary of the Interior is hereby authorized and directed to allow 1 year from the date of entry of judgment of the Court of Claims in which to receive applications for enrollment of Indians residing in the State of California on June 1, 1852, and their descendants living on May 18, 1928, and others born thereafter and living on the date of judgment, not now on the census roll of the Indians of California under the act of May 18, 1928 (45 Stat. 602), as amended and the Secretary of the Interior shall have 6 months thereafter to approve such supplemental roll, at the expiration of which time the roll shall be forever closed and thereafter no additional names shall be added thereto.

"The right to present the claims hereunder to the Court of Claims either by original petition or amendment to the petition now pending in the court is extended to any time prior to the entry of judgment."

SEC. 5. That the act of May 18, 1928 (45 Stat. 602), be amended by adding a new section as follows:

"SEC. 8. That after the word 'that' and before the word 'notwithstanding' in the first line of section 8, insert the following: 'the claims of the Indians of California may be submitted to the United States Court of Claims by the attorney general of the State of California acting with associate attorneys selected by said Indians and notwithstanding any provision in the act of May 18, 1928, or in the Judicial Code of the United States to the contrary, any 500 or more of said Indians, who are 18 years of age or over, enrolled as Indians of California under existing law, may within 90 days after the approval of this act serve notice upon and file with the Secretary of the Interior a statement signed by them stating that they have retained an attorney or attorneys therein named, and the said Secretary shall within 30 days after the receipt of each of said statements certify to the Court of Claims the number of Indians signing each of said statements who are qualified to sign as herein provided, and immediately thereupon such attorney or attorneys thereby become associate attorney or attorneys with the attorney of record, provided there shall be only one attorney selected for each 500 qualified signers, and shall have the duties, responsibilities, and authority usually vested in associate attorneys to the end that the said Indians may have their claims hereunder adjudicated with the advantage of their selected attorney or attorneys and the Court of Claims is hereby instructed to recognize such attorney or attorneys so selected as associate attorney or attorneys of record and shall order that notices of all proceedings in said suit thereafter be sent to all such associate attorneys, and the attorney general of California shall continue as principal attorney of record. The Court of Claims is authorized and directed to fix and determine a reasonable fee for such attorney or attorneys on a quantum meruit basis for services rendered and the total amount paid for all services whether to attorneys or other persons acting for the Indians of California since the date of the Enabling Act of May 18, 1928, shall not exceed 5 percent of the judgment rendered hereunder, and shall determine and fix necessary and proper expenses, including compensation for experts and other persons, incurred in the preparation and prosecution of the suit and such fees and expenses as determined by the court, shall be paid by the Secretary of the Treasury out of the appropriation made by Congress in payment of any judgment rendered.'"

Mr. WHEELER. Mr. President, on page 12 of the bill, I desire to propose an amendment to the committee amendment, after the word "That", in line 21, to strike out:

After the word "that" and before the word "notwithstanding", in the first line of section 8, insert the following.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LA FOLLETTE. I should like to ask the Senator from Montana whether the bill in its present form meets the objections which were made when the veto message was sent in.

Mr. WHEELER. This is a bill which was worked out by the Indian Office and the Indians. My understanding is that it is the hope of the Indian Office that it will meet the objections.

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.

INCLUSION OF HOPS UNDER THE AGRICULTURAL ADJUSTMENT ACT

The bill (S. 2791) to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such acts are applicable was announced as next in order.

Mr. GUFFEY. Let this bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7836) to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such act are applicable was announced as next in order.

Mr. GUFFEY. Let this bill go over also.

The PRESIDING OFFICER. The bill will be passed over.

Mr. DAVIS. Mr. President, will not the Senator from Oregon state what these bills provide?

Mr. McNARY. Mr. President, Order of Business 1084 is a Senate bill, and Order of Business 1085 is a House bill, both bills covering precisely the same subject matter. Objection was made to both bills when called.

Mr. GUFFEY. Mr. President, I objected to both bills at the request of the senior Senator from New Jersey [Mr. MOORE], who has been called out of town. I do not know anything about the merits of the bills.

Mr. McNARY. Of course, Mr. President, in deference to the wishes of the senior Senator from New Jersey, who is absent, I shall consent to the bills going over. I wish to state, however, that there is a misapprehension concerning these measures.

A year ago a bill was brought before the Senate providing for a processing tax of 2 cents on hops. It was then the purpose to provide that hops should be considered a basic commodity. Upon a vote the bill was defeated by a small margin.

The two bills now on the calendar in nowise contemplate benefit payments. They merely bring hops under the Marketing Agreement Act so that hop growers, in bad financial condition, may make contracts under the supervision of the Department of Agriculture with respect to the marketing of hops. In nowise do the bills involve the processing tax. I desire to make this clear so that those who are objecting to the bills may know they are not the same as the measure that was before the Senate last year. Heretofore no commodities have been denied treatment under the marketing provisions of the act. Just recently we passed a bill making soybeans subject to marketing agreements. Without provision for any benefit payments or any effort to raise the price of hops, the desire is to permit the growers to come to the Secretary of Agriculture and receive assistance in the marketing of their products.

I think that with this explanation no objection could be made, and if the Senator from New Jersey were present, I am sure he would acquiesce in my statement. The bill was considered by the House Committee on Agriculture, was reported favorably, and was passed unanimously by the House, and I hope that tomorrow, if the Senator from New Jersey is present, or on the next call of the calendar, to bring the bill up, and I am sure he will not object.

BADGE OF THE GIRL SCOUTS, INC.

The bill (H. R. 5194) granting a renewal of patent no. 60731 relating to the badge of the Girl Scouts, Inc., was considered, ordered to a third reading, read the third time, and passed.

COMPACT BETWEEN OHIO AND PENNSYLVANIA RELATING TO PYMATUNING LAKE

The bill (S. 2831) to approve a compact or agreement between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas, under date of the 28th day of October 1936, the State of Ohio and the Commonwealth of Pennsylvania entered into a certain compact or agreement in the following words:

"AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF OHIO RE PYMATUNING LAKE

"This agreement made and concluded between the Commonwealth of Pennsylvania, acting by and through its lawfully authorized agency, namely, the Water and Power Resources Board, as party of the first part, and the State of Ohio, acting by and through its lawfully authorized agency, namely, its Director of Conservation, as party of the second part.

"Witnesseth:

"Whereas by act of Assembly of Pennsylvania approved the 2d day of May 1929 (Pamphlet Laws, 1503), as amended by the acts approved the 5th day of May 1931 (Pamphlet Laws, 84), the 24th day of April 1933 (Pamphlet Laws, 67), and the 9th day of July 1935 (Pamphlet Laws, 619), the Department of Forests and Waters of Pennsylvania, acting through the Water and Power Resources Board, was authorized inter alia to complete the work begun and continued under an act approved the 25th day of July 1913 (Pamphlet Laws, 1270), entitled 'An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof, providing for the taking of land and materials necessary thereto, vesting certain powers and duties in the Water Supply Commission, and making an appropriation', and did duly complete said work whereby there was created a lake or reservoir now known and hereinafter called Pymatuning Lake, extending in part across the boundary line between said States of Ohio and Pennsylvania into the State of Ohio; and

"Whereas the primary purposes of the project by which said lake was created was to conserve water draining said swamp, all of which has its source in Pennsylvania, as well as control floods and regulate the flow of water in the Shenango and Beaver Rivers, and, secondary thereto, permit the water and the land surrounding the same to be used for fishing, hunting, recreational, and park purposes under such terms and conditions as the Water and Power Resources Board might determine, in such way or ways as in the opinion of the said board will not materially interfere with the primary purpose in said acts of assembly and hereinbefore specifically referred to; and

"Whereas in view of the fact that a certain part of the lake extends into the State of Ohio whereby it is necessary and desirable that the use of the lake for the secondary purposes, namely, hunting, fishing, and recreational use, be uniformly provided for as well as to guard against inconveniences and mischiefs which might hereafter arise from the uncertainty of jurisdiction within and on said lake, to the end that the lake may be adequately policed and conflicts of jurisdiction for the arrest and punishment of offenders be avoided.

"Now, then, therefore, in order that law and justice may in all cases be executed and take effect upon said lake from shore to shore in all parts and places thereof where the lake is a boundary between said States the said parties hereto do agree for and in behalf of their respective States in the manner following:

"General use:

"It is hereby agreed that the entire Pymatuning Lake or Reservoir, subject to the primary use thereof by the Commonwealth of Pennsylvania for regulating the flow of the water in the Shenango and Beaver Rivers, as in paragraph 9 hereinafter more specifically mentioned, shall be open for recreational use equally to the citizens of both contracting parties save as restricted as to hunting, fishing, and boating in this agreement set forth or hereafter mutually agreed upon by both parties, but no person shall be permitted to hunt or fish thereon unless the lawful holder of a fishing or hunting license authorizing him or her so to do issued by the proper authorities of Pennsylvania or of Ohio.

"2. Arrest and prosecution of offenders:

"That each State shall enjoy and exercise a concurrent jurisdiction upon the water, but not upon the dry land between the shores of said lake, including the islands therein, with respect to the arrest and prosecution of offenders, but in such sort that any boat or vessel fastened to or aground on the shore of either State shall be considered exclusively within the jurisdiction of said State, but that all capital and other offenses, trespasses, or damages committed on or over said lake the judicial investigation and determination thereof shall be exclusively vested in the State wherein the offender or person charged with such offense shall be first apprehended, arrested, prosecuted, or first brought to trial, it being the intent of this agreement that an offender may be pursued and arrested anywhere on or over said lake or shores thereof or islands therein, regardless of the boundary line, by any peace officers or persons of either State authorized to make arrests whether the offenses be committed on or over any part of the lake on the shores or islands therein, regardless of the State in which the place where the offense was committed lies.

"3. Islands:

"All islands within the lake shall be considered as part of the State of Pennsylvania.

"4. Pollution of water:

"The lake shall forever be protected against pollution of its waters by industrial trade waste, individual or municipal sewage from shore or boat, and the discharge of any noxious or deleterious substance, liquid or solid, into the waters of the lake which is or may become inimical or injurious to public health or to animal or aquatic life is hereby expressly forbidden.

"No sewage may be discharged into the waters of the lake except after complete treatment and then only upon permit first approved by the health departments of both States.

"5. Boats and vessels:

"No power or motorboats nor hydroplanes or aquaplanes shall be permitted anywhere on said lake except such police or administration motorboats to the number which shall be mutually agreed upon by the parties hereto. Sail boats, rowboats, and canoes shall be permitted provided they first obtain a license from the respective State of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt.

"6. Fishing:

"Any person possessing a duly issued fishing license by either State, shall be permitted to fish anywhere on the entire lake (except such portion thereof as is closed to fishing by paragraph 8 hereof or such further portion as may hereafter by regulation be mutually agreed to by the parties hereto) but no fisherman shall be entitled to fish from the shores of the State of which he is a nonresident unless he complies with the nonresident fishing license law of said State.

"In order to permit the fish to fully propagate and develop, no part of the lake shall be open for fishing until the 1st day of July 1937 and thereafter shall be closed in each year between the 10th day of December and the 30th day of June.

"Until otherwise mutually agreed to by both parties hereto the creel size and season limits for the respective kinds of fish caught shall be such as may hereafter be agreed upon between the two States.

"7. Reciprocal hunting rights:

"Reciprocal hunting rights are hereby granted to the licensed hunters of each State on the water of that portion of the lake both in Pennsylvania and Ohio over the area bounded on the south by an east and west line crossing the State boundary five-tenths of a mile north of Simons, Ohio, and on the north by a line drawn between the point at which the Padamaram Road crosses the State boundary and a point formerly known as the Polleck Bridge but such reciprocal hunting rights hereby granted shall extend only to such wild migratory birds as are covered by the Federal Bird Treaty and Federal laws adopted thereunder.

"Hunting in such portions of the lake as are not included in the area above described and designated shall be and remain under the jurisdiction of the Commonwealth of Pennsylvania.

"No permanent blinds shall be erected anywhere on the lake and shores thereof but this provision shall not be interpreted as forbidding the use of a boat as a blind temporarily moored to or grounded on the shore of the lake or islands thereof.

"8. Wild game and fish sanctuaries:

"A. The Game Commission of the State of Pennsylvania having established a wild migratory bird and game sanctuary or refuge in that part of the lake located southeast of the Pennsylvania Railroad crossing it is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either State whether licensed to fish or hunt, trespass, or enter upon said sanctuary for any purpose whatsoever. Anyone so doing shall become amenable to prosecution therefor under the game laws of the State of Pennsylvania applicable to game refuges.

"B. The Conservation Division of the Department of Agriculture of the State of Ohio having established a fish sanctuary and game refuge in the following portion of the lake.

"Being the southerly parts of lots nos. 79 and 80, Richmond Township, all of lot no. 41 and all of lot no. 42 except the westerly 1,000 feet thereof in Andover Township, Ashtabula County, Ohio.

"Beginning at a point in the west line of lot no. 79, that is, 1,523 feet south of the north line of lot no. 79, also being the center line of Padanaram Road, thence southerly along the county highway along the westerly side of lot no. 79, 1,869.5 feet to the north line of Andover Township; thence westerly along the northerly line of Andover Township, 939.7 feet to the northwest corner of lot no. 41; thence southerly along the highway that marks the westerly line of lot no. 42, 1,000 feet to a point thence of lot no. 42; thence easterly along the north line of lot no. 42, 1,000 feet to a point;

thence in a southerly direction parallel to and 1,000 feet easterly from the westerly line of lot no. 42, 2,734 feet more or less to the southerly line of lot no. 42; thence easterly along the said southerly line of lot no. 42, 5,180.4 feet to the Ohio and Pennsylvania State line; thence northerly along the said Ohio and Pennsylvania State line 7,297.6 feet more or less to a point that is 1,523 feet southerly from the north line of lot no. 80; thence in a westerly direction 1,523 feet southerly from and parallel to the north lines of lots nos. 79 and 80, 5,260 feet more or less to the place of beginning.

"It is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either State whether licensed to fish or otherwise to fish in, hunt, trespass, or enter upon said sanctuary for any purpose whatsoever. Anyone so doing shall become amenable to prosecution therefor under the laws of the State of Ohio applicable thereto.

"9. Reservation of Pennsylvania's Right to the Body of the Water:

"It is expressly agreed that nothing herein contained shall operate to deny, limit, or restrict the right of the Water and Power Resources Board of Pennsylvania or any authority established hereafter by said State to exercise such power to at any time now or hereafter raise or draw off so much of the waters of the lake as in their sole judgment may be necessary to maintain or regulate the flow of the Shenango and Beaver Rivers in furtherance of the primary purpose for which said lake was established, and said water and power resources board shall without let or hindrance have the full right, irrespective of other considerations, to release so much of the water as they may deem proper to maintain the flow of the Shenango and Beaver Rivers irrespective of its effect on the level of the lake or use thereof for other purposes.

"In witness whereof the parties hereto have hereunto set their respective hands and seals by, for, and under the authority of their respective States this 28th day of October, 1936.

"COMMONWEALTH OF PENNSYLVANIA
"by and through
"WATER AND POWER RESOURCES BOARD
"Witness
"By J. F. BOGARDUS
"Chairman

"CHAS. E. RYDER
"STATE OF OHIO
"by and through
"CONSERVATION DIVISION
"By L. WOODDELL
"Commissioner

"R. P. JOHNSTON
"Approved as to form and manner of execution
"GROVER C. LADNER
"Grover C. Ladner
"Deputy Attorney General
"Commonwealth of Pennsylvania

and

Whereas the General Assembly of the Commonwealth of Pennsylvania by act approved the 5th day of June 1937 ratified and approved said compact or agreement; and

Whereas the General Assembly of the State of Ohio by act approved the 18th day of May 1937 ratified and approved said compact or agreement: Now, therefore

Be it enacted, etc., That the aforesaid compact or agreement be, and the same is hereby, approved pursuant to the provisions of a joint resolution of Congress approved the 8th day of June 1936.

CREDITS FOR SUBSTITUTES IN MOTOR-VEHICLE SERVICE

The bill (H. R. 2021) to provide time credits for substitutes in the motor-vehicle service was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the last paragraph of section 11 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service. readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, as amended (U. S. C., 1934 edition, title 39, sec. 104), is hereby amended by adding at the end thereof the following sentence: "Any fractional part of a year's substitute service, rendered after the enactment of this sentence, shall be included with his service as a regular clerk, garageman-driver, driver-mechanic, or general mechanic in the motor-vehicle service, in determining eligibility for promotion to the next higher grade following appointment to a regular position."

FORTY-HOUR LAW FOR POSTAL EMPLOYEES

The bill (H. R. 2738) to extend the provisions of the 40-hour law for postal employees to watchmen and messengers in the Postal Service, was considered, ordered to a third reading, read the third time, and passed.

STENOGRAPHIC GRADE, RAILWAY MAIL SERVICE

The bill (H. R. 6341) to provide for a stenographic grade in the office of chief clerks and superintendents in the Railway Mail Service was considered, ordered to a third reading, read the third time, and passed.

ONE-HOUSE LEGISLATURE, ALASKA

The bill (H. R. 6651) to provide for a referendum in the Territory of Alaska as to the establishment of a one-house legislature, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF MINING PROSPECTING PERMITS

The Senate proceeded to consider the bill (H. R. 4277) to provide for the extension of certain prospecting permits, and for other purposes, which had been reported from the Committee on Public Lands and Surveys with an amendment to strike out all after the enacting clause and to insert:

That oil and gas prospecting permits issued under authority of an act entitled "An act to promote the mining of coal, phosphate, oil, oil shale gas, and sodium on the public domain", approved February 25, 1920, as amended, outstanding on December 31, 1937, (a) which have been committed in whole or in part to a cooperative or unit plan of development and operation that on December 31, 1937, has been approved or prescribed by the Secretary of the Interior, or is in process of revision or reconsideration pursuant to prior review, without rejection, in the Department of the Interior; or (b) which, together with one or more other permits, have been committed in whole or in part to a cooperative or unit plan of development and operation for the whole of any single oil or gas pool or field (or reasonably compact area) that was filed before January 1, 1937, and rejected pursuant to instructions of said Secretary; or (c) under which approved drilling was actively in progress at some time within the calendar year 1937; or (d) under which at least one well shall have been drilled to a depth of not less than 2,000 feet subsequent to August 21, 1935; or (e) which have been issued subsequent to August 21, 1935, and for which timely compliance has been made with the drilling requirements of section 13 of said act of February 25, 1920, to the extent required by December 31, 1937, or, in the absence of such timely drilling, for which an acceptable cooperative or unit plan of development and operation has been filed on or before said date are all hereby extended to December 31, 1939, the provisions of any other act or acts to the contrary notwithstanding, subject, however, to the applicable conditions of the permits and of unfulfilled conditions of any prior extensions. All oil and gas prospecting permits shall cease and terminate without notice of cancelation on the final date of their current term, including any extension herein granted, and no extension of any permit beyond December 31, 1939, shall be granted under the authority of this act or any other act.

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.

Mr. O'MAHONEY subsequently said: Mr. President, I move that the Senate insist upon its amendment to House bill 4277, and ask for a conference with the House thereon, and that the conferees on the part of the Senate be appointed by the Chair.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wyoming.

The motion was agreed to; and the President pro tempore appointed Mr. ADAMS, Mr. O'MAHONEY, and Mr. NYE conferees on the part of the Senate.

GREAT SMOKY MOUNTAINS NATIONAL PARK

The bill (H. R. 5472) to authorize the exchange of certain lands within the Great Smoky Mountains National Park for lands within the Cherokee Indian Reservation, N. C., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

RECLAMATION PROJECTS ON CIMARRON, WASHITA, AND NORTH CANADIAN RIVERS, OKLA.

The bill (H. R. 7953) to provide for studies and plans for the development of reclamation projects on the Cimarron River in Cimarron County, Okla.; the Washita River in Oklahoma; and the North Canadian River in Oklahoma was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 6628) to permit the further extension of the Air Mail Service was announced as next in order.

SEVERAL SENATORS. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7433) to advance a program of national safety and accident prevention was announced as next in order.

Mr. KING. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

TERM OF COURT AT BENTON, ILL.

The bill (H. R. 169) to provide for a term of court at Benton, Ill., was considered, ordered to a third reading, read the third time, and passed.

Mr. LEWIS. Mr. President, I ask for information as to the bill which was just passed. A bill is pending providing for the Federal court session at Benton, Ill., which was reported from the House and is awaiting Senate action. Am I to understand that that is the bill which is now before us?

The PRESIDING OFFICER. That bill was just passed.

Mr. LEWIS. Yes; but does the bill which was passed provide when the court shall sit at Benton, Ill.? There is one other bill relating to the same court.

The PRESIDING OFFICER. The bill that was just passed provides for the term of court.

Mr. LEWIS. I thank the Chair.

CONVEYANCE OF LAND TO NEW MEXICO

The Senate proceeded to consider the bill (S. 1889) authorizing the Secretary of the Interior to convey all right, title, and interest of the United States in certain lands to the State of New Mexico, and for other purposes, which had been reported from the Committee on Public Lands and Surveys with an amendment, in section 1, page 1, line 7, after the figures "17", to strike out "1922. Such quitclaim deed shall be conditioned upon such State's holding in trust, for the use and benefit of the Carrie Tingley Crippled Children's Hospital, all lots, tracts, or parcels of land patented under such patent as the Secretary of the Interior shall determine have not at the date of enactment of this act been irrigated and reclaimed as provided in section 4 of the act entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes', approved August 18, 1894, as amended" and insert "1922, under the provisions of volume 28, United States Statutes, page 422, commonly known as the Carey Act: *Provided*, That such quitclaim deed shall contain a reservation of a right-of-way for ditches and canals as required by the act of August 30, 1890 (26 Stat. 391)", and to strike out all of section 2, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of New Mexico all the right, title, and interest, legal and equitable, of the United States in and to all lands patented to such State under patent no. 854989, issued March 17, 1922, under the provisions of volume 28, United States Statutes, page 422, commonly known as the Carey Act: *Provided*, That such quitclaim deed shall contain a reservation of a right-of-way for ditches and canals as required by the Act of August 30, 1890 (26 Stat. 391).

The amendment was agreed to.

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

PATENTS OF LAND TO NEW MEXICO AND CORDY BRAMBLET

The Senate proceeded to consider the bill (S. 2614) authorizing the Secretary of the Interior to patent certain tracts of land to the State of New Mexico and Cordy Bramlet, which had been reported from the Committee on Public Lands and Surveys with an amendment, on page 1, line 11, after "Cordy", to strike out "Bramlet" and insert "Bramblet", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue, without requiring the payment of any fees or charges whatsoever, (1) to the State of New Mexico a patent for lot 13, section 4, township 14 south, range 4 west, New Mexico principal meridian, such land to be subject to a reservation of a sufficient right-of-way and easement for the maintenance of any part of the sewer lines and sewage-disposal plant of the city of Hot Springs now maintained upon such tract; (2) to Cordy Bramblet, of Hot Springs, N. Mex., a patent for lot 14, section 4, township 14 south, range 4 west, New Mexico principal meridian.

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 Secretary of the Interior to patent certain tracts of land to the State of New Mexico and Cordy Bramblet."

BRIDGE ACROSS CAMBRIDGE CREEK, MD.

The bill (H. R. 7807) authorizing the State Roads Commission of the State of Maryland to construct, maintain, and operate a free highway bridge across Cambridge Creek in or near Cambridge, Dorchester County, Md., to replace a bridge already in existence was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF ENLISTED MEN OF COAST GUARD TO FLEET NAVAL RESERVE

The bill (S. 2206) to provide for the transfer of enlisted men of the Coast Guard to the Fleet Naval Reserve was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That enlisted men now or hereafter in the Coast Guard shall be entitled to be transferred to the Fleet Naval Reserve upon the completion of 20 or more years' service; and when so transferred shall, except when on active duty, receive pay at the rate of one-half the base pay they were receiving at the time of transfer, plus all permanent additions thereto: *Provided*, That the pay authorized in this section shall be increased 10 percent for all men who may be credited with extraordinary heroism in the line of duty or whose average marks in conduct for 20 years or more shall not be less than 95 percent of the maximum. The determination of the Secretary of the Treasury as to what constitutes extraordinary heroism for the purpose of this section shall be final and conclusive. Enlisted men transferred to the Fleet Naval Reserve under this act shall upon completing 30 years' service be transferred to the retired list of the United States Coast Guard with the pay they are then legally entitled to receive, plus the allowances to which enlisted men of the Coast Guard are entitled on retirement after 30 years' service. As used in this act, the term "service" includes all service in the Coast Guard, the Revenue Cutter Service, the Life Saving Service, the Navy, and the Fleet Naval Reserve, time on the retired list of the Coast Guard, and other service which may be included in computing length of service for the purpose of retirement from the Coast Guard.

SEC. 2. In time of peace all enlisted men transferred to the Fleet Naval Reserve under this act may be required to perform not more than 2 months' active duty in each 4-year period, and shall be examined physically at least once during each 4-year period. Men found not physically qualified upon such examination shall be transferred to the retired list of the Coast Guard, with the pay they are then receiving, and upon the completion of 30 years' service they shall receive the pay they are then legally entitled to receive, plus the allowances to which enlisted men of the Coast Guard are entitled to on retirement after 30 years' service.

SEC. 3. All provisions of law applicable to enlisted men of the Navy who are transferred to the Fleet Naval Reserve shall, insofar as they are consistent with the provisions of this act, be applicable to enlisted men of the Coast Guard transferred to the Fleet Naval Reserve.

Mr. KING subsequently said: Mr. President, I ask the status of Calendar No. 1104, Senate bill 2206.

The PRESIDING OFFICER. The bill was passed without objection. The Senator has a right to return to it.

Mr. KING. I ask to recur to Calendar No. 1104, being Senate bill 2206.

Mr. BILBO. Mr. President, after the Senator from North Carolina [Mr. REYNOLDS] has made a short statement, I am sure the Senator from Utah will reserve his objection.

Mr. KING. I desire to call attention to the fact that the Acting Secretary of the Treasury says that the proposed legislation is not in accord with the program of the President.

Mr. REYNOLDS. Mr. President, for the information of my friend from Utah I desire to say that this measure was referred to a subcommittee. The chairman of the subcommittee was the junior Senator from the State of Mississippi [Mr. BILBO]. The subcommittee held exhaustive hearings upon the bill, after which the report was brought to the attention of the full committee; and the full committee reported the bill favorably, with the recommendation that it be passed. It requires the expenditure of no additional money on the part of the Government; and, as a matter of fact, I believe the chairman of the subcommittee would tell the Senate, as was agreed upon by the members of the committee itself, that the bill will encourage increased enlistment in the Coast Guard, which has been so long sought.

Mr. KING. Mr. President, I ask that the votes by which the bill was passed be reconsidered; and if that is done, I shall ask that the bill go over.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah [Mr. KING]? The Chair hears none, and the votes are reconsidered.

Mr. KING. I ask that the bill go over so that I may have a chance to study it.

The PRESIDING OFFICER. The bill will be passed over.

MISSOURI RIVER BRIDGE, ARROW ROCK, MO.

The bill (H. R. 6975) granting the consent of Congress to the county court of Saline County, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Arrow Rock, Mo., was considered, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE, NEW ORLEANS AND GRETNA, LA.

The bill (H. R. 7440) to extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La., was considered, ordered to a third reading, read the third time, and passed.

BRIDGE OVER LAKE SABINE, PORT ARTHUR, TEX.

The bill (H. R. 6979) to extend the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Tex., was considered, ordered to a third reading, read the third time, and passed.

TOLL BRIDGE ACROSS NARRAGANSETT BAY, R. I.

The bill (H. R. 7266) authorizing the State of Rhode Island, acting by and through the Jamestown Bridge Commission as an agency of the State, to construct, maintain, and operate a toll bridge across the west passage of Narragansett Bay between the towns of Jamestown and North Kingstown was announced as next in order.

Mr. SHEPPARD. Mr. President, I ask unanimous consent that this bill be recommitted to the Committee on Commerce for further study.

The PRESIDING OFFICER. Without objection, the bill will be recommitted to the Committee on Commerce.

LANDS IN JEFFERSON COUNTY, WASH.

The bill (H. R. 7278) to authorize the Secretary of Commerce to grant and convey to the State of Washington fee title to certain lands of the United States in Jefferson County, Wash., for highway purposes was considered, ordered to a third reading, read the third time, and passed.

OHIO RIVER BRIDGE, OWENSBORO, KY.

The bill (H. R. 7767) creating the Owensboro Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Owensboro, Ky., was considered, ordered to a third reading, read the third time, and passed.

TAHOE NATIONAL FOREST, NEV.

The bill (S. 2583) to provide for the acquisition of certain lands for and the addition thereof to the Tahoe National Forest, in the State of Nevada, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, may be have an explanation of this bill?

Mr. McCARRAN. Mr. President, the bill gives the United States an opportunity to acquire the last tract of land on Lake Tahoe which will be or is available for public park purposes. The land is to become a part of the national forest. The land was acquired privately many years ago, and has been so held for many years; and an agreement exists between the owners and the Government that the Government shall acquire it. It will afford the only opportunity the public will have to get to the lake at all. All the land around the lake has been held for many years in private ownership, including this tract; but while it is held in private ownership, it is not subdivided.

Mr. McKELLAR. Mr. President, I have great sympathy with the object of the Senator from Nevada. I wonder if the Senator will let the bill go over until tomorrow, and accept an amendment from me on a similar matter in my own State.

Mr. McCARRAN. I shall help the Senator some other time.

Mr. McKELLAR. I have a provision covering exactly the same situation which I undertook to put on another bill today, and was defeated. The present bill provides a perfect avenue for that provision, and it will not be loaded down. It will help the Senator's bill through the House. I shall give him a guarantee as to that.

Let this bill go over until tomorrow. Meanwhile, I shall talk to the Senator from Nevada.

Mr. McCARRAN. Very well.

The PRESIDING OFFICER. The bill will be passed over.

PIPESTONE INDIAN SHRINE, MINNESOTA

The Senate proceeded to consider the bill (S. 1075) to establish the Pipestone Indian Shrine in the State of Minnescta, which had been reported from the Committee on Public Lands and Surveys with an amendment, to strike out all after the enacting clause and to insert:

That the lands lying in Pipestone County, Minn., within the area hereinafter described are hereby dedicated and set apart as a national monument for the benefit and enjoyment of the people of the United States, under the name of the "Pipestone National Monument": Beginning at a point 22.4 feet north and 45.08 feet west of the southwest corner of sec. 1, T. 106 N., R. 46 W., fifth principal meridian; thence north 1,655 feet; thence north 89°15′ E., 708 feet; thence north 0°45′ W., 607.3 feet; thence north 62°5′ E., 987.1 feet; thence south 27°55′ E., 264.5 feet; thence south 88°19′ E., 967.5 feet; thence south 0°24′ E., 144.3 feet; thence south 83°43′ W., 472.4 feet; thence south 2°17′ E., 2,249 feet; thence south 89°20′ W., 458.2 feet; thence south 0°0′ E., 101.1 feet; thence south 90°0′ W., 137.2 feet; thence north 0°0′ W., 100 feet; thence south 89°20′ W., 1,683.8 feet to the point of beginning; containing approximately 115.86 acres, including concourse, excluding from the area described herein 0.47 acres, constituting a right-of-way of the Chicago, Rock Island & Pacific Railway.

SEC. 2. The administration, protection, and development of such monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act entitled "An act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

SEC. 3. The quarrying of the red pipestone in the lands described in section 1 is hereby expressly reserved to Indians of all tribes, under regulations to be prescribed by the Secretary of the Interior.

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 establish the Pipestone National Monument in the State of Minnesota."

Mr. BARKLEY. Mr. President, it is obvious that we cannot complete the calendar this evening, and I think we had better discontinue at this point.

FORT PECK PROJECT, MONTANA

Mr. WHEELER. Mr. President, I ask unanimous consent for the consideration of Calendar No. 1119, Senate bill 2650.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 2650) to authorize the completion, maintenance, and operation of the Fort Peck project for navigation, and for other purposes, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, page 2, line 7, after the words "energy as", to strike out "in his opinion will provide for the maximum production of hydroelectric power consistent with the primary demands of navigation, and the same shall be installed at such times as the administrator may deem necessary to develop electric energy as rapidly as markets may be found therefor. The electric energy thus generated and not required for the operation of the dam and appurtenant works at such project shall be delivered to the administrator, at a switchboard to be installed in or near the power plant, for disposition as provided in this act" and insert "the administrator may deem necessary to develop such electric energy as rapidly as markets may be found therefor. The electric energy thus gen-

erated and not required for the operation of the dam at such project and the navigation facilities employed in connection therewith shall be delivered to the administrator for disposition as provided in this act", so as to make the section read:

That for the purpose of improving navigation on the Missouri River, and for other purposes incidental thereto, the dam and appurtenant works now under construction at Fort Peck, Mont., and a suitable power plant for the production of hydroelectric power (which dam, power plant, and appurtenant works are hereinafter called Fort Peck project), shall be completed, maintained, and operated under the direction of the Secretary of War and the supervision of the Chief of Engineers, subject to the provisions of this act relating to the powers and duties of the Fort Peck project administrator provided for in section 2 (a) (hereinafter called the administrator) respecting the transmission and sale of electric energy generated at said project. The Secretary of War shall provide, construct, operate, maintain, and improve at Fort Peck project such machinery, equipment, and facilities for the generation of electric energy as the administrator may deem necessary to develop such electric energy as rapidly as markets may be found therefor. The electric energy thus generated and not required for the operation of the dam at such project and the navigation facilities employed in connection therewith shall be delivered to the administrator for disposition as provided in this act.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 20, after the word "basin", to strike out "The administrator shall give notice to the Secretary of War when he deems it necessary to provide, construct, maintain, improve, or increase generating machinery, equipment, or facilities at the Fort Peck project to meet market requirements for such electric energy" and insert "The administrator is authorized and empowered to direct and require the Secretary of War to install and maintain additional machinery, equipment, and facilities for the generation of electric energy at the Fort Peck project when in the judgment of the administrator such additional generating facilities are desirable to meet actual or potential market requirements for such electric energy. The Secretary of War shall schedule the operations of the several electric generating units and appurtenant equipment of the Fort Peck project in accordance with the requirements of the administrator. The Secretary of War shall provide and maintain for the use of the administrator at said Fort Peck project adequate station space and equipment, including such switches, switchboards, instruments, and dispatching facilities as may be required by the administrator for proper reception, handling, and dispatching of the electric energy produced at the said project, together with transformers and other equipment required by the administrator for the transmission of such energy from that place at suitable voltage to the markets which the administrator desires to serve", so as to make the section read:

SEC. 2. (a) The electric energy generated in the operation of the said Fort Peck project shall be disposed of by the administrator as hereinafter provided. The administrator shall be appointed by the Secretary of the Interior, by and with the advice and consent of the Senate; shall be responsible to said Secretary of the Interior; shall receive a salary at the rate of $10,000 per year; and shall maintain his principal office at a place selected by him in the vicinity of the Fort Peck project. The administrator shall, as hereinafter provided, make all arrangements for the sale and disposition of electric energy generated at the Fort Peck project not required for the operation of the dam at such project and the navigation facilities employed in connection therewith. He shall act in consultation with an advisory board composed of a representative designated by the Secretary of War, a representative designated by the Secretary of the Interior, a representative designated by the Federal Power Commission, and a representative designated by the Secretary of Agriculture. The form of administration herein established for the Fort Peck project is intended to be provisional pending the establishment of a permanent administration for Fort Peck and other projects in the Missouri River Basin. The administrator is authorized and empowered to direct and require the Secretary of War to install and maintain additional machinery, equipment, and facilities for the generation of electric energy at the Fort Peck project when in the judgment of the administrator such additional generating facilities are desirable to meet actual or potential market requirements for such electric energy. The Secretary of War shall schedule the operations of the several electrical generating units and appurtenant equipment of the Fort Peck project in accordance with the requirements of the administrator. The Secretary of War shall provide and maintain for the use of the administrator at said Fort Peck project adequate station space and equipment, including such switches, switchboards, instruments, and dispatching facilities as may be required by the administrator for proper reception, handling, and dispatching of the electric energy produced at the said project, together with transformers and other equipment required by the administrator for the transmission of such energy from that place at suitable voltage to the markets which the administrator desires to serve.

(b) In order to encourage the widest possible use of all electric energy that can be generated and marketed and to provide reasonable outlets therefor, and to prevent the monopolization thereof by limited groups, the administrator is authorized and directed to provide, construct, operate, maintain, and improve such electric transmission lines and substations, and facilities and structures appurtenant thereto, as he finds necessary, desirable, or appropriate for the purpose of transmitting electric energy, available for sale, from the Fort Peck project to existing and potential markets, and, for the purpose of interchange of electric energy, to interconnect the Fort Peck project with other Federal projects and publicly owned power systems now or hereafter constructed.

(c) The administrator is authorized, in the name of the United States, to acquire, by purchase, lease, condemnation, or donation, such real and personal property, or any interest therein, including lands, easements, rights-of-way, franchises, electric transmission lines, substations, and facilities and structures appurtenant thereto, as the administrator finds necessary or appropriate to carry out the purposes of this act. Title to all property and property rights acquired by the administrator shall be taken in the name of the United States.

(d) The administrator shall have power to acquire any property or property rights, including patent rights, which in his opinion are necessary to carry out the purposes of this act, by the exercise of the right of eminent domain and to institute condemnation proceedings therefor in the same manner as is provided by law for the condemnation of real estate.

(e) The administrator is authorized, in the name of the United States, to sell, lease, or otherwise dispose of such personal property as in his judgment is not required for the purposes of this act and such real property and interests in land acquired in connection with construction or operation of electric transmission lines or substations as in his judgment are not required for the purposes of this act: *Provided, however,* That before the sale, lease, or disposition of real property or transmission lines, as herein provided, the administrator shall secure the approval of the President of the United States.

(f) Subject to the provisions of this act, the administrator is authorized, in the name of the United States, to negotiate and enter into such contracts, agreements, and arrangements as he shall find necessary or appropriate to carry out the purposes of this act.

The amendment was agreed to.

The next amendment was, in section 4, page 7, line 8, after "(b)", to strike out "To preserve and protect the preferential rights and priorities of public bodies and cooperatives as provided in subsection (a), not less than 50 percent of the energy which the electric generating facilities, installed or readily installable, at the Fort Peck project are capable of producing, shall be reserved for sale to said public bodies and cooperatives until January 1, 1940", and insert: "To preserve and protect the preferential rights and priorities of public bodies and cooperatives as provided in subsection (a) and to effectuate the intent and purpose of this act that at all times up to January 1, 1941, there shall be available for sale to public bodies and cooperatives not less than 50 percent of the electric energy produced at the Fort Peck project, it shall be the duty of the administrator in making contracts for the sale of such energy to so arrange such contracts as to make such 50 percent of such energy available to said public bodies and cooperatives until January 1, 1941"; on page 8, line 2, before the word "may", to strike out "1940" and insert "1941"; in line 5, after "January 1", to strike out 1940" and insert "1941"; and in line 8, after "January 1", to strike out "1940" and insert "1941", so as to make sections 3 and 4 read:

SEC. 3. As employed in this act, the term "public body", or "public bodies", means States, public power districts, counties, and municipalities, including agencies or subdivisions of any thereof. As employed in this act, the term "cooperative", or "cooperatives", means any form of non-profit-making organization or organizations of citizens supplying, or which may be created to supply, members with any kind of goods, commodities, or services, as nearly as possible at cost.

SEC. 4. (a) In order to insure that the facilities for the generation of electric energy at the Fort Peck project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers, the administrator shall at all times, in disposing of electric energy generated at said project, give preference and priority to public bodies and cooperatives.

(b) To preserve and protect the preferential rights and priorities of public bodies and cooperatives as provided in subsection (a) and to effectuate the intent and purpose of this act that at

all times up to January 1, 1941, there shall be available for sale to public bodies and cooperatives not less than 50 percent of the electric energy produced at the Fort Peck project, it shall be the duty of the administrator in making contracts for the sale of such energy to so arrange such contracts as to make such 50 percent of such energy available to said public bodies and cooperatives until January 1, 1941: *Provided*, That the electric energy so reserved for but not actually purchased by and delivered to such public bodies and cooperatives prior to January 1, 1941, may be disposed of temporarily so long as such temporary disposition will not interfere with the purchase by and delivery to such public bodies and cooperatives at any time prior to January 1, 1941: *Provided further*, That nothing herein contained shall be construed to limit or impair the preferential and priority rights of such public bodies or cooperatives after January 1, 1941; and in the event that after such date there shall be conflicting or competing applications for an allocation of electric energy between any public body or cooperative on the one hand and a private agency of any character on the other, the application of such public body or cooperative shall be granted.

(c) An application by any public body or cooperative for an allocation of electric energy shall not be denied, or another application competing or in conflict therewith be granted, to any private corporation, company, agency, or person on the ground that any proposed bond or other security issue of any such public body or cooperative, the sale of which is necessary to enable such prospective purchaser to enter into the public business of selling and distributing the electric energy proposed to be purchased, has not been authorized or marketed, until after a reasonable time, to be determined by the administrator, has been afforded such public body or cooperative to have such bond or other security issue authorized or marketed.

(d) It is declared to be the policy of the Congress, as expressed in this act, to preserve the said preferential status of the public bodies and cooperatives herein referred to, and to give to the people of the States within economic transmission distance of the Fort Peck project reasonable opportunity and time to hold any election or elections or take any action necessary to create such public bodies and cooperatives as the laws of such States authorize and permit, and to afford such public bodies or cooperatives reasonable time and opportunity to take any action necessary to authorize the issuance of bonds or to arrange other financing necessary to construct or acquire necessary and desirable electric distribution facilities, and in all other respects legally to become qualified purchasers and distributors of electric energy available under this act.

The amendment was agreed to.

The next amendment was, in section 10, page 15, line 3, after the word "appoint", to strike out "and fix the compensation of"; in line 6, after the words "provisions of", to strike out "other laws applicable to the employment, compensation, and classification of officers and employees of the United States" and insert "the civil-service laws and shall fix the compensation of each of such attorneys, engineers, and other experts at not to exceed $10,000 per annum", so as to make sections 5 to 11, inclusive, read:

SEC. 5. (a) Subject to the provisions of this act and to such rate schedules as the Federal Power Commission may approve, as hereinafter provided, the administrator shall negotiate and enter into contracts for the sale at wholesale of electric energy, either for resale or direct consumption, to public bodies and cooperatives and to private agencies and persons. Contracts for the sale of electric energy to any private person or agency other than a privately owned public utility engaged in selling electric energy to the general public, shall contain a provision forbidding such private purchaser to resell any of such electric energy so purchased to any private utility or agency engaged in the sale of electric energy to the general public, and requiring the immediate canceling of such contract of sale in the event of violation of such provision. Contracts entered into under this subsection shall be binding in accordance with the terms thereof and shall be effective for such period or periods, including renewals or extensions, as may be provided therein, not exceeding in the aggregate 20 years from the respective dates of the making of such contracts. Contracts entered into under this subsection shall contain (1) such provisions as the administrator and the purchaser agree upon for the equitable adjustment of rates at appropriate intervals, not less frequently than once in every 5 years, and (2) in the case of a contract with any purchaser engaged in the business of selling electric energy to the general public, the contract shall provide that the administrator may cancel such contract upon 5 years' notice in writing if in the judgment of the administrator any part of the electric energy purchased under such contract is likely to be needed to satisfy the requirements of the said public bodies or cooperatives referred to in this act, and that such cancelation may be with respect to all or any part of the electric energy so purchased under said contract to the end that the preferential rights and priorities accorded public bodies and cooperatives under this act shall at all times be preserved. Contracts entered into with any utility engaged in the sale of electric energy to the general public shall contain such terms and conditions, including among other things stipulations concerning resale and resale rates by any such utility, as the administrator may deem necessary, desirable, or appropriate to effectuate the purposes of this act and to insure that resale by such utility to the ultimate consumer shall be at rates which are reasonable and nondiscriminatory. Such contract shall also require such utility to keep on file in the office of the administrator a schedule of all its rates and charges to the public for electric energy and such alterations and changes therein as may be put into effect by such utility.

(b) The administrator is authorized to enter into contracts with public or private power systems for the mutual exchange of unused excess power upon suitable exchange terms for the purpose of economical operation or of providing emergency or breakdown relief.

SEC. 6. Schedules of rates and charges for electric energy produced at the Fort Peck project and sold to purchasers as in this act provided shall be prepared by the administrator and become effective upon confirmation and approval thereof by the Federal Power Commission. Subject to confirmation and approval by the Federal Power Commission, such rate schedules may be modified from time to time by the administrator, and shall be fixed and established with a view to encouraging the widest possible diversified use of electric energy. The said rate schedules may provide for uniform rates or rates uniform throughout prescribed transmission areas in order to extend the benefits of an integrated transmission system and encourage the equitable distribution of the electric energy developed at the Fort Peck project.

SEC. 7. It is the intent of Congress that rate schedules for the sale of electric energy which is or may be generated at the Fort Peck project in excess of the amount required for operating the dam and appurtenant works at said project shall be determined with due regard to and predicated upon the fact that such electric energy is developed from water power created as an incident to the construction of the dam in the Missouri River at the Fort Peck project for the purposes set forth in section 1 of this act. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of Fort Peck project) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment over a reasonable period of years. Rate schedules shall be based upon an allocation of costs made by the Federal Power Commission. In computing the cost of electric energy developed from water power created as an incident to and a byproduct of the construction of Fort Peck project, the Federal Power Commission may allocate to the costs of electric facilities such a share of the cost of facilities having joint value for the production of electric energy and other purposes as the power development may fairly bear as compared with such other purposes.

SEC. 8. Notwithstanding any other provision of law, all purchases and contracts made by the administrator or the Secretary of War for supplies or for services, except for personal services, shall be made after advertising, in such manner and at such times, sufficiently in advance of opening bids, as the administrator or Secretary of War, as the case may be, shall determine to be adequate to insure notice and opportunity for competition. Such advertisement shall not be required, however, when (1) an emergency requires immediate delivery of the supplies or performance of the services; or (2) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (3) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed $500; in which cases such purchases of supplies or procurement of services may be made in the open market in the manner common among businessmen. In comparing bids and in making awards, the administrator or the Secretary of War, as the case may be, may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

SEC. 9. (a) The administrator, subject to the requirements of the Federal Water Power Act, shall keep complete and accurate accounts of operations, including all funds expended and received in connection with transmission and sale of electric energy generated at the Fort Peck project.

(b) The administrator may make such expenditures for offices, vehicles, furnishings, equipment, supplies, and books; for attendance at meetings; and for such other facilities and services as he may find necessary for the proper administration of this act.

(c) In December of each year, the administrator shall file with the Congress, through the Secretary of the Interior, a financial statement and a complete report as to the transmission and sale of electric-energy generated at the Fort Peck project during the preceding Governmental fiscal year.

SEC. 10. The administrator, the Secretary of War, and the Federal Power Commission, respectively, shall appoint such attorneys, engineers, and other experts as may be necessary for carrying out the functions entrusted to them under this act, without regard to the provisions of the civil-service laws and shall fix the compensation of each of such attorneys, engineers, and other experts at not to exceed $10,000 per annum; and they may, subject to the civil-service laws, appoint such other officers and employees as may be necessary to carry out such functions and fix their salaries in accordance with the Classification Act of 1923, as amended.

The amendment was agreed to.

The next amendment was, in section 12, page 16, line 5, before the word "transmission", to insert "generation", so as to make sections 11, 12, and 13 read:

SEC. 11. All receipts from transmission and sale of electric energy generated at the Fort Peck project shall be covered into the Treasury of the United States to the credit of miscellaneous receipts, save and except that the Treasury shall set up and maintain from such receipts a continuing fund of $500,000, to the credit of the administrator and subject to check by him, to defray emergency expenses and to insure continuous operation. There is hereby authorized to be appropriated from time to time, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

SEC. 12. The administrator may, in the name of the United States, bring such suits, at law or in equity, as he may find necessary in carrying out the purposes of the act; and he shall be represented in all litigation affecting the generation, transmission, and sale of electric energy generated at the Fort Peck project by such counsel as he may select.

SEC. 13. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

The amendment was agreed to.

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

RESOLUTIONS REPORTED FROM THE COMMITTEE TO AUDIT AND CONTROL THE CONTINGENT EXPENSES OF THE SENATE

Mr. BYRNES. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, Senate Resolutions 162, 160, and 159, and also, with an amendment, Senate Resolution 164. I ask unanimous consent for their consideration at this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolutions reported by the Senator from South Carolina? The Chair hears none and the resolutions will be considered in their order.

ALICE H. KEEGAN

The resolution (S. Res. 162) submitted by Mr. GLASS on July 30, 1937, and reported this day by Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, was read, considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Alice H. Keegan, widow of Henry F. Keegan, late an employee of the Senate, under supervision of the Sergeant at Arms, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

ASSISTANT CLERK, COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

The resolution (S. Res. 160) submitted by Mr. CONNALLY on July 28, 1937, and reported this day by Mr. BYRNES from the Committee to Audit and Control the Contingent Expenses of the Senate was read, considered, and agree to, as follows:

Resolved, That Resolution No. 111, Seventy-third Congress, agreed to January 19, 1934, and continued by subsequent resolutions through the first session of the Seventy-fifth Congress, authorizing the Committee on Public Buildings and Grounds to employ an assistant clerk to be paid from the contingent fund of the Senate at the rate of $2,000 per annum, hereby is continued in full force and effect until the end of the Seventy-fifth Congress.

ASSISTANT CLERK, COMMITTEE ON IMMIGRATION

The resolution (S. Res. 159) submitted by Mr. RUSSELL on July 27, 1937, and reported this day by Mr. BYRNES from the Committee to Audit and Control the Contingent Expenses of the Senate was read, considered, and agreed to, as follows:

Resolved, That Resolution No. 57, Seventy-fifth Congress, agreed to February 10, 1937, authorizing the Committee on Immigration to employ an assistant clerk to be paid from the contingent fund of the Senate at the rate of $2,400 per annum during the first session of the Seventy-fifth Congress, hereby is continued in full force and effect until the end of the Seventy-fifth Congress.

REORGANIZATION OF COURTS AND REFORM OF JUDICIAL PROCEDURE

The Senate proceeded to consider the resolution (S. Res. 164) submitted by Mr. HATCH and Mr. BURKE on August 2, 1937, and reported this day from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment.

The amendment was, on page 2, line 20, to strike out "$10,000" and insert "$7,500", so as to make the resolution read:

Resolved, That a special committee consisting of the chairman and six Senators who are members of the Committee on the Judiciary, to be appointed by the chairman of the Judiciary Committee, is authorized and directed to make a full and complete investigation and study of all matters relating to the reorganization of the courts of the United States, the appointment of additional judges for any of such courts, and the reform of judicial procedure, with respect to which any bills or resolutions (including resolutions proposing amendments to the Constitution of the United States) have heretofore been introduced in the Senate or may hereafter be introduced therein during the Seventy-fifth Congress, and to report to the Senate from time to time its recommendations with respect to such matters. The committee so appointed is further authorized and directed to make a special report to the Senate and to the Committee on the Judiciary with respect to any such pending bill or resolution, if such report is requested by the Committee on the Judiciary.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-fifth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $7,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The amendment was agreed to.

The resolution as amended was agreed to.

PROTECTION OF PROPERTY OWNED BY FOREIGN GOVERNMENTS

Mr. PITTMAN. Mr. President, very early in the consideration of bills on the calendar tomorrow calendar no. 1118, the joint resolution (S. J. Res. 191) to regulate the use of public streets and sidewalks within the District of Columbia adjacent to property owned or occupied by foreign governments for diplomatic purposes will be called for consideration. I think it advisable to publish, as a part of my remarks, at this point in the RECORD, the entire report of the Foreign Relations Committee upon the joint resolution for the information of the Senate.

There being no objection, the report (No. 1072) was ordered to be printed in the RECORD, as follows:

The Senate Committee on Foreign Relations, having had under consideration the joint resolution (S. J. Res. 191) to regulate the use of public streets and sidewalks within the District of Columbia adjacent to property owned or occupied by foreign governments for diplomatic purposes, hereby report the same with the following amendments and with the recommendation that it do pass:

Strike out all after the enacting clause and insert the following:

"That it shall be unlawful to display any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement, or the political, social, or economic acts, views, or purposes of any individual, party, group, or organization, within 500 feet of any building or premises within the District of Columbia used or occupied by any foreign government or its representatives as an embassy or for diplomatic or other official purposes, except by, and in accordance with, a permit issued by the superintendent of police of the said District; or to congregate within 500 feet of any such building or premises, and refuse to disperse after having been ordered so to do by the police authorities of the said District.

"SEC. 2. The police court of the District of Columbia shall have jurisdiction of offenses committed in violation of this resolution; and any person convicted of violating any of the provisions of this resolution shall be punished by a fine not exceeding $100 or by imprisonment not exceeding 60 days, or both."

Amend the title so as to read:

"Joint resolution to protect foreign diplomatic and consular officers and the buildings and premises occupied by them in the District of Columbia."

The object of the resolution is to offer the same protection to foreign diplomatic and consular officers and their embassies, legations, and consulates in the District of Columbia that we are urging foreign governments to grant to our diplomatic and consular officers and our embassies, legations, and consulates in their respective countries. Our citizens in foreign countries in the event of disturbances in such countries must rely in many cases upon the sanctuary universally granted in our embassies, legations, and consulates. Our immediate and pressing obligation at the present time is to protect our citizens in foreign countries or in portions of foreign countries where great disturbances exist. In many cases we cannot evacuate our citizens by reason of dangerous conditions and must attempt to safeguard them within

our diplomatic and consular premises. In further support of the resolution a report upon the resolution urging its immediate passage by the Secretary of State is herewith set out as follows:

DEPARTMENT OF STATE,
Washington, August 3, 1937.

The Honorable KEY PITTMAN,
Chairman, Committee on Foreign Relations,
United States Senate.

MY DEAR SENATOR PITTMAN: I refer to Joint Resolution No. 191 to regulate the use of public streets and sidewalks within the District of Columbia adjacent to property owned or occupied by foreign governments for diplomatic purposes and to express my approval of the resolution.

As you know, diplomatic officers are clothed with certain immunities under international law to enable them to transact in countries to which they are accredited or assigned the business of their respective governments. The immunity, therefore, is for a practical purpose, i. e., to allow governments to transact official business free from interruption which might flow from molestation of or interference with their representatives. Governments also send to foreign countries representatives who are not clothed with diplomatic immunity in the strict sense of the word but who are, because of their representative status, entitled to certain special protection under the local law, as, for example, consuls, trade commissioners, etc.

The United States with its 338 diplomatic missions and consulates is, perhaps more than any other country, interested in obtaining for its representatives the protection which they must have if they are to function effectively.

If we are to obtain for our representatives in foreign countries that degree of protection to which they are entitled, we should be in a position to show a like consideration for representatives of other governments in this country. Unless we extend such reasonable protection to representatives of other governments, we cannot hope to receive protection for our representatives abroad.

It is extremely embarrassing to the Department to be reminded by representatives of foreign governments in the United States that their missions are being interfered with by individuals or groups, particularly when existing domestic law does not seem to cover the situations of which complaint is made. By the comity of nations, representatives of foreign governments in countries where law and order are supposed to prevail are entitled to freedom from any attempted intimidation or coercion.

I therefore trust that you may find no difficulty in procuring passage of the resolution.

Sincerely yours,

CORDELL HULL.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Megill, one of its clerks, announced that the House had passed a bill (H. R. 7667) to regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; to raise revenue; and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

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

S. 826. An act for the relief of the estate of H. Lee Shelton, the estate of Mrs. H. Lee Shelton, Mrs. J. R. Scruggs, and Mrs. Irvin Johnson; and

S. 1219. An act for the relief of Pauline M. Warden, nee Pauline McKinney.

HOUSE BILL REFERRED

The bill (H. R. 7667) to regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; to raise revenue; and for other purposes, was read twice by its title and referred to the Committee on Finance.

PLAN FOR PREVENTION AND CONTROL OF FLOODS—MOTION TO RECONSIDER

Mr. BONE. Mr. President, this is an important matter which I am about to present to the Senate. I ask unanimous consent to enter a motion to reconsider the vote by which the amendments of the House to joint resolution (S. J. Res. 57) to authorize the submission to Congress of a comprehensive national plan for the prevention and control of floods of all the major rivers of the United States, and for other purposes, were approved by the Senate the other day.

The joint resolution originally passed the Senate and was sent to the House where certain amendments were adopted and subsequently concurred in by the Senate—though I think wrongly so. It was done in the midst of considerable confusion.

The joint resolution was signed by the Presiding Officer of the Senate and sent to the White House on August 3. When it was passed by the Senate it was a measure authorizing and directing the Secretary of War to make a report or a series of reports embodying a comprehensive national program and plan for the control of floods.

The joint resolution went to the House. In the House some very peculiar language was inserted in the joint resolution. I want to invite the attention of the Senators from those States affected, where the Federal Government is now either carrying on power development on major streams or contemplates such a thing, because the joint resolution deals very intimately with that activity of the Government.

It is my judgment that if the joint resolution becomes a law it will not only impinge upon, but probably nullify the power provisions of the bill which has been introduced by the senior Senator from Nebraska [Mr. NORRIS] known as the national conservation bill.

I invite the attention of Senators briefly to the language inserted in the joint resolution in the House. When the joint resolution was brought back to the Senate and we were asked to concur in the amendments of the House, I heard some one suggest on the floor of the Senate at the time something about the contents of the measure as it had been amended in the House. I asked the Senator from Arkansas [Mrs. CARAWAY] what had been done to the joint resolution in the House in the way of amendments. There was a great deal of confusion on the floor. We were preparing to enter upon consideration of the housing bill. I understood from her that the references to power in the House amendment were merely of a nature that would authorize the Secretary of War to report back to us what plans were contemplated with respect to power development.

I invite attention to the language of the House amendments, because if the joint resolution is signed by the President and becomes a law, we can expect power development to be shaped by the War Department instead of by those agencies which we have heretofore set up and which we may hereafter set up. I think this is a very serious matter, because it is, in my judgment, the beginning of a complete departure from the program we have been carrying on, and certainly from the program contemplated in the bill to which I have referred that was introduced by the Senator from Nebraska.

Mr. KING. Mr. President, may I submit an inquiry to the Senator from Washington?

Mr. BONE. I yield.

Mr. KING. Does the joint resolution which passed infringe upon the rights of the States to control the streams, including power, within their own boundaries? Is the Senator supporting a proposal that his own State or the State of Utah or any other State may not, through its own authority, have any voice in the control of the waterways within the boundaries of the State?

Mr. BONE. It does not even remotely come within striking distance of a theory of that kind. Under existing Federal legislation my State could, if it had State legislative authority, file upon a site on the Columbia River and get a permit from the Federal Power Commission to go ahead with a big State development. I am not objecting to that. The joint resolution comes back to us with this provision:

> That the Secretary of War is authorized and directed to submit to Congress with reasonable expedition a full report or a series of reports embodying a comprehensive national program and plan for the control of floods of all of the major rivers of the United States.

It is taking in all rivers.

Then it is provided:

Such plan and report or reports shall take into consideration flood-control projects now under construction or heretofore authorized by acts of Congress, and shall include provisions for the construction of levees, spillways, diversion channels, channel rectification, reservoirs, and utilization of water resources through the building of power dams or a combination of power, reclamation, conservation, and flood-control dams, and all works necessary for an effective soil and water conservation for all such rivers and their watersheds. Any plans or reports which include or recommend projects for reclamation shall be prepared in conjunction with the Department of the Interior.

Then the title of the joint resolution was amended so that it, together with the text of the joint resolution, would clearly seem to carry the implication that from now on it is to be the policy of Congress that the War Department shall lay its plans for future power development.

In my judgment, that is a dangerous thing. It is such a complete departure that it is subject to challenge at our hands. Certainly the President of the United States cannot sign the joint resolution in the light of his own attitude toward the Norris bill, the national conservation bill, without, in my judgment, the grave danger of rendering nugatory or almost nullifying the wholesome and desirable aspects of that bill.

For the reasons stated, I am asking unanimous consent to enter the motion at this time.

The PRESIDING OFFICER. The Chair understands the Senator from Washington to ask unanimous consent to enter a motion to reconsider the vote by which the Senate concurred in the amendments of the House to the joint resolution?

Mr. BONE. That is correct. I have sent my motion to the desk and ask that it may be read by the clerk.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent that he may be permitted to enter a motion to reconsider the vote by which the Senate concurred in the amendments of the House to Senate Joint Resolution 57. Is there objection?

Mr. OVERTON. Mr. President, reserving the right to object, I should like to ask the Senator from Washington exactly in what particular the amendments which were adopted in the House and concurred in by the Senate interfere with the program which has heretofore been followed by Congress? Has any program yet been established by Congress?

Mr. BONE. Mr. President, this joint resolution applies to projects now in existence and to those hereafter to come into existence; and it is, in my judgment, a deliberate effort to turn over all the planning for power development to the War Department.

Mr. OVERTON. Is not the measure to which the Senator has reference a bill which relates to flood control?

Mr. BONE. No; that is the one to which I did not object when it went through.

Let me call the Senator's attention, from that standpoint, to the innocuous language of the joint resolution that we passed. Had I realized that the further language was in the joint resolution, however, I certainly should have objected when we concurred in the House amendments.

Senate Joint Resolution 57 provides:

That the Secretary of War is authorized and directed to submit to Congress with reasonable expedition a full report or a series of reports embodying a comprehensive national program and plan for the control of floods of all the major rivers of the United States.

But the joint resolution goes over to the House, and there they interpolate into it language which will turn over to the War Department the planning of all power developments in this country, including the Fort Peck project, which was covered by the bill which was approved here a moment ago.

If we want deliberately to turn this planning over to the War Department, let us do it with our eyes wide open; and if the President signs this joint resolution, in my judgment, the President will thereby elect to let the War Department do the planning instead of having it done under the organization set up in the plan which he has approved, embracing the creation of eight large major subdivisions of this country, of which the development of power will be an important item.

If we want that as our policy, we can now adopt it. We can let the joint resolution stay where it is. If the President wants to sign it, I want him to do it with full knowledge of what is being done; but I do not want this power program destroyed by perhaps the rapidity with which we had to act here.

When the joint resolution came back from the House, I asked the Senator from Arkansas [Mrs. CARAWAY] what changes had been made in it. Several Senators were on their feet, and there was so much noise in the Senate Chamber that I could not hear her reply distinctly, but I understood the Senator from Arkansas to say that the joint resolution merely calls for the engineers also to show what prospective plans might be made for power development. The language of the joint resolution, however, is too clear. It is very cleverly drawn, I will say that; and there have been suggestions and intimations that it is going to take out of the hands of present agencies the development of power and put it in the hands of the War Department.

If we are going to approve this joint resolution, let us do so with full knowledge of its implications; but I think we shall be doing ourselves a simple act of justice by bringing the measure back here and having it thrashed out on the floor before we shift our policy here in midstream.

Mr. OVERTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. OVERTON. Is a motion to reconsider the action of the Senate in agreeing to the amendments of the House and in passing the joint resolution now in order?

The PRESIDING OFFICER. The Chair understands that the Senator from Washington asks unanimous consent that he be permitted to enter a motion to reconsider the vote by which the Senate agreed to the amendments of the House of Representatives to Senate Joint Resolution 57. The Senator from Washington announced that if that permission were granted it would be followed by a concurrent resolution asking for the return of the bill from the President. Has the Chair correctly stated the situation?

Mr. BONE. I think that states the parliamentary situation. If there is objection, of course I cannot enter this motion.

Mr. OVERTON. I will say to the Senator from Washington that I am not sufficiently familiar with the joint resolution to know whether or not I should object to the motion. Will the Senator from Washington be kind enough to withhold it until I may have an opportunity to look into the matter?

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. BONE. I yield.

Mr. LA FOLLETTE. I do not understand that the Senator from Washington has to obtain unanimous consent to enter a motion to reconsider. If he obtains recognition, he may make such a motion.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Chair will state that he is advised by the Parliamentarian that under Rule XIII the time for filing a motion to reconsider has expired, the question being whether the rule refers to a calendar day or a legislative day. If construing the rule independently, the present occupant of the Chair would be of the opinion that the rule applies to calendar days. The Chair will state, however, if the point is made, that feeling bound by the ruling of the President pro tempore as to the question of the number of speeches that may be made in one day, in which the President pro tempore held that the rule meant a legislative day instead of a calendar day, the Chair would hold that the rule means a legislative day instead of a calendar day.

The Chair will state that the House amendments were agreed to on the second day of August; and, of course, the question whether the rule means a calendar day or a legislative day would be determinative of the case. The Chair would prefer to have the President pro tempore make the

ruling rather than have it made by the present temporary occupant of the chair.

Mr. CONNALLY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. Has the joint resolution been transmitted to the President?

The PRESIDING OFFICER. The Chair is informed that the joint resolution was transmitted to the President on the third day of August.

Mr. CONNALLY. Then, has the Senate any jurisdiction except to adopt a resolution requesting the return of the joint resolution?

The PRESIDING OFFICER. The Chair does not feel required to pass on that point at the present time, for the reason that the Senator from Washington has made a request for unanimous consent. It is within the power of the Senate either to grant the unanimous-consent request or to refuse to grant it.

Mr. CONNALLY. It seems to me the only thing the Senate can do is to adopt a resolution requesting the return of the bill. If the President has it, we cannot reconsider our action upon it.

Mr. BURKE. Mr. President, if the request is for unanimous consent, in the absence of the Senator from Arkansas [Mrs. CARAWAY], who advocated the adoption of the House amendments, and in view of the fact that, as I understand, the joint resolution only calls for a report from the War Department, and in view of the further fact that the President has the full right and authority to veto the joint resolution if it is obnoxious, I shall object to the unanimous-consent request.

The PRESIDING OFFICER. The Senator from Nebraska objects to the request of the Senator from Washington.

Mr. BONE. Mr. President, first, I should like at least to have read by the clerk the concurrent resolution which I send to the desk.

The PRESIDING OFFICER. Without objection, the clerk will read the concurrent resolution submitted by the Senator from Washington.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled joint resolution (S. J. Res. 57) to authorize the submission to Congress of a comprehensive national plan for the prevention and control of floods of all the major rivers of the United States, development of hydroelectric power resources, water and soil conservation, and for other purposes.

Mr. BONE. Mr. President, let me say for the RECORD and for the benefit of my fellows here that if this measure contained what is intimated and suggested by the Senator from Nebraska [Mr. BURKE], I should have no objection to it. You have heard the Senator from Nebraska say that the joint resolution requests the War Department to make a report. I should have no objection to that. The joint resolution, however, calls upon the War Department to prepare the plans. I think the Senator from Nebraska owes it to himself to read the joint resolution before he suggests anything of that sort.

I should have had no objection to the joint resolution, and had none at the time the Senator from Arkansas [Mrs. CARAWAY] reported it, if it had only called for a report; but it calls for the preparation of plans for hydroelectric development by the War Department, and that is a hundred million miles apart from the thing the Senator from Nebraska suggests.

Let us have no misunderstanding about this matter. It is too important a thing, because it is a complete divorce and departure from the program which the President suggested, the program to which many of us are so completely committed. All I want is that if the Senate of the United States is to divorce itself from that plan it shall do so deliberately, and not in this sidewise fashion. We are doing it here in a haphazard, hit-or-miss fashion, without giving the joint resolution the deliberation and the thought that it deserves.

This is a matter of major importance. It may involve the whole public power program of the country. If it is to be wiped out, destroyed, obliterated, I want to have it done here in the full light of all the facts, and not by a little measure of this kind.

I desire to say further that I have no objection and I am perfectly agreeable to the suggestion of the Senator from Nebraska that the matter go over until the Senator from Arkansas [Mrs. CARAWAY] is here. The boards proposed to be set up under the National Conservation Act are assumed to have the power to do this thing themselves; but now we are getting this other agency into the picture, and giving them blanket authority to prepare plans for power development on every major stream in America. If we are to do that, let us do it all out in the open. Then we shall know just where we are.

Mr. BURKE. Mr. President, there is no one in the country who has established a greater reputation than has the President for being sincerely interested in the development of the power resources of the country; and I think we can safely leave this matter in his hands.

If it is obnoxious and contrary to the policies heretofore announced, I am very sure that he will send the measure back with his veto. Therefore I stand on my objection.

EXECUTIVE SESSION

Mr. BARKLEY. 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. CLARK in the chair) laid before the Senate message from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. GLASS, from the Committee on Appropriations, reported favorably the nomination of Agnes Van Driel, of Illinois, to be Chief, Division of Technical Training, Social Security Board.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of the following-named citizens to be second lieutenants in the Marine Corps, revocable for 2 years, from the 1st day of July, 1937:

Keith B. McCutcheon, of Pennsylvania; Donald N. Otis, of Massachusetts; William F. Pickett, of Oklahoma; and David W. Silvey, of Indiana.

Mr. WALSH also, from the Committee on Naval Affairs, reported favorably the nomination of Marine Gunner Kennard F. Bubier to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant, from the 26th day of June 1937.

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.

SOCIAL SECURITY BOARD

The legislative clerk read the nomination of George Edmund Bigge, of Rhode Island, to be a member.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. GREEN. I ask that the President be notified.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the President will be notified.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk read the nomination of James C. Archer to be passed assistant surgeon.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTER—NOMINATION REJECTED

The legislative clerk read the nomination of Oscar Ross Lang to be postmaster at Montgomery, La., which had been adversely reported from the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. The question is, will the Senate advise and consent to this nomination?

The nomination was rejected.

POSTMASTERS—NOMINATIONS CONFIRMED

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the other nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. SHEPPARD. I ask unanimous consent that the Army nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Army are confirmed en bloc.

INCOME TAXATION TREATY BETWEEN THE UNITED STATES OF AMERICA AND CANADA

The Senate, as in Committee of the Whole, proceeded to consider Executive B, Seventy-fifth Congress, first session, a convention between the United States of America and Canada on the subject of income taxation, signed at Washington, on December 30, 1936, which was read the second time, as follows:

The Government of the United States of America and the Government of Canada, being desirous of concluding a reciprocal convention concerning rates of income tax imposed upon nonresident individuals and corporations have agreed as follows:

ARTICLE I

The High Contracting Parties mutually agree that the income taxation imposed in the two States shall be subject to the following reciprocal provisions:

(a) The rate of income tax imposed by one of the Contracting States, in respect of income derived from sources therein, upon individuals residing in the other State, who are not engaged in trade or business in the taxing State and have no office or place of business therein, shall not exceed five per centum for each taxable year, so long as an equivalent or lower rate of income taxation is imposed by the other State upon individuals residing in the former State who are not engaged in trade or business in such other State and do not have an office or place of business therein.

(b) The rate of income tax imposed by one of the Contracting States, in respect of dividends derived from sources therein, upon nonresident foreign corporations organized under the laws of the other State, which are not engaged in trade or business in the taxing State and have no office or place of business therein, shall not exceed five per centum for each taxable year, so long as an equivalent or lower rate of income taxation on dividends is imposed by the other State upon corporations organized under the laws of the former State which are not engaged in trade or business in such other State and do not have an office or place of business therein.

(c) Either State shall be at liberty to increase the rate of taxation prescribed by paragraphs (a) and (b) of this article, and in such case the other State shall be released from the requirements of the said paragraphs (a) and (b).

(d) Effect shall be given to the foregoing provisions by both States as and from the 1st day of January, nineteen hundred and thirty-six.

ARTICLE II

The provisions of this Convention shall not apply to citizens of the United States of America domiciled or resident in Canada.

ARTICLE III

This Convention shall be ratified and shall take effect immediately upon the exchange of ratifications which shall take place at Washington as soon as possible.

Signed, in duplicate, at Washington by the duly authorized representatives of the United States of America and Canada, this thirtieth day of December, in the year of our Lord, one thousand nine hundred and thirty-six.

For the United States of America:

R. WALTON MOORE,
Acting Secretary of State.

For Canada:

HERBERT MARLER,
Envoy Extraordinary and Minister Plenipotentiary.

Mr. HARRISON. Mr. President, the State Department and the Treasury Department have been very insistent on early consideration of this treaty. There were certain provisions in the Revenue Act of 1936 which, in a practical way, invited treaties to be negotiated with the governments of contiguous countries which would permit of a reduction in the standard rate of income tax on nonresident alien individuals from 10 percent to 5 percent, and in the case of nonresident foreign corporations would permit of a reduction in the standard rate of income tax on dividends from 10 percent to 5 percent. In referring to nonresident alien individuals and to nonresident foreign corporations, it is intended to include only those not engaged in trade or business in the United States and not having an office or place of business therein.

Canada is aiding our country in the matter of ferreting out people who are attempting to evade the payment of taxes, and I hope very much the treaty may be ratified.

Mr. AUSTIN. Mr. President, I should like to ask the Senator from Mississippi whether the committee which considered the treaty was unanimous, or whether there was opposition.

Mr. HARRISON. I understand there was no opposition in the committee. I will ask the chairman of the committee whether or not I am correct in that statement.

Mr. PITTMAN. Mr. President, with the permission of the Senator from Mississippi, I may state that this matter was investigated a month or 6 weeks ago, and we received reports at that time from both the Treasury Department and the State Department. A subcommittee was appointed, with the Senator from Mississippi as chairman, and that subcommittee went into the matter very carefully and reported back unanimously in favor of the treaty.

About that time a joint committee was appointed, as the Senate will recall, to investigate and devise means of plugging up holes by which some were attempting to escape the payment of income taxes, and for that reason it was suggested that the subcommittee of the Committee on Foreign Relations make further investigation and have conversations with both the Treasury Department and the State Department, and see whether this treaty would in any way conflict with the investigations then going forward. The chairman of the subcommittee was authorized to make a report, and the subcommittee came to the conclusion that the treaty was in no way obstructive of the action of the committee investigating possible loopholes by which people were seeking to escape taxation.

Mr. HARRISON. I may say to the Senator from Vermont that I took this matter up with the Joint Committee on Tax Evasion, and it was believed by all the members of that committee who were present, and I believe all were present, that this treaty should be ratified.

Mr. AUSTIN. Mr. President, the Senator from Oregon [Mr. McNARY] not being present, I felt bound to make these inquiries. I personally have no objection, and in view of what has been said, I will not make any objection on behalf of anyone.

The PRESIDING OFFICER. If there be no amendment, the treaty will be reported to the Senate.

The treaty was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive B, Seventy-fifth Congress, first session, a convention between the United States of America and Canada on the subject of income taxation, signed at Washington, on December 30, 1936.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution is agreed to, and the treaty is ratified.

ORDER FOR CONSIDERATION OF CALENDER TOMORROW

The Senate resumed legislative session.

Mr. BARKLEY. I ask unanimous consent that when the Senate meets tomorrow the call of the calendar for the consideration of unobjected bills be continued where it was left off today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until tomorrow at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 56 minutes p. m.) the Senate took a recess until tomorrow, Saturday, August 7, 1937, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 6 (legislative day of July 22), 1937

CHIEF OF THE BUREAU OF ORDNANCE, NAVY DEPARTMENT

Capt. William R. Furlong to be Chief of the Bureau of Ordnance in the Department of the Navy, with the rank of rear admiral, for a term of 4 years.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICERS

To be major general, National Guard of the United States

Maj. Gen. Walter Perry Story, California National Guard.

To be brigadier generals, National Guard of the United States

Brig. Gen. Lewis Bacon Ballantyne, New Jersey National Guard.

Brig. Gen. Harcourt Hervey, California National Guard.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 6 (legislative day of July 22), 1937

SOCIAL SECURITY BOARD

George Edmund Bigge to be a member of the Social Security Board.

UNITED STATES PUBLIC HEALTH SERVICE

James C. Archer to be a passed assistant surgeon in the United States Public Health Service.

PROMOTIONS IN THE REGULAR ARMY

Charles Kleber Wing to be colonel, Coast Artillery Corps.

Charles Elting Coates to be colonel, Infantry.

Edward Postell King, Jr., to be colonel, Field Artillery.

Martin Conrad Shallenberger to be colonel, Infantry.

John Henry Pirie to be colonel, Air Corps (temporary colonel, Air Corps).

Kenneth Sheild Perkins to be colonel, Field Artillery.

Eugene Reybold to be colonel, Corps of Engineers.

Robert George Kirkwood to be colonel, Field Artillery.

Harold Everett Marr to be colonel, Field Artillery.

Hugo Ernest Pitz to be colonel, Quartermaster Corps.

Thomas Clair Cook to be colonel, Coast Artillery Corps.

Notley Young DuHamel to be lieutenant colonel, Corps of Engineers.

Dean Hudnutt to be lieutenant colonel, Field Artillery.

Louis Emerson Hibbs to be lieutenant colonel, Field Artillery.

Ludson Dixon Worsham to be lieutenant colonel, Corps of Engineers.

Horace Logan McBride to be lieutenant colonel, Field Artillery.

Ralph Gillett Barrows to be lieutenant colonel, Corps of Engineers.

Holland Luley Robb to be lieutenant colonel, Corps of Engineers.

Hamilton Ewing Maguire to be lieutenant colonel, Field Artillery.

Ray Corrigan Rutherford to be lieutenant colonel, Field Artillery.

William Morris Hoge to be lieutenant colonel, Corps of Engineers.

William Roscoe Woodward to be lieutenant colonel, Field Artillery.

Stanley Lonzo Scott to be lieutenant colonel, Corps of Engineers.

Tattnall Daniell Simkins to be lieutenant colonel, Corps of Engineers.

Henry Crampton Jones to be lieutenant colonel, Field Artillery.

Carl Lee Marriott to be lieutenant colonel, Chemical Warfare Service.

James Arthur Pickering to be lieutenant colonel, Field Artillery.

James Knox Cockrell to be lieutenant colonel, Cavalry.

William Spence to be lieutenant colonel, Field Artillery.

Willis McDonald Chapin to be lieutenant colonel, Coast Artillery Corps.

Fred Beeler Inglis to be lieutenant colonel, Field Artillery.

Robert Bruce McBride, Jr., to be lieutenant colonel, Field Artillery.

Paul Vincent Kane to be lieutenant colonel, Field Artillery.

DeRosey Carroll Cabell to be lieutenant colonel, Ordnance Department.

Ralph Irvine Sasse to be lieutenant colonel, Cavalry.

Edwin Howerton Roberts to be lieutenant colonel, Medical Corps.

Allan Wilson Dawson to be lieutenant colonel, Medical Corps.

Anthony Joseph Vadala to be lieutenant colonel, Medical Corps.

William Archdall Boyle to be lieutenant colonel, Medical Corps.

Albert Wright Greenwell to be lieutenant colonel, Medical Corps.

Myron Parkhill Rudolph to be lieutenant colonel, Medical Corps.

Patrick Sarsfield Madigan to be lieutenant colonel, Medical Corps.

William Cramer Pollock to be lieutenant colonel, Medical Corps.

Louis Martin Field, to be lieutenant colonel, Medical Corps.

Humphrey Newton Ervin to be lieutenant colonel, Medical Corps.

Ottis Lee Graham to be lieutenant colonel, Medical Corps.

William Scott Dow to be lieutenant colonel, Medical Corps.

John Glenwood Knauer to be lieutenant colonel, Medical Corps.

Fabian Lee Pratt to be lieutenant colonel, Medical Corps.

Charles Wallace Sale to be lieutenant colonel, Medical Corps.

Lorin Arthur Greene to be lieutenant colonel, Medical Corps.

James Edwards Poore to be lieutenant colonel, Medical Corps.

Herbert Clifford Mallory to be lieutenant colonel, Medical Corps.

Albro Lefils Parsons to be lieutenant colonel, Medical Corps.

Arthur Dudley Jackson to be lieutenant colonel, Medical Corps.

Paul Richard Eddins Sheppard to be lieutenant colonel, Medical Corps.

Christian Henry Dewey to be lieutenant colonel, Medical Corps.

Francis Belmont Dwire to be lieutenant colonel, Medical Corps.

Sam Fletcher Parker to be lieutenant colonel, Medical Corps.

James Emory Phillips to be lieutenant colonel, Medical Corps.

Albert Smith Dabney to be lieutenant colonel, Medical Corps.
Philander Chase Riley to be lieutenant colonel, Medical Corps.
John Joseph Madigan to be lieutenant colonel, Medical Corps.
Milton Weston Hall to be lieutenant colonel, Medical Corps.
Edward Chace Greene to be lieutenant colonel, Medical Corps.
Darius Cleveland Absher to be lieutenant colonel, Medical Corps.
Adam Edward Sherman to be lieutenant colonel, Medical Corps.
Bertram Henry Olmsted to be lieutenant colonel, Medical Corps.
John Wallace to be lieutenant colonel, Medical Corps.
Earl Lenwood Parmenter to be lieutenant colonel, Medical Corps.
Edgar Smith Linthicum to be lieutenant colonel, Medical Corps.
Howard Hume to be lieutenant colonel, Medical Corps.
Walter Fullarton Macklin to be lieutenant colonel, Medical Corps.
William Louis Hoffman to be lieutenant colonel, Medical Corps.
Clyde Watkins Jump to be lieutenant colonel, Medical Corps.
John Joseph McCormick, subject to examination required by law.
Arthur Parker Hitchens to be lieutenant colonel, Medical Corps.
Harry Baldwin Gantt to be lieutenant colonel, Medical Corps.
Daniel Bascom Faust to be lieutenant colonel, Medical Corps.
Wilmer Clayton Dreibelbies to be lieutenant colonel, Medical Corps.
Maxwell Gordon Keeler to be lieutenant colonel, Medical Corps.
Harold Vincent Raycroft to be lieutenant colonel, Medical Corps.
Hugh William Mahon to be lieutenant colonel, Medical Corps.
Thomas Harold Reagan to be lieutenant colonel, Medical Corps.
Morgan Clint Berry to be lieutenant colonel, Medical Corps.
Eli Edwin Brown to be lieutenant colonel, Medical Corps.
Ralph Elmer Curti to be lieutenant colonel, Medical Corps.
John Ignatius Meagher to be lieutenant colonel, Medical Corps.
Eugen Gottfried Reinartz to be lieutenant colonel, Medical Corps.
Albert Glenn Kinberger to be lieutenant colonel, Medical Corps.
Wilbur Gibson Jenkins to be lieutenant colonel, Medical Corps.
Victor Newcomb Meddis to be lieutenant colonel, Medical Corps.
Edwin Raymond Strong to be lieutenant colonel, Medical Corps.
Leroy Dilmore Soper, subject to examination required by law.
Thomas Morris Chaney to be lieutenant colonel, Medical Corps.
Cleve Carrington Odom to be lieutenant colonel, Medical Corps.
Louis Lathrop Shook to be lieutenant colonel, Veterinary Corps.
Daniel Henry Mallan to be lieutenant colonel, Veterinary Corps.
Louis Goldman Weisman to be lieutenant colonel, Veterinary Corps.
James Alexander McCallam to be lieutenant colonel, Veterinary Corps.
Harry John Juzek to be lieutenant colonel, Veterinary Corps.
William Henry Dean to be lieutenant colonel, Veterinary Corps.
Solon B. Renshaw to be lieutenant colonel, Veterinary Corps.
Frank Holmes Woodruff to be lieutenant colonel, Veterinary Corps.
Will Charles Griffin to be lieutenant colonel, Veterinary Corps.
Lloyd Clifford Ewen to be lieutenant colonel, Veterinary Corps.
Charles Oliver Grace to be lieutenant colonel, Veterinary Corps.
Edward Michael Curley to be lieutenant colonel, Veterinary Corps.
James Russell Sperry to be lieutenant colonel, Veterinary Corps.
Floyd Chauncey Sager to be lieutenant colonel, Veterinary Corps.
Henry Emil Hess to be lieutenant colonel, Veterinary Corps.
Forest Lee Holycross to be lieutenant colonel, Veterinary Corps.
Raymond Irvin Lovell to be lieutenant colonel, Veterinary Corps.
Joseph Fenton Crosby to be lieutenant colonel, Veterinary Corps.
Ralph Brown Stewart to be lieutenant colonel, Veterinary Corps.
Charles Mansur Cowherd to be lieutenant colonel, Veterinary Corps.
James Barto Mann to be lieutenant colonel, Dental Corps.
William Henry Siefert to be lieutenant colonel, Dental Corps.
Charles Jefferson Denholm to be lieutenant colonel, Dental Corps.
Elijah Garrett Arnold to be major, Infantry.
Benjamin Witwer Pelton to be major, Infantry.
Farlow Burt to be major, Infantry.
James Henry Howe to be major, Infantry.
Robert Artel Case to be major, Infantry.
John Russell Deane to be major, Infantry.
Richard Zeigler Crane to be major, Ordnance Department.
Paul Carson Febiger to be major, Cavalry.
Leslie Walter Jefferson to be major, Coast Artillery Corps.
John Reigel Embich to be major, Chemical Warfare Service.
Fred William Koester to be major, Cavalry.
William Neely Todd, Jr., to be major, Cavalry.
Thomas Reed Taber to be major, Ordnance Department.
Harry William Lins to be major, Coast Artillery Corps.
Harold Paul Stewart to be major, Cavalry.
Darrow Menoher to be major, Cavalry.
Mark Andrew Devine, Jr., to be major, Cavalry.
Robb Steere MacKie to be major, Infantry.
Boniface Campbell to be major, Field Artillery.
Lloyd Marlowe Hanna to be major, Field Artillery.
James Willard Walters to be major, Ordnance Department.
Richard Cox Coupland to be major, Ordnance Department.
Walter Alfred Elliott to be major, Infantry.
George William Brent to be major, Coast Artillery Corps.
Samuel Francis Cohn to be major, Infantry.
John Augustus Rodgers to be major, Infantry.
Ward Edwin Becker to be major, Ordnance Department.
William Wayne Murphey to be major, Field Artillery.
Timothy Sapia-Bosch to be major, Infantry.
Edward Garrett Cowen to be major, Coast Artillery Corps.
Kenyon Putnam Flagg to be major, Coast Artillery Corps.
Joseph Burske Hafer to be major, Coast Artillery Corps.
Edward Lucien Supple to be major, Coast Artillery Corps.
Samuel McCullough to be major, Coast Artillery Corps.

Mahlon Milton Read to be major, Coast Artillery Corps.
Allen Ferdinand Grum to be major, Ordnance Department.
Bernard Clark Dailey to be major, Coast Artillery Corps.
Eduardo Andino to be major, Infantry.
Robert Elwyn DeMerritt to be major, Coast Artillery Corps.
James Franklin Powell to be major, Air Corps (temporary major, Air Corps).
William Dalton Hohenthal to be major, Coast Artillery Corps.
James Ralph Lowder to be major, Coast Artillery Corps.
Willard Warren Scott to be major, Coast Artillery Corps.
Leonard Louis Davis to be major, Coast Artillery Corps.
Webster Fletcher Putnam, Jr., to be major, Coast Artillery Corps.
Merle Halsey Davis to be major, Ordnance Department.
Henry Devries Cassard to be major, Coast Artillery Corps.
Will Rainwater White to be major, Quartermaster Corps.
George Albert Bentley to be major, Quartermaster Corps.
Edward Hanson Connor, Jr., to be major, Infantry.
Norris Whitlock Osborn to be major, Ordnance Department.
Harry Raymond Leighton to be major, Veterinary Corps.
Verne Clifford Hill to be major, Veterinary Corps.
Elmer William Young to be major, Veterinary Corps.
Harold George Ott to be major, Dental Corps.
Conrad Toral Kvam to be captain, Dental Corps.
Albert Woods Shiflet to be captain, Medical Corps.
Kenneth Rider Nelson to be captain, Medical Corps.
Gottlieb Leonard Orth to be captain, Medical Corps.
James Coney Bower to be first lieutenant, Medical Administrative Corps.
James Lemuel Blakeney to be chaplain with the rank of lieutenant colonel, United States Army.
George Foreman Rixey to be chaplain with the rank of lieutenant colonel, United States Army.
William Joseph Ryan to be chaplain with the rank of lieutenant colonel, United States Army.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Maj. Abraham Robert Ginsburgh to Judge Advocate General's Department.
Capt. John Prame Kaylor to Field Artillery.

POSTMASTERS

CALIFORNIA

Doris Welsh Folsom, Walkermine.

ILLINOIS

Jerome A. Borkovec, Berwyn.
Clifford L. Neely, Hines.
Bohumil Plos, Lyons.
Thomas Edward Mostyn, Midlothian.

LOUISIANA

Lewis L. Morgan, Jr., Covington.
Charles William Wilson, New Roads.
Ernest S. Jemison, Slidell.

TENNESSEE

Bessie T. Queener, Jacksboro.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 6 (legislative day of July 22), 1937

POSTMASTER

NEW YORK

Miss Mary J. O'Brien to be postmistress at Bedford, in the State of New York.

REJECTION

Executive nomination rejected by the Senate August 6 (legislative day of July 22), 1937

POSTMASTER

LOUISIANA

Oscar Ross Lang to be postmaster at Montgomery, in the State of Louisiana.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 6, 1937

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

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

Again, O Lord, Thou hast remembered Thy tender mercies and loving kindnesses; open Thou unto us the gates of Thy righteousness and may we go into them. We thank Thee for Thy promise: if any man lack wisdom, let him ask Thee; no true seeker shall miss this saving truth. We pray Thee that we may deaden self and thirst for the right and stand forth with the first-born sons of light. Open our minds to the truth and help us to understand Thy gracious will. O Immanuel, Son of God, be a light within us this day; give us strength, courage, and grace for its duties. We pray Thee to bring us all into harmony with Thee and make us worthy of that universe of light of which Thou art the center. In our Redeemer's name. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7051. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

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

S. 826. An act for the relief of the estate of H. Lee Shelton, the estate of Mrs. H. Lee Shelton, Mrs. J. R. Scruggs, and Mrs. Irvin Johnson; and

S. 1219. An act for the relief of Pauline M. Warden, nee Pauline McKinney.

VIRGINIA DARE AND SIR WALTER RALEIGH'S COLONY AT ROANOKE ISLAND

The SPEAKER. Pursuant to the provisions of House Concurrent Resolution 17, Seventy-fifth Congress, the Chair appoints as members of the joint committee on the celebration of the three hundred and fiftieth anniversary of the birth of Virginia Dare and the three hundred and fiftieth anniversary of the disappearance of Sir Walter Raleigh's colony, to be held at Roanoke Island, N. C., on August 18, 1937, the following Members of the House: Mr. WARREN, Mr. RAYBURN, Mr. BLAND, Mr. BOLAND, and Mr. SNELL.

EXTENSION OF REMARKS

Mr. DIRKSEN asked and was given permission to extend his own remarks in the RECORD.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point, by including therein a statement made this morning and released by the Secretary of State, having to do with a trade agreement with Russia.

Mr. MARTIN of Massachusetts. Does the gentleman request to put that in at this point in the RECORD?

Mr. ANDREWS. At this point; yes.

The SPEAKER. The Chair does not feel that he can entertain a unanimous-consent request of that sort unless remarks are made by a Member on the floor. The Chair is of the opinion it is bad legislative practice to extend extraneous matters in the body of the RECORD.

Mr. ANDREWS. Mr. Speaker, I withdraw the request and ask unanimous consent that I may extend my remarks, as indicated, in the Appendix of the RECORD.

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

There was no objection.

Mr. HOPE. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Evidently there is not a quorum present.

Mr. JONES. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 136]

Bacon	Doxey	Johnson, Minn.	Shanley
Biermann	Drewry, Va.	Kelly, N. Y.	Simpson
Binderup	Driver	Kerr	Sirovich
Boyer	Eaton	Kirwan	Smith, Conn.
Brewster	Eicher	Kloeb	Smith, Maine
Buckley, N. Y.	Ellenbogen	Lambeth	Smith, Va.
Bulwinkle	Farley	Luckey, Nebr.	Smith, W. Va.
Caldwell	Fernandez	McClellan	Snell
Cannon, Wis.	Fitzpatrick	McGranery	Somers, N. Y.
Celler	Flannagan	McLean	Spence
Clark, N. C.	Flannery	Maas	Stack
Cochran	Fulmer	May	Starnes
Cole, N. Y.	Gasque	Meeks	Sullivan
Cooper	Gavagan	O'Connor, N. Y.	Taylor, Colo.
Cox	Gifford	O'Neal, Ky.	Thomas, N. J.
Creal	Gilchrist	Palmisano	Tobey
Crosser	Gildea	Pettengill	Towey
Crowe	Gray, Ind.	Peyser	Treadway
Crowther	Gray, Pa.	Pfeifer	Vinson, B. M.
Culkin	Gregory	Plumley	Voorhis
Dempsey	Gwynne	Quinn	Wood
Dickstein	Harter	Sadowski	
Dingell	Hartley	Scrugham	
Douglas	Hill, Ala.	Seger	

The SPEAKER. Three hundred and thirty-six Members have answered to their names, a quorum.

On motion of Mr. JONES, further proceedings under the call were dispensed with.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, the morning press informs us 41 Members of the Senate have signed a petition for a special session on October 15. It is stated this suggestion was inspired by the President.

I realize, of course, the spirit to treat Congress rather roughly and tell us nothing. I believe, in all fairness to the Members who have been here 7½ months, we ought to know what the program is. There is a lot of legislation pending that it is intended to push through in a hurried way, legislation which affects every nook and corner and every phase of American life. If we are going to come back for a special session on October 15, surely there is no reason for the present session to continue longer than tomorrow night. Personally, I do not favor a special session, because I believe one is unnecessary and expensive. [Applause.]

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for one-half minute more.

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

There was no objection.

Mr. MARTIN of Massachusetts. I do say if we are going to have a special session there is no justification for the present one to be continued longer, and that legislation be hurried through without mature consideration. I hope the leadership of the House will see that the rank and file have more knowledge of their plans in the future than they have had in the past. [Applause.]

RIVER AND HARBOR BILL

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7051) authorizing the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. MANSFIELD, DEROUEN, GAVAGAN, SEGER, and CARTER.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. RAYBURN. Mr. Speaker, I thought after making a statement in the House last week in reply to a question propounded by the minority leader [Mr. SNELL] that the program for the remainder of this session was well understood. It was put in the RECORD exactly as I stated it.

There is no disposition, certainly, on the part of the Speaker of the House or myself, to hold this Congress any longer than is absolutely necessary [applause], and it is our hope that by the 21st or the 25th of the present month a program will be finished, and that it will be such a program there will be no necessity for a recess of Congress or an extra session of Congress this fall, and in order to obviate any necessity for a recess until fall and, we hope, any necessity for an extra session being called by the President, we think that if everybody will be patient for 2 more weeks, we will know the definite date upon which we are going to adjourn. [Applause.]

Mr. COLMER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLMER. Mr. Speaker, few Members on either side of the aisle have supported labor and this administration through this great national emergency more consistently than I have. But I want to serve notice now, as one who is not breaking his neck to adjourn and go home, that there is going to be no consideration of a wage and hour bill, so far as I am concerned, unless there is some action for the relief of the farmer who is now facing a tragic falling market for his cotton and other products. A wage and hour law, greatly increasing the cost of everything the farmer must use, with a falling market on his products, would be fatal.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, rather than ask unanimous consent to address the House for a minimum period, I ask unanimous consent to extend my remarks in the RECORD at this point on the question of an early report on the housing bill by the House Committee on Banking and Currency.

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

Mr. JONES. Mr. Speaker, reserving the right to object, we can carry on a discussion here all day long, but we have important legislation to consider, and we asked the House to meet at 11 o'clock this morning in order to finish it this evening. I must object to any further discussion at this time. When we have finished the legislation, I shall have no objection to it.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, I dislike to object to any request of my distinguished colleague from Massachusetts [Mr. McCORMACK], but already this morning it was made impossible for a Member on this side to insert his remarks at this point. I object.

Mr. McCORMACK. Then, Mr. Speaker, I renew my request and ask unanimous consent to extend my remarks in the Appendix.

The SPEAKER. The gentleman from Massachusetts modifies his request in the manner indicated. Is there objection?

There was no objection.

SUGAR BILL OF 1937

Mr. JONES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the

state of the Union for the further consideration of the bill (H. R. 7667) to regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; to raise revenue; and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 7667, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Under the agreement yesterday, the reading of the bill is dispensed with, and the first matter to be considered will be the first committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 24, between lines 2 and 3, strike out "30,000 to 50,000 and insert "more than 30,000."
Strike out "More than 50,000------ .450."

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

The committee amendment was agreed to.

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

The Clerk read as follows:

Committee amendment offered by Mr. JONES: Page 7, before line 8, insert "in no case shall the quota for the Commonwealth of the Philippine Islands be less than the duty-free quota now established by the provisions of the Philippine Independence Act."

Mr. JONES. Mr. Chairman, that is simply a provision that should have been in this bill, to make it so that we will not violate the Philippine Independence Act.

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

The amendment was agreed to.

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

The Clerk read as follows:

Committee amendment offered by Mr. JONES: Page 33, line 17, strike out "December 31, 1940" and insert "June 30, 1941."

Mr. JONES. Mr. Chairman, this is a correction, so that the tax will apply uniformly on the whole year's crop.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

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

The Clerk read as follows:

Committee amendment offered by Mr. JONES: Page 37, line 12, strike out "December 31, 1940" and insert "June 30, 1941."

The amendment was agreed to.

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

The Clerk read as follows:

Page 37, line 14, strike out "such date" and insert "December 31, 1940."

Mr. JONES. That makes it conform to the other.

The amendment was agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 14, strike out lines 1 to 8, both inclusive.
Page 14, line 9, strike out "(c)" and insert "Sec. 207. (a)."
Page 14, line 11, strike out "(d)" and insert "(b)."
Page 14, line 15, strike out "(e)" and insert "(c)."
Page 14, line 8, strike out "(f)" and insert "(d)."

Mr. JONES. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

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

There was no objection.

Mr. JONES. Mr. Chairman, this is not a committee amendment, but is one which I am offering to the bill. This is the important, controversial amendment that will be offered to the bill, and I propose to allow, with the consent of the committee, rather full discussion, which it should have.

This is an amendment to strike out subdivisions (a) and (b) of section 207 on page 14, and is the amendment which has been discussed somewhat during the general debate. I am going to talk frankly to the members of the committee and to those who are interested in legislation. I believe that the true friends of legislation, if they are wise, will agree to these amendments. I hope that those who want to secure legislation—and I am speaking from a disinterested viewpoint—will not permit their pride or feeling to control their judgment. As a great President once said, we are face to face with a condition and not a theory; and if you want legislation I believe these amendments should be adopted.

The administration, including the President, is very much opposed to these two paragraphs remaining in the bill. There is some criticism of that position being made known, but I think there is pretty good reason for it when a number of groups went to see him, both from among Members of Congress and elsewhere. At any rate, I want to say to the friends of this legislation that this is not the important provision in the bill, and I hope you will not permit a relatively unimportant amendment to jeopardize or imperil the major objectives of this legislation.

I am not going to discuss, in the main, the particular merits of the question. It is a debatable question. It is not a one-sided question; but just as a practical proposition, the bill as it is now written places control within the quota of the amount of direct-consumption sugar that can be brought in from Hawaii and Puerto Rico.

If those provisions were stricken out, there would be no limitation on the amount of refined sugar that could be brought in from those islands within their quota. It would not affect the quota but simply the amount of refined sugar that could be brought in within their quotas.

Now, listen for just a moment. These provisions in the bill would permit the largest amount of direct-consumption sugar or refined sugar to come in from those islands which they ever sent in in any one year prior to the enactment of the original act. The life of this bill is only a little more than 2 years. You Members who are interested—and some of you are vitally so, although it happens I am not interested except in the interest of good legislation—it probably will not make much difference in the amount of sugar that will be brought in in refined form from those islands within that 2 years. Is that not correct?

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

Mr. JONES. I yield.

Mr. McCORMACK. If that is so, why does the gentleman insist on his amendment?

Mr. JONES. I think the gentleman understands that. He is a pretty smart man. [Laughter.] I have a high regard for my friend from Massachusetts, and I do not think he is seeking information altogether, because I think he has it.

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

Mr. JONES. I yield.

Mr. MANSFIELD. Is it not a fact that while it may not materially affect the quantity of sugar coming in, it might affect the laborers who are in the employ of the domestic refiners?

Mr. JONES. If it does not affect the amount of sugar that comes in in refined form, how could it affect labor? Now, if a little more sugar were brought in, it might affect it, and it possibly would affect it. I will state to the gentleman that there is some argument on that basis, but it is not probable, in view of the historical basis of the entry of refined sugar prior to the enactment of the original act, that there is much involved.

Let me say that the position of the administration is this, that it is a matter of principle; that it will not affect much, during the life of this contract, two or two and a half years, the amount of sugar that will be brought in, but they are opposed to the discrimination against any group of American citizens living under the American flag. That is their position, and I want to state that the President has made it clear he is all for the beet growers and the cane growers, and wants them to have legislation. I think that most of you will realize that the great major objectives of this bill will remain the same, insofar as the American producers are concerned, whether these amendments are adopted or not. Then, too, even if my amendment is adopted, industry and labor will have the advantage of the other provision of the bill.

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

Mr. JONES. I yield for a question.

Mr. ROBSION of Kentucky. The gentleman stated that this question is relatively unimportant and that the administration is against it.

Mr. JONES. Now, let us get it correct. I said it is relatively unimportant as far as the mechanical amount of sugar that is brought in is concerned. The administration regards it important as a matter of principle.

Mr. ROBSION of Kentucky. That is what I am coming to, as affecting the amount of the finished product that comes into the United States.

Mr. JONES. No; as to the question of writing into a law a discriminatory feature, not that it will have much effect. It is just as though we tried to pass a law saying that the gentleman should not be permitted to go back to Kentucky this month. He might not want to go back, but if we were to pass a resolution that he could not go back, he would not like it.

Mr. ROBSION of Kentucky. Will the gentleman permit me to put my question?

Mr. JONES. Yes.

Mr. ROBSION of Kentucky. If I understood the gentleman——

Mr. JONES. Do not argue; ask the question; my time is limited.

Mr. ROBSION of Kentucky. As I understood the gentleman's statement, it was that the amount of sugar which would come in would be relatively unimportant but that the important thing involved is the question of principle.

Mr. JONES. I am stating the administration's position; this is correct.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. O'MALLEY. Is it not a fact that if the amendment the gentleman offers is adopted the entire production of raw sugar, or the entire quota of raw sugar, could be turned into refined sugar and then brought into continental United States?

Mr. JONES. Theoretically, that would be possible; but considered in the light of the historical background, when we had no limit at all, they did not bring in any more than they would be permitted to under this bill. They probably would not build any great refineries for a 2-year program. That is my frank answer.

Mr. O'MALLEY. The gentleman says it will not affect imports.

Mr. JONES. I say, in my judgment, it will not to any great degree within the time limits of the operation of this bill.

[Here the gavel fell.]

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

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

There was no objection.

Mr. O'MALLEY. One further question, if the gentleman will permit. Should the quota be increased, it would permit investment in refineries in the island. Would not this provide an additional reason for extending the provision for 2 more years?

Mr. JONES. Perhaps; but, as a matter of fact, they can build all the refineries they want to in the islands now.

Mr. O'MALLEY. With this quota taken off, which the gentleman's amendment purports to do, would not the domestic refineries be in the middle of a squeeze play where the island refiners can say to refiners in the continental United States, "You pay our price for raw sugar or we will take advantage of this unlimited quota and refine the sugar and send it into your market"?

Mr. JONES. I do not think they could do that to any great degree within a 2-year period.

Mr. O'MALLEY. Such things have been done before.

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

Mr. JONES. I yield.

Mr. LEWIS of Colorado. Even sitting here in the front row I could not hear the amendment when it was read. I would like to have the amendment read again, Mr. Chairman.

Mr. JONES. I will state it to the gentleman. It strikes out subdivisions (a) and (b) of section 207.

Mr. MAVERICK. Mr. Chairman, will the gentleman yield for a question?

Mr. JONES. I yield.

Mr. MAVERICK. Does the gentleman believe that these sections with reference to Hawaii and Puerto Rico are constitutional?

Mr. JONES. I think they are constitutional if quota provisions generally are constitutional. I do not think the legal question is materially involved. If we can adopt as a legal proposition quotas in reference to raw sugar, I cannot see why we cannot adopt them in reference to refined sugar.

Mr. MAVERICK. I understand, but that is a specific quota as against Hawaii and Puerto Rico, parts of the United States of America, the only geographical difference between them and the other components of the Union being that water separates them instead of land.

Mr. JONES. I do not think that question is much more serious in view of all the circumstances than the legal question involved in quotas generally. They are not States. Perhaps we could do as we please. But that is all the more reason why they should not be discriminated against.

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

Mr. JONES. I yield.

Mr. KELLER. If we are to strike out sections (a) and (b), why do we not also strike out section (c)?

Mr. JONES. Section (c) is not important for the reason that they are given a quota of all they ever produced. They produce only about 7,000 or 8,000 tons, and that is not important.

Mr. KELLER. Then why should it be in the bill?

Mr. JONES. I do not care. The gentleman may add that to my amendment if he wants to; that is not a controversial matter.

Mr. KELLER. I am going to try to strike it out.

Mr. JONES. I do not have any objection to that. It would not alter the matter one way or the other.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. LUTHER A. JOHNSON. How do sections (a) and (b) of this bill compare with the Jones-Costigan Act?

Mr. JONES. They are practically the same the way the bill is reported as reported in the original act.

Mr. Chairman, I hope the House will understand that I am presenting the position as best I can in the light of all the circumstances. I think it is but fair for me to read to the House a very brief statement prepared at my request by some of those who have had the responsibility of administering the various features of the Jones-Costigan Act, setting forth their position in the matter.

I believe the House would want to have the courtesy extended to have this read.

[Here the gavel fell.]

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

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

There was no objection.

Mr. JONES. Mr. Chairman, this is only a three-page statement and I think that courtesy, in view of the interest manifested, should be extended to these people:

The first three paragraphs of section 207 of H. R. 7667 discriminate against Puerto Rico, Hawaii, and the Virgin Islands by limiting refining operations in these areas without correspondng restrictons on the other domestic areas of the United States. These provisions are demanded by the seaboard refiners of the mainland in order to limit the amount of competition in the sale of refined sugar. The seaboard refiners are given extraordinary benefits and protection under other provisions of the pending bill, as follows:

(1) Under the quota provisions total supplies are adjusted to consumers' needs which stabilizes the sugar market in the United States, as operations under the Jones-Costigan Act have indicated. Refiners thus obtain at public expense, in legal form and under public safeguards the general market stabilization which they sought unsuccessfully to achieve at their own expense through control of sugar marketing practices under the Sugar Institute regime of 1928–30, which control was held by the United States Supreme Court in its decision of March 30, 1936, to be in violation of the antitrust laws of the United States.

(2) For many years refiners have sought to limit importations of liquid sugar into the United States, which, they maintain, replaces their refined product among certain types of consumers (confectionery, baking, etc.). Section 208 of the bill prohibits the importation of liquid sugar from any foreign country except Cuba and the Dominican Republic, which two countries are permitted quotas based on previous years' marketings in the United States, thereby limiting competition of foreign liquid sugar with refiners' products. Section 210 (b) provides in effect that any liquid sugar marketed by the domestic areas shall be included in the sugar quotas, thereby limiting possible competition with seaboard refiners' products of liquid sugar which may be produced in domestic areas.

(3) Under section 207 (e) refiners receive the unusual protection of an outright embargo on any importations of direct-consumption sugar from the principal competing country (Cuba) in excess of 375,000 short tons, raw value, which represents a decrease, as compared with the 1936 quota, of 87,000 short tons of sugar, although the United States Tariff Commission, after official investigation of costs of refining in the United States and Cuba, reported to the President on January 22, 1934, that no change was warranted in the tariff differential between raw and refined sugar.

It should be clearly understood that the foregoing reference to the figure of 375,000 tons of direct-consumption sugar is not to be taken as implying acceptance of that figure. The Department of State maintains that the Cuban direct-consumption quota should not be reduced below a quantity equal to 22 percent of the total Cuban quota.

(4) Under the provisions of the Philippine Independence Act the refiners are protected against importations of refined sugar, duty-free, from the Philippine Islands, where great expansion of refined sugar production would be possible if no restrictions were imposed. To the limitation of 50,000 long tons of duty-free refined sugar provided for in the Philippine Independence Act, there is added the provision in the pending bill in section 207 (d) that no more than 80,214 short tons, raw value, of direct-consumption sugar may be brought in from the Philippines in any calendar year, even with payment of full duty.

Under the quota system the seaboard refiners increased their meltings from 4,129,000 tons in 1933, the year prior to the Jones-Costigan Act, to 4,514,000 tons in 1936. The excess of the American refiners' margin above the world refiners' margin per pound of sugar amounted to over $20,000,000 in 1936 on the refiners' aggregate deliveries of sugar, an indirect subsidy under quota legislation to the 14 refining companies of $1,600 for each person employed by them, as against an average wage of $1,005.

The question at issue is not whether the 14 mainland cane-refining companies, employing approximately 14,000 people, should be protected but whether, after having been granted the foregoing unusual forms of protection against competition in the bill, they should be given this additional protection, which is an outright discrimination against American citizens residing in the Territories and possessions of the United States.

The provisions discriminating against Hawaii, Puerto Rico, and the Virgin Islands in the matter of refined sugar are in complete violation of traditional American policy and of basic American principles.

First. These discriminatory provisions establish trade barriers within the United States. These provisions establish that a certain part of the Union may not manufacture, may not process, the products of its soil. This discrimination against one part of the Union is established not merely in favor of another part of the Union—in itself an unjustifiable performance. It establishes discriminations against parts of America, inhabited by American citizens, in favor of a few mainland companies already highly privileged by this legislation. As a precedent this kind of discrimination is unthinkable—and because it was introduced without the administration's approval 3 years ago in the Jones-Costigan bill, in an emergency, is no reason for making it continuing national policy.

May I say to the House that I am not talking about this position of the Department. I may not be able to finish this statement, but I feel it is fair to state it in the interest of the people who are concerned about this matter. I know some of you represent certain areas, and you, as a matter of policy, may have to vote against these amendments; but those who do not represent such districts, I believe, as man to man, you will be doing the great beet and cane producers of America a favor, not on the merits of the proposition, but in the interest of securing major legislation.

[Here the gavel fell.]

Mr. CRAWFORD. The gentleman should be permitted to finish reading this statement. It is very important and is a very vital part of this bill. He should have additional time to answer three or four questions, and I therefore ask unanimous consent that he may proceed for 5 additional minutes.

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

There was no objection.

Mr. JONES. Mr. Chairman, continuing this statement:

Second, these discriminations are contrary to the spirit of American institutions. They are contrary to contemporary American policy by establishing an Old World colonialism in America. The essence of Old World colonialism, the colonialism against which the Thirteen Colonies rebelled when they declared their independence from Great Britain, and against which the Spanish colonies rebelled when they broke away from Spain, was the right of the mother country to exploit those colonies, to consider their citizens as occupying a secondary and inferior status and to place economic obstacles in their path, in favor of commercial interests in the mother country. This is still the practice among Old World empires, though to a more limited extent than it was a century and a half ago—because colonies cannot be exploited as ruthlessly now as then. However, it is self-evident that sound statesmanship in the United States cannot recognize, cannot permit, the establishment of such a continuing policy with us. It has been part of our historic process that territories represented an earlier stage of political development, and that during that period of development their lack of voting strength in the Congress was not to be taken advantage of to penalize them, but on the contrary should entitle them to the fullest protection from the entire Congress. Because Hawaii and Puerto Rico have no vote in the Congress is not only not a reason for discriminating against their products and imposing restrictions upon them against which they cannot retaliate, but it is a valid reason for insuring them protection at the hands of the entire Congress. The Congress itself is looked to by American citizens in Hawaii, Puerto Rico, and the Virgin Islands to insure them equal treatment.

Mr. CRAWFORD. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Michigan.

Mr. CRAWFORD. In view of the announcement made by the floor leader a few moments ago, and the gentleman's statement, as I understood it, to the effect he is directly informed the President will veto this bill if these amendments are not agreed to, may I ask the gentleman, if the bill is vetoed and the Congress adjourns in the meantime, will there be any sugar legislation during this term of Congress?

Mr. JONES. The gentleman has asked two or three questions in one. I have not quoted the President. I do not undertake to quote Presidents. I do know from conversations that the President has taken a very firm stand on this matter, and I believe in all fairness if sugar legislation is desired this is about the only way to get it. Furthermore, if this bill should be passed in its present form and vetoed, I would like to call the attention of the friends of this legislation to the fact that the Congress has been very generous to the people who produce beets and sugarcane. There are a great many more consumers in this country than there are producers of sugar beets and sugarcane, and the Congress has been fair enough to go along on a great program that has done much, I believe you will all agree, for the sugar industry of America. There is much that may be done by the major provisions of this bill. Just as an open proposition, I do not think the people who are vitally interested could very well expect, in the event there should be

passage of the bill in its present form and it should not be approved, the people who are not interested to still go along and undertake to pass it, notwithstanding that you are not willing to be reasonable enough to recognize the realities of the situation and, in order to accomplish a great purpose, be willing to make a little sacrifice. [Applause.]

Mr. KENNEY. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from New Jersey.

Mr. KENNEY. If these amendments are voted down, then the islands would have the right to send to continental United States something like 600,000 short tons of refined sugar?

Mr. JONES. They would have the right, but probably under the physical conditions existing would not exercise the privilege.

Mr. KENNEY. But they would have that right?

Mr. JONES. They could not exercise the privilege, I may say.

[Here the gavel fell.]

Mr. KLEBERG. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is the first time I have found myself so directly opposed to my long-time and distinguished friend, the chairman of the House Committee on Agriculture, as to be moved to take the floor in opposition to the very fine statement he made, but a statement which, in my opinion, carried only one side of the picture. I do not blame him for his oversight. No man as busy as he has been in the last several months could be charged with such a little thing as probably overlooking a very significant and important bet. It is a very peculiar thing to find him, after having gone through the hearings along with other members of the committee, overlooking the significant fact that the House Committee on Agriculture has as its members a group of gentlemen whom I believe, like the distinguished chairman, desire to preserve every principle of fairness and justice that is due to him or to any other American citizen.

Mr. Chairman, when the statement is made that there is discrimination and that we are treating citizens under the American flag unfairly by this particular provision of the bill that is sought to be stricken out, I invite the attention of the members of the committee to the provisions of the entire bill. The State of Texas, the State of New York, and the State of Massachusetts at one time produced sugar beets and Texas produced sugarcane.

Under this bill and under the quota applied, States which at one time were able to indulge in that particular line of industrial endeavor are completely shut out from the so-called business of producing. The point I am trying to make is that the committee heard every single reason advanced today in the gentleman's argument and heard extensions of these reasons in the testimony before the committee, yet notwithstanding that, the entire committee, composed of men who, I repeat, are as fair and desire to be just as patriotic and law abiding as any group anywhere else, came to a decision, with the exception of one man who did not vote on the bill, that the provisions of this bill were O. K., including the two paragraphs which are the subject of the pending amendment.

Mr. Chairman, if these provisions are discriminatory as between citizens under the same flag, I challenge any man to stand up before this group in this great emergency and say the quota bill as written, from beginning to end, with these provisions knocked out, is not equally discriminatory. No man can apply the argument to one particular section because of administrative desire to have anything accomplished without being willing to look the facts and the figures in the face and recognize that the committee applied the quota system to the industry as it was at that time, limited it with proper adjustments, after due, careful, and deliberate consideration, and brought out the bill which this body is now considering. No committee working as we had to work would be able to bring out a perfect bill. I doubt if such an instrument has ever been passed. But when we come down to the issue involved today, whether to strike out provisions which do nothing more than freeze the refined sugar importations from Hawaii and Puerto Rico to the amount represented by their absolute peak of exportations of refined sugar to the United States, and then look at the other provisions and their effect on certain other States of the Union under the same flag, it does not seem to me we can be practical or consistent and still claim we are treating Puerto Rico and Hawaii with discrimination.

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

Mr. KLEBERG. Yes; I am pleased to yield to the gentleman from California.

Mr. BUCK. Is it not a fact that owing to the quota limitations we have put on the imports of raw sugar, the continental refiners are limited much more than the refiners in Hawaii and Puerto Rico?

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

Mr. CRAWFORD. Mr. Chairman, I reserve the right to object.

Mr. KLEBERG. I shall repeat the question so the gentleman will hear it.

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

There was no objection.

Mr. KLEBERG. My distinguished friend the gentleman from California [Mr. BUCK] has just asked me whether or not in my opinion it is not true that the provisions of the quota restrict American refiners to a greater degree than the restrictive provisions complained of affect the refiners of Puerto Rico and Hawaii. I may say without any hesitation that that is perfectly patent on the face of the statement I have just made. The refiners on the continent are restricted, by reason of restrictions on the continental sugar producers of both cane and beet sugar, including not only the cane-sugar refiners but the processors of beets, to the limitation in this bill, which provides an opportunity for the law of supply and demand to function for the benefit of not only the producers but the consumers and the market to which the producers of raw materials must go.

Mr. Chairman, I hold that my distinguished friend overlooked this proposition when he made the statement that if we adopt this apparently innocuous amendment no damage will be done. I hold, Mr. Chairman, that whenever a great deliberative body like the Congress of the United States adopts an amendment such as the one now presented, and accepts without going more into detail the statement that there is no injury caused to a great industry thereby, a great offense is committed. I hold that no man who will take his pencil and paper and figure out the facts and go back to the historical record of this industry can say that the producers of cane sugar in the United States are not injured when their market has its throat cut. Whenever you destroy the market to which producers must go, you have done them an injury.

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

Mr. KLEBERG. I am pleased to yield to the gentleman from New York.

Mr. LANZETTA. Is it not a fact that quotas were established with respect to areas which were then producing beet and cane sugar?

Mr. KLEBERG. And refining, too.

Mr. LANZETTA. With respect to the raw sugar, the burden was placed equally on the shoulders of every American citizen in the producing areas where sugar was then under production.

Mr. KLEBERG. Except in the case of Puerto Rico and Hawaii.

Mr. LANZETTA. Is it not a fact that in the case of Puerto Rico and Hawaii quotas were fixed on the basis of the amount of sugar produced for a number of years past?

Mr. KLEBERG. Yes.

Mr. LANZETTA. Is it not a fact that the quotas of the continental beet and sugarcane growers were fixed in a similar way?

Mr. KLEBERG. Yes.

Mr. LANZETTA. Then, where is the discrimination?

Mr. KLEBERG. There is no discrimination because we find the industry processing sugar and the industry producing sugar are essential one to the other. The same principle applies to the production of the industrial product as applies to the case of reduction and curtailment in the production of the agricultural product.

Mr. LANZETTA. Then, there is no discrimination insofar as the beet or raw cane sugar is concerned.

Mr. KLEBERG. No; that is is not correct.

Mr. LANZETTA. The gentleman agrees with me that the quotas were fixed for all areas which were then producing raw sugar.

Mr. KLEBERG. That is correct.

Mr. LANZETTA. And if the burden is placed equally upon all of these areas, then there is no discrimination.

Mr. KLEBERG. There is equal discrimination, none the less, to everybody under this bill, but the discrimination is indulged in in order to arrive at a solution of a practical, economic problem, and until the Congress and this Committee understand that the purpose or objective of this bill is to accomplish such a solution of a problem which threatens the successful economic continuance of the sugar industry in continental United States, as well as in the islands, we will never properly join issue on the question.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for a question?

Mr. KLEBERG. Yes; if I can get just a little extra time, because I have not finished the point I want to make.

Mr. CRAWFORD. Do I understand the gentleman to say, as a member of the committee, that this bill will not permit the building of a sugar plant in Texas so they may refine beet sugar in Texas?

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may be permitted to proceed for 5 additional minutes.

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

There was no objection.

Mr. KLEBERG. I will answer the gentleman in this way.

Mr. CRAWFORD. The reason I ask the gentleman the question is because of his remarks appearing at page 8320 of the RECORD, which the gentleman has repeated here. I want to find out whether, in the gentleman's opinion, this bill prohibits the building of a new beet-sugar mill in the State of Texas for the purpose of refining sugar.

Mr. KLEBERG. The question answers itself, because the State of Texas cannot go into the production of sugar beets under this bill.

Mr. CRAWFORD. How are the other Western States building mills and bringing them into production under such legislation?

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

Mr. KLEBERG. I yield.

Mr. JONES. I know the gentleman wants to be thoroughly accurate on that statement, and I think if he will read section 205 (a) of the proposed act he will find that there is provision for expansion of other new areas where it can be shown there is reason for such expansion.

Mr. KLEBERG. And that provision would apply equally to Puerto Rico and the Hawaiian Islands. They and Texas would have to show causes before they can expand.

Mr. JONES. That is right.

Mr. KLEBERG. The point I am making is that there is no discrimination in the bill between the continental area divided into States and the insular areas described as offshore possessions or territories.

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

Mr. KLEBERG. Permit me to conclude this statement.

The fact is that the issue hinges on two questions which the House must decide. First of all, whether we are going to continue the emergency provision set up under the Jones-Costigan Act, based on the same principle as the underlying principle of this proposed legislation, and pass this bill as written, or are we going to say that because of certain readjustments made necessary by application of these principles to the processing end of sugar, in some instances, we cannot be fair to the principles establishing quota-restricted production in continental United States when we do not recognize the importance of protecting the market for the producers of those States.

The other question we are going to have to decide is one that comes right straight home to us. As a member of the legislative committee I did my dead-level best to be impartial, to be fair, to be attentive, and to do the very best thinking of which I am capable in deciding upon the final vote on this measure. The legislative committee of which I am a member has decided upon the bill you now have before you, and they have backed it. We now come before the Committee of the Whole House and we find three departments of the administrative branch of the Government, backed by the President, have come to a different opinion with reference to a function which is essentially a part of the duties of this great body. If, because of the pressure that comes from that source, there is a failure to consider that the provisions of this bill represent the dead-level best of the committee to be fair, based on the historical data of the industry from its beginning, and if we decide, against our best judgment and duty, that because we are told that despite our best judgment this bill will be vetoed, with full knowledge of the fact that such veto power exists, I hold, Mr. Chairman, that we have come to a sad day.

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

Mr. KLEBERG. I yield.

Mr. McCORMACK. We had a similar situation with respect to the veterans' bonus and the House proceeded and acted.

Mr. KLEBERG. Of course, I did not want to refer to historical matters, but I do want to call attention to the pertinency of that issue here.

Mr. Chairman, in conclusion I repeat that never have I faced a more solemn or difficult task when I find myself opposed to my loved, distinguished, and trusted friend the gentleman from Texas [Mr. JONES], who has presented this amendment here—and I make this statement, and if it is challenged, it is all right—because of the fact that he is a Democrat and because of the fact he felt prompted to do this out of courtesy for the departments that have objected to the provisions contained in the bill, and I repeat that as members of the committee and of the House, the question we must decide is whether or not the work done by the committee is going to be disregarded to sustain this amendment, which strikes down the deliberate judgment of your legislative committee and substitutes therefor the desire of Government departments.

Mr. REED of New York. Mr. Chairman, I move to strike out the last word. I rise to express my views on this sugar question.

The average per-capita consumption of sugar in 1900 in the United States was about 70 pounds. It is now estimated that the per-capita consumption is more than 103 pounds a year.

As I gather from statistical sources, about 20 percent of the sugar required by the consumers of the United States is grown in our own country; 40 percent of our domestic needs is obtained from Hawaii, Puerto Rico, and the Philippine Islands; the other 40 percent is imported from foreign countries, chiefly from Cuba.

The area in the United States that can be successfully utilized for cane-sugar production is limited by rainfall, soil, and temperature. The portion of the United States that meets these requirements is the Gulf Coast Plain. There are factors, however, that place this region under a competitive handicap with Puerto Rico, Cuba, Hawaii, and the Philippine Islands. The handicaps are annual frosts and the higher cost of labor.

It is quite different with beet-sugar production. This crop can be grown under a wide variety of climatic and soil conditions. If the problem of beet-sugar production were to be

approached from a statesmanlike point of view, vast areas could be opened up to the production of sugar beets. Instead of importing 80 percent of our sugar, the farmers of the United States might profit tremendously by supplying the ever-increasing per-capita demand for sugar.

Now as to the refining process. The cane sugar comes from the mill as raw sugar, and has to be refined. This business is so vast that the refinery must be located near the great commercial gateways of the consuming regions. The magnitude of this industry is shown by the daily capacity of one of the largest refineries which produces daily more than 4,000,000 pounds of sugar. I believe the reports show that the American Sugar Refining Co. produces in excess of 50,000 carloads annually. These great refineries are located principally near Boston, Brooklyn, Philadelphia, New Orleans, and San Francisco.

Now, with sugar-beet refining the facts are different. The average acre of beet land yields 9 to 11 tons of roots, from which 13 to 18 percent, by weight, is recovered in the form of sugar. The bulk of water and cellulose does not warrant shipment long distances to refineries; therefore, beet-sugar factories are located close to the point of production. This very fact tends to furnish pay rolls to the communities near the sugar-beet farms. The farmer benefits from the price he receives for the beets, and from the pay rolls of the factories located in close proximity to the farms.

I can see no sound reason why millions of acres should be taken out of production of paying crops to furnish a market for foreign sugar producers. As we displace our acres by the importation of farm crops we force the American farmer to engage in the production of crops of which there is already a surplus. This ruins his domestic market price, which results in poverty, distress, and unrest among our farmers.

The domestic market for farm products belongs to the American farmer, and until it is fully restored to him there can be no sustained prosperity for him.

I call attention to another fact, Mr. Chairman. Something has been said about the consumer and what it means to him to buy in the cheapest market. Just so long as we are dependent on foreign countries for the major part of a necessity such as sugar, when a crisis comes, and we need that product, then we will pay the price, as we did during the war. Every country in the world is trying by bonuses and subvention to produce sugar. We have the area here, the farmers can produce it, and there is no reason why we should take from the American farmer this opportunity to prosper in the raising of beet sugar. [Applause.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the pro-forma amendment, and ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Chairman, I stated yesterday, and I repeat today, that I represent a district in which there are no farms. I represent a district similar to districts that many Members of this House represent coming from large urban areas. As my friend from Texas [Mr. JONES] was talking about this amendment, he impressed me that his heart is not in the amendment that he has offered. He admitted that there were two sides to the question. We all know that. When my friend from Texas [Mr. JONES] was talking I know that he had in mind the fact that when he had his hard fights in the past putting through agricultural legislation it was Members like myself who rallied to his support. When my friend from Texas [Mr. RAYBURN], the majority leader, was also having his hard fights, and I know if he speaks on this amendment he will be conscious of the fact, he will remember that it was Members like myself from the industrial districts who were going down the line with him, helping his people, upon the theory that when we were passing legislation to improve the lot of an economically adversely affected group of our citizens we were doing something that inured to the general welfare. I am going to ask Members from other sections of the country to remember that we from the industrial East have helped them in many a close fought battle in this House. Only the other day the Gila Dam was up, and if you will look over the roll call you will find that the Members from the industrial East helped the West in that fight. A few days ago another dam was under consideration, and look over the roll call and you will find that the Members from the New York, New England, Pennsylvania, and other industrial sections were going down the line for our western friends.

Now, an attempt is being made to divide the farmer and the worker of the industrial area in their common interests in this bill. That will be the result of this amendment if it is adopted. My friend from Texas [Mr. JONES] knows that. The effort is being made to divide the common interest that exists between the farmers of the country and the consumer and refinery workers of the country; the Representatives in this body of the producers of the country and the Representatives in this body of the refiners and the employees of the refiners of the country. My friend from Texas [Mr. JONES]—and I say this impersonally—made a very ingenious argument. Oh, how vulnerable it would be to criticism if we did not know in our own minds that the gentleman is a soldier, and we respect and admire him for being the soldier that he is, and the soldier that the majority leader, if he speaks on this amendment, will be. It is not the heart that is behind their position; but they are soldiers, and on this occasion they are only doing the work of a soldier. The gentleman from Texas said that "the friend of this legislation, if wise, will agree to the amendments." I wonder what he means by that. Have I not been a friend of agriculture? I voted for the last farm bill. I took the floor for the cotton-control bill when it was in peril, and it passed by only six or seven votes. I voted for the potato-control bill of my friend from North Carolina [Mr. WARREN]. As I say, I took the floor on the cotton-control bill. I assumed then that it would do good for that form of agriculture. They asked me if I would take the floor, and I did. The bill, as I remember, passed by six or seven votes.

The gentleman says that certain Members, if they are wise will agree to the amendment. That argument falls to the ground, because the Representatives of the industrial districts have indisputably shown by their votes and voice that they are also the friends of agriculture. But in this bill today it is not only agriculture that is interested; it is the workers of the refineries, 16,000, approximately, throughout the country, on a 60 percent working basis, and if conditions improve, and if the demands are greater than under present conditions, opportunities of employment will increase. Indirectly many thousands of others are dependent upon this industry. In the city of Boston alone the industry spends $37,000,000 in wages and for supplies, materials, taxes, and other activities, and that all inures to the purchasing power of that section. New York, Pennsylvania, Michigan, Louisiana, California, and other States have refineries, and their problems are the same as my problem.

The argument of discrimination is raised. After the passage of the Jones-Costigan bill Hawaii contested the act and brought proceedings in the Supreme Court of the District of Columbia. Mr. Justice Bailey said:

> Complainants have failed to show any discrimination against them. Hawaii was, in fact, required to curtail its production less than any other area.

Again, the Justice said:

> Congress has the right to limit the importation of sugar from Hawaii, and that limitation in no way deprives plaintiff of property without due process of law.

My friend from Texas [Mr. JONES] says that if this bill is passed refined sugar imports from Hawaii and Puerto Rico will not increase; that it will not disturb the present situation during the life of the bill. If that is so, why should we adopt the amendment? What is the necessity for adopting the amendment?

Mr. TAYLOR of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. TAYLOR of Tennessee. Was not the admission made before the Rules Committee by the friends of those who

would eliminate these two subsections, that if they were eliminated the industry in Hawaii would expand?

Mr. McCORMACK. That is my recollection.

If refined sugar from Hawaii and Puerto Rico will not increase, what is the necessity to have this amendment adopted? The present bill proposes to simply continue with reference to refining that which exists under the Jones-Costigan Act. We are dealing with a practical situation. We are not dealing with a theoretical matter. It must be viewed in a practical way.

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

Mr. McCORMACK. Yes.

Mr. KING. It does not say, however, how much sugar we refined at the Atlantic seaboard. Does the gentleman know how much Hawaiian sugar is refined at Boston, in the district that the gentleman represents?

Mr. McCORMACK. If the gentleman wants to put it in the RECORD it is all right.

Mr. KING. I have the figures. In the port of Boston it is an average of 29,000 each year, which should not displace 10 men.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. O'MALLEY. Does not the gentleman suspect that the real reason for the proposed adoption of this amendment is to give Hawaiian producers another angle from which they can obtain a greater price for their raw sugar, by threatening to send in more refined sugar if they do not get a sufficient price for the raw sugar?

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

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

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANSFIELD. Mr. Chairman, I ask unanimous consent that the gentleman may have 10 additional minutes.

The CHAIRMAN. The gentleman has already received 5 additional minutes.

Mr. McCORMACK. I think the gentleman's question answers itself. It is entitled to that inference.

Mr. O'MALLEY. Even if they do not use it, they have a blackjack in their hands against the American refineries.

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

Mr. McCORMACK. I yield.

Mr. CRAWFORD. In view of the interest which the gentleman has taken in this bill and the people whom the gentleman represents and for whom he speaks so ably, I want to ask the gentleman this very vital question: Is the gentleman in position to say, officially for the refining industry——

Mr. McCORMACK. I am talking for the workers of the refiners. Please get that correct.

Mr. CRAWFORD. I thought this was a refiners' proposition.

Mr. McCORMACK. I am talking for the workers of the refiners. I am fighting to protect their best interests.

Mr. CRAWFORD. Is the gentleman in a position to say for the people he represents and in whose interest he is now speaking——

Mr. McCORMACK. The workers of the refiners.

Mr. CRAWFORD. That hereafter they will insist and stand by protection for the domestic beet-sugar and cane-sugar industry, which they have eternally fought heretofore? You are speaking of the seacoast refiners, as stated in your message yesterday.

Mr. McCORMACK. Now the gentleman is going pretty far afield.

Mr. CRAWFORD. I want to know where you stand on this.

Mr. McCORMACK. Oh, where I stand? Let me tell you where I stand on this. I would vote for an amendment that would bring about the maximum productive abilities of continental America and its possessions, after the termination of the reciprocal trade agreement with Cuba.

Mr. CRAWFORD. But will the refiners for whom the gentleman speaks——

Mr. McCORMACK. I am speaking for myself.

Mr. CRAWFORD. The gentleman is not representing the refiners?

Mr. McCORMACK. I have told the gentleman several times that I am speaking for the workers employed in the refineries.

As far as I am concerned, I think that the producers of America should be permitted to produce to their maximum capacity. [Applause.] I do not believe we should have crop control of beets and sugarcane for the benefit of some other country—and I refer to Cuba. I realize the practical situation that confronts us in the matter of the reciprocal trade agreement, but there should be no crop control in agriculture unless we have a surplus, and in the case of sugar we have an underproduction, a production incapable of meeting the consumptive demands of our people. Under those circumstances we should utilize to the maximum extent the productive capacity of the growers of the United States.

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

Mr. McCORMACK. I yield.

Mr. MOTT. Does the gentleman think that will ever be brought about as long as the reciprocal trade agreement is in force?

Mr. McCORMACK. No; I said after the termination of the reciprocal trade agreement. I think that is the practical situation that confronts us.

Mr. MOTT. Is the gentleman in favor of the repeal of the Reciprocal Trade Agreement Act?

Mr. McCORMACK. No; and I am consistent in my position.

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

Mr. McCORMACK. No; I have but a minute remaining.

Mr. KING. The gentleman mentioned my name two or three times in the course of his remarks.

Mr. McCORMACK. I dislike not to yield to anyone, even where it is at my own expense; even though I have never knowingly asked any gentleman to yield when he had only a minute remaining, yet I yield.

Mr. KING. Does the gentleman realize that the refinery in Boston, Mass., in his district, gets 90 percent of its raw sugar from a plantation in Cuba producing sugar under un-American conditions? We in Hawaii produce sugar on the American basis and pay American wages. [Applause.]

Mr. McCORMACK. What the gentleman says if true does not change my position, and it is not inconsistent with the position that I take today. If what has been stated on the floor is true, that there will be no increase of refined sugar from Hawaii and Puerto Rico, why does my friend want to have the increase? We are considering a practical bill. Those islands want to bring in all their quota in refined sugar when it has been stated, and not denied, that they do not intend to exercise the power.

Mr. KING. Does the gentleman want an answer to his question?

Mr. McCORMACK. In view of the few remaining moments that I have I suggest that the gentleman answer that in his own time. We are considering a practical matter today; not a theoretical one. We are, as we should, considering the whole matter from a practical angle. We have got to apply the rules of practical justice to all interested parties and at the same time have a regard for the consumer.

They talk about discrimination. Who is going to suffer if this bill goes through? Certainly not those employed in Hawaii and Puerto Rico, for under the present law they are now receiving approximately $100,000,000 a year more on the sale of their sugar to us than they would if they sold it in the world markets. Their present invested capital and their workers will not suffer. The only ones who will suffer if this amendment is adopted will be the refineries, through

the destruction of their capital investment, and through the throwing out of work of thousands of citizens of the continental United States. [Applause.]

[Here the gavel fell.]

Mr. HOPE. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

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

There was no objection.

Mr. HOPE. Mr. Chairman, let us keep clearly in mind the real issue that is involved in this discussion. The issue is not protection, because the findings of the Tariff Commission under two administrations have been to the effect that there is no difference in the cost of production for refining in the Tropics and in the continental United States. The issue is not labor because in all these refineries in the United States less than 14,000 people are employed and they receive an annual wage averaging about $1,005. If all the refined sugar which might be permitted to come into this country under this amendment came in—and it will not nearly all come in—I can assure the members of this committee of that—it could not possibly displace more than one-third of these workers, because it would be less than one-third of what these refineries are refining at this time. This is the extent of the labor issue.

The issue involved, is not the issue of protection for the domestic producer of cane and beets, because, as I pointed out yesterday, the refiners who are opposing this amendment have for 40 years done everything they could to destroy the domestic beet-producing industry in this country. [Applause.] I cannot understand why those who are speaking for the domestic beet-sugar industry should allow themselves to be made the tools of the refiners as is the case today.

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

Mr. HOPE. Very briefly, for a question.

Mr. CUMMINGS. The gentleman asked a question, I wish to answer it. We are supporting it because they have repented and want to come into the fold. They should be allowed to do so.

Mr. HOPE. I am suspicious of death-bed repentances. All these refiners are doing is hitch-hiking on a bill for the relief of the domestic producing industry.

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

Mr. HOPE. Briefly, yes.

Mr. CRAWFORD. As a matter of fact, would these refiners be willing to stand for the protection of the continental beet- and cane-sugar industry?

Mr. HOPE. No; their record for 40 years indicates they will not stand for that. They fought it continuously during all that time.

The issue today is simply whether you are going to permit this Congress to record itself as saying we should set up restrictions against one area in this country which do not apply to another area. If we can do that, as far as refined sugar in Hawaii is concerned, we can do it as far as processing cotton in Georgia or Alabama is concerned. We can do it as far as the manufacture of shoes in Kansas is concerned. We can do it as far as any area in the United States is concerned which has not developed its industrial capacity. That is the big, vital issue that is before the House today. It is a question as to whether we are going to treat our citizens in Hawaii and Puerto Rico just the same as we treat the citizens of Massachusetts and Kansas.

In the year 1887, 18 of the 21 sugar refiners of this country got together and organized what has since been known as the Sugar Trust. The Sugar Trust has been in continuous conflict with the laws of this country ever since. It has been a persistent violator of the antitrust laws. It has been during all its history, and still is, a monopoly today at heart. That is the reason the companies comprising the Sugar Trust are opposing competition from any other area.

Only a little over a year ago the Supreme Court of the United States rendered a decision affirming the action of the United States District Court for the Southern District of New York in restraining the Sugar Institute, which is the modern version of the Sugar Trust, from 45 separate practices in violation of the antitrust laws of this country. The Supreme Court modified the decision to the extent that it held 3 of the stated practices were not in violation of the antitrust laws, but as to 42 of them the decision was affirmed.

Mr. Chairman, I think it is a rather healthy thing in this country to have a little competition in the cane-sugar refining business. All the competition we have in that industry today comes from the small amount of sugar that is refined in Puerto Rico, Hawaii, and what we permit to come in under this bill from Cuba and the Philippines. Is it not about time that these 13 great sugar companies which comprise the Sugar Institute, and which refine approximately 66 percent of all the sugar refined in this country, have a little competition? That is the reason these refiners are fighting this amendment today. They are monopolists at heart. They always have been, and they want to continue to be a monopoly.

The issue has been raised here as to what will happen to this bill if we pass it. I do not care to discuss that question particularly, but everybody knows if we pass the bill in its present form it is going to be vetoed. I wonder how many Representatives of the beet-producing sections want to go back to their beet farmers and tell them they voted for a bill that they knew was going to be vetoed because the Sugar Trust refiners wanted them to do so. That is the only answer you can make.

Mr. CRAWFORD. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Does the gentleman know of any greater blessing that could come to the seacoast refiners than to have this bill killed completely, so that they could buy their sugar for 60 cents, 70 cents, or $1.25 a hundred and have a small cost with a high refining margin?

Mr. HOPE. I think that would be in line with their previous practices.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. HOPE. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does it seem fair to the gentleman to punish the workers because he does not like the activities of the manufacturers? We in New England and of the New England delegation feel very strongly that our workers should be protected. We have lost many industries. I wonder if the gentleman realizes how much we have suffered in the State of Massachusetts?

[Here the gavel fell.]

Mr. HOPE. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

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

There was no objection.

Mrs. ROGERS of Massachusetts. The gentleman spoke of a deathbed repentance. Does the gentleman admit, in making that statement, that it is the death of the refining industry, as the workers seem to feel?

Mr. HOPE. No. I have already stated that labor in this matter is not a consequential issue. It is not an issue in this proposition at all, because sugar refining is perhaps the most highly mechanized industry in the country.

I understand that some of my Democratic friends feel some resentment because the administration has rather emphatically stated its viewpoint and position in this matter, but it seems to me the issue is clear. It is either vote with the administration or the Sugar Trust. Certainly any Member of the majority party would rather have the administration tell him how to vote than to have the Sugar Trust do so. If the vote on this question today discloses that the Sugar Trust is a more potent factor in the Democratic Party than the administration, then these are indeed strange times. May I say to my Republican friends,

while they may take some pleasure in voting against the administration, I hope when they do so they will do it in a more worthy cause.

Mr. MICHENER. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Michigan.

Mr. MICHENER. Does the gentleman know that the Beet Growers' Association and the representatives of the beet growers of our country are here today urging the Members from those sections to vote for this bill without amendment? That is the beet growers themselves.

Mr. MAVERICK. Is it not a fact they are dominated by the Sugar Trust itself?

Mr. CUMMINGS. That is not true.

The regular order was demanded.

Mr. HOPE. In answer to the gentleman from Michigan and the gentleman from Texas, let me cite another instance of the activities of the companies comprising this notorious Sugar Trust. They have gone out in the beet-producing areas and have bought large interests in the beet refineries. They own 26 percent of the stock in the Michigan Sugar Co. The American Sugar Refining Co. has a large stock interest in the Great Western Sugar Co. I am told it is a stockholder in a number of other sugar-beet refineries. This is a further effort they are making to dominate the industry. I think you will find that is where the influence comes from which the gentleman from Michigan states is urging Members from sugar-beet sections to support this legislation. These refiners are simply too smart for both the representatives of beet producers and representatives of labor. They are using both as cat's-paws. [Applause.]

[Here the gavel fell.]

Mr. CUMMINGS. Mr. Chairman, this is the first time in the five sessions of Congress in which I have served that I have ever opposed an amendment offered by the gentleman from Texas [Mr. JONES]. May I say with reference both to the gentleman from Texas [Mr. JONES] and the gentleman who has just spoken, the gentleman from Kansas [Mr. HOPE], that if there is any change in administration at the next election I hope one or the other of these gentlemen will be the Secretary of Agriculture, and I mean it? [Applause.]

The gentleman from Kansas is very weak in his mathematics. May I read some figures from the Government report regarding wages paid in Hawaii. It is shown that the wage paid on the sugar plantations in Hawaii is $10.92 a week. The gentleman stated that the annual wage paid by the refiners is $1,090, and I am accepting the challenge.

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

Mr. CUMMINGS. No.

Mr. KING. The gentleman is talking about me.

Mr. CUMMINGS. The gentleman talked three times yesterday.

Mr. KING. The gentleman is referring to field labor.

The CHAIRMAN. The gentleman declines to yield.

Mr. CUMMINGS. The wage paid is $10.92 a week. Multiply that by 50 and you get $546 in Hawaii and $1,090 in the United States, accepting the gentleman's figures as true. What wages are paid in other institutions in Hawaii? On the pineapple plantations, $13.50. In the canneries, $13.44. In building enterprises, $25.10 a week. Railroads, $24.95 a week. Longshore labor, $25.27 a week. Tin-can manufacturing, $22.38 a week. You have a very decent wage in all the industries until you hit sugar.

What is the truth about the cost of sugar? Somebody has said that the people have been very kind to the beet growers so far as the price of sugar is concerned. I have here a table prepared by the United States Department of Labor as of June 8, and it shows the index numbers of retail costs of food by commodity groups from 1929 to 1937, and shows all of the foods running, with 100 as a base, at 102, 122, 102, 102, and 110, but sugar has varied only from 66 to 72, and the last 2 years it has been 66, 66, and 65 on the base of 100; in other words, the cheapest food you eat.

People do not realize just how cheap sugar is. I have a table here prepared by the Secretary of Labor covering April 1937, and it shows the average price paid for food in 51 of the largest cities.

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

Mr. CUMMINGS. No; I decline to yield now. I want to call attention to the value of sugar as compared with other commodities, and then I shall yield if I have time.

Sugar was worth 5 cents a pound then; butter was worth 8⅓ cents a pound, and you were paying 39.7 cents a pound for it. Bacon was worth 6⅔ cents per pound, and you were paying 39.9 cents per pound. You pay 45 cents here. When sugar was worth 5 cents a pound, lamb was worth 3⅔ cents, and you were paying 30½ cents. When sugar was worth 5 cents, sirloin beef was worth 2½ cents, and you were paying 41½ cents per pound. When sugar was worth 5 cents a pound, a can of peas was worth thirteen-twentieths of a cent, and you were paying 16.3 cents per can. A can of tomatoes was worth one-fourth of a cent, and you were paying 9.4 cents per can.

Now I yield to the gentleman from Illinois.

Mr. KELLER. I want to know what the wages of the workers in the beet fields of Colorado are as compared with the wages of the workers in Hawaii. I should also like to know what relation there is between the two, so far as this bill is concerned. Why should we bring up the matter of wages paid in one place or another? What effect does it have on this bill.

Mr. CUMMINGS. I contend that they are simply asking the privilege of refining the sugar in Hawaii because they can refine it with cheap labor and make more money and beat people who live on the continent out of a job.

Mr. KELLER. Does the gentleman believe it is just to deny to the people we took under our flag the same privilege the gentleman and I have?

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

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

There was no objection.

Mr. HOOK. Mr. Chairman, certain remarks have been made here to the effect that those who oppose this amendment are representing the refiners of this Nation. May I say right now that I have not a single refinery in my district and I have not a single solitary beet in my district. I am looking at this from the standpoint of a neutral party. I came to this Congress as a champion of labor and I intend to stay as a champion of labor. I do not like the insinuations of any man who does not know what he is talking about when he states that all those who are opposing this are representatives of the refineries. Does the gentleman know that the Brotherhood of Railroad Trainmen has endorsed the bill as it came from the committee? Does the gentleman know that the president of the American Federation of Labor endorsed this bill as it came from the committee? Does the gentleman know that there are 94,000 cars used to haul refined sugar on the railroads of the United States because of the refineries? Does he know they have spent $10,000,000 with the railroads and that $4,300,000 of that amount goes to pay labor? Does he know that at one time there were 25,000 men working in the refinery business and because of the importation of refined sugar that number has been cut down to 16,000 and they are attempting to wipe it out?

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

Mr. HOOK. I yield.

Mr. HOPE. Does not the gentleman think it would take just as many cars to haul that sugar in the United States whether it was refined in Puerto Rico or at Edgewater, N. J.?

Mr. HOOK. No.

Mr. HOPE. Why not?

Mr. HOOK. For the simple reason that these cars are brought to your refineries and the sugar, if brought in, would probably be brought into New Orleans and shipped up the river by boat, and if it was in a refined state it would then be shipped by water most of the way; but when

they have to bring it over here and put it in a factory, it has to be refined and then shipped out of the factory again.

Mr. HOPE. Is there any difference? Is there not just as much likelihood of refined sugar going by rail as raw sugar, or vice versa?

Mr. HOOK. They could bring it in direct by water and then stop.

Mr. HOPE. The gentleman does not believe that every community in the United States has water transportation?

Mr. HOOK. In other words, they could land it at the ports where there would be no rail hauls.

Mr. HOPE. Are not all the refineries located along the seacoast?

Mr. HOOK. No; not all of them.

Mr. HOPE. Will the gentleman tell me where there is a cane refinery that is not located along the seaboard?

Mr. HOOK. They are not all located at harbors.

Mr. HOPE. I would like the gentleman to inform me of one that is not located along the seaboard.

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

Mr. HOOK. I yield.

Mr. BUCK. Regardless of the situation with respect to our seacoast, if, as we anticipate, the beet-sugar refineries were put out of business by the importation of refined sugar from Puerto Rico and Hawaii, would it not destroy the transportation by rail of the raw beets?

Mr. HOOK. The gentleman is correct.

Mr. KELLER. The gentleman has referred to the great loss in a number of men engaged in refining sugar during the last 25 years. Is that as great a loss as the loss that has occurred in all other mechanized lines in America?

Mr. HOOK. I do not know, but it was because of these importations of refined sugar that this loss came about.

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

Mr. HOOK. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. The gentleman stated that the loss to the refining industry resulted in a loss to the railroad men and to the railroads and the gentleman from Kansas questioned that statement. Is it not a fact that at least a part of the work given to the railroad men was directly responsible to the refining industry itself or to refining operations, and by the elimination of the domestic refineries, at least, a part of that loss will affect American labor and American industry?

Mr. HOOK. The gentleman is correct.

Now, let us see just what we have before us. They say there will possibly be a Presidential veto. I do not believe this.

Let me read what the President of the United States said in his first message to Congress:

> The Jones-Costigan Act has been useful and effective, and it is my belief that its principles should again be made effective, and I therefore recommend to the Congress the enactment of a sugar-quota system and its necessary complements which will restore the operation of the principles on which the Jones-Costigan Act was passed.

Then he also asked for such legislation in 1934, and Secretary Wallace at that time gave out a statement to this effect:

> The Administration recognizes that the domestic beet and cane producers will suffer the disastrous effect of further price declines unless the impact of insular production on domestic markets is modified through definite restriction of shipments.

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

Mr. HOOK. I would like to yield if I could get a little more time.

Mr. BUCK. Before the gentleman proceeds to his next point I would like to ask him this question. The gentleman read a portion of the President's message. In the whole message did the gentleman find any recommendation that the existing arrangement as to Hawaii or Puerto Rico should be changed?

Mr. HOOK. No; I did not.

The Democratic platform at one point states:

> We will continue, as in the past, to give adequate protection to our farmers and manufacturers against unfair competition or dumping on our shores of commodities.

With this in mind, I say to you that I do not believe the President of the United States is going to veto this bill. There is not a man authorized to stand on the floor of this House and say that the President will veto this bill. These are the same tactics that were used when they tried to browbeat us, and as you know they did through the departments when we were working on this matter in the subcommittee of the Committee on Agriculture.

Representatives from the departments came down and told us of a threatened veto, without any authority for their statements, and then after we unanimously passed the bill in its present form out of the Agricultural Committee what happened? Let us talk straight from the shoulder. The departments said, "If you will amend this bill that has been reported out unanimously by striking out section 207 we will see that you get a rule." What would we have come to, if that was done?

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

Mr. HOOK. Yes.

Mr. BIERMANN. The gentleman does not mean to infer that the Committee on Agriculture unanimously agreed to support this bill as it is?

Mr. HOOK. They unanimously reported it out, as it is.

Mr. BIERMANN. The gentleman does not infer that we all agreed to support it as it is.

Mr. HOOK. No; not as it is, but the great majority did. It was a unanimous report.

Mr. BIERMANN. I think the gentleman is accurate to that extent, but I do not want him to leave the inference that we all agreed to support it.

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

Mr. HOOK. Yes.

Mr. HOPE. The gentleman quoted from the Democratic platform a moment ago. I ask him whether he interprets that to mean commodities from an integral part of the United States, or does it apply only to imports from foreign countries?

Mr. HOOK. It will apply to anything that will protect the labor of this Nation.

Mr. HOPE. Does the gentleman mean continental United States, or all of the United States?

Mr. HOOK. Let me answer it in this way. If you will take Bulletin 534, you will find the source of labor supply in Hawaii. First, the coolie from China, then from Japan, then from Portugal, then from Spain, then from Korea, and now principally from the Philippine Islands. What happened? Are conditions such over there that even the low-paid coolie must quit, and they have to jump from one country to another for their labor supply?

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

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

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOOK. Let us see whether or not this section 207 is a discrimination.

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

Mr. HOOK. Yes.

Mr. LORD. The gentleman stated that this is a unanimous report from the Committee on Agriculture. I am a member of that committee. There was no roll call. I stated at that time that I reserved the right to oppose the bill on the floor of the House.

Mr. HOOK. That is correct. The gentleman is the only one that I heard say that. There was no minority report. They say this would be a discrimination. Let us follow that to a logical conclusion. We have our quotas on raw sugar, and we limit raw sugar, and we also have quotas on the direct consumption of refined sugar. If this would be a discrimination with regard to the refined sugar, then does not the same principle apply to the raw sugar? If we have the right to limit the quotas on raw sugar does the principle change when it comes to refined sugar?

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

Mr. HOOK. Yes.

Mr. LANZETTA. Does the gentleman seriously contend——

Mr. HOOK. I always seriously contend in anything that I take up.

Mr. LANZETTA. Does the gentleman seriously contend that insofar as direct-consumption sugar is concerned that there is no discrimination in the bill as it now stands with respect to Hawaii and Puerto Rico?

Mr. HOOK. Oh, I am glad the gentleman asked that question. I do not believe there is discrimination because in Puerto Rico you pay no income tax, because in Puerto Rico you are not subject to the Social Security Act, and because in Puerto Rico I am informed the wage and hour law does not apply.

Mr. LANZETTA. The gentleman is begging the question. Will the gentleman please answer my question? Does he seriously contend that there is no discrimination insofar as direct-consumption sugar is concerned with respect to Hawaii and Puerto Rico?

Mr. HOOK. There is no discrimination.

Mr. LANZETTA. Will the gentleman please explain?

Mr. HOOK. The discrimination is against continental America and I do not yield any further, but I will say this, as long as the gentleman asked the question about being serious. Is the gentleman serious in his protection of Puerto Rico?

Mr. LANZETTA. Yes, I am.

I subscribe to the theory that there is but one kind of American citizenship, and that if a person is an American citizen, irrespective of where he resides, he should be given the same treatment and consideration as any citizen in continental United States.

Mr. HOOK. That is true, and we are treating him better than we are treating the citizens of the continental United States.

Mr. LANZETTA. So the gentleman thinks.

Mr. HOOK. I know we are and we have been according them very good treatment ever since the time we picked them up. If Puerto Rico and Hawaii are serious in their stand, if they think they are being discriminated against, then I intend to introduce a bill and offer them independence and see whether they will take it.

Mr. LANZETTA. I do not think Hawaii or Puerto Rico seek independence.

Mr. HOOK. They do not want it because Puerto Rico could not pick up $20,000,000 relief from any other country.

Mr. LANZETTA. Does the gentleman's State want independence from the Union?

Mr. HOOK. My State does not happen to be a Territory.

Mr. HEALEY. What has been the source of labor supply in Hawaii?

Mr. HOOK. I have explained that it came from different countries, Japan, China, Portugal, Spain, Korea, and the Philippine Islands, and that they changed their source of supply periodically.

Mr. HEALEY. Many of them not American citizens.

Mr. HOOK. That is right. I was just wondering while the gentleman from Michigan [Mr. CRAWFORD] is on his feet, may I state when we were in committee on the hearings, did not the gentleman tell me about the Filipino labor and about all those who are not citizens in Hawaii, and was it not he who lit the spark in me first to search out about that labor situation? Now, why the change?

Mr. CRAWFORD. There is not any argument about that. The gentleman has a right to study the labor structure in Puerto Rico, Hawaii, and the Philippines the same as I have. Did you know that in past years, down through the decades, Puerto Rico, Hawaii, and continental beet and cane have stood side by side, shoulder to shoulder, financially and otherwise, organized tight as the Domestic Sugar Producers' Association, always giving each other strength and asking for protection under the tariff laws?

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

Mr. HOOK. Mr. Chairman, may I have 2 additional minutes to answer that question?

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

There was no objection.

Mr. HOOK. The answer is this: The beet-sugar people have stood shoulder to shoulder, but being a champion of labor the only time that labor has come to the side of the beet-sugar industry is this time. Why? Because of the fact that we placed in this bill the duty upon the Secretary of Agriculture to protect the laborer and the right to force the payment of fair wages, and set up a living wage; because of the fact that we put a child-labor provision in here; and now labor is ready and willing to stand shoulder to shoulder with them. We will stand shoulder to shoulder with them as long as they treat American labor as we expect them to be treated.

Mr. CRAWFORD. Will the gentleman yield further?

Mr. HOOK. Yes; I yield.

Mr. CRAWFORD. Do you mean to say as a member of the Committee on Agriculture that the farmers and sugar-beet factory workers have not stood before this Congress for 40 years in succession asking for protection, and is not this the first time that the American sugar refiners ever came here asking for protection?

Mr. HOOK. They got protection under the Jones-Costigan Act?

Mr. CRAWFORD. They got it under the joint work of Puerto Rico, Hawaii, and United States beet and cane.

Mr. HOOK. They got it under the Democratic administration and a benevolent President. They would never have received it under your administration.

Mr. CRAWFORD. The Democratic administration made sugar free of duty, and you know it. [Laughter and applause.]

[Here the gavel fell.]

Mr. KING. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the Delegate from Hawaii?

There was no objection.

Mr. JONES. Will the gentleman yield for a moment, not to be taken out of his time?

Mr. KING. I yield.

Mr. JONES. I hope, Mr. Chairman, that hereafter Members will confine their requests to 5 minutes. I would like to give everyone a chance to be heard, and I hope that other Members, if possible, will confine their requests to 5 minutes, because there are a great many who want to speak, and there are some other amendments. It is not my intention to ask to close debate, but I hope that after this Members will confine their requests to 5 minutes, so that all may have a chance to express themselves.

The CHAIRMAN. The Delegate from Hawaii.

Mr. KING. Mr. Chairman, there has been considerable argument pro and con and some attacks on Hawaii and many arguments in defense of the bill as not discriminating against Hawaii. I want to say that in the short time I have been here I have found very little, if any, desire on the part of the membership of this House to discriminate against Hawaii at all. Most of you who will vote against this amendment and in favor of the retention of the restrictions will do so in the firm conviction that there is no discrimination against Hawaii. I am going to do my best to convince you that there is such a discrimination, and if I fail I shall respect your convictions, and not take it to heart, as a personal matter, that you have not supported me.

As to the attacks on Hawaii, almost every person who has attacked my country and my people has done so in ignorance or on misinformation and without ever having been there. Everybody who has ever been to Hawaii comes back telling you that it is a splendid country, a modern, progressive community. Several such have spoken in support of my contention. There are no such labor conditions existing in Hawaii as have been pictured here by several

uninformed Members. Sometimes fragments of some report are read as something against us, and the rest of the report suppressed.

I want to read you what the President of the United States himself said when he visited Hawaii. He fished off the Kona coast, and he visited the town of Hilo. He went to Honolulu and drove around the island of Oahu, making us a visit of about 10 days. The President of the United States, a man who has been in public life as long as he has been, can gage a community and its standards and the way it lives and what it believes in just as quickly as anybody can. This is what he says.

Upon his departure this was his message to the people of Hawaii:

> I leave, also, with pride in Hawaii—pride in your patriotism and in your accomplishments. The problems that you are solving are the problems of the whole Nation, and your administration in Washington will not forget that you are in very truth an integral part of the Nation.
>
> In a fine old prayer for our country I found these words: "Fashion into one happy people those brought hither out of many kindreds and tongues." That prayer is being answered in the Territory of Hawaii.
>
> You have a fine historic tradition in the ancient people of the islands, and I am glad that this tradition is so well maintained.

The gentleman from Michigan [Mr. HOOK] would find in this "fine historic tradition" a discrimination against a portion of the American people. He referred to the special privileges proposed to be extended to the native people of Hawaii as a discrimination against American citizens, although these people are themselves American citizens. The other residents of this neighborhood are willing and desirous of extending to these native Hawaiians an exclusive and prior right to engage in fishing off the rock-bound coast of Puna in the area proposed to be added to the Hawaii National Park. Those to whom these special privileges were to be extended are fishermen and the descendants of fishermen who have been engaged in that calling from time immemorial, and it is a privilege which all the other people living in Hawaii are willing and glad to concede and extend to them.

I continue to quote from the President's parting message:

> You have built on it, built on it wisely, and today men and women and children from many lands are united in loyalty to and understanding of the high purposes of America.
>
> And I have seen with my own eyes that you are doing much to improve the standards of living of the average of your citizenship. That is as it should be, and I know that you will put forth every effort to make further progress. There are indeed many parts of the mainland of the United States where economic and educational levels do not come up to those which I find here.

And I challenge the gentleman from Colorado [Mr. CUMMINGS] to compare labor conditions on the Hawaiian plantations with labor conditions in the Colorado beet fields. I have read several documentary records issued by governmental agencies, reports that state that labor conditions in Colorado—not necessarily in the gentleman's district—were terrible.

Mr. CUMMINGS rose.

Mr. KING. I am not going to yield for either a statement or a question at this time, Mr. Chairman.

I wish to read from a letter put into the RECORD of yesterday by the Resident Commissioner from Puerto Rico, Mr. IGLESIAS, written by the president of the American Federation of Labor. The president of the American Federation of Labor has been referred to as considering Puerto Rico and Hawaii not integral parts of the United States when it comes to the sugar question.

Mr. Green said:

> DEAR MR. IGLESIAS: I will be pleased to speak to MARVIN JONES and put in a good word for Puerto Rico relating to the importation of refined sugar into the United States from Puerto Rico, as you suggested in your letter dated June 25.
>
> It has ever been our purpose and desire to help and assist Puerto Rico and the Puerto Rican people. I can clearly distinguish the difference between the treatment which should be accorded the people of Puerto Rico and favor of them, and against Cuba and other countries not a part of the United States Government.
>
> Be assured that I will do all I can to be helpful.
>
> Sincerely yours,
>
> WILLIAM GREEN,
> *President, American Federation of Labor.*

In the other letter introduced into the RECORD the president of the American Federation of Labor asked for restrictions on Cuba's quota of refined sugar and in another portion of this letter referred to "such reasonable limitations against the importation of refined sugar from our insular possessions as circumstances may require." Of course, Hawaii is not an insular possession.

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

Mr. KING. Not now; I did not interrupt the gentleman when he was addressing the House.

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

Mr. KING. I am glad to yield to the Resident Commissioner from Puerto Rico.

Mr. IGLESIAS. I would like to add to the sentiment expressed in the letter of the President of the American Federation of Labor, that the ideals and principles of the American Federation of Labor, as the champion of labor, are not to allow anyone to crucify any class of people that lives under the American flag. [Applause.]

Mr. KING. The gentleman is quite right. The insular possession of Puerto Rico is in a different status from Hawaii. We are an incorporated Territory; they are not at the present time. But they have 1,800,000 people living in Puerto Rico who are striving to earn their living as best they can under great difficulty. They are exempted from the payment of Federal income taxes and have the customs duties collected in Puerto Rico returned to the insular treasury as a matter of necessity. We in Hawaii are not exempted from any levy or tax or customs duty. One of the Members advised me that he had been told we were exempt. I had the pleasure of telling him that we have paid every tax levied by the Federal Government on the people of the United States since we came under the American flag; and since the income-tax law was passed in 1913 we have paid into the United States Treasury every year more money in income taxes than that collected from 12 to 17 States, providing a greater revenue than almost all of the Rocky Mountain States except Colorado. I say this in no desire to pick on those States but as a simple statement of fact. In addition, we pay also the tariffs and customs duties that every other part of the United States pays.

Reference was made to a suit by the Ewa Plantation Co. and others against the Secretary of Agriculture. It was brought in a court of first instance in Washington, D. C., in the District Court of the United States for the District of Columbia. The plaintiff got an adverse decision, but I have here a photostatic copy of an agreement between the Hawaiian sugar industry and the Secretary of Agriculture on that suit. This agreement states:

> It is hereby agreed between the parties to the above-entitled cause, that the adjudication in the court below in said cause is not to be asserted by either party in any other proceedings in this matter as the law of the case, insofar as it relates to the right of Congress to discriminate against Hawaii as distinguished from continental United States.

The Secretary of Agriculture, and his legal advisers, had so little confidence in this decision, even though he won the suit in this lower court, this court of first instance, that he entered into this agreement. Furthermore, he followed up this agreement with a production-adjustment contract with the Hawaiian producers that conceded nearly all the points for which our producers had been contending. From that time to this, we have cooperated fully with the Department of Agriculture in the labor provisions of the bill, the protection of the interests of our 3,500 adherent planters, and in the reduction of our production of sugar. May I say further we may have sued and lost a case; but we have yet to be indicted, tried, and found guilty in a United States court for many offenses against the law of the land like the sugar trust of the eastern refineries. [Applause.]

Mr. Chairman, there is really only one issue before us. Are Hawaii and Puerto Rico being discriminated against or not so far as the phraseology of these two sections concerning Hawaii and Puerto Rico are concerned? I say we are for the simple reason that we come under two bans. We all share together the ban on production quotas. Hawaii was reduced 75,000 tons in its production of sugar in the original

act and according to the testimony of the Secretary of Agriculture lost 500,000 tons of sugar from our production of sugar during the life of the Jones-Costigan Act, at an expense to us of whatever that may have amounted to in dollars at $50 to $60 per ton. We cooperated to the fullest extent in all the labor and other provisions of the A. A. A., which was an emergency matter. That is now water over the dam. We have a quota today of 976,000 tons. The new bill cuts that figure to 938,000, Hawaii sharing with the beets and Puerto Rico in a proportioned reduction in order to give the Louisiana-Florida area an additional quota. I personally had an idea the increase was going to be divided in some proportion between Louisiana and Florida. Puerto Rico and Hawaii were nicked a few thousand tons and the increase given to them. Hawaii lost about 38,000 tons in order to help that situation down there. That is fair and legitimate. I am anxious and glad to do it.

I may say frankly that I am not a sugar man, and I would not personally care if the Committee cut our quotas further in an equitable proportion and gave this additional cut all to Florida. It would be O. K. with me as far as I am personally concerned. I can agree to this perhaps because I have not any money in the sugar business. But, as a matter of principle, it would be equitable and fair if other areas joined in such an arrangement.

However, to return to the amendment, on top of all this production quota you come in with another quota restriction that applies only to Hawaii and Puerto Rico. If we were located on the mainland as a part of the continental United States, this would not be tolerated for a minute.

[Here the gavel fell.]

Mr. KING. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

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

There was no objection.

Mr. KING. Mr. Chairman, I just want to make that one point a little more emphatic. Florida, as it happens, produces some 40,000 to 50,000 tons of sugar and does not refine any of it. It sends it all up to Savannah for refining. There is nothing in this law to prevent Florida erecting a refinery down there tomorrow in the sugar-producing area and refining all of that sugar. But there is something in this law that places, first, a quota on us, and then places us further under a restriction with reference to refining our own sugar by a refining quota. That is the discrimination against which I am protesting. No mainland area suffers this double restriction.

Another argument used against Hawaii is that we have received large sums in the form of benefit payments during the life of the excise tax and payments to producers under the Triple A. As a matter of fact we have received less per ton of sugar produced and less in proportion to our share of the total domestic production of sugar than any other producing area. I have here a table covering the period referred to, which I shall ask permission in the House to insert at this point, that shows clearly the truth of this statement.

Sugar production and benefit payments under the Agricultural Adjustment Act

	Production (tons)[1]	Percentage of total domestic production	Benefit payments [2]	Percentage of total benefit payments	Average payment per ton of sugar produced
Sugar beets	2,330,000	35.8	$27,215,335	41.5	$11.68
Louisiana-Florida	525,000	8.1	10,324,429	15.8	19.67
Hawaii	1,982,000	30.5	13,322,114	20.3	6.72
Puerto Rico	1,669,021	25.6	14,690,000	22.4	8.80
Total	6,506,021	100.0	65,551,878	100.0	10.08

[1] Production of sugar for crop years 1934-35 and 1935-36.

[2] Payments at time table was made were not complete for sugar beets but includes the 1935 advance payments totaling $7,572,000 as shown in U. S. Department of Agriculture Statistics of Agricultural Adjustment 1933-35. This does not include the 1933 refund payment of $2,640,000 paid to sugar-beet producers.

Source: U. S. Department of Agriculture (Agricultural Statistics, 1936, tables 124, 470, and 471).

Obviously Hawaii as the producer of about one-fourth of the domestic production of sugar should receive approximately the same proportion of the total benefit payments made to the domestic producers. But Hawaii has not received this in the past, nor will it receive payments in this ratio under the new bill. The measure under consideration makes a differential in benefit payments in favor of small producers that will further decrease Hawaii's share of such payments.

The Secretary of Agriculture has pointed out in one of his official statements on this subject that the processing taxes will not increase the price of sugar to the public, but will be borne by the industry; that the benefit payments are designed to return to the agricultural producer a greater share of the proceeds of the crop, and, by being made conditional, are designed not only to secure cooperation in the general sugar program, but are also intended specifically to permit (a) compliance with marketing restrictions, (b) the payment of fair and reasonable wages to agricultural labor as fixed by the Secretary of Agriculture, (c) the payment of a reasonable price for sugar cane or sugar beets, and (d) compliance with the soil-conservation programs.

To grant preferential benefits to the smaller producers may be justified; but it must be realized that the expense of the program is carried by large producers and their cooperation is necessary for the program's success. The differential, therefore, should be fair and equitable; and not become a punitive penalty.

I thank you for your patience and hope you will agree with me that the double restriction on Hawaii, imposing both a production quota and a 3-percent refining quota, does indeed constitute a discrimination which should be stricken out of the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman, my State is tremendously interested in this bill. I did not speak on it yesterday. I therefore ask unanimous consent to proceed for 10 minutes.

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

Mr. MARTIN of Colorado. Mr. Chairman, reserving the right to object, there are quite a few who desire to speak on this bill. I am one of them. I would like to have some time.

Mr. GREEN. We have had 2 hours' discussion, lacking 15 minutes, and we have not heard from any one except members of the committee practically.

Mr. MAVERICK. Mr. Chairman, reserving the right to object, and I will not object, the chairman of the Committee on Agriculture said he would object to any Member asking for over 5 minutes from now on and I think we ought to stick to that.

Mr. HARLAN. Mr. Chairman, reserving the right to object, may I ask the Chair a question: Is there a limit on the time that is available for debating this amendment?

The CHAIRMAN. There is no limit on the time. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GREEN. Mr. Chairman, my State is tremendously interested in this bill, particularly in the quota provisions. It happens that our State has been expanding in the production of sugar. It also happens that my State consumes about 90,000 or 100,000 tons of sugar per year. Under the provisions of this bill we will get probably less than 70,000 tons. It seems to me that where we only produce, in America, 25 to 28 percent of what is consumed in America it is a shortsighted policy for the Congress to restrict the American people in the production of this necessary commodity. There should be no limitation placed upon sugar production in America. I fully realize the entanglements and the obligations that our Government has assumed to certain other governments in this connection. I refer particularly to the quotas which have been allowed to foreign countries. I notice that under the provisions of this bill the following quotas are set up in the bill:

Domestic sugar beets, 1,550,000 tons. That is not too much.

Mainland cane sugar, 420,000 tons. This is not enough.

Hawaii, 938,000 tons, which is not too much.

Puerto Rico, 798,000 tons.

The Virgin Islands, 9,000 tons.

The Commonwealth of the Philippine Islands, not now an American possession, 1,029,781 tons. I am still not fighting so far as that is concerned.

Cuba, 1,911,476 tons.

Foreign countries other than Cuba, 26,000 tons.

Mr. Chairman, I believe in protecting American industry and expanding an essential industry for our American people in time of war and in time of peace. In line with that thought, the Florida delegation will offer an amendment and I hope you gentlemen who favor protection of our American people will vote for this amendment. The amendment we will offer provides for quota substitution as follows:

Domestic sugar for the first year, 1,550,000 tons. Louisiana, 360,000; Florida, 90,000, only 30,000 increase; Hawaii, 938,000; Puerto Rico, 798,000; Virgin Islands, 9,000; Philippine Islands, 970,000; Cuba, 1,917,000; this indeed is adequate. Foreign countries, 50,000.

May I ask each Member this question: As a consumer of America do you believe it is right, and as a Member of Congress, do you believe it is a sound policy to vote to restrict mainland production of sugar when we are producing only 23 to 28 percent of what we eat in America? Suppose you have war. Then, would not the Government have to subsidize production of sugar in America? Is it a sound policy to restrict the production of sugar in the Florida Everglades, the richest sugar lands in the world, to less than what we actually consume in the State of Florida? Soil, climate, and every sugar-producing requirement are ideal in Florida. I say it is unwise and I say it is un-American to give to Cuba, a foreign country, with foreign labor, paid probably 30 cents a day, a quota which should go to Florida, where we pay $2.70 a day for our own American labor? In addition to $2.70 minimum daily wage, employees are given housing, medical care, and other benefits. Is it right? Is it just? I have nothing to say against production of sugar in Puerto Rico or in Hawaii. These are our own territories. I have heard of no inclination on their part toward independence.

On the contrary, pending in the Committee on the Territories are requests that they be given statehood. Hearings have been held and this committee, of which I am chairman, will, I am sure, give their causes care and mature consideration. Their citizens are loyal American citizens, and I ask not for restriction of their quotas. Let them produce sugar. You have not restricted their quotas. On the contrary, you have restricted the quotas of your beet growers. You restrict the quota of Louisiana. You absolutely stop any expansion of production in the State of Florida. My colleagues, this is time for serious thought. I have due and high regard for administrative officials of the Government but I owe a responsibility first to the people in my State who sent me here and next to the American people, who are requesting expansion of our American industry to take care of our American people. I owe far greater allegiance and far greater support to the cane growers in the Everglades, to the cane growers in Louisiana, and to the beet-sugar growers in Colorado, than I do to foreigners who do not even purchase their pro rata of manufactured commodities from our American manufacturers. It is time for us to take the bit in our teeth and vote for our own people for one time, rather than continue to vote here to let American dollars and American production go to foreign countries and to foreign labor. I stand for the American laborer and the American standard of wages. I stand for assisting as far as we may foreign countries which give us our share of trade by buying from us. Cuba does not give us our share of trade through the purchase of our manufactured articles. On the other hand, out of the 6,682,670 tons of sugar consumed in our country annually we give her almost one-third. Why? I will let each answer for himself. Are you going to do it? You gentleman from Louisiana are paying a good wage and trying to expand your industry. You gentlemen from Colorado and the other beet States have worked for months on this legislation to try to bring your areas back in production. We in Florida are earnestly trying to expand in production of sugar. These three areas in the United States with a reasonable expansion can produce 50 to 75 percent of the sugar used in our country. Would that not be a far better position than we occupy today?

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

Mr. GREEN. I yield to the gentleman from Louisiana.

Mr. DEROUEN. Does the gentleman from Florida believe we can rewrite this bill on the floor?

Mr. GREEN. I absolutely know we should adopt on this floor an amendment to take off a part of Cuba's quota and give it to Louisiana and Florida, and I hope the gentleman will stand with us.

Mr. DEROUEN. The gentleman from Louisiana will vote for the bill as reported by the Committee on Agriculture. We cannot write a bill on the floor.

Mr. GREEN. In the increase allowed under the bill, Louisiana gets the lion's share. This is possible under the historic base, but Florida will contend for an increase in quota.

Many years ago the Federal Government ceded to Florida between five and six million acres of swamp and overflowed lands in Florida, principally in the Everglades area. The condition of this transaction was that Florida should drain and reclaim this vast area. The State of Florida and her citizens diligently went about carrying out their part of this compact. Almost $100,000,000 was expended in the Florida Everglades in drainage, flood control, and navigation. Some 4,000,000 acres of this land is now arable and represents probably the richest and most fertile land in the world. It is peculiarly adapted to the growth of sugarcane. It produces, I believe, more tons of sugar per acre than any land in the world.

Our Everglades people did not turn to the production of sugarcane until adversities in vegetable production overtook them. First, they saw their pineapple industry move over to Cuba. Later, and at present, they are now seeing their winter vegetable industry absorbed by Cuba and other foreign islands on account of pernicious reciprocal-trade agreements entered into in the past by the Federal Government. Existing reciprocal-trade agreements with Cuba have made it unprofitable in many instances to undertake to grow winter vegetables in south Florida. Without these reciprocal-trade agreements and with adequate protection for our winter vegetables and fruits in the south Florida area, we would never have been forced to turn to the production of cane sugar.

As a last resort for American production capital turned to the Everglades and there established our present thriving sugar industry. We are cultivating probably less than 20,000 acres of sugarcane in the Everglades now. This low production was caused by the Jones-Costigan Act. If we could be permitted to expand production of sugarcane in the Everglades from three to four million acres could be taken up and would probably produce half as much, or possibly as much, sugar as is consumed in the United States.

Just as we are beginning to profitably produce sugar in the Everglades the Federal Government halts us and forbids expansion. This is an unwise policy and one which no businessman would permit in his own financial transactions. Florida is not interested in subsidies given for acreage reduced. It is true that some 5,000 acres of cane was, during the past season, plowed under in the Everglades and the Government paid more than one and one-quarter million dollars subsidy for this act. These same acres would have produced the growers far greater income if they had been permitted to harvest the cane crop.

The fact of the matter is we do not believe in restriction of production of sugar in continental United States and in our territories as long as we produce only a small percentage

of the amount consumed in the United States. In Florida is consumed possibly 100,000 tons a year. In Florida we are permitted to market, under the provisions of this bill, a far less amount; therefore, under the provisions of this bill, Florida takes the role of consumer rather than that of producer. It is an unfair and an unjust discrimination against my State to restrict it from producing less sugar than is actually consumed in it. It is a costly adventure for the Government to pay Florida growers funds to keep acres out of production and at the same time to import from foreign countries sugar which is needed by the American people. Undoubtedly this process of our Government will not long continue.

Even if this bill is passed and applied, it will be of temporary duration, because the sound judgment of a strong American Government will not long permit a process of this nature which on one side is governmental extravagance and on the other side is penalty on American labor and on American producers. If we were permitted to expand production of sugarcane in the Everglades, we would have no relief problem there among some 50,000 population. All in this south Florida area who desired to work could and would find gainful employment in an honorable and necessary industry for the future development and progress of our Nation. When production of sugar is restricted there it has the effect of adding thousands to the relief roll or at least failing to take from the relief rolls thousands that could be absorbed in gainful occupation. Therefore, our Government, through the workings of this bill, will deny employment to our persons, will keep them on the relief rolls, and at the same time will turn around and pay bounties to our people who desire to produce at a profit but who are not permitted to do so.

Mr. Chairman and members of the Committee, I cannot believe that a policy so unbusinesslike can long endure in our splendid Government. It is hoped that the House will accept the amendment which I have referred to. If this amendment should be declined, then other amendments will be offered. It is my intention to offer one which would take directly from foreign quotas some 25,000 tons of sugar and add it to our limited Florida quota. This would give us a reasonable expansion and would permit us to grow probably as much sugar as could now be processed in existing plants in the Florida Everglades.

This is a matter of transcendent importance, particularly to my State, and also indirectly to the American consuming public. In offering these amendments and making an effort to expand production of sugar in the Everglades of Florida, the Florida delegation is conscientiously working for what we believe will redound eventually for the best welfare of every consumer in America.

I urge my colleagues to stand with us and to adopt our amendments to this bill. [Applause.]

Mr. WADSWORTH. Mr. Chairman, I do not desire to appear before the Committee under false colors. I shall vote for the amendment offered by the gentleman from Texas [Mr. JONES] because I believe that if adopted it will take out of the bill its two worst features. Its adoption, however, does not leave the remainder of the bill satisfactory, to my humble and very often inadequate judgment.

We have heard a great deal about the discrimination implied or effected by paragraphs (a) and (b) of section 207. As the discussion has gone along, it has occurred to me, and it may have occurred to others who have listened, that as we take our steady steps toward a totalitarian state in which government is to tell the people how they shall earn their living, inevitably there arises in this body, as there would arise in any legislative body convened in such a state, a strenuous pulling and hauling as between sections. I think you will not deny that sectionalism has reared its head here in this debate. It is my confirmed opinion that sectionalism is bound to arise when government takes charge of business. If one section of the country or one industry happening to thrive in a certain section of the country is to be put upon a quota basis in the matter of production, whether it be sugar or cotton or potatoes, or whatever, and another section of the country engaged largely in the same business is put under another or a different quota, there is bound to arise an acute rivalry between the two sections, and the representatives of each section will hurry to Washington and try to get a Government decree advantageous to it and disadvantageous to the other.

This element appears in this bill as it is presented to the House. There is no restriction placed upon the refining of sugar by a continental refiner. He may purchase all the raw sugar he can purchase under the maximum quotas, and may refine 100 percent of it. In the same breath we propose to say to the refiner in Hawaii, "No; you cannot refine more than 3 percent of the raw sugar permitted to be produced in Hawaii." There is your discrimination.

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

Mr. WADSWORTH. I yield.

Mr. KLEBERG. I know the gentleman wants to be accurate, and, so far as his statement goes with respect to the restriction of 3 percent, the gentleman is accurate, but there is no restriction on what they can refine for home consumption or for the world market.

Mr. WADSWORTH. Surely the gentleman from Texas would not advance that suggestion as a defense of the pending provision. We know that the home consumption of Hawaii, of necessity, must be infinitesimal compared with its total production of raw sugar, and it would hardly satisfy the Hawaiian to say to him, "You can eat all the sugar you raise."

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the gentleman from New York may proceed for 5 additional minutes.

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

There was no objection.

Mr. JONES. Mr. Chairman, will the gentleman yield to me, not to be taken out of his time, in order that I may try to reach some agreement as to closing debate on the pending amendment and all amendments thereto?

Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 1 hour and 15 minutes, at the expiration of the additional time granted to the gentleman from New York.

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

There was no objection.

Mr. MAVERICK. Mr. Chairman, will the gentleman from New York yield?

Mr. WADSWORTH. I yield for a very brief question.

Mr. MAVERICK. Would not this be just the same as if they would put a total quota on the State of Texas for the refinement of oil and say that Texas could not refine its own oil?

Mr. WADSWORTH. There is no difference in principle whatsoever. If the Congress can do this, if it is wise, if it is constitutional, if it is statesmanlike, then it can do it with any other crop or any other product in any State or in any group of States or in any colony or Territory or possession.

Mr. ANDRESEN of Minnesota. Mr. Chairman, will the gentleman yield for a brief question?

Mr. WADSWORTH. Yes.

Mr. ANDRESEN of Minnesota. Does the gentleman think that such a discrimination is constitutional?

Mr. WADSWORTH. I am but a layman and my judgment on constitutional questions is not worth listening to. My personal opinion is it could not stand in the courts; but, Mr. Chairman, the gentleman from Texas has just called attention to an analogy. I do not know how the members of this committee regard this kind of legislation. Mind you, I have no interest in the sugar business whatsoever, neither have any in my district, but look at the sentence on page 14, commencing at line 9. It is a little bit of a thing, but this is the kind of legislation the Congress of the United States has come to:

None of the quota for the Virgin Islands for any calendar year may be filled by direct-consumption sugar.

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

Mr. WADSWORTH. I cannot yield.

Mr. MANSFIELD. There is no refinery in the Virgin Islands.

Mr. WADSWORTH. I know that. The gentleman from Texas reminds me that at present there is no refinery in the Virgin Islands. This bill proposes to say to the people inhabiting that possession of ours, "You shall never have one." This is the kind of legislation we are coming to in this desperate endeavor to regiment the businesses and occupations of the people living under the American flag. No; there is no refinery in the Virgin Islands. There is a Government distillery there making "Government House Rum", financed by the United States Treasury. I have tasted it—never again! [laughter]—but that is beside the point.

The tendency and trend which this legislation portrays is inevitable so long as we live under that philosophy of government which assumes that government is all-wise and therefore should be all-powerful. From day to day, for 2 or 3 years, we have been saying "Thou shalt not" to you and "Thou shalt not" to you. "You shall run your business as I say you shall run it and in no other way. Government must be, and shall be supreme."

This is that kind of legislation. You say it is brought here to meet an emergency. What created the emergency and how long ago did it take place? At least 5 years ago, and day after day we find these bills brought in on the assumption that the emergency is not over, and never will be. We are extending these powers year after year without cessation. It is the settled policy of government today in America to have the American peple live under this kind of legislation. Why not admit it? Many people believe we should live that way. I do not. It is a difference of opinion, and an honest one, but, inevitably, as you proceed with it you will find the ugly head of sectionalism appearing in our legislation.

A bill is to follow this one next week known as the Black-Connery bill. I know that sectionalism is already involved in the consideration of that bill. There are men on this floor who will be influenced—they may not be decisively influenced, but who will be influenced, by the plea that if the Government by decree can fix minimum wages, one section of the country may suffer to the advantage of another. You know it just as well as I do. Sectionalism, again, because you are trying to center in one spot, here at the seat of the Federal Government, all power to control the methods of earning a living pursued by one hundred and twenty-odd millions of people, a task impossible of performance and fraught with the gravest danger to our civilization. [Applause.]

Mr. HARLAN. Mr. Chairman, I was interested in the remarks of the gentleman from Kansas [Mr. HOPE] when he said that this is not a tariff bill. It is not. It is far worse, far more iniquitous, far more vicious than any tariff bill that we have ever had in this country. When we enact a tariff bill, we say to the foreign countries, "We are excluding your commodities', and we know when we do that, that those foreign countries can retaliate, that they can exclude ours. Economic processes would do it, anyway, but they can accelerate it and make it faster. Here we undertake to impose a quota, more effectively injurious than a tariff, against an insular possession, which we know cannot retaliate, which cannot defend itself. We are treating our possessions far worse than we are treating any foreign country. I can in my imagination, as I sit here and listen to this debate, take myself back 175 years to the British Parliament, when they were saying under the same argument what we are having here today, "Don't let those Americans Colonies manufacture guns, don't let them distill rum, don't let them build ships, don't let them do anything, make them bring all of that to England", and that is what we went to war about.

If we are so terribly afraid of suffering from the reduced labor costs of our possessions, then let us do the honest thing, the courageous thing, and either turn these possessions loose or transfer them to the sovereignty of a nation that is not suffering so much from the jitters.

Without the Virgin Islands, of course, we would be depriving ourselves of a most valuable naval base in the Caribbean Sea. Without the Hawaiian Islands, we could prepare ourselves to treble the cost of our defense of the Pacific coast. We could prepare to junk our trans-Pacific air-mail and transport business; then having paid that cost, we could erect a tariff wall against these foreign possessions and be consistent with history and at least honorable in our dealings.

The gentleman from Massachusetts [Mr. MCCORMACK] a moment ago questioned the sincerity of the gentleman from Texas [Mr. JONES] in supporting the abolition of these quotas. I am not going to question the sincerity of purpose of anyone in this debate; but all that I will do is to ask this House to look at the districts from which those Members come, who are the most outspoken advocates of placing a quota on our insular possessions.

There we find the gentleman from Texas [Mr. KLEBERG], my very good friend and a man for whom I have the very highest regard. He represents a district that probably has more native Mexican and people of Mexican extraction than any other district in the United States. His constituents come up to Ohio and work in the sugar-refining business and take jobs away from native American laborers. Other districts which have loud spokesmen in favor of the insular refining quota, raise sugar beets. A very high percentage of the sugar-beet acreage in this country is under the direct ownership and control of the American Sugar Refining Co. Then we have the districts along the coast, where the coastal refining business prospers. Those districts are not without congressional advocates. In addition to that, we have a lot of sincere Members of this House who believe in the principle of protection and think that this is a proper method of achieving their purposes.

I do not question the good faith, nor the sincerity of any man who has debated on either side of this subject, but I ask the Members of this House to look over the speakers who have denounced this unfair, un-American insular quota system and see if there is a single one of them who can be accused of having a selfish interest in their advocacy. Look and see if you can find a single man advocating the repeal of this quota who is going to gain one vote or any other favors by his attitude.

What a farce is this plea "to defend American labor." The sugar industry pays less for labor out of its gross expenditures than almost any other industry in this country. So far as I know, it is absolutely the lowest. Three percent of its expenditures go for pay rolls, and, of course, it is because of that 3 percent that the sugar interests have flooded our hallways and the dining room downstairs with lobbyists. But last week, when one walked into the congressional dining room, he did not know whether he was in a Congress of lobbyists or in a meeting place for lawmakers. Oh, yes; they are interested in the 3 percent; they are not all interested in the other 97 percent of their expenditures. They are not at all hoggish in this matter, either. Under the Jones-Costigan Act, the coastal refineries increased their annual refined-sugar output by 386,000 tons. They are not satisfied with that. Like the dog with the bone crossing the bridge, who sees the reflection of another dog in the river, they want it all. They do not want Hawaii or any of our possessions to cut in on their 97 percent at all.

The gentleman from Michigan [Mr. HOOK] said that the number of employees in the refining business had dropped from 24,000 to 14,000 in the last few years. I do not know where he gets his figures; he did not specify; but if the employment did drop that much, it dropped in the face of a tremendous increase in output in the last 5 years. Of course, the refining industry has reduced their employees. Improved machinery has done the same thing for practically every other industry. It is because of this improved machinery that these refineries have reduced their labor

outlay to 3 percent of their total expenditures as against the railroads that pay out 50 percent of their expenditures for labor.

To show the absolute hypocrisy and absurdity of this claim about defending labor, let us assume the impossible; that is, that within the next 2 years Hawaii and Puerto Rico double their present production and that the Virgin Islands accomplish the inconceivable task of refining as much as the whole Hawaiian Archipelago. The total production of all our possessions under this impossible dream would be 242,000 tons. What effect will that have on an industry that in 1936 refined more than 4,500,000 tons? It would not be a drop in the bucket. There is not a man in this House, so far as labor is concerned, that would even know that the sugar was coming in, even those in the direct refining districts, such as the gentleman from Massachusetts [Mr. McCORMACK].

It is not the labor, it is the dividends that are footing the bill for this lobby; and, Mr. Chairman, with this iniquitous, abortive legislative bill as it now stands before this House, with these indefensible quotas included, I, for one, would rather see no sugar legislation, and from conversations I have had with Members of this House I feel that that sentiment is very prevalent throughout the Members of this body who do not represent either refining districts or sugar-growing sections.

Some gentleman said, a moment ago, that this is fair, that we are treating Hawaii and Puerto Rico the same, or better than continental United States. Mr. Chairman, let me tell you when we will be fair. When this Congress says to Ohio, when it says to Georgia, when it says to Texas, that the manufactures they have in those States shall stay as they are today now, and henceforth forevermore, that they shall not expand, then such a bill as this will be fair. If in this same bill we should say to New York, or Ohio, or Michigan, where there are refineries, "You cannot expand your refineries, you have to take the same as Hawaii, take what you get", then it will be fair. But this proposed exclusively insular quota is so obviously iniquitous, so obviously against our policy of a free people and a free Government, that I say I do not care whether the President of the American Federation of Labor, as the gentleman from Michigan [Mr. HOOK] asserted, or the C. I. O.—I would not care even if the President of the United States, if we can imagine such a thing—should approve this quota, it is not right. It does not make any difference who approves it, because their approval will not change the facts in the case. [Applause.]

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

DOES LORD NORTH WALK THROUGH THE CHAMBER TODAY?

Mr. MAVERICK. Mr. Chairman, as the gentleman from Ohio [Mr. HARLAN] said, this is parallel to what happened some 175 years ago in the British House of Lords. Is the spirit of Lord North walking through our Chamber today? In the House of Lords they were discussing then, and up to the time of our Revolution, the matter of commercial restrictions on the Colonies. They placed those restrictions on the Colonies; and England got the Revolution and lost the greatest lands on the face of the earth.

What was the point at issue then?

The point at issue was that the Colonies could grow all the raw products they wanted, but could not manufacture anything, that they had to buy their manufactured goods from England, and could not manufacture anything themselves. When Burke made his speech for conciliation of the American Colonies, everybody booed in the good English fashion of the time and laughed at him.

SITUATION EXACTLY SAME AS 175 YEARS AGO

What is the situation today? Why, it is exactly the same. Of course, we have the force to make Hawaii comply with such a law if we want to do so, but I say from the viewpoint of justice, and from the viewpoint of the Constitution of the United States, we should not do it. It is not fair.

Let us compare raw sugar with crude oil. It is just the same as if we let California produce all the crude oil she wants, but that the Texas people could by influence force through a law that California cannot refine its own oil in California and ship it to other parts of the country. That is exactly the same principle.

Yes, Mr. Chairman; it is the same situation as if the cotton-growing State of Texas had enough power to force through a Federal law saying North Carolina cannot have textile mills in the State of North Carolina, because Texas might want to build up textile mills in the State of Texas.

That is exactly what the proposition is. It makes no difference whether the commodity is raw sugar, crude oil, cotton, or pigs—if you can produce them anywhere in the United States, you can process them into refined sugar, refined oil, textiles, and bacon. To deny Hawaii and Puerto Rico the right to process its sugar and sell the sugar in their own country is not only unconstitutional but illogical—or, it is fantastic, bizarre.

SUGAR LOBBY MOST PERNICIOUS IN UNITED STATES

The most pernicious lobby we have ever had in the United States is the sugar lobby. It has a long trail of indictments, corruption, and evil practices. The only benefit that this bill as it stands is to the refiners, and I say that if we want to do the thing that is just and fair and constitutional, we ought to adopt the Jones amendment, striking out the restrictions against Hawaii and Puerto Rico.

But suppose Hawaii does refine sugar, how are you going to stop it? It would be the same thing as Texas shipping refined oil or North Carolina shipping textiles, both in their own country. In other words, if we adopt the special restrictions we are adopting a policy of making colonies out of a part of our own country.

Certainly, it would be an evil precedent.

Oh, they talk about refineries, and that it means lower wages for 14,000 workers; but let us think about legislating for 127,000,000 Americans instead. So I say to you, for the sake of honestly following our Constitution and doing what is plain right, let us adopt the Jones amendment. [Applause.]

Mr. MICHENER. Mr. Chairman, I shall support this bill as reported by the Committee on Agriculture, and without any amendments. Hearings have been held; different theories advanced; all interests involved have been heard, and this bill comes before us as the best judgment of the committee. It is also endorsed by the sugar growers, producers, and refiners as the most practical method of meeting a necessitous situation.

The Jones-Costigan Sugar Control Act became a law in 1934. That law with its quota provisions expires December 31, 1937. I do not believe that the fundamental principle of the Jones-Costigan Act is the best method of approach to the United States sugar problem if genuine consideration is to be given to the American producing industry. That is not the question before us today, however. The Jones-Costigan Act with its quota and benefit provisions has been of value not only to our beet- and cane-sugar growers but also to our refiners. The real trouble with the principle of the law is that it is based on the premise—and the hope on the part of the administration—that the industry in the United States may be frozen at a given point and that by this method expansion in the continental United States may be stopped. It is needless to say that I am particularly opposed to any such theory.

About 20 percent of the sugar required by the consumers of continental United States is grown in continental United States; 40 percent of the sugar consumed in this country is obtained from Hawaii, Puerto Rico, and the Philippine Islands; the other 40 percent is imported from foreign countries and, as we all know, comes largely from Cuba. Now, it is clear to me that if the farmers of the United States can produce more of the sugar consumed in the United States, then they should be given that privilege. The domestic market for our farm products belongs to our own farmers and all legislation should be aimed toward the

end of restoring to the American farmer that market to which he is entitled. We can produce cane sugar and beet sugar in large quantities on our own soil.

The area of the country that can be most profitably utilized for cane-sugar production is limited by moisture, temperature, and soil. This territory exists largely in the southeastern part of the United States. Beet sugar, however, can be produced throughout a large part of our country. It therefore follows that instead of producing 20 percent of the sugar we actually consume, legislation should be enacted not only to make possible but to encourage the development of the beet-sugar and the cane-sugar industries in this country. We already have a vast surplus of cotton in the South. Every acre of cane sugar may mean just one acre less of cotton in our great southland. Every acre of sugar beets in the other sections of the country will mean just one acre less of wheat, corn, and other crops of which we already have domestic surpluses. I condemn the inconsistent policy of removing from production fertile acres and at the same time importing foodstuffs that might be produced on these American acres by American labor living according to American standards. Last year millions of acres were taken out of production in this country and benefits paid by the consumers of the country as a reward to farmers for not producing the things that the American people not only desire but need as the necessities of life. There is no better place to stop this foolishness than to stimulate the American sugar producing industry. While the purpose of this bill is not to accomplish this result, yet as an expedient it will prevent the total destruction of the industry for the time being. That seems to be the most that our home sugar producers can hope for from this administration.

When beet sugar is produced on our own acres, it not only furnishes an income to the owner of the land but it furnishes an income to the farmer who tills the land, and it goes further and furnishes seasonal employment to farmers and others living in the community where the beets are produced. Beet-sugar factories are not large institutions and are located in the communities where the beets are grown, so that the farmer receives benefits from the price he receives for the beets, also from the factory pay rolls in the community, and the local community benefits from the employment in the factories during the few months in the winter when there is no other employment on the farm or for the laborer in the villages or small towns where the beet-sugar factories are always located. Another element which is of prime importance to the local beet-sugar factory community is the fact that the factory is placed on the local tax roll and, therefore, contributes to the upkeep of the schools and the community in general. All of these are home benefits. They inure to our own citizens rather than foreigners.

Now sugar can be produced more cheaply in Cuba, Puerto Rico, and Hawaii than it can in continental United States, but that is no reason why it should not be produced in this country. Corn and meat products can be produced cheaper in South America, yet that is no reason why they should not be produced in this country. Wheat and dairy products can be produced cheaper in Canada and other countries than they can in this country, yet that is no reason why these products should not be produced by the American farmers. It costs more to live in the United States than it does in many of these other countries, but it is worth more. Our standards are higher and can only be maintained by some differential, preferably in the form of a protective tariff.

The traditional way of protecting the United States sugar producer was changed when the Jones-Costigan law was enacted. That bill relied upon the quota rather than the tariff. The important difference is that quota restrictions apply to local production as well as offshore importation. There is no question but that the underlying purpose of the Jones-Costigan law was not only to discourage, but to prevent development of the sugar industry in this country. Without sacrifice by each group or element in the sugar industry of the right to expand at will, there could be no quota system. Under that system the refiners are limited as to the offshore sugar they may refine, while the farmers are limited as to the amount of cane and beets they may harvest.

The administration is opposed to this bill, because it seeks to limit offshore importations into this country. Secretary Hull, of the Department of State, is particularly opposed to this bill on the ground that—

> The trade concessions granted to the United States by Cuba in the reciprocal-trade agreement signed August 24, 1934, were based in part on the assumption that the sugar-control plan, if continued in effect, would not be changed to Cuba's disadvantage.

In short, in the reciprocal-trade agreement with Cuba, Secretary Hull traded off the United States beet producer and has agreed with Cuba that our production will not be increased, and that Cuba may continue to furnish to our consumers the sugar that our farmers can and should be permitted to produce.

The gentleman from Colorado [Mr. CUMMINGS], who is thoroughly conversant with our sugar problem, tells us that, without sugar legislation at this time, the sugar industry of Hawaii, Puerto Rico, and the United States is absolutely ruined because we go on the world market with a 90-percent tariff protection, while we had $2 against Cuba and $2.50 against the world before the quota system became effective. Now, there is no question but that the gentleman is correct; and it follows as the night follows the day that after December 31, 1937, unless legislation is enacted, Secretary Hull's agreement with Cuba rings the death knell to the sugar industry in our own land. It is not only advisable, but it is imperative, that we have sugar legislation at this time, even though we must enter into some compromises to bring it about.

Here the refiners and producers are united and fighting for a common cause; that is, the life of each industry. This is strange, because the seaboard refiners and the growers of beet sugar have been economic enemies from the beginning. The refinery is nothing more or less than a processing factory. The prosperity of the refiner depends entirely upon the quantity of raw sugar available to be refined. He, therefore, has always opposed any protective tariff or limitation on importation of raw sugar into this country. The cheaper he can buy the raw sugar in Cuba and refine it in this country the more money he makes. He has no trouble about his market and, if given a free hand, the American refiner absolutely controls the price of sugar to the consumer in this country. That raw sugar is produced by peon labor under conditions unthinkable in this country.

The beet-sugar grower in my section of the country must compete with this raw sugar from Cuba. In a beet-sugar factory the raw product is the beet, and the finished product is the sugar in the bags ready for the market, so that we do not have sugar refineries in the beet industry akin to the cane-sugar refineries. These refiners have always fought the beet-sugar farmers. They would have none of us. In the past they have conducted most unwarranted propaganda against beet sugar, and as a result of the propaganda, beet sugar today sells 15 to 20 cents per hundred less than cane sugar, although its qualities and composition are identical. In view of these facts, I hold no brief for the refiners. Greeks bearing gifts are always subject to distrust, we are told. These people are momentarily with us because it best serves their purpose, but we must take stock of the morrow.

It is true that about 14,000 persons are employed in the seaboard refineries. All of these are in the larger cities. I thoroughly believe in protecting this United States labor. At the same time, it is not consistent to furnish these workers with free raw sugar at the expense of the farmers who want to produce cane and beet sugar in this country. The difference is, that in the case of the refiner, the workers in the refinery are protected against cheap foreign competition, while in the case of the beet-sugar producer not only the workers in the factories, but the owners of the farms and the workers on the farms are given like protection.

The House is practically unanimous for this legislation. However, we are advised that the President will veto the bill unless we comply with his demands and the demands

of Secretary Hull above referred to. We are told that we cannot legislate for the benefit of the continental refiner and grower without taking into consideration Cuba's interests and the interests of Puerto Rico and Hawaii in the world sugar market. That is where the fight is today. The gentleman from Texas [Mr. JONES] will offer amendments complying with the administration demands. The temper of this House is such that its independence will be asserted and the bill that leaves the House will represent the mature judgment of the Members. Some changes will undoubtedly be made in the Senate, and the emergency is such that it may be necessary for the House to again yield to the Executive or lose all immediate protection for the beet-sugar industry. When, oh when, will this Executive domination cease?

Mr. HEALEY. Mr. Chairman, the gentleman from Texas [Mr. MAVERICK] who preceded me stated that the persons chiefly concerned with the passage of this bill without the amendment are the so-called pernicious sugar lobby. I hope I shall have the time to read into the RECORD at this time the petition of 1,200 employees of the sugar refineries at Boston, Mass. This petition was brought here by a committee of four representing the sugar workers' union of that city, not lobbyists, not paid by any sugar refiners to come here—oh, no, they come here as the representatives of their fellow workers to appeal to this Congress to save their jobs. The expense of their trip is defrayed by their union. The petition which they have delivered to me is far more eloquent and appealing than any remarks I am capable of making on this legislation.

Let me read this petition:

We, being sugar workers in the various cane-sugar refineries in continental United States, hereby petition you as an American official to do all in your power to have taken out of pending sugar bill any provision that permits entry into the United States of sugar in refined form from Cuba or any other offshore area.

The entry of such sugar, refined by low-wage tropical labor, has wrought havoc among our workers. A great number of our fellow workers are now on relief, and if the sugar bill passes in its present form a great number of our present employed workers will continue to work only a fraction of the time. We are more than anxious to earn an honorable livelihood and do not want Government bounty.

Cuban workers, who perform the same type of work as we, get, in Cuba, a minimum wage approximating a dollar a day, and in Puerto Rico 85 cents a day, whereas we have been receiving during depression times several times these amounts per day.

We want this petition to be understood as an emphatic protest against what we term "a discrimination against American labor."

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Owirka, 13 Lincoln Park, South Boston; Stanley Gaidamawicz, 361 Broadway, South Boston; P. Zasimavicus, 20 Winfield Street, South Boston; Catherine DeFeo, 213 Condor Street, East Boston; Steve Einingas, 286 Fourth Street, South Boston; Walter F. Nolan, 24 Harvest Street, Dorchester; Denis Riordan, 25 Edgerly Road, Boston; Martin Conlon, 1116 Dorchester Avenue, Dorchester; Thomas J. Maroney, 377 Arlington Street, Watertown; William J. McDonough, 211 M Street, South Boston; John McGrath, 266 Dorchester Street, South Boston; Alfonse Balkus, 127 Bowen Street, South Boston; James Gramatis, 18 Auburn Avenue, Somerville, Mass.; Patrick Quinn, 96 Winter Street, Cambridge, Mass.; Tony Povoras, 294 Columbus Street, Cambridge; Joseph J. Kengaris, 769 Dorchester Avenue, Dorchester; Harvey Holman, 34 Sydney Street, Somerville; Martin E. McNally, 24 Auburn Street, Charlestown; Leo J. Stone, 12 Connecticut Avenue, Somerville; Ivan S. Burnham, 114 Wallace Street, Malden; C. Sonenberg, 64 Roberts Street, Roslindale; Marco Grampo, 11 Squire Court, East Cambridge; Edward Frith, 47 Symphony Road, Boston; Bernard E. Fitz-Maurice, 21 Parker Street, Charlestown; Lawrence L. Chetwynde, Druid Hill Avenue, Burlington; John T. O'Leary, 77 Neposit Avenue, Dorchester; Manuel Alren, Elma Street, Cambridge; Ernest Gervino, 6 Sackville Street, Charlestown; Paul C. Mann, 75 Smith Street, Roxbury, Mass.; J. O'Brien, 17 Meacham Road, Cambridge; J. Sweeny, 18 Alpine Street, Somerville; J. Middleton, 677 River Street, Mattapan; Major Braxton, 14 Gentros Street, Roxbury; L. Mello, 306 Holly Street, Cambridge; James J. Cranney, 160 Linden Avenue, Malden; Michael J. Devine, 21 Longfellow Street, Dorchester, Mass.; Jacob Brown, 41 Hamond Street, Boston, Mass.; Isaiah Engermann, 11 Huberth Street, Roxbury, Mass.; Walter Jefferson, 853 Columbus Avenue, Boston, Mass.; James Collins, 31 Woodward Street, Everett, Mass.; Herbert R. Banks, 11 Albemarle Street, Boston, Mass.; Richard Williams, 43 Bower Street, Roxbury, Mass.; Joseph Miller, 280 Albert Street, Cambridge; Joseph Bent, Charlestown, Mass.; Joseph Givinnetto, 14 Wall Street, Charlestown; T. H. Bell, 84 Gainsborough Street, Boston; C. F. Schaller, Brookline, Mass.; R. G. Chausse, 33 Kenberma Road, Dorchester, Mass.; Frank Sweeney, 18 Alpine Street, Somerville, Mass.; Edward Byron, 57 Monument Avenue, Charlestown, Mass.; Robert J. Tynes, 31 Cunard Street, Boston; Joseph Beady, 193 Cypress, Brookline; Kenneth J. Mac Killop, Central Street, North Reading; Gatono Eramo, 2 Jackson Street, Charlestown; Nando Bosari, 48 Henley Street, Charlestown, Mass.; Joseph McCarthy, 2 Greenwood Avenue, Boston; Harold C. Richardson, 65 Adams Avenue, Everett, Mass.; Antonio Latorella, 305 Chelsea Street, East Boston.; Edward J. Gould, 2 Reed Court, North Cambridge, Mass.; William E. Copeland, 65 Grove Street, Chelsea, Mass.; Joseph Kelley, 71 Beattie Street; John Lukkinere, 95 Gore Street, East Cambridge, Mass.; John Manchur, Divison Street, Chelsea, Mass.; Angelo, Gregorio, Decatur Street, Charlestown; Giovonni, Gregorio, 10 Decatur Street, Charlestown; Garson Brason, 1104 Shaumutt Avenue, Roxbury; Manuel Amaral, 136 Fifth Street, East Cambridge, Mass.; Sylvester Kuheruh, Medford Street, Charlestown; Glenn Boyce, 16 Bolton Place, Charlestown; James E. Morris, 751 Shaumutt Avenue; Reginald L. Power, 107 Third Street, Medford; Edwin F. Corliss, 362 Main Street, Charlestown, Mass.; William J. Eppex, 63 Crest Avenue, Winthrop, Mass.; William J. Davison, 7 City Square, Charlestown, Mass.; Arthur J. Dalot, 1191 Boylston Street, Boston, Mass.; Alphonse J. Bois, 6 Westcott Street, Dorchester, Mass.; Charles Hazelton, 83 Patridge Avenue; Ethel Johnson, 2 Pearl Street; Michael Bolensk, 15 Beethoven Street, Roxbury; Edward Alves, 72 Elm Street, Charlestown, Mass.; John Corvello, 82 Oak Street, Somerville, Mass.; B. Cootes, 118 Broadway, Somerville; J. Leahy, 27 Lincoln Street, Charlestown; J. Brown, 31 Lexington Street, Charlestown; John Earls, 17 Eastburn Street, Brighton; Daniel Crowly, 2 Webster Street, Somerville; Patrick J. Connor, 7 Neal Court, Charlestown, Mass.; Thomas Deveney, 102 Marlboro Street, Chelsea, Mass.; Edward P. Kelly, 2 Woods Place, Charlestown, Mass.; Laurence England, 13 Mason Street, Medford, Mass.; Pat Chambers, 66 Sixth Street, Cambridge; L. D. Rodrigues, 89 Plymouth Street, Cambridge, Mass.; John Smith, 17 Fells Avenue, Medford; Joe Costa, 11 Oak Street, Somerville; J. Diveen, 6 Mill Street, Charlestown, Mass.; G. Dunn, 33 Sydney Street, Medford, Mass.; J. Buman, 21 Dartmouth Street, Arlington; Walter Sands, 121 High Street, Charlestown, Mass.; Charles W. Riess, 31 Leonard Street, Somerville, Mass.; Harold R. Rugley, 21 Halbrook Street, Charlestown; Joseph E. Morrissey, 43 Cook Street, Charlestown, Mass.; D. C. Reed, 30 Stone Avenue, Somerville; D. Neal, 14 Webber Street, Medford; R. Gordon, 508 Green Street,

Cambridge, Mass.; Paul Johnston, 120 G Street, South Boston, Mass.; Paul F. W. Dunse, 251 Lexington Street, Woburn, Mass.; Giovanni De Vito, 382 Medford Street, Charlestown, Mass.; Pietro De Vito, 352 Medford Street, Charlestown; Frederick W. Finn, 38 Bloomfield Street, Dorchester; Henry Latorella, 305 Chelsea Street, East Boston; Francis X. Lewis, 4 Bunker Hill Court, Charlestown; John Dukus, Pomfret Avenue, North Wellington; John J. Howard, 62 Elm Street, Charlestown; John Bishop, 122 Second Street, Chelsea, Mass.; Frank Wehler, 257 Bunker Hill Street, Charlestown, Mass.; Thomas Hickey, 14 Belmont Street, Charlestown, Mass.; James Webber, 27 Leonard Street, Dorchester; Warren Rundull, 34 Clarkson Street, Dorchester, Mass.; Charles E. Frost, 12 Central Avenue, Everett, Mass.; Murrel Santos; Fred Lonergan, 56 Monument, Charlestown; Thomas Whelan, 83 Cambridge Street, Charlestown; Donald Ladue, 131 Lamortine Street, Jamaica Plain; Peter Klemiatu, 53 Middle Street, South Boston; Thomas Walsh, 31 Hannewell Avenue, Brighton; John J. Russell, 61 Shaver Street, Charlestown; Samuel Kamsky, 643 Morton Street, Dorchester; Wm. E. Collins, 18 Essex Street, Charlestown, Mass.; Edward E. Welch, 101 Marlboro Street, Chelsea, Mass.; William Foley, 158 Middlesex Avenue, Medford, Mass.; Daniel J. Eagan, 83 Euston Road, Brighton, Mass.; L. Page, 127 Lowell Street, Arlington, Mass.; Charles Wolejka; Francis J. Dunn, 3 Ledge Street, Stoneham; Timothy Mahoney, 8 Auburn Street, Charlestown; Walter Logan, 111 H Street, South Boston, Mass.; B. Thurman; S. C. Jones, 80 Perkins Street, Melrose, Mass.; Andros Banyasski, 42 Plymouth Street, Everett; Harold I. Timlin, 3 Jess Street, Jamaica Plain; Joseph Devine, 19 Luant Street, Dorchester; Joseph B. Mills, 25 Hunting Street, Cambridge, Mass.; H. Lacey; J. Regon; Thomas Smith; Charles E. Simonin; Erveil Fountain; Eugene Tobey, Jr.; Chas. Russell; Francis Burns; Allen G. Hatcher; Jack T. Finley; Charles D. Herbert; Angelo Dalbo Russo; William Kendall; Ernest Bever; Clarence Courtney; David Moore; John Silva; John Williams; Shermont Ruth; Luke Bullock; Jason T. Weekes; Stanley I. Talbott; James Jordan; Ralph Regan; William H. Long, 65 Hammond Road, Belmont; John F. Durante, 61 Prescott Street, Everett, Mass.; Ralph Brovnick, 61 Bellingham Street, Chelsea; Frank Corvia, 42 Alpine Street, Somerville, Mass.; Luigi Delcore, 131 Princiton Street, East Boston, Mass.; George H. McLucas, 154 Walnut Street, Somerville; Fred C. Wren, 108 Central Street, Somerville; Harry H. Hamilton, 18 Inman Street, Cambridge; Harvey C. Fess, 21 Beach Street, Charlestown; Ralphord W. Hartline, 40 Anderson Street, Charlestown; C. L. Taggart, 70 Lincoln Road, Medford; J. M. Burnham, 59 Albion Street, Melrose; Conant W. Udell, 538 Pleasant Street, Dracut, Mass.; Cedric L. Gillespie, 78 Charnwood Road, Medford; Alice E. Gallen, 16 Hardy Avenue, Watertown; P. Cullen, 26 Allston Street, Charlestown; Grace Russell, 437 Eastern Avenue, Chelsea; Charles Dogaluk, Charlestown; Michl Zelmski, 139 Chamber Street, Boston; Baltazar Valente Rodrigues, 422 Cambridge Street, Cambridge; William F. Fountain, 80 Allston Street, Allston, Mass.; Mark Cochran, 59 Heath Street, Somerville; Gordon Stewart, 31 Harold Street, Medford; Peter Johnston, 21 Hurlcroft Avenue, Medford; Bernard E. Kenney, 27 Maine Avenue, Somerville; Antonio Severino, 39 Calvin Street, Somerville; Joseph Alves, 72 Elm Street, Charlestown; Louis A. Young, 59 Pearl Street, Somerville; Morgan J. Sweeney, 11 Thorndike Street, Arlington; Angelo Salvato, 54 Jay Street, Cambridge, Mass.; William Carey, 73 Sycamore Street, Somerville, Mass.; Alex Beaton, 25 Partridge Avenue, Somerville, Mass.; George Lucas, 55 Warvar Avenue, Boston, Mass.; James W. Gover, 54 Bartlett Street, Charlestown, Mass.; William Richey, 25 Queensbury Street, Boston; H. O. Jacobson, 137 Woodlawn Street, Everett; Frank G. Alves, 3 Pleasant Street, Charlestown; Maniel (X) Dias, 20 Bolton Street, Somerville, Mass.; Jeremiah McLaughlin, 5½ Armory Street, Charlestown; J. E. Fitzgibbon, 18 Trowbridge Street, Arlington; W. G. MacNeil, 140 Warren Street, Arlington; H. D. Gaffny, 11 Pleasant Street, Stoneham; Adam Platukis, 179 West Fifth Street, South Boston, Mass.; Milford Vidito, 84 Decatur Street, Charlestown, Mass.; Maurice Reed, 87 Bow, Somerville, Mass.; James Davis, Pleasant Street, Marblehead; Vincent Pizzolante, 464 Saratoga Street, East Boston; Dennis E. O. Keefe, 265 Bunker Hill Street, Charlestown; Edward H. Akerley, 55 Edgar Avenue, Somerville; George V. Hughes, 111 Pearson Road, Somerville; Ernest T. Reimann, 146 Spruce Street, Watertown; Guy Arno, 65 Walnut Street, Belmont; P. J. Hunt, 33 Alpine Street, Somerville; William Bertkisvicz, East Cambridge, Mass.; John E. Kelleher, 37 Reserve Street, Malden, Mass.; Olin Howe, 15 Hill Street, Somerville, Mass.; George H. Hutchinson, 519 Mystic Valley P'kway., Somerville, Mass.; Peter Warrellby, 8 Seraph Street, Charlestown, Mass.; Glenn L. Boyce, 16 Bolton Place, Charlestown, Mass.; Anthony Nouickos, 74 Dorchester Street, Dorchester; Domenick Ballerini, 150 Everett Street, East Boston; Michele Pall, 52 Belmont Street, Charlestown; N. John Bonal, 33 Belmont Street; Donald Campbell, 107 Hammond Street, Roxbury; McDonald Folkes, 181 Northampton Street, Boston; Manuel S. Rebelo, 629 Brookline Avenue, Brookline, Mass.; Patrick H. Jones, 403–A Columbus Avenue, Boston, Mass.; John Wishnitzky, 5 Milton Street, Boston; Arnold Springer, 330 Western Avenue, Cambridge; Philip A. Cooper, 47 Ferdinand Street, Melrose; James S. Ruddock, 205 Wyoming Avenue, Melrose; William Rowell, 48 Cook Street, Charlestown, Mass.; George A. Hoyt, 223 Vernon Street, Wakefield, Mass.; David Fyschuk, 5 Milton Street, Boston, Mass.; Albert G. Smith, 22 Carney Street, Charlestown, Mass.; Joseph Fraser, 54 Monument Street, Charlestown; F. Doherty, 202 Brookside Pkway; Walter Stone, 9 Third Street, Chelsea; Charles Lennox, 510 Broadway, Saugus; Walter Arnold, 83 Fort Avenue, Roxbury; Wilfred Brownell, 26 Maple Avenue, Medford; J. Connolly, 44–B Park Street, Lynn; H. Holmes, 390 Savin Hill Avenue; George A. Childs, 78 Putnam Road, Somerville; Manuel Souse, 1 Mill Road, Melrose; T. Larkin, 8 School, Somerville; John H. Friar, 73 Ridgewood Street, Dorchester; Frank Holley, 12 Beach Street, Revere; Frank Hanson, 103 Crescent Avenue, Melrose, Mass.; Gerald Edward Jennel; L. Fitzgerald, 110 Broadway, Wakefield, Mass.; W. J. Mackey, 16 Thelford Avenue, Dorchester; John Jansen, 1356 Eastern Avenue, Malden; Ann Bambery, 6 Wood Place, Charlestown; Vincent Yussel; Dominic Allegra, 31 Rhode Island Avenue; James Porter, 89 Russell Street, Boston; John Walsh, 67 Baldwin Street; Patrick McGoniagh, 118 High Street, Charlestown; Frederick W. Mackey, 43 Warner Street, Dorchester 24; Wm. A. Leahy, 20–A Orchard Street, Medford, Mass.; Andrew Correira, 15 Young Street, Somerville; Francis X. Gillespie, 24 Beverly Street, Melrose; James White, 19 Edmonds Street, Somerville; Bernard Mack, 161 Walnut Street, Chelsea; Lawrence Morgan, 239 Park Street, Medford; Patsy Serase; Spencer Jones, 83 Sterling Street, Roxbury; A. Gould; James Craney; Carroll Boneyparte; Jas. Donnelly; Catherine Thompson; Charles W. Gould, 242 Willow Avenue, Somer; Frank Rump, 596 Highland Avenue, Malden; S. J. Tang, 3 Oak Street, Charlestown; John Landry, 775 Main Street, Greenwood; John Hartnett, 15 Mystic Street, Charlestown; Joseph A. Lucci, 116A Prospect Street, Somerville; P. E. Del Ave, 131 Princeton Street, East Boston; Alex Santoski, 1254 Cambridge, Cambridge; Mikolai Wounlevicz, 710 Plymouth, Cambridge; William McDermott, 63 Decatur Street, Charlestown, Bennard J. Malone, 401 Bunker Hill Street, Charlestown; Lawrence E. Kane, 5 Rowen Court, Jamaica Plain, Mass.; John Pabian, 3 Franklin Street, Somerville, Mass.; Frank Rabidon, 16 Belmont Park, Everett; Manuel Costa; Leo O'Donnell, 160 Elm Street, Cambridge; Rocco, Silvert; Louis Chagnan, 26 Winslow Street, Roxbury; Alek Scheekee, 186 Sydney Street, Dorchester, Mass.; John Sullivan, 66 Pearl Street, Charlestown, Mass.; Jeremiah Mulcahy, 333 Medford Street, Charlestown; William Connelly; John Joseph Griffin, 39 Cook Street, Charlestown; Lewis B. Sponagle, Bedford Street, Pinehurst, Mass.; Daniel E. McTear, Jr., 152 M Street, South Boston; Joseph Buravich, 82 East Menott Road, ———; Phillip Muskavitz, 123 Mills Street, Malden, Mass.; Edw. Sweeney, 372 Medford Street, Charlestown, Mass.; D. Doyle, 77 Bay State Avenue, Somerville; J. A. Reddington, 681 Monument Street, Charlestown; Patrick Murphy, 23 East Street, Charlestown; Raymond W. Beecher, 117 Middlesex Avenue, Reading; William Dowd, 141 High Street, Charlestown; Joseph P. McNamara, 91 Pearson Road, Somerville; Edward Gerasim, 149 Fisher Avenue; Walter L. Sheppard, 15 Warren Avenue Extended, Greenwood, Mass.; Geo. O'Connor, 101 Congress Avenue, Chelsea; Richard G. Noonan, 68 G Street, South Boston; Philip Crawford, 41 Granville Street, Dorchester; Howard McGrath, 53 Nahant Avenue, Winthrop, Mass.; Manuel Perry, 165 Tremont Street, Cambridge; Geo. (x) Rudgus, 7 Willard Street, Boston; John Finn, 8 Haverhill Street, Charlestown; John Rump, 8 Watts Street, Malden; Thomas F. Naughton, 86 Bunker Hill, Charlestown; Arthur Romkey, 26 Senes Street, Charlestown; Alfred D. Short, Gorham, Maine; Joseph Perry, 25 Fenwick Street, Cambridge; Frank Nugent, 3 Robinson Street, Dorchester; Adams Santoske, 993 Cambridge Street, Cambridge; Walter Sanders, 189 Fells Avenue, Medford, Mass.; Joaquin Oliveira, 89 Third Street, East Cambridge, Mass.; Felix Gerasim, 149 Fisher Avenue, Roxbury, Mass.; John Cameron, 7 Pearl Street Place, Somerville; Walter Ostrowski, 10 Magnus Avenue, Somerville; Michael J. Lacey, 40 Sockvill Street, Charlestown, Mass.; Joseph J. Yelmokas, 181 West Fifth Street, South Boston, Mass.; Walter F. Gover, 384 Amory Street, Jamaica Plain, Mass.; Edw. Fredrickson, 12 Central Avenue, Everett, Mass.; Edw. Rahdon, Boston Road, Billinca, Mass.; Richard Dunn, 1 Reed Court, Cambridge, Mass.; Charles R. Poirier, 66 Warrenton Street, Boston, Mass.; Joseph Bedmarck, 67 Broadway, Chelsea, Mass.; Joseph Petrowski, 29 Jenkins, South Boston, Mass.; Margaret Driscoll, 4 Auburn Square, Charlestown; Mary O'Connen, 46 Dorst

Street, Dorchester, Mass.; Mary Doherty, 5 Allen Street, Boston; Anthony DiMarco, 1 Patridge Avenue, Boston; Rosa M. Dotolo, 209 Endicott Street, Boston, Mass.; Elizabeth McDevitt, 72 Monument Street, Charlestown; Anastacia Smith, 22 Carney Street, Charlestown; Thomas Romano, 928 Dorchester Avenue, Dorchester, Mass.; Clara Ciarmataro, 24 Russell Street, Charlestown; Jessamina De Vita, 354 Medford Street, Charlestown; Helen Rzezuska, 44 Joseph Street, Medford, Mass.; Rita Hickey, 14 Belmont Street; Margaret Doherty, 5 Allen Street, Boston; Marie Medeiros, 103 Spring Street, East Cambridge; Catherine McDevitt, 72 Monument Street, Charlestown; Joseph Barahona, 7 Marney Street, Cambridge; T. McAleney, 114 Hamilton Street, Dorchester; Owen O'Rourke, 1 North Meade Street, Charlestown; William Sauro, 24 Granville Avenue, Medford; Manuel N. Costro; Seraph Silva, 187 Charles Street, Cambridge; Lawrence Ahearn, 6 North Meade Street, Charlestown; John Kevinsky; Harry R. Buckley, 10 Nottinghill Road, Brighton; Wm. Frongillo, 34 Clyde Street, Somerville; Eugene Chicanello, 286 Cedar Street, Somerville; Joseph Doherty, 10 Allston Street, Charlestown, Mass.; James S. Smith; Guy J. Saccordo, 56 Belmont Street, Charlestown; James Walsh, 6 Carnegy Street; Clarence Tuttle, 333 Medford Street, Malden; Charles Siliro, 6 Lincoln Park Avenue, Somerville; Michael C. Kelehs, 7 Sheafe Street, Charlestown, Mass.; Mary Parker, 372 Bunker Hill Street, Charlestown; Dzyia Howe; Charles Chicarello, 225 Cedar Street, Somerville, Mass.; Priscilla Wisniewska, 72 Broadway, Chelsea; Rose De Vita, 354 Medford Street, Charlestown; Eldridge Kinsman, 25 Allen Street, Arlington; Alfred Callahan, 91 Lake Mattakan; Mary Hogan, 39 Mystic Street, Charlestown; Ruth Royal, 4 Kelley Court; Geo. E. Winson, 620 Main Street, Malden; Myles Tennihan, 24 Marion Street, Charlestown; Al MacSwain, 70 Julian Street, Dorchester; Armand Barahona, 14 Whitman Street, Malden; Anna Powers, 45 Henley Street, Charlestown, Mass.; Kittie Reilly, 58 Choppie Street, Charlestown, Mass.; Helen Paredillio, 37 Belmont Street, Charlestown; Helen Hogan, 39 Mystic Street, Charlestown; Catherine M. Laughlin, 40 Corey Street, Charlestown; Thomas W. Tipping, 30 Mead Street, Charlestown; P. I. Conncerghton, 57 Cherry Street, Somerville; Mary Perkins, 6 North Mead Street; Nora Seeley, 34 Polk Street, Charlestown; Lillie Olsen, 166 Bunker Hill Street, Charlestown; Victoria Koslofsky, 21 Beach Street, Charlestown; Joseph Broiomski; W. Ballou, Andover, Mass.; Robert Beveridge, 68 Alpine Street, Roxbury, Mass.; John Heveran, 825 Saratoga Street, East Boston; A. Del Corl, 143 Princeton Street, East Boston, Mass.; Benedetto Maglioyp; Martin Hyan, 78 Pearl Street, Charlestown, Mass.; L. M. Gerasin, 120 Webster Avenue, Cambridge; A. R. Easterlind, 82 Newhall Street, Lynn; G. G. McLain, 67 Sterling Street, West Somerville; John J. Creel, 40 Monument Square, Charlestown, Mass.; James L. Evartt, 45 Connecticut Avenue, Somerville, Mass.; Thomas Gaughan, 23 Treadway Road, Dorchester; John Budrow, 35 North Greenwich Street, Dorchester; James Roach, 9 Haskins Street, Roxbury; David McDonald, 20 Gates Street, South Boston; Leslie Haynes, 14 Fairmont Avenue, Cambridge, Mass.; Herbert Praria, 41 Montial Street, Wilburn, Mass.; Francis Z. Kelley, 123 Webster Avenue, Cambridge; Wm. Bambery, 6 Wood Place, Charlestown; E. U. Hodgkins, 29 Ottawa Road, Arlington, Mass.; Giusippe A. Lanzello, 325 Lumne Street, East Boston, Mass.; Arthur Grossman, 42 Clarendon Street, Boston, Mass.; Warren Reed, 46 Maple Street, Stoneham, Mass.; Carl H. Collins, 31 Woodward Street, Everett, Mass.; Maxwell Brownell, 13 Richdale Avenue, Somerville, Mass.; C. Dover; A. Jackson; H. Swim; A. Ramsey; John Parks; John Mockey; M. Long; Peter Ferrara; Wilbur T. Jones; Frank Nigro; Frank A. Smith; T. W. Tipipngs, Jr.; Wm. Marshall; Manuel Souza; John McGonegie; John Cummings; M. Garvin, 15 Clark Street, Saugus; Anthony Di Lorenzo, 11A Fifth Street, Medford; John Feixa, 313 Portland Street, Cambridge; Thomas Donovan, 143 Bunker Hill Street; Edward Donovan, 250 Bunker Hill Street, Charlestown; Luigi Gfrisellini; Timothy P. Garitz, 63 Carroll Street, Chelsea; Leo Cassidy, 38 Clarke Street Everett; Michael Sirporo; James Arinello; John Nastaro; Wm. M. Hill; Joseph Gligo; Thomas Scoppetnolo; P. Bowering, 95 Billings Avenue, Medford; J. Rafferty, 15 Edmund Street, Malden, Mass.; William Younger, 505 Shawmut Avenue, Boston; Possidonio Almeida; Antonio Sanches; Augusta Spencer; Edwin Joy; Thomas Murphy; Arthur Joy; Mortimer Douglas; George Avery; Anthony Cella; Joseph McNamee; John Brock; Charles Pagle; Harold V. Connell; James Sears; Ernest Panza; Neil Cadigan; Charles H. Cronin; I. J. Steutrino; Joseph Gentile; Albert Hardy; W. Tobin; Peter Burns; J. A. Russell; S. Nicholls; J. Corniser; Frank Morris; John J. Donnelly; J. Loygie; Martin Barnett; Jose Mello; John J. Ryan; John J. Thompson; Fitz Spooner; A. R. Wallace; Frank Mello; Dennis Sears; Thos. LaRorque; John Gill; John Dunlea; Louis Jimenez; John Kemp; Thomas Mackey; P. Fecost; Alfred J. Mellino; George H. Cummings; Joseph A. Murray; John McFadd; Bernard Cummings; Fred Berry; John Middleton; Domica Fra De Stefano; Carmino Guasino; Louis Mello; A. Clark; John Connors; Ernest F. Follansbee; Thomas McBride; Michael Devine; Edward McDonough; Paul Bolas; Anglo DeAngleus; Fis. Cseh; H. Kautz; M. W. Marsh; Victor E. Paulson; Geo. B. Trefrey; Joseph H. Smith; Daniel Dwyer; Frank Lapham; L. Butler; L. Clark; P. Durante, Jr.; Charles E. Townes; Edw. L. McCarrick; Garrett L. Sullivan; John E. Brenner; Patrick J. Kelley; Frank P. Holmes; John J. Sullivan; John H. Marshall; Francis J. Harrington; William F. Sullivan; Thomas Rumley; D. J. Giannetto; Patrick Santos; Frank Quinn; Dana J. Harding; A. E. Wilkin; James Harrington; Antonio Zaccone; Joseph Sincevich; Gerald MacDonald, John De Costa; R. Alman; M. Fangino; N. Prato; E. S. Weymouth; J. Koochervok; L. De George; David Foley; John Noonan; Daniel Harrigan; Eugene Cox; John Sylvia; George White; Fred Schaffer; Walter Lord; Charles E. Lyons; Thos. Gould; Michael Gervino; Arnold Stelin; Percy Williams; Manuel Paiva; Sam Skinner; F. M. Hall; D. Kenneally; L. Murphy; Dominico Santirocco; Robert Canavan; Andrew D. Andrew; Daniel J. Keleher; John Brown; Henry St. John; Joseph Giannetti; Antonio Azereedo; Joseph Spooner; John Rausky; Stanley Hall; T. U. Pike; William Hunt; S. Donnelly; J. Brady; John E. Kelleher, 37 Reserve Street, Malden, Mass.; Chas. W. Aires, 56 Coffey Street, Mep. Dorchester; Pasquale Durant, 221 Havri Street, East Boston; Anthony Hondi, 204 East Eagle Street, East Boston; D. V. Eigo; Patrick Hogan; Francis A. Monahan; Frank D. Finneran; Hugh A. Cox; Frank X. Byrd; John J. Donahue; Angelo Gianetti; James Thompson; Alfred Sullivan; Ernest Sofia; Leslie Thoreault; Richard MacSwain; Joseph De Angelis; Edward Shaw; Edward Sonja; Engene Powell; Manuel Maura; William A. Noonan; Helen G. Lyons; John J. Maddin; H. W. McGrouch; Mary A. McLaughlin; Virginia Walden; George Brady; William F. Keating; James J. Rourke; Raymond A. Rourke; Anna E. Graham; Howard S. Walter; Daniel P. Dorr; J. B. Proudfoot; Byron Hudson; William F. Walsh; James A. Shevory; L. W. Driscoll; F. Ducey; W. E. Collins; Maurice O'Connor; Frank C. McCarty; Loring E. McGowen; Pauline Sulisky; Elizabeth D. Gustafson; H. L. Turner; E. A. Roberts; A. M. Neely; K. G. Crowley; E. R. Peach; W. R. Bolton; J. H. Doyle; E. R. T. Marquette; John T. Kennedy; E. J. Nolan; Thomas Roche; John Terrasecchia; John Thornton; Bernard Jansen; William Shannon; Peter Dziedzic; James Stone; Joshua B. Smallwood; Bernadine M. Sheridan; John P. Morrissey; U. P. Bemis.

This is signed by 1,200 men who now have jobs, who are now being paid American wages, and who are now working under American labor standards. This is their petition to the Congress of the United States, not at the instance of the sugar lobby, but emanating from the workers themselves in an attempt to save their livelihood and support and protect their families. Mr. Chairman, I represent many of the sugar workers who have signed this petition. I believe it to be my bounden duty to exert my best efforts to protect their opportunity to earn a living.

Mr. Chairman, I ask unanimous consent that I may place this petition with the signatures on it in the RECORD at this point.

I am sorry that the time allotted to me does not permit me to further extend my remarks on a subject so vital to these workers. However, I urge the membership to vote down the Jones amendment, in order that these men and other sugar workers throughout the United States may have their means of livelihood safeguarded.

The CHAIRMAN. The Chair will state to the gentleman from Massachusetts that consent must be obtained in the House as to the matter of the petition.

The gentleman from Maryland [Mr. LEWIS] is recognized for 10 minutes.

Mr. LEWIS of Maryland. Mr. Chairman, we have just heard portions of a petition signed by some 1,200 employees of the sugar refineries in the State of Massachusettes, who object to the imports of cane sugar when refined. The petition gives no information as to the American exports which will cease with the cessation of such imports or the connected reduction of employment here. The utter incompleteness of a single fact like that for constructive purposes brings to mind, perhaps, the most impressive statement I have ever read upon the subject of the tariff, and it has happened in my life that I have had to read a very great deal on that sub-

ject. The statement came from Sir Henry Sedgwick, one of the leading intellects of the nineteenth century, an economist and philosopher well known to a former generation. Sedgwick said he did not quite agree with the classical economists; that he thought he could imagine instances where a little protection placed here and a little protection placed there might work an advantage for the national economy; but what he could not imagine was a parliament of men with sufficient knowledge and wisdom to pick out only such instances for the privilege of tariff protection, and with sufficient strength of character, when the necessity for that protection might have disappeared, to withdraw the unrighteous privilege inexorably. [Applause.]

One of the great facts, though but lowly visible, impossible to evaluate in a discussion like this, is the effect on our exports. How many laborers in the United States, with such imports cut off, are going to lose their jobs because their products cannot be exported? There is a law of imports. There is a law of exports. Permit me to say it is not less valid, it is not less self-enforcing than the laws of Nature. Indeed, it is like Newton's third great law. You will all recall it; it is the simple law that action and reaction in the physical world are equal and opposite. The outgoing tide will equal the incoming tide. The incoming tide determines the extent of the outgoing tide. And we can no more repeal that great law of economics, whether we can now recognize its effects through the labyrinthian circumstances of commerce and industry or not, we can no more repeal that law than we can repeal the well-known laws of the great natural philosopher, Sir Isaac Newton.

But a highly visible and tremendously important element is involved. Certain moral values are concerned here. This Nation, like human beings, does not live by bread alone. It lives and it survives because its foundations rest on certain deep, strong, abiding moral principles. When you violate the principle of equal right and equality before the law with reference to your own citizenship, then you do it at a moral cost, the debt which will have to be paid some day. Paid by immediate revolt? Perhaps not. There may be no Washington in Hawaii. There may be no Adams in the island of Puerto Rico, but the great laws of God are there and ultimately will assert their consequences however much we may wish, for paltry, temporary, commercial, geographical, and indeed political, considerations, to violate them today. [Applause.]

I would invite your attention to an editorial found in the Baltimore Sun of yesterday. My fellow Democrats, you may accept the apostleship of the Baltimore Sun on this subject of the right of trade, of freedom of commerce, and of democratic principle in the matter of tariffs. It has fought desperate battles for the democratic principle at great cost to itself. On one occasion, the elders among you will recall, it even fought Arthur Pue Gorman, then a national leader and quite the political dictator in our dear old Commonwealth of Maryland; and it ultimately triumphed. The point to which the Sun particularly directs attention is the circumstance that in these restrictions we—and who are we? We are the democratic revolt of the United States, two-thirds of its people speaking—we Democrats are introducing a new kind of Grundyism. The old kind was directed against foreigners. It, at least, carried one element of fairness, a foreigner could retaliate with laws of his own, and did retaliate. This Grundyism proceeding from this side and producing its inevitable retaliations from other countries was a large factor in bringing about our terrible depression.

But the new Grundyism is directed against our own fellow citizens. Can they retaliate? We are striking down men we have disarmed. We have deprived them of the ballot. We have taken their lands and their homes and compelled them to accept allegiance to the United States, and then here on this day we would reward their ready acquiescence by a repudiation of the great principles upon which our Republic is founded. That is the new Grundyism as compared with the old. Do you think that our rebuke from the people will be less drastic, less certain than the rebuke which filled this House with Democrats and emptied the House of its Republican membership? I think you are tempting political death if you follow and aggravate the occasion which the old Grundyism gave to a people to enter into a great revolt.

[Here the gavel fell.]

Mr. BIERMANN. Mr. Chairman, I ask unanimous consent that the gentleman may be given the time that was allotted to me.

The CHAIRMAN. Without objection the gentleman from Maryland will be recognized for 3 additional minutes, the time which was to have been allotted to the gentleman from Iowa [Mr. BIERMANN].

There was no objection.

Mr. LEWIS of Maryland. I need not say that to do this thing is to violate the great law of our birth as Americans, a principle which caused the United States of America to dissever itself from the greatest state authority at that time in the world. All our traditions teach us that no such violation should be committed, at all in modern times, by a country having colonies—that no such violation at any rate could be committed by the hands of a statesmanship with a background such as we of America boast.

When that occurred in Great Britain a Lord North, Prime Minister, occupied Whitehall and a crazy George gave him kingly support; but it is a happy thing to know today that we have a prime minister occupying our White House, a prime minister, Franklin Roosevelt, who rises in all the majesty of his might and office to protest against the doing of this thing. [Applause.]

[From the Baltimore Sun of Aug. 5, 1937]

THE NEW GRUNDYISM

In the old days when the high protectionists of the Grundy school were in the saddle at Washington, they always professed to be fighting for the welfare of the American producer against the subversive competition of the dastardly foreigners. They asked for prohibitive tariff rates on the ground that such rates were nothing more than patriotic devices to preserve the home market for American producers. No such argument is possible on behalf of the new school of high protectionists who are supporting the sugar bill, to which the Rules Committee yesterday granted a preferred status on the House calendars.

The advocates of this bill are not seeking to defend the American producer against the foreigner. They are seeking to exalt one group of American producers at the expense of another group. They propose to do this not by the use of higher tariff rates but by quota restrictions, and they insist on applying the quotas not against foreign nations but against sugar producers in Hawaii and Puerto Rico, which are under the American flag, and in Cuba, which is within the American economic system. Hawaii and Puerto Rico have been American possessions for 40 years. Cuba has enjoyed preferential tariff relations with us for an equal period. We have encouraged capital to invest in these areas in the expectation that Hawaiian, Puerto Rican, and Cuban products would have easy access to our markets. Industry has been conditioned in those islands to this expectation. Neither Cuba nor Hawaii nor Puerto Rico can look to any country except our own as a market.

We have not done this solely out of an altruistic regard for the welfare of those peoples, although some of us would like to think that altruism had a part in it. We have done it mainly because of the belief that if we allowed the people of Puerto Rico and Hawaii and Cuba access to our markets they would allow us access to theirs. This expectation has been justified. We have bought liberally from the people of these islands and they have bought liberally from us. Now the domestic beet- and cane-sugar producers and the domestic sugar refiners seek to throw a monkey wrench into the trade relationships which we have invited these people to build up. It is proposed in the new sugar bill to restrict imports of raw and refined sugar from our own dependencies of Puerto Rico and Hawaii and from a republic, which we have encouraged to take up a position within our orbit. To act in this manner would be a breach of faith, objectionable on moral grounds. It would be even more objectionable on the grounds of expediency.

For it would not only exalt American sugar producers at the expense of sugar producers in Cuba, Hawaii, and Puerto Rico, who have a right to expect better treatment from America. It would also exalt American sugar producers at the expense of American manufacturers now enjoying the benefits of profitable trade with those islands. The House and the country in general ought to be mindful of these facts in listening to the pleas of the spokesmen of the sugar interests who are demanding this sacrifice of our national advantage on the altar of the new Grundyism.

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

The CHAIRMAN. The gentleman from Maryland yields back 2 minutes.

Mr. MARTIN of Colorado. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN OF Colorado. I understood that the request for the additional 3 minutes was outside the allotted time.

The CHAIRMAN. It was taken out of the time of the gentleman from Iowa [Mr. BIERMANN].

Mr. BIERMANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BIERMANN. I understood the gentleman from Texas to ask when he sought to limit debate that those Members who were then seeking recognition were to get 5 minutes apiece.

Mr. MARTIN of Colorado. That is my understanding also.

The CHAIRMAN. At that time certain Members had already indicated to the Chair that they wanted 5 minutes.

Mr. BIERMANN. Mr. Chairman, would it be in order to ask unanimous consent that all Members whose names the Chair has noted as having requested time on this amendment be recognized for 5 minutes each?

The CHAIRMAN. If the gentleman submits that as a request the Chair will put the request.

Mr. BIERMANN. I make that request, if it is in order, Mr. Chairman.

Mr. DIES. Mr. Chairman, may I inquire how many names the Chair has on his list?

The CHAIRMAN. There are 18 names on this list.

Mr. JONES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JONES. Do those Members all want to speak on this amendment? The only reason I want to close debate on this amendment is because there are two or three other amendments on which other Members want to be heard. I hope all the time will not be taken on this amendment.

Mr. DIES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIES. Is it intended to finish the bill today?

Mr. JONES. Yes.

Mr. DIES. There is no necessity for our staying here until 7 or 8 o'clock tonight to finish the bill. Let us work on the bill until about 5 and come back tomorrow.

The CHAIRMAN. There are now 19 names on the list, including that of the gentleman from Texas [Mr. RAYBURN].

Mr. BIERMANN. Mr. Chairman, I withdraw my name. That will leave 18.

Mr. JONES. Mr. Chairman, can we not have all the amendments offered now that are ready to be offered and agree that all debate on the bill and all amendments close at 4:30, and then after the amendments are read let the gentlemen have their time and permit the other gentlemen to discuss their amendments?

Mr. DONDERO. Does the gentleman mean on subsequent sections of the bill?

Mr. JONES. All sections of the bill. The reading of the bill has been waived.

The CHAIRMAN. Will the gentleman state his request?

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all debate on the bill and all amendments thereto close at 4:30.

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

Mr. MARTIN of Colorado. Mr. Chairman, reserving the right to object, this is the same old story. We start out by being very liberal and permit Members to speak for 15 or 20 minutes. There are other Members here who are just as much interested and who have just as much at stake and who have just as decided opinions on this legislation as the gentlemen who have previously spoken. It is the duty of these Members to speak on this legislation whether they want to or not, and they will probably get shut out.

Mr. JONES. How much time does the gentleman want?

Mr. MARTIN of Colorado. We ought to have 3 minutes apiece.

Mr. JONES. If it may be agreed that the 18 whose names are at the desk may take 3 minutes, that will be satisfactory. I am trying to give everyone a chance to speak.

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

Mr. JONES. Mr. Chairman, may I change my request and ask unanimous consent that all of the gentlemen whose names are on the list up there have 3 minutes, except the gentleman from Texas [Mr. RAYBURN], who may have 5 minutes.

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

Mr. KENNEY. Mr. Chairman, I object.

Mr. JONES. I hope the gentleman will not object.

Mr. KENNEY. I withdraw my objection.

There was no objection.

Mr. MOUTON. Mr. Chairman, several months ago I introduced a bill which would have permitted the continental United States to produce sugar in unlimited quantities, and I am still of the opinion that there should be no restriction on the production of sugarcane and sugar beets in the United States.

However, I have yielded temporarily to the leadership of the administration in the House and to the Committee on Agriculture, not because I agree with the quota that has been assigned to the State of Louisiana, but because, in a practical sense, this entire sugar bill has been the subject of several various compromises. I have yielded, also, with the knowledge that this bill is only for a limited term of 3 years, and it is not, therefore, to be considered as the permanent policy of our Federal Government.

To present my credentials to this august body, I might momentarily digress to say that I represent the largest sugar-producing district in the United States, the Third Congressional District of Louisiana. I have spent my entire life in and around the sugarcane fields down there and I feel that I am particularly qualified to speak on this subject as only one who has spent many long hours on the grounds studying the different phases of the situation can speak. Sugar is the "yellow gold" from where I come. We live, sleep, and, with no intention of being ludicrous, eat sugar. Sugar is our lifeblood—and we will call on every resource at our command, stop at nothing—to make our fellow American citizens realize that they must not stop our lifeblood without immediate annihilation to us and ultimate disaster to themselves.

The history of our sugarcane industry is studded with color and interest. To trace it to its origin takes us back over the years, to be specific, to the year 1751, during the time Louis XV graced the throne of France and numbered Louisiana among his colonies. Sugarcane was introduced to our soil in that year, the records disclose, by the Jesuit missionaries, who brought some stalks of this heretofore unknown plant from Hispaniola to the beautiful land of the new colony as an experiment. From that time henceforth, throughout the years, cane has flourished in Louisiana. One hundred and eighty-six years of experience lie behind the cultivation of that plant. While it is not a native plant, the study and attention it has received has resulted in its becoming our largest agricultural crop. Yes; we have been beset with calamities in the form of devastating crop diseases, floods, and other set-backs, but that has only resulted in our eradicating the evil and surging forward with a never-say-die spirit. New and scientific varieties of cane have been developed over the years, where today we have the largest yield of sugar per acre ever produced.

We have also kept step with the times in paying livable wages. Of course, by its very nature, the industry is a seasonal operation, but, during the time of harvesting and processing, it affords employment to countless thousands, and all are paid a livable scale of wages. This scale has been rising and rising over a period of years, and that brings us to the crux of our problem, namely:

We need protection against competition from offshore areas where peon wages are the order of the day, and, naturally, ruinously low prices prevail.

Mr. Chairman, the quota system of protection instituted by the present administration when first assuming office is perfectly adapted to our problem. It was first placed in effect in the Agricultural Adjustment Act and subsequently carried on in the Jones-Costigan Act of the Seventy-fourth Congress after the invalidation of the A. A. A. by the Supreme Court. It is well recognized by all who are familiar with the sugar situation that it has proven more efficacious and efficient than the tariff system used by past administrations.

Under this bill in its present form the States of Louisiana and Florida, the only two continental sugarcane-producing areas, are allotted a combined quota of 420,000 tons. Louisiana alone, and I quote from the record, produced 386,000 tons of sugar last season and is on the way, from all indications of the crop now in the ground, to producing 425,000 to 450,000 tons during the next season. Obviously, anyone can see that a quota of 420,000 tons combined with Florida is an inadequate figure, but we have presented our case in committee and after much discussion have come to the conclusion that such a quota for the life of this legislation, which, as I have pointed out, is 3 years, is acceptable. We have by no means altered from our contention that the figure is inadequate—which will be borne out by future events—but, realizing that the entire problem is alive with complexities and throbbing with divergent interests working at cross-purposes, we have agreed to the reduced figure and will support this bill.

In connection with the quota allotted to our State it should be pointed out that the Resettlement Administration, which is now a branch of the Department of Agriculture, has financed and encouraged hundreds of farmers in the State of Louisiana to plant sugarcane on an estimated acreage of 15,110 acres in 21 different parishes. Furthermore, definite information is at hand indicating the doubling of this rehabilitation program. This alone will mean an increase of from 50,000 to 60,000 tons of sugar, since the plantings are all of the new seed variety. Therefore it must be evident to all of you that while Louisiana appreciates the improvement in its quota, it cannot by any stretch of the imagination be considered as adequate or satisfactory.

Nevertheless, everything being considered, and recognizing the difficulties that have faced the fair-minded and very efficient chairman of the Agriculture Committee, my colleague the Honorable MARVIN JONES, and in further view of the fact that this is a bill for only a limited period, which will give us the opportunity to have our industry considered on the basis of its full production when the time comes for continuing the sugar program, it is my intention and that of the entire House delegation from my State to support the committee in the passage of this bill.

Coming from the cane-growing area of my State, I might point out that my interest and duty alone is to see that my people are protected. I bear not one iota of animosity against any particular area, or group, or offshore interest—only when they jeopardize my people's livelihood. The other various quotas written in this legislation appear to me to be in harmony with the scheme of the quota system, as do the other features, of which there are many, pertaining to the operation of this program.

Mr. Chairman, I do sincerely appeal to the membership of the House to give serious thought to this proposal which has been finally worked out by your Committee on Agriculture after many, many months of minute attention under the leadership of their very able and considerate chairman. They have probed and dug into the very meat of this issue and have finally emerged with this bill as representing their true conception of the solution to the enigma. It will preserve the continental sugar industry for the present, although, as I have already shown, will not permit us to reculitivate and gain back the acreage which has fallen into discard over the depression years. Nevertheless, it will prevent us from being destroyed, with a resultant throwing open of the doors to foreigners and the creation of a Frankenstein condition with sugar ranging anywhere from 10 to 30 cents per pound during times of stress, when we are at the mercy of such interests; a situation which is no doubt indelibly impressed upon the minds of those who are familiar with prices during the World War.

I hope and trust that you will not falter in lending your support to this measure. It is a fair-minded piece of legislation designed to redound to the best interests of our entire country and is well deserving of your approval.

Before concluding, Mr. Chairman, I would like to ask unanimous consent that I be granted the privilege of revising and extending my remarks on this subject.

Mr. LANZETTA. Mr. Chairman, following my query to the gentleman from Michigan, I do not think that any Member of this House can in all seriousness contend that there is no discrimination against Puerto Rico in this bill as it now stands, with respect to direct consumption sugar. The argument which some of the Members have interposed, who are opposed to the Jones amendment, that the continental refiners are also restricted in the manufacture of direct consumption sugar does not hold water.

In this connection I wish to read part of a statement made by the Secretary of the Interior, the Honorable Harold L. Ickes, wherein he says :

> The fact is that the supply of raw material for the seaboard refiners has increased under the quota provisions aggregating 4,514,000 tons in 1936 as compared against 4,129,000 tons in 1933, the year prior to enactment of the Jones-Costigan Act. The quota system does not "shut off" but adjusts the supply of sugar available for the United States market in accordance with consumers' requirements. This stabilization is in the interest of the refiners. The quota system also protects the seaboard refiners in the extraordinary form of an embargo upon shipments of refined sugar to the United States in excess of a stated quantity, from the principal competing foreign country which is limited under present legislation to a quota for direct-consumption sugars of 22 percent of the sugar quota. And the refiners also have protection from importations of direct-consumption sugars from the Philippines under the provisions of the Philippine Independence Act. They have been given protection by quotas against increased importation of liquid sugars which in some areas and in some industries has tended to replace ordinary commercial refiners' sugar.
>
> The subsidy of the 14 American seaboard refiners on their deliveries of sugar for domestic consumption under the quota system aggregated $22,738,000 in 1936, the margin which the refiners exacted from the American consumer exceeding the margin on sales of refined sugar abroad by this amount. This is equal to a subsidy of about $1,600 for each person employed by the refiners, as against an average annual wage per employee of only $1,005, according to the last census figures.
>
> Never satisfied, the refiners are seeking to obtain further protection in the form of a trade barrier against Hawaii and Puerto Rico, a form of protection that was not even suggested under former high-tariff administrations in the days of Smoot and Grundy. And they are seeking to slip it over in an agricultural bill rather than introduce it as a piece of manufacturers' legislation and permit it to be considered and judged on its own merits.
>
> Why does this monopoly demand this special privilege and unneeded protection? Simply because they want to dominate, to control, and to get richer and richer at the expense of all of the people. Their disregard for the consumers' interests has been demonstrated repeatedly, culminating in a decision last year by the United States Supreme Court in which the refiners were found guilty on 40 different counts of conspiring to restrain commerce in sugar.

In view of this statement and what has already been said on the floor of this House, I repeat that no Member can seriously contend that Puerto Rico and Hawaii are not discriminated against when they are limited as to the amount of direct-consumption sugar which they can send into the continental United States.

I shall vote for the Jones amendment and trust that the membership of this Committee will also support the chairman of the Agriculture Committee. By agreeing to this amendment the Congress of the United States will assure the American citizens who reside in Puerto Rico that in the

future they will receive at the hands of the Federal Government the same treatment as the American citizens who reside in continental United States.

Mr. PETTENGILL. Mr. Chairman, it is entirely clear to me that President Roosevelt is right in this matter. The parts of the bill sought to be stricken out by the Jones amendment, which I shall support, attempt by statute to deny to an American citizen access to the American market. This is a violation of sound constitutional principle. It puts in reverse the historical development of this country for 150 years. It creates a precedent which will be seized upon in later years by those interested in commodities other than sugar. Those supporting the bill in its present form in behalf of sugar today will in the future be the victims of the precedent which they are creating.

This carries us back to the conditions that preceded the American Revolution and attempts to impose upon Americans of today the same species of legislative discrimination which our ancestors fought a war to free themselves from. When that war was over, the representatives of those who had suffered from these conditions met to write the Constitution of the United States and to form the more perfect Union which came into being with the adoption of the Constitution. It is probable that there was no single influence which had greater weight in 1787 toward causing our fathers to scrap the Articles of Confederation and form the Constitution of the United States than the tariff walls between the Colonies. The Court's opinion in Gibbons against Ogden was written by men who in their own lifetimes had experience with those conditions. In that case one may find this language:

> If there was any one object riding over every other in the adoption of the Constitution, it was to keep the commercial intercourse among the States free from all invidious and partial restraints.

Under the confederation the restraints on the free flow of commerce between the Thirteen Original States were many and vexatious. Nearly every State erected tariff walls against its sisters. Each tried to build up its own economy at the expense of the others. And it may be doubted whether any factor has contributed as much toward building this Nation as the fact that "commercial intercourse among the States" has been kept "free from restraints imposed by each State upon the others." As a result each State has not only had a free national market for its own goods but in turn has been able to buy what it cannot itself produce wherever it could buy cheapest. In other words, each State has had the benefit of the cheap producing costs of the other States. This has constantly lowered the cost of goods to every American citizen and thus given a greater measure of general prosperity than any other nation ever achieved. All this is commonplace. One State grows cotton and buys wheat. Another makes automobiles and buys gasoline.

Now, when the States surrendered to the new Government under the Constitution the power which they previously held to regulate commerce, is it to be supposed that they intended the grantee of that power—Congress—to use it or permit it to be used to build up the industry of a State—whether petroleum, coal, wheat, automobiles, or cotton—at the expense of the others? When a State gave up its power to exclude the goods of other States in exchange for a surrender by a sister State of a like power to exclude the goods of the first, can it be assumed that Congress was to prohibit what the States gave up the right to prohibit?

But now we are reversing all this. We propose after 150 years to again erect statutory dams against the flow of commerce among our citizens. This is the beginning of a new competition. Heretofore we have had competition between members of the same industry; we have had competition between different industries for the consumer's dollar; the automobile competing with the radio; but now, under a revival of medieval mercantilism, we are entering into a new competition between American citizens as to which group can command the greatest number of votes in the National Legislature for its advantage and to the disadvantage of other groups.

There are not less than 10 provisions in the Federal Constitution designed to give to each American citizen a free national market among all other American citizens. Many of these provisions are prohibitions against acts by the States; but, as I have said, can it be supposed that the States, when they give up the right to discriminate against American citizens living in other States, intended the Congress of the United States to impose such discriminations?

The Republican Party, during a long period of years, built up a protective-tariff system, but they did it against aliens and not against American citizens; and, whatever may be said in criticism of the protective system, it was at least fair in the sense that the foreign nation could enter upon counterbalancing reprisals against us.

Today, however, we propose to adopt a new Grundyism, as referred to in the Baltimore Sun of yesterday, which makes the old Grundys and Penroses look like amateurs.

One may give whatever consideration he desires to special interests in this bill, but it is unsound in principle, and I do not believe that a principle which has been demonstrated to be sound and beneficent in the building up of this Nation for 150 years can be violated without in the long run producing disastrous results. If you are going to deny to American refiners located under the flag equal access with all other refiners to the American sugar market, then by the same token any similar discrimination is equally valid, and it will all depend upon who has the most votes in the National Congress. If this is right, then the cane- and beet-sugar industry of America, if they have the more votes in Congress, can deny access to the American market of the maple-sugar industry of this country. If this is right, then the apple growers of Virginia and New York and New England, if they have the superior voting strength here in Washington, can deny the national market to the apple growers of the Northwest. The same thing would apply to petroleum, coal, wheat, cotton, automobiles, farm machinery, anything else.

It should be recognized that we are introducing a new principle in our commercial life—the principle of industrial quotas; the principle of denying to certain producers access to the American market which is granted to other producers. It is a denial of equal privilege and the equal protection of our laws. It is sectionalism, pure and simple, as the gentleman from New York [Mr. WADSWORTH], the gentleman from Texas [Mr. MAVERICK], and the gentleman from Ohio [Mr. HARLAN], and others have stated.

It may be a debatable question whether Hawaii or Puerto Rico should ever have come under the American flag. Nevertheless, they are here and they are here by our invitation. We expected to gain certain advantages by reason of bringing them under the American flag and we must take the responsibilities that go with the advantages.

It is probable, however, that in the long run no real disadvantage will accrue to this country by permitting our island possessions from developing and prospering through the marketing and processing of their goods. To the extent that they become prosperous they become the purchasers of our automobiles, plows, machinery, shoes, clothing, and so forth. If they do not sell they cannot buy and it cannot be forgotten that the loss of export trade puts out of employment a worker on the American mainland who would otherwise have made the goods for export just as surely as imports may tend to compete with American labor.

But however true this may be with reference to business with foreign nations, surely we cannot by statute discriminate against some of our own citizens in favor of others.

I am going to support President Roosevelt in this matter. I think he is absolutely right. We will rue the day we start a precedent in this country of denying any part of the American market to any American producer, wherever he lives under the Stars and Stripes. [Applause.]

[Here the gavel fell.]

Mr. BUCK. Mr. Chairman, I think we have lost sight of what we are actually debating here. Some of the remarks gentlemen have recently made are addressed to the principle of the quota, rather than the amendment before

us. I served on the Committee on Agriculture in 1934 when the Jones-Costigan bill was written, and I know just how hard a time we had in trying to arrive at some suitable method of taking care of the sugar industry of this country, which was not only depressed, but on the road to ruin. Now, when it is on the upgrade, our friends forget what the situation was then and object to an extension of the principle of the original Jones-Costigan bill. The quota system put the sugar industry on the upgrade.

There has been talk this afternoon about discrimination. If you now abandon the principle of the Jones-Costigan bill, which provided for these same quota restrictions with regard to Hawaii and Puerto Rico, you are discriminating against your beet and cane-sugar producers and refineries of continental United States.

The essential feature of the quota system is restriction of the entire industry. It is based on annual consumption of sugar in continental America. It prescribes as a part only of the system the total volume of sugar which may be refined in Hawaii for shipment to the continent. The amount fixed is more than ever heretofore made by Hawaii. Shipments of refined sugar from Hawaii elsewhere are uncontrolled. As I endeavored to develop this morning by a question to the Member from Texas [Mr. KLEBERG], the total quantity of raw sugar available for refining in the continent in effect limits the amount of refined sugar that may be produced to approximately 60 percent of the capacity of continental plants. Certainly under these circumstances, the refining sugar features of the system are more liberal to Hawaii than to the continent.

The pending bill is based on the continuation of the quota system which is now in existence. Any effort to change it, such as by the adoption of the Jones amendments, would disturb the entire continental beet and cane-sugar industry.

Moreover, it must be remembered that this bill proposes the payment of benefits to sugar producers which are financed by subsidies provided by the grower, refiner, and consumer of continental United States. The raw-sugar producers of Hawaii and Puerto Rico are today maintained by these subsidies, and it certainly would be discrimination not only against the beet and cane grower, but the American consumer, to give the Hawaiian refiners an opportunity to expand their refining from an incidental to a major pursuit.

Possibly I should not have taken time today to discuss this question, since my position on this matter has been well known ever since I served on the Committee on Agriculture, if it had not been that one of my colleagues from California [Mr. DOCKWEILER] yesterday afternoon gave the House the impression, perhaps, that California was not for this bill. Whatever his personal views may be, the fact is that a meeting of the California delegation was held not long ago at which, a majority of the delegation being present, it went on record as favoring the principle of the bill as written with the refined sugar quota restrictions on Hawaii and Puerto Rico.

There is no State in the country which is more interested in the preservation of the present sugar situation than the State of California. In 1936 we harvested 1,939,000 tons of sugar beets. The average price for the crop was $5.81 a ton, making a total payment to the farmers of $11,265,590. Add to this the items for fuel, bags, freight, other supplies, equipment and installations, taxes, brokerage, insurance, and so forth, which amount usually to about 150 percent of the bare cost of beets, amounting to approximately $17,000,000. Thus, the total cash turnover in the industry of sugar-beet growing and processing for California alone in the 1936 crop would amount to more than $28,000,000. Our beet producers need the protection of the quota system to keep their industry alive and effective. The quota system, plus a reasonable conditional payment raised, as provided in this bill, from the industry itself and not from the Federal Treasury, can place us on a parity with other industries which are protected by high tariffs, on a parity with labor which is protected by immigration restrictions, and so on. Unless this quota system is continued, together with the payments and continued on approximately the basis of the Jones-Costigan Act, the sugar-beet industry faces disaster. The amendments proposed by Chairman Jones go to the heart of the situation, and in effect, if adopted, will destroy that which he and I and the other members of the Committee on Agriculture labored so hard and earnestly to bring about in 1934. For that reason, much to my regret, I must oppose my former chairman and ask that these amendments be rejected.

Let me say one more word: The beet-producing farmers, when added to the men who are employed in the sugar refineries, from not the insignificant number, if it be such, of 12,000 or 16,000, which you heard ridiculed this afternoon, but a very, very large and important portion of the population of the United States. But it is not so much a question of how many workers or farmers are involved, or what acreage they farm, or of capital invested, as it is a question of preserving the buying power of both laborer and farmer; of continuing the right of our continental Americans to work and farm in an industry that does not deserve to be outlawed or wrecked; of maintaining undisturbed an arrangement that has brought prosperity even to those who now want to scrap the quota system. No one can deny our sugar industry, including that of Hawaii, is in a favorable condition. The only question is, Shall we take a chance and change it. As one who helped frame the original Jones-Costigan law, as a Representative of a great farming district and the great farming State of California, I refuse to take that chance and propose to stand by the bill as it is written in respect to these refined sugar quota provisions. I not only hope that all the other Members of the California delegation will do so, but that an overwhelming majority of the House will defeat the proposed change.

Mr. MARTIN of Colorado. Mr. Chairman, I want to say a word about the great need for this legislation.

This bill is virtually a continuance of the Jones-Costigan Act, with no substantial changes. The quotas are substantially the same and the tax the same. The Jones-Costigan Act was based on the principles of the A. A. A., with such adaptations in technique as fitted the particular industry. It was based upon the A. A. A., just as was the cotton bill, the tobacco bill, and the corn-hog and other measures which pulled agriculture out of the hole in this country.

In my State the beet-sugar industry was not merely stabilized, it was saved from destruction, and what is true of my State is true of other States. Before the passage of the Jones-Costigan Act the factories were operating at a loss. Farmers were getting less than the cost of production for their beets. Laborers were getting less than a decent day's wage. The payment of dividends had been suspended. Since the passage of the Jones-Costigan Act the companies are again out of the red, again making profits, again paying dividends. Farmers who were getting $4.50 a ton for their beets, less than the cost of production, have been getting $6.50 to $6.75. Labor, which was getting only $12 to $13 an acre for the cultivation of beets, has been getting $18 to $19 an acre, which is a record price for labor in the beet fields. Children have been taken out of the beet fields.

This legislation has been so successful it is not questioned here. We have fussed here all day about a little drib of quotas to a couple of small islands. The highest testimonial to the success of the sugar legislation is that it is not questioned that the legislation has been a success, insofar as the industry is concerned. It was prostrate, now it is prosperous.

Mr. Chairman, all this has been accomplished at an extra cost to the consumer so small as to be negligible. I am going to undertake to prove this statement by figures taken from the mouth of an enemy of domestic sugar. I have in my hand a clipping from the Washington Post, in which one of its special writers on economic matters, criticizing the message of the President to Congress recommending substantially the reenactment of the Jones-Costigan bill, condemned the legislation as having robbed the consumer, and then sets out the figures to show how much the consumer has been robbed.

It will be interesting to first read three or four sentences from these statements before giving the figures.

Says the correspondent:

Like all price-fixing schemes, the Jones-Costigan system has militated against consumers.

Again—

There is less justification for the sugar quota system than there is for many other price-fixing schemes. In this case the American consumer is overcharged for sugar for the benefit of a very small segment of the country's population engaged in a concededly uneconomic undertaking.

He also says:

President Roosevelt, in his message to Congress, indicates that he realizes that the American consumer has been rooked out of millions of dollars in sugar prices.

Now let me give the writer's own figures to substantiate the foregoing and similar statements, which bestrew a two-column article.

The average price for 1933 was 5.4 cents a pound.
For 1934 it was 5.6 cents.
For 1935 it was 5.7 cents.
And for last year (1936) it was 5.6 cents.

Then he immediately follows these figures with the astonishing statement:

Instead of the price to the consumer going down, it actually went up.

He shows that the average price of sugar in 1933 was 5.4 cents a pound. This was before the Jones-Costigan Act and at a time when the consumer did not have the 5.4 to pay.

He then shows that in 1936 the average price was 5.6 cents a pound. In other words, he shows that under 3 years' operation of the Jones-Costigan Act—1934, 1935, and 1936—the average market price of sugar had gone up one-fifth of a cent a pound.

When you consider how everything else had gone up during the same period, including ability to pay, it strikes me that the price of sugar had actually gone down. I doubt whether any major product, either of agriculture or industry, can show such a slight increase in price during that period of time. If the price increase in sugar were taken as an index of recovery, it would be a conceded failure.

It seems to me that the industry is worth preserving even at a greater increase than one-fifth of a cent a pound. On the basis of our annual sugar consumption, which is about 100 pounds per head, this would be 20 cents per head a year. For this trifling increase a domestic industry has been pulled off the rocks and stabilized and made profitable for the processor, the grower, and the worker.

These results would appear to justify fully the statement in the President's message that—

The Jones-Costigan Act has been useful and effective, and it is my belief that its principles should again be made effective.

The principles of the Jones-Costigan Act are made effective in the bill before the House. My only regret is that other farm legislation, to restore the principles in other farm legislation which went out under the decision of the Supreme Court on the Agricultural Adjustment Act, and particularly the cotton and tobacco legislation, is not before the House. When such legislation comes before the House again, and I am ready to stay here until it does come before it, it shall have my cordial support, as it had before.

Mr. Chairman, I am no new recruit to the cause and need of crop control. On the floor in the debate on February 26, 1935, on the bill to make rice a basic commodity and place it under the Agricultural Adjustment Act, I said:

The farmers must regulate the output and marketing of their products and stabilize prices if they expect to preserve the agricultural industry in this country and get anything out of it.

On the occasion of the repeal of the cotton, tobacco, and potato acts, February 7, 1936, following the invalidation of the Agricultural Adjustment Act, I expressed my views about not only the benefits but the necessity of those acts to the great agricultural commodities involved in the strongest possible language.

From my remarks on the floor on May 26, 1933, I quote the following statement:

The displacement of labor, both skilled and common, by the machine, is so obvious that it is known by the man in the street. It is less obvious, but none the less true, that the machine is putting the farmer out on the highway as rapidly as the laborer.

The following paragraph is from remarks on the floor, August 5, 1935:

Production in both industry and agriculture must be regulated, and they can be regulated only through the exercise of national powers.

And on January 23, 1936, the following:

Permanent large-scale unemployment in industry and surpluses in agriculture are fixed conditions in our economic life. The sooner the American people face and admit these facts, the sooner we may work out an answer to these problems.

A final quotation is from remarks made on the floor in support of the Bankhead cotton bill when it passed the House on March 17, 1934, although I might quote many other statements:

The Agricultural Adjustment Act is based on recognition of the fact that the mass production made possible by the machine must be controlled and regulated so that supply may be kept somewhere in the bounds of demand, while at the same time the producer gets at least the cost of production plus a reasonable profit out of his production and his labor.

Now the acts passed by Congress to regulate production and stabilize prices have been swept from the statute books, while Congress and the country are confronted on a major scale with the problems which that legislation undertook to solve. There is virtually a farm-bill panic on in Congress. Corn, wheat, cotton, tobacco, rice, and potatoes are in the surplus class for 1937. Bumper crops are coming and the market is breaking down even before they get here. What the President said in his opening message to Congress regarding N. R. A. is equally applicable to agriculture:

The statute has been outlawed. The problems have not. They are still with us.

A Washington paper advises Congress to let nature take its course. It would be a valuable, if expensive, lesson. My views being long since fixed, I do not feel that I need the lesson, and I am in favor of crop control legislation now.

That is exactly what this sugar bill is, and everybody knows that unless this legislation is enacted the 1938 sugar situation will be what the 1933 situation was. You had just as well say that shoe factories cannot produce more shoes than the people can wear, or that any branch of industry in this country today cannot turn out a surplus product, as to say, given a normal season, that agriculture cannot turn out surpluses which will break down the market and send crop prices down to where they are not worth the cost of planting, harvesting, and marketing.

Mr. KENNEY. Mr. Chairman, I hope the Members of the House will not be confounded by the charges of discrimination that have been raised here with respect to Puerto Rico and Hawaii. There will not be any difference of opinion among the membership if they will bear in mind that the sole purpose of the bill is to preserve the existing status of all the parties concerned. This is what the bill does, and it does not discriminate in any way. There is no discrimination in favor of the domestic refineries in the United States. They take what is left after the refined sugar has been parceled out to the islands. Puerto Rico and Hawaii have become opportunists. They have raised the technical question of Americanism. What do they want to do? They want the opportunity of taking away from the States the refining industry and in time the whole sugar industry. If we vote down this amendment, the amount of refined sugar that will come in will not affect our American labor and we will at the same time protect our present standard of living. If you vote this amendment up, you will take away 2,100,000 tons of refined sugar, which will be refined in the islands, while we will only refine 3,000,000 tons here.

We have been told that it might be wise to allow this to be done, but if you allow this to be done, as the gentleman

from Texas [Mr. KLEBERG] has said, the market will go down to the islands and not only the cane growers and cane refiners will lose but the beet growers and the beet refineries will suffer irreparably and eventually we will have no sugar industry in the States of the country.

We must, first of all, protect our labor and, secondly, have thought of the matter of national defense. Do you want sugar, a necessity of our lives, to be cut off altogether from continental United States and do you want to have us at the mercy of an island sugar market?

O Mr. Chairman, we are going to be told again that it is wise to vote to let this come to pass, but it is the most unwise policy, in my opinion, that the Congress could adopt. Let us be sane, let us be sensible, let us preserve the status of these people and let no opportunist arise to destroy our markets. Let us be real Americans. It was not on account of any issue like this that the American colonies fought against the mother country. The mother country did not want to preserve an existing satisfactory status. She oppressed and exploited us. It was not at all a similar case, and I am surprised that some of the gentlemen here stand up and undertake to draw such a comparison.

Vote this amendment down.

Mr. HILL of Washington. Mr. Chairman, I have quite a number of beet growers in my district and also a number of refineries. I do not want to injure them and I am certainly in favor of farm legislation. I have also always been in favor of labor legislation, but I think the gentleman from Kansas [Mr. HOPE], has proven that the adoption of this amendment will not injure either the farmer or the laborer very materially.

I also listened to our friend, the gentleman from Maryland [Mr. LEWIS], and I believe the moral side of this question is very important, living on the coast we are interested in the matter of exports, because we export a great deal to Hawaii.

However, I am supporting the amendment for another reason, which has been touched on by only three or four Members, and that is the constitutional issue involved. Who is Mr. KING? He is the Delegate from Hawaii representing here citizens of the United States. Who is Mr. IGLESIAS? Is he not the Commissioner representing the citizens of Puerto Rico, and I challenge any Member of the House to produce any proof that there is any constitutional ground for these provisions which the Jones amendment would eliminate being in the bill. We should treat the citizens of Puerto Rico and Hawaii the same as we treat the citizens of the States of New Mexico, Texas, or Washington. It is true that these men are only Delegates without a vote. But the same was true regarding the Delegate from the Territory of Washington before it became a State or any other Territory before statehood. It seems to me that from the constitutional angle we must recognize the fact that the men and women in the islands of Puerto Rico and Hawaii are citizens of the United States and, as such entitled to the same privileges and rights as we are.

I was against the policy of imperialism when we took over Hawaii and when we went into the Spanish-American War, resulting in the acquisition of Puerto Rico. I believe, however, when we take the flag into foreign lands and take charge of such islands or countries, we should not only receive the benefits that accrue to the monopolies of this country, but also assume the responsibilities that we, as American citizens, owe the citizens of Puerto Rico and Hawaii, and any other possessions where citizens of the United States live. We have no moral nor constitutional right to exploit these islands and then discriminate against them.

So I shall support the amendment from this angle and I believe it will do away with any constitutional issue involved.

The gentleman from New York [Mr. WADSWORTH], whom we all respect, said he did not know whether this is constitutional or not. He stated that as a layman he did not want to pass on the constitutionality of any proposed legislation. I think he is seriously in error in this matter. He is a Member of this legislative body the same as the rest of us. This is not a technical question of law. The Constitution is plain as to the rights of States and Territories and the prohibition on Congress to levy a tariff or quotas or restrictions against States or Territories. Even a layman can read the plain language of the Constitution in this regard. It is time that we, as Members of Congress, determine whether or not the measures we are considering for enactment are within the Constitution and not pass it up to the courts. If we did our duty in this matter, there would be no necessity for the Federal courts to usurp this prerogation of the legislative branch of our Government. But when we supinely pass legislation to favor certain groups or certain sections without any regard for the Constitution, or the "general welfare" of all the citizens of the United States, we invite a veto, and deserve to be retired by the voters who sent us here. [Applause.]

Mr. MANSFIELD. Mr. Chairman, we have heard some able arguments against this bill on the question of quotas, and all those arguments apply with equal force against the bill, whether it has this provision in it or not in regard to refined sugar. The bill has quotas, and those quotas have been put in there for the protection of Hawaii and Puerto Rico, as well as for the protection of the beet growers, the cane growers, the refiners, and the consumers of continental United States. We are told that there is discrimination in the bill against Hawaii and Puerto Rico. The truth is they will ship just as many pounds of sugar into the United States if these paragraphs are left in the bill as they will if they are taken out of the bill. The bill does not discriminate against them. They will ship the same quantities of sugar here as they do now. The only difference will be whether or not a larger proportion of it will be refined in Puerto Rico and Hawaii.

If my information is correct, the major portion of the refineries in Hawaii and Puerto Rico are owned by men in the United States. They have recently been established there, only for a few years. A few years ago they were not there, and they were established in order to take advantage of cheap labor, and they have displaced that much labor here in continental United States. A few years ago I was in Puerto Rico, and the distinguished Chairman of this Committee of the Whole House was there with me at the time. He and I are the only Members of this Congress who were together on that occasion. I visited every central or sugar factory in Puerto Rico at that time, and there was not then a single refinery in Puerto Rico. They shipped all of their raw sugar to the United States. The elimination of the provision covered by the amendment will affect no one but the refiners in Hawaii and Puerto Rico, and it is for their benefit alone. It will not change in any degree the amount of sugar that will come into the United States. It is not, therefore, in the interests of the grower or the consumer.

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

Mr. BIERMANN. Mr. Chairman, when this measure was before the Committee on Agriculture we had testimony from all of the interested groups that might be affected by the legislation, and we also had testimony from the governmental departments concerned; and out of it came the bill that is before us. During the course of discussion and argument back and forth on the bill, the attitude of the departments—the Interior, Agriculture, and State—was talked of, and members of the committee went down and talked to representatives of those departments, and the upshot of the whole thing is this: We can say, I think certainly, that if paragraphs (a) and (b) of section 207 are left in the bill the President will veto the bill, and that means that we will have no sugar legislation, and that means in turn that the only beneficiaries of what we do here will be the sugar refineries along the eastern coast. They benefit if we get no bill, and, of course, they benefit if we leave these

two subsections in the bill. But if we leave them in, we will get a veto by the President of the United States, and that will wreck the beet-sugar industry. There is not a beet-sugar man in this House who does not know that if we fail to get legislation out of this bill it will wreck the beet-sugar business in the United States. As the gentleman from Colorado [Mr. MARTIN] said, sugar beets were selling for $4.50 a ton in 1933, and now they are selling at a reasonable price. They will go back to $4.50 a ton unless we get some legislation out of this bill, and the only way that we can do it is to support the amendment of the gentleman from Texas [Mr. JONES].

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

Mr. BIERMANN. Yes.

Mr. DONDERO. How will it destroy the beet-sugar business of the country if this bill is vetoed?

Mr. BIERMANN. It will throw the business back to the position it was in before we had the Jones-Costigan Act.

Mr. DONDERO. Will the foreign possessions bring in any more sugar than they are bringing in now?

Mr. BIERMANN. If we do not get this legislation by December 31, we will be in the same shape we were in before the original Jones-Costigan Act, when $4.50 a ton was the price for sugar beets. The beet-sugar business is dependent on the quota system. Without quota legislation, the beet-sugar business is doomed. The only way to get the legislation at this session is to support the amendment that we have before us.

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

Mr. CRAWFORD. Mr. Chairman, those who have invested money in seacoast refineries and the management of those refineries necessarily want free trade in sugar. That is a fundamental fact that no refinery spokesman has dared to deny. With free trade, more sugar will be refined at the seacoast refineries than on any other basis. That means more work for American workers in the big refineries on the seacoast. It would also mean less work for American workers on the farms, in the beet-sugar-growing districts, and the beet-sugar plants which are not refineries by any means. Free trade does not mean work for people in the American transportation system and other related activities in the domestic-sugar industry. The greatest calamity for the beet-sugar industry would be to have this bill fail because of a veto and be asked to go back to a free-trade basis.

No refiner's representative dare refute that statement. When we vote down the amendment, we cast the die. But it is not at the cost of the refinery or of the refinery laborer. It is at the cost of the laborer in the interior of the country. When you kill the domestic-sugar industry in Hawaii and kill it in Puerto Rico, you automatically and simultaneously kill it within the United States, but you do not hurt the refiner on the seacoast and you do not hurt the laborer who is in that refinery. The position of the two groups is dissimilar. One thrives on free sugar; the other group dies.

The question is this: If the President vetoes this bill and we have adjourned in the meantime, or fail to pass it over his veto, there is no legislation. That helps the refinery. That helps the labor in the refineries. That brings about virtually free trade—only $1.50 against Cuba. That is the situation we face. The fellow from the beet territory has to go along with the beet grower who says "I want the amendment killed." That is the fact. Getting legislation passed is not a science. It is a practical horse-trading proposition. [Applause.]

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

The CHAIRMAN. The time of the gentleman has expired.

WE SHOULD NOT DISCRIMINATE AGAINST HAWAII, AN INTEGRAL PART OF THE UNITED STATES

Mr. TOLAN. Mr. Chairman, I do not think we realize the importance of this sugar bill to the Pacific Coast States. I do not mean to our beet farmers, but to other farmers and to our industries and factories.

Hawaii lies 2,000 miles off the Pacific coast. If it were part of the mainland, no one would ever urge that it be treated any differently than any other part of our country. But simply because it is separated by blue water from the rest of our territory, some of us seem to think it is all right to discriminate against its citizens, in favor of some other part of our country. No one would ever have thought of doing that to Oklahoma or Arizona when they were Territories.

Hawaii is not so far away as one would think. Five days by steamer from San Francisco; 16 hours by regular airplane service. One can travel from Honolulu to New York by air in less than 36 hours. And when our Constitution was adopted it took a week to travel from Boston to Philadelphia.

What do we on the Pacific coast owe to Hawaii? In the first place we must look to it for protection from oriental aggression. It is our military outpost in the Pacific, and upon its defense rests the safety of San Francisco and Seattle, and all of our great seaboard cities. The Panama Canal would fall easy prey to an enemy in the Pacific, were it not for Hawaii, from a military standpoint.

Then also, it is the crossroads of the Pacific, and its harbor is our greatest asset in gaining and holding Pacific trade. It also furnishes a landing field for trans-Pacific airplanes. Without it, airplane service from California to the Orient would be impossible. No other country can use it without our permission and the United States will be able to control trans-Pacific airplane service—a matter of incalculable value to our country.

But in addition to its incalculable value for military purposes, and as a crossroads for Pacific commerce, Hawaii is of major value as a purchaser of goods from other parts of our country. It buys two-thirds of the California rice crop. It buys millions of feet of lumber from Washington and Oregon. It buys cotton goods from New England and the South, and flour and meat products from the Middle West. There is not a part of our country which does not receive some benefit from trade with Hawaii, either directly or indirectly.

Mr. Chairman, we devote much attention to our foreign trade and rightly so. But our foreign trade is but a pigmy compared with our internal trade. How many of you know that Hawaii each year buys more than $80,000,000 of products from other parts of our country. And how many know that Hawaii each year buys more of our products than does any foreign country save five; that it buys more than Mexico, or Cuba, or Italy, or Brazil, or China. The figures are as follows:

1. United Kingdom	$440,000,000
2. Canada	384,000,000
3. Japan	204,300,000
4. France	129,500,000
5. Germany	100,600,000
Territory of Hawaii	85,700,000
6. Mexico	76,000,000
7. British South Africa	71,200,000
8. Cuba	67,400,000
9. Belgium	58,800,000
10. Italy	58,800,000
11. Australia	58,500,000
12. Argentina	56,900,000
13. Netherlands	52,800,000
14. Brazil	49,000,000
15. China	46,800,000
16. Sweden	43,100,000
17. Colombia	27,900,000
18. British India	26,800,000

Of course, it follows that if we restrict Hawaii's production or her manufacture of her products, we reduce her trade by just that amount and her ability to purchase the goods of other parts of our country. If she cannot refine her sugar but must pay the eastern refiner to do so, there will be less lumber, less rice, and less flour purchased by her from the rest of the country, and the Pacific coast will be the principal loser.

Mr. Chairman, to suggest that it is public policy to discriminate against one part of our country in order to favor another is shocking. It has never been our policy. One of the causes of the Revolutionary War was England's tradi-

tional policy of preventing manufacturing in the Colonies in order that industry in the mother country might thrive.

Some parts of our country have natural advantages over other parts, and because of this fact industries rise and prosper in some areas and languish in others. It has never been our policy to deprive any part of our country of its natural advantages by law or to legislate natural advantages out of existence.

The coal in Pennsylvania and the oil in Texas give them natural advantages over areas not possessing these natural advantages. So, also, the water power in the Western States and the minerals of Colorado. It is the same with soil and climate. New England had a monopoly of cotton spinning for many years because of her cheap water power. But electricity and climate and plentiful labor in the South has resulted in a rapid growth of spinning there, where the cotton is grown. No one would think of preventing the South by law from spinning her own cotton simply that New England might continue her monopoly.

We now have pending before us wage and hour legislation. Many of the southern Representatives strenuously oppose its enactment, because they contend it will deprive the South of her advantage of a plentiful supply of labor. We must recognize that local conditions make it proper that there should be wage differentials between different parts of our country, influenced in part by its availability, but greater still by the cost of living, climate, and other such factors.

Mr. Chairman, if our Territories have cheaper labor than the Atlantic coast, that is no reason why they should be deprived of their right to manufacture their agricultural products. The wage and hour law will apply to sugar refining in Hawaii, and, if there is any reason why wages should be raised or hours lessened in Hawaii, the Federal Government will be able to do it. The labor question is a false issue and has no place in the consideration of this legislation.

It is interesting to speculate as to the amount that Japan, for instance, would pay if it could own the Hawaiian Islands. And yet those islands, after a century as an independent sovereignty, voluntarily elected to become part of our country under our solemn assurance that it would become an integral part of our Nation, and as such is entitled to fair and equal treatment.

Under this assurance the Republic of Hawaii turned over to the United States all its properties, the money in its treasury, its forts and public buildings, and more than a million acres of public lands. We not only did not have to pay for the Territory, but we got the money in the treasury and all public properties. In addition Hawaii has paid into the United States Treasury in taxes $150,000,000 more than Congress has expended upon it. We received the islands as a voluntary gift and have made a profit of $150,000,000 out of them.

Mr. Chairman, not only would it be a disastrous national policy for us to discriminate against Hawaii, but I earnestly say that it would be a gross breach of faith with her children—a violation of the trust under which she became part of our Nation. [Applause.]

Mr. MASON. Mr. Chairman, I am opposed to this bill in general, largely for the same reasons so admirably expressed by the gentleman from New York [Mr. WADSWORTH]. But, unlike Mr. WADSWORTH, I am opposed to the Jones amendment. I am opposed to the Jones amendment because I believe it will take jobs away from organized American workmen and give those jobs to native, unorganized workmen in our possessions or in our islands.

I confess I cannot see any discrimination in this bill against Hawaii and Puerto Rico in the refined-sugar quotas. The provisions of this bill limit the output of refineries in continental United States to about 60 percent of their capacity by limiting the raw product which goes to them. But the provisions of this bill as they are now do not limit the production of any refinery in Puerto Rico or Hawaii, because this bill permits them to at least produce to capacity. I see no discrimination there. If there is any discrimination it is against our own refineries here and against our own workmen here if this amendment is adopted.

Mr. Chairman, congressional leaders who are urging us to lift the import quota upon refined sugar are really asking us to give American workingmen's jobs to natives of far-away islands.

Last month these same congressional leaders urged upon us the one and one-half billion relief appropriation "to keep American workingmen and their families from starving."

Next week these same congressional leaders will be urging us to raise the standard of living for the submerged one-third of our American population that we have heard so much about by passing the so-called wage and hour bill, a bill that seeks to establish minimum pay and maximum hours—and other things far less desirable.

I defy anyone to find anywhere a more outstanding example of loose thinking, inconsistent reasoning, or contradictory action than is to be found right here in Congress when we compare the aims, the purposes, and the objectives of this sugar bill, the wage and hour bill, and the Wallace farm bill. Any reasonable man must know we cannot raise the standard of living and wages for the American workman and at the same time invite importation of foreign goods made with cheap labor; we cannot raise the standard of living and prices for our American farmers and at the same time invite importation of agricultural products produced upon foreign soil by peasant toilers. It just does not make sense. High prices for farm products, high wages and shorter hours for labor, must of necessity mean protective tariffs. This principle was recognized by the late Congressman Connery in drafting his bill. It was recognized by the men who drafted the 1937 A. A. A. bill. It underlies the question at issue on this sugar bill. So let us quit kidding ourselves; let us act like logical beings; let us face the facts.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, we have given over 2 days to debate on this important sugar bill. I have frequently stated here that more wars have been fought over sugar than any other commodity. Today we are surrounded by sugar people from all parts of the world watching carefully what we will do with this bill. The objections of the administration to the bill brought to us by the Agriculture Committee are regarding two of the paragraphs in section 207 which would limit the amount of refined sugar coming to the United States from the Hawaiian Islands and Puerto Rico. It has nothing to do with the amount of the raw sugar in the quotas contained in this bill. The seaboard refineries want the refined limits left in the bill on the ground that unless that is done hundreds of American workers would be thrown out of jobs. The sugar-beet interests in my State want the sections left intact on the grounds that unless that is done it may work a hardship against the sugar-beet farmers of Nebraska.

Mr. Chairman, the committee has worked many months over this sugar bill. I have attended many of those meetings in order to determine just how this important legislation would affect the consumers of America and also our farmers.

I am opposed to any quota being put on sugar farming in the continental United States, Mr. Chairman. I say that because we raise only about 20 percent of the sugar we consume here. We find ourselves faced with orders to take out of production many thousand acres of land because we are told we raise too much corn and wheat and cotton and other farm crops. At the same time we appropriate many hundreds of millions of dollars for irrigation to put new farm lands into production to raise the same things. Yet here we are telling our farmers that notwithstanding the fact that we only raise 20 percent of the sugar we eat we must raise so much and no more, thus leaving an American market wide open to the sugar barons of the world to exploit. Why should we tell our sugar-beet farmers that notwithstanding

the fact that they have the land they can only grow a limited amount of sugar beets even though there is never a surplus of sugar beets in our country? American consumers should know that last year they paid a subsidy of about $350,000,000 to the sugar people of the world. That gigantic annual amount represents the amount more than the sugar people got for their sugar on the world market. That is because in the United States we pay 1 cent and more a pound for sugar than is paid on the world market. There is a world market and a United States market. American consumers pay the bill. That is, they pay a subsidy or a higher price than other people in other countries of the world pay.

Mr. Chairman, while I am in sympathy with the President, on principle, in his stand against parts of this bill, I feel that as long as we are putting a quota on our sugar production in this country and carrying out this quota program through which our offshore possessions will profit, there is nothing inconsistent and there is no discrimination against offshore possessions to put a certain quota on how much refined sugar they can ship into our continental United States. We are told that these offshore possessions will be allowed to ship as much refined sugar as their present capacity. We are told that they will not be stopped from refining sugar and that they can sell all they want on the world market. So we merely say for the sake of protecting American labor, American industry, and American farming, that they can ship their present capacity to us so that American industry will be protected against the possibility that eventually all the sugar raised in these offshore possessions will not be refined there and shipped directly to us with the possible danger of closing down all of our refineries and make America the dumping ground for all the world sugar and sugar substitutes that are now rapidly wiping out the market which heretofore was enjoyed by American farmers who raise corn and grain.

Mr. Chairman, if there was no quota on sugar in the United States and we were allowed to raise whatever sugarcane and sugar beets we cared to raise, I would feel that I would follow the principle in the arguments advanced by the apponents to this bill. I want to go on record with other Members that industry in Hawaii and Puerto Rico and the Virgin Islands should be treated as all other Americans because the islands are American and the people who live there under our flag are also Americans. But as long as these quotas are forced upon us; as long as we are told in the United States that "we must not raise more than so many acres of sugar beets" and so long as these quota regulations are forced upon us I feet that the quotas can be placed on refined as well as raw sugar.

Mr. Chairman, I do not care to dwell much longer on this particular phase of this very important bill. There is one paragraph in section 207 to which I am opposed. In it we say that in the Virgin Islands we must not refine any sugar. That is in these islands which belong to us and where the people live under the Stars and Stripes and where the principal crop is sugarcane from which fine sugar can be made—we say to these people that they cannot make and refine sugar. I feel that is rank discrimination and a blot on legislative procedure here. In those islands we force these people to grind their sugarcane into juice from which our Government, at Government expense and under our Government supervision, makes rum which we distribute throughout these United States in competition with the distillers of our own land who are endeavoring to abide by their promises to our farmers that they will distill their spirits from our corn and our grain.

Mr. Chairman, I wish to call attention of Members of this House to another amendment which is going to be offered very soon. This will have to do with an excise tax of about 8 cents a gallon on liquid sugar or blackstrap molasses. This liquid sugar is coming to us as refined sugar and carries no duty. I hope every Member who is anxious to protect the American market for the American farmer and every Member who is anxious to protect American jobs for the American workingman will join us in keeping this amendment in the bill.

Sometime ago, Mr. Chairman, I became the author of H. R. 2268, a bill making it unlawful to sell certain spirits containing alcohol produced from materials other than cereal grains. It has the support of the Farm Bureau and other farm organizations. Extensive hearings were held on this bill. It was fought, in my opinion, by the great Sugar Trust and even some of the refiners. Up to this time this bill has been waylaid in committee.

This amendment to this bill to put an excise tax on this molasses coming to us from foreign countries and even our offshore possessions may help my bill and may help our farmers who may this year have an overabundance of corn. In the absence of a price stabilization bill for our corn crop this year, I beg Members of this House to help us pass this amendment, which will protect a market for about thirty or more million bushels of corn annually and a very large amount of other cereal grains. The amendment will in no way stop the importation of blackstrap molasses where it comes for the purpose of mixing with alfalfa and which is an adjunct for livestock feed. It will, however, give corn and grains an equal chance with blackstrap molasses in the manufacture of distilled spirits, alcohol, and so forth.

Mr. Chairman, we have heard many statements on the floor of this House during the past few weeks to the effect that farmers are so much better off now. Members who do not know the truth and merely get their information from the newspapers and reports about high prices of farm products really should know that in my State there is no prosperity yet among the farmers. Thank God we are going to get a corn crop according to present indications. But up to this time our farmers had to pay high prices for corn and grain to feed their starving livestock. They have paid $1.25 a bushel for corn which today has already dropped 30 cents on the market. They have paid 65 cents a bushel for oats for which they now are getting 30 cents at the elevators.

So you see, Mr. Chairman, these debt-burdened farmers who are forced to give all their small grain to pay for feed and seed loans are depending upon what little money they are going to get from the sale of their corn, if they get a crop of corn. They must be protected.

You will remember that during the fight for the repeal of the prohibition law the farmers of our country were told that if they voted for repeal they would be given a real market for their corn and grain. But what really happened? Immediately after repeal the Molasses Trust began using substitutes for corn and grain. They built gigantic distilleries where they are manufacturing all kinds of distilled spirits and alcohol from this cheap blackstrap molasses and flooding our country with it. The great chemists continually show that they can make alcohol much cheaper from this substitute than from the real products of the farm. Thirty million bushels of corn is substituted each year by this blackstrap molasses, which is a byproduct of sugarcane which comes to us from the fields of foreign countries.

The beet-sugar and cane-sugar farmers of our country know that none of their byproducts go into alcohol. It is used up mostly by the yeast people. Therefore, every Member from a beet-sugar district and a cane-sugar district of our country and who is in this House this afternoon should know that all of the blackstrap molasses which is replacing corn and grain in the manufacture of alcohol comes to us from foreign countries and very little from our island possessions. By voting for this amendment, and also the Dirksen amendment, which has practically the same objectives, you will be helping to protect the American market for the American farmer.

I wish, Mr. Chairman, that every Member of this House, especially those Members from our industrial East and

South, would know the true picture of many of the farmers in my district. These farmers have hung on through drought, grasshoppers, and dust storms. They have seen their fields eaten up by hoppers, burned up by the sun and hot winds, and they have seen their livestock starving. A majority of them have gone broke financially and have been forced to sell down their livestock until many of them do not have enough livestock on hand to work their farms effectively. Up to the present time practically all of the corn and grain have been shipped into the district and fed on arrival. Today they have completed harvesting a small grain crop. But most of that crop will go to settle some of the heavy debts which they were forced to acquire during the drought days. But bountiful rains have fallen, and the prediction is that the corn crop will be a good one. In some of my counties there will be no grain and no corn and not even a garden of vegetables. But generally I am reliably informed there will be corn. It is the corn crop on which our farmers depend to keep them going until the next crop. I beseech Members of this House now to do something in this bill to give these corn farmers the market to which they are entitled, and not keep surrendering it to the foreigners, who are rapidly taking it away with these substitutes.

Mr. HIGGINS. Mr. Chairman, may I take a few moments of the time of the Members of the House to summarize my views on the proposed legislation? I was privileged yesterday to listen to many mighty fine presentations of the subject from the lips of men who are undoubtedly students of the subject of sugar legislation, and I could not help but draw my own conclusions as to the problem confronting this House. As Representatives in Congress we should be primarily concerned in enacting into legislation a law that would be beneficial first to the American consumer; secondly, to the American producer; and, finally, to the American refiner.

Briefly, the recent history of sugar legislation will call to mind the Fordney-McCumber Act, which in effect was the Tariff Act of 1922 and, subsequently, the Smoot-Hawley Tariff Act of 1930, both of which proposed to maintain and increase the domestic market for domestic producers. The tariff acts of these years did not accomplish this purpose but shifted the American market from Cuba to the insular possessions, with resulting economic distress to the sugar industry generally and a loss of markets to Cuban producers. When the present administration assumed office, the failure of the tariff system as a method of aid was apparent to all interests. The price of sugar for March 1933, I am informed, was close to its extreme low for all time and, as a result, the Tariff Commission, which had studied the sugar problem from all angles, acknowledged the failure of former sugar legislation and outlined in a letter from Robert L. O'Brien to the President in 1933 possible substitutes for the traditional method of assistance. Among the plans suggested by the Tariff Commission was a limitation in the form of a quota system, which feature, together with direct benefits to domestic and insular producers which were to be made from the funds arising through the processing tax on sugar, was embodied in the Sugar Act of 1934. Following this legislation, the Department of Agriculture attempted to reach a stabilization agreement with the industry but failed, and subsequently the President, faced with the failure to reach the agreement, sent a message to Congress, which turned to the principles of the Agricultural Adjustment Act for partial solution, at least, of the sugar problem. The principles of the Agricultural Adjustment Act, now invalidated, could not be applied precisely in the case of sugar as in other commodities such as wheat because sugar was an import and not an export commodity and we did not have a surplus but rather a deficit in the commodity at that time. The President's message raised the principal issue as to whether or not the sugar industry should be afforded any measure of public protection and concluded, "I do not at this time recommend placing sugar on the free list." In brief, the President asked Congress to protect what he described as an expensive industry but not to enlarge it. The consequent result of the message was the enactment of the Jones-Costigan Act of 1934.

Leaving the legislative background of sugar for a moment, let us proceed to a consideration of the effects that the present bill under consideration would have, first, upon the consumer; secondly, upon the producer; and lastly, upon the refiner. Statements made here on the floor yesterday by the very distinguished chairman of the Committee on Agriculture set forth the fact that the average price on sugar to the consumer under the provisions of the Jones-Costigan Act, which incidentally embraces the quota system, was less and is less today than it has been for many years. This fact—that the present price on sugar is lower than it has been for a great number of years—was supported by the statements of the gentleman from Colorado [Mr. CUMMINGS], who is probably as well informed on this subject as any man in the House. Finally the gentleman from Michigan [Mr. HOOK] submitted statistical data which proved to the satisfaction of those of us who were present that the statements made by the chairman and the gentleman from Colorado were correct. These statements are obviously true because they remain unchallenged. The second consideration that Members of the House should have should be toward American sugar producers; that is, toward the farmer, who actually tills the soil which produces this very controversial commodity. Our interest in that class of men should be satisfied by the statements of none other than the distinguished gentleman from Colorado [Mr. CUMMINGS], representing as he does a great beet-sugar area, and who is recognized as a great authority on sugar legislation, when he said that as far as the sugar producers are concerned, the elimination of subdivisions A and B of section 207, which wipes out the quota provisions from the present bill, would make no difference to the producer, for he would get the same price for his product whether the quota provisions were in the bill or eliminated from it. I think we can all take that statement as a fact in view of the authority from which it comes.

The main purpose, as far as I am concerned, of this bill is to enact into law legislation that will first and foremost protect the consuming public, and incidentally protect the farmer-producer of sugar, and finally American industry, which employs thousands of our citizens in refining enterprises throughout America. This bill continues the quota, which system, in effect, for the past 2 years of its life, at least, has accorded the American consumer the lowest average price for sugar that the consumer has enjoyed for many years.

Secondly, the bill provides, as similar provisions have during the life of the Jones-Costigan Act for the last 2 years, protection for the farmer-producer of the Middle West and the South. If the provisions of the Jones-Costigan Act work so well, then is it not a practical thing for us to embrace the main provisions of the Jones-Costigan Act in framing present legislation.

This brings us to the consideration of the most controversial features of the bill—subdivisions A and B of section 207—which, in effect, establish a similar quota system in the present bill as is present in the Jones-Costigan Act. The present administration, under advice, I assume, from Secretaries Ickes, Wallace, and Hull, wants the quota on refined sugar from the insular possessions, described in the section above, abolished. This brings us to the consideration of the last group aforementioned, namely, the status of the American refiners under the bill now under consideration. The quota system, affecting as it does American refineries, has worked well during the life of the Jones-Costigan Act, and, in my opinion, should be perpetuated in the present legislation for the reason that the plan of Ickes, Wallace, and Hull, if it were enacted into law, would mean less raw sugar shipped here, thus less refining here in America, and, more

important still, what would be refined in America would have to be sold against ruinous competition of producers of Hawaii, Puerto Rico, and the Philippines, whose finished product would be produced at a minimum labor cost. The abandonment of the quota system would undoubtedly throw American workmen out of employment in order that natives in far-away insular possessions might gain employment and refineries on those islands, which, as a matter of interest, the gentleman from Colorado [Mr. CUMMINGS] said are controlled by six corporations, would gain greater profit.

It must be obvious to thinking persons what would happen if the quota support were withdrawn from the present bill. It is safe to say that such a withdrawal would bring about a new alinement of supply and demand, and hence new but indeterminate prices when Cuba and the insular possessions would be permitted to expand their exports of sugar to the United States. The history of sugar legislation teaches us that the American consumer paid 25 to 30 cents a pound for sugar in the years 1920 and 1921, and it is my humble opinion that if the quota provisions of this bill are withdrawn and the American refiners are compelled to close their refineries because of ruinous competition, then insular refineries will be in a fine position to dictate the price of sugar in continental United States. This reasoning appears to me to be logical, since there will be no American competition and literally a monopoly will be set up among refiners on the insular possessions, supported, maintained, and perpetuated upon a cornerstone of cheap labor.

Should the advocates of the amendment that is to be offered to eliminate the quota provisions of section 207 prevail, then eventually the beet-sugar farmer of the West, the cane-sugar producer of Florida and Louisiana will be in trouble. I hold no brief for the American refiners and I recognize that the industry has had an unfavorable record in the public mind and that its long-drawn-out controversies with the Government and its subsequent conviction of engaging in combination and conspiracy in restraint of trade in commerce have not left any too favorable a taste in the minds of many people, yet I do hope that legislation enacted into law should be so designed as to stabilize all features of the industry and extend no preference to insular labor over American labor.

If the provisions of the Jones-Costigan Act of 1934, which are in effect embodied in this legislation, have worked so well and have afforded the consumer the lowest price in many years for sugar and have protected the farmer-producer, then why is it not consistent to permit the American refineries, which employ about 14,000 of our citizens, to continue to enjoy the benefits they have had during the life of the Jones-Costigan Act.

If the opinion of the present administration is written into the law, American refiners could not maintain the industry, paying the American standard of wages to its workmen as against the competition of the lower labor standard of wages paid to workmen in the insular possessions. As far as Boston and New England are concerned, we might well anticipate the closing down of a century-old industry with a pay roll to New England workmen of over $2,000,000 per year, not to mention the millions which are added to New England purchasing power in the nature of wages, supplies, freight, advertising, and the like. What is true of New England is true of other sections of the country where the refining industry is located and where that industry has played an equally important part in the industrial advancement of such States as New York, New Jersey, Pennsylvania, Maryland, Georgia, Louisiana, Texas, and California. Thousands of men throughout America will be deprived of an opportunity to work, and, in most instances, will be returned to local relief rolls. Personally, it does not seem to me to be good business nor to be consistent with the governmental policy in recent years in these times of unemployment to further reduce and eventually wipe out the pay roll of approximately 14,000 men employed in this industry and paid $25,000,000 yearly, in favor of cheap tropical labor in Puerto Rico, Cuba, and Hawaii.

In conclusion, Mr. Chairman, may I say that it is rather ironical for the present administration to ask industry to absorb the unemployed and, at the same time, attempt to enact into law sugar legislation, without quota provisions, which would admittedly discharge thousands of Americans engaged in the sugar-refining industry in Boston and other cities of the country.

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

Mr. HIGGINS. I yield.

Mr. BIERMANN. If section 207 does not go out we will not have any bill and the farmer will be just as bad off as he was in 1933.

Mr. HIGGINS. The gentleman holds an opinion contrary to that of the gentleman from Colorado [Mr. CUMMINGS] who on yesterday stated that it did not make any difference one way or the other.

Mr. BIERMANN. Does he think we can override a veto? We are going to get a veto if that section stays in the bill.

Mr. HIGGINS. The gentleman does not know that we are going to get a veto.

Mr. BIERMANN. I assure the gentleman there will be a veto.

Mr. HIGGINS. The gentleman has no guarantee of that any more than I have.

This brings us down to the most controversial feature of the bill.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Iowa [Mr. THURSTON] is recognized for 3 minutes.

Mr. THURSTON. Mr. Chairman, this may be a sweet bill for the Government of Cuba and several large banks in New York City and some large banking concerns in Canada, which control much of the Cuban sugar land, but I think it is a rather sour subject to the United States Treasury and the American farmer, because, under the reciprocal treaty we made with Cuba, already in 32 months we have remitted $78,000,000 in duties on Cuban sugar that otherwise would have been paid into the Treasury of the United States. These figures are authentic and official. What have we received in return? Slightly increased exports of our products, but we have not one-tenth of the amount that we have given to the Cuban Government in an agreement carrying the word "reciprocity."

How does this concern us? We are paying benefits to the farmers so they will not raise sugarcane or sugar beets; paying them to keep their land out of cultivation so that we may import more sugar from Cuba. Do you believe that a similar example could be found in the whole world? No. When we add the cost of these benefits paid the farmer it means that our Government has already lost more than $100,000,000 because of this unfortunate agreement the Roosevelt administration made with Cuba. Furthermore, the loss in revenue is increased at the rate of $2,000,000 per month.

This so-called sugar mess can mostly be traced to the reciprocity agreement with Cuba. Just another hundred million dollars to support the good-neighbor policy of Hull and Roosevelt.

To you Members who have refineries in your district, or in whose district sugarcane or sugar beets can be grown—and I have neither—I suggest that the root of your trouble is these abominable treaties which are taking away the use of our land and the employment of our people. So if you want relief or if you want to make a satisfactory approach to the solution of the sugar problem, you will have to reach farther back than this bill; you will be forced to bring about a termination of the reciprocal-trade agreements with Cuba. If we could be encouraged to increase domestic production of cane and beets it would put vacant land into sugar crops, stop benefit payments, and take some of the

pressure off of corn and wheat and thereby help the other farmers of the country. But we are faced with this illogical, unsound condition, brought about by dreamers and visionaries, and whether you have quotas or not, you are never going to bring about a real solution of this question until you terminate this sugar agreement.

I assert that this foreign sugar fiasco has already cost the United States Treasury more than $100,000,000. Probably the low-tariff, free-trade sponsors of this program would say that the amount mentioned only increased the public debt that sum. Just a good-will move.

But we must not forget that it will take sweat and taxes to pay for this unfortunate trade experiment.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. COFFEE] for 3 minutes.

Mr. COFFEE of Nebraska. Mr. Chairman, in closing the debate in opposition to this amendment I wish to call to the attention of the Members of the House a few pertinent facts.

The restrictions in this bill, limiting the importation of refined sugar from Puerto Rico and Hawaii, are the same as the restrictions in the Jones-Costigan Act and the resolution continuing the quota provisions, passed last year, both of which were signed by the President. This bill simply limits the refined sugar to the maximum amount that Hawaii and Puerto Rico are able to refine at the present time.

I am primarily interested in the passage of this bill in the interest of the growers. The domestic sugar industry is a very important industry in this country and should be preserved.

The committee gave a great deal of consideration to the controversial question at issue. We felt there was no justification in encouraging the building of new refineries in Hawaii and Puerto Rico at this time that would jeopardize the investments in continental refineries and the jobs of the men now employed in them.

From the consumers' viewpoint, if we encouraged the dismantling of our continental plants and the building up of refineries in our offshore areas and in foreign countries controlling the chief sources of supply, might we not sooner or later become the victims of a monopoly that could force the people in the United States to pay a price of 18 or 20 cents per pound for sugar, as happened in 1920? Let us preserve this American industry.

I urge the passage of this bill as reported by the Committee on Agriculture, with the suggestion that, in the light of recent political developments, if it is found necessary that some further compromise be made, it can be done in the Senate. This is not permanent legislation.

[Here the gavel fell.]

The CHAIRMAN. There is one other speech, that of the gentleman from Texas [Mr. RAYBURN], and then debate under the agreement will close.

The gentleman from Texas is recognized.

Mr. RAYBURN. Mr. Chairman, I take the floor today for one reason, and one reason only, that I am a friend to the sugar industry and I want sugar legislation.

Mr. Chairman, my very dear friend, the gentleman from Massachusetts [Mr. MCCORMACK] this morning, anticipating that I would make a few remarks later in the day, called attention to the fact that the city Members had upon every occasion supported farm legislation. I join him in that statement, but say further that my observation has been that the Members from the great cities have with as much unanimity supported all farm legislation as have those of us from the so-called country districts.

To me there is a principle involved in the Jones amendment. This may not be exactly on all fours with the proposition that we are considering, but I say the same principle is involved.

If there is a strong industry in the country I represent, it is the Cottonseed Crushers' Association. That organization is without doubt the strongest single organization in northeastern Texas. They came to me some years ago and stated that the cottonseed-oil industry was in a bad way, and that it was being hounded to death by Philippine oil. I told these gentlemen then, as I say to you today with reference to this matter and with reference to other American citizens, just as the Filipino was a full American citizen at that time:

> I realize your situation, but as long as the Philippine Islands are a part of the United States I will not by my vote levy a tax against them any more than I would against any State of the Union.

[Applause.]

Mr. Chairman, we are up against a certain proposition here and we might as well be frank about it. I stated at the beginning of my remarks that I rose for one purpose and one purpose only. That is, I want the sugar question settled for at least 2 years. I think it is in the interest of American refiners, I think it is in the interest of American producers, and I think it is in the interest of those extra Americans in what we call our possessions. I think this is more sentiment than anything else, or an understanding, as some people might say. Do you not think it would be better to adopt the Jones amendment, which I do not believe will hurt the American refiners, because I believe there will be no extra refineries built in Hawaii, Puerto Rico, or the Virgin Islands if the Jones amendment is adopted, and get real sugar legislation and be sure of it than to hazard getting nothing and throwing this great industry into what you yourselves call chaos? Some of you gentlemen have been telling me for 3 long weeks that we must pass some sugar legislation or the sugar industry is going to be in very bad shape.

I want to assure you that the President and all departments concerned are wholly opposed to these two paragraphs.

Mr. Chairman, that is all I have to say. I trust the amendment will be adopted because, as I stated at the beginning, I am a friend of the beet man, I am a friend of the cane man, I am a friend of the industry, and I want this great industry to have the support in years to come that this legislation will give it. [Applause.]

The CHAIRMAN. All time has expired under the agreement.

Mr. KELLER. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

> Mr. KELLER offers an amendment to the amendment: Page 14, lines 9 and 10, strike out subsection (c).

Mr. JONES. Mr. Chairman, I ask that the amendment be agreed to so that the vote may come on my amendment as amended. I ask unanimous consent that the lettering may be changed in my amendment so as to completely fit the situation.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. JONES] as amended.

The question was taken; and on a division (demanded by Mr. JONES and Mr. LANZETTA) there were—ayes 73, noes 125.

Mr. JONES. Mr. Chairman, this is a very important amendment and I demand tellers.

Tellers were ordered, and the Chair appointed Mr. JONES and Mr. CUMMINGS to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 92 and noes 135.

So the amendment was rejected.

Mr. JONES. Mr. Chairman, in order to give all the Members who have substantial amendments a chance to present them and have them read and then to have discussion on all amendments, I am going to ask that the amendments

may be read and that all debate on this bill and all amendments thereto close at 5 o'clock.

The CHAIRMAN. The Chair may say to the gentleman from Texas that there are certain committee amendments that were passed over temporarily.

Mr. JONES. I would like to have them disposed of first, of course. I am perfectly willing for the amendments to be offered and pending, so that they may all be read in the meantime and then anyone who has an amendment will have the opportunity to speak, but the debate will close at 5 o'clock.

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

Mr. PETERSON of Florida. Mr. Chairman, reserving the right to object, we have a series of amendments relating to the Florida situation. Of course, the action on some of the first ones might possibly influence the others.

Mr. JONES. The gentleman may offer his amendments and have them considered.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to have all amendments offered now, debate to be closed at 5 o'clock and that the Member offering an amendment shall have the opportunity to be heard.

Mr. JONES. Mr. Chairman, I would not want to foreclose the right to offer amendments. I am seeking to give the privilege to those who have substantial amendments to have them read now.

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

Mr. WILCOX. Mr. Chairman, reserving the right to object, may I inquire from the gentleman from Texas if it is his idea that all amendments shall be read at one time and then there will be block arguments on all amendments?

Mr. JONES. No; it is my thought that a Member may offer an amendment and discuss the amendment. I had hoped we might agree as we went along as to the time on each amendment and perhaps confine it to two or three speeches and dispose of it. I want to close debate at 5 o'clock and in order that all amendments may be pending I sought to have them read at this time.

Mr. WILCOX. I am perfectly willing to limit debate on any amendment. I have no desire to obstruct the gentleman.

Mr. JONES. Mr. Chairman, I will change the unanimous consent request and ask unanimous consent that all debate on this bill and all amendments thereto close at 5 o'clock.

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

There was no objection.

The CHAIRMAN. The amendments now to be taken up will be the committee amendments.

Mr. JONES. Yes; I think those should be taken up now.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 26, after line 8, insert "notwithstanding the foregoing exceptions, sugar in liquid form (regardless of its nonsugar solid content) which is to be used in the distillation of alcohol shall be considered manufactured sugar."

Mr. GAMBRILL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not intend to take up much of the time of the Committee, but I do want to submit that blackstrap molasses is used very largely in the manufacture of industrial alcohol. It takes about 2½ gallons of blackstrap molasses to make 1 gallon of industrial alcohol. To impose a tax of about 3 cents on a gallon of blackstrap molasses would increase the cost of industrial alcohol from 7 to 8 cents a gallon. I believe the amendment should be defeated.

Mr. LUCAS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, for a great number of years the farmers of the Nation have attempted to interest the American Congress in legislation which would place the corn producer of the United States upon a near parity basis with the producer of blackstrap molasses in tropical countries. That goal will be accomplished if the amendment which I have introduced and which is now a part of the bill becomes the law of the land. The amendment appears under the definition of sugar and is found on page 26 of the bill. It reads as follows:

Notwithstanding the foregoing exceptions, sugar in liquid form (regardless of its nonsugar solid content) which is to be used in the distillation of alcohol shall be considered manufactured sugar.

In addition, two other amendments which are corollary to the one just quoted have been placed in the bill. On page 30 I have caused to be struck out the words in the title, "Livestock food and distillation" and have had inserted in lieu thereof "and livestock feed." Also, on page 30, in line 21, I have caused to be struck out the words "or for the distillation of alcohol." My colleagues, these amendments do not tax blackstrap molasses which may be imported for livestock food.

Mr. Chairman, various chemical companies and interested industries throughout the Nation have flooded the offices of Members of Congress with letters opposing this amendment. It is the same old story when legislation is proposed which for the first time, seeks to interfere with a bonanza which has been heretofore unmolested by tax legislation. I do not blame them for attempting to keep a closed corporation on one of the most profitable businesses in America.

I have no quarrel with them for attempting to defeat this amendment, as it is an immutable law that every man in this world must look after himself. I approach this problem from the standpoint of the farmer who has for years visioned purchasing power dwindle into the evening shades of bankruptcy. Through this amendment I am only attempting to deal out a bit of single-handed justice for the basic industry of America, heretofore long neglected.

Mr. Chairman, I am one who believes in reciprocal-trade agreements. I am convinced that it is the only method that can bring back to this country a demand for our surpluses, which is so necessary in our general scheme of permanent prosperity. But I submit that the disparity existing between the producer of blackstrap molasses in foreign countries and the producer of corn in America for the distillation of alcohol is shameful and appalling. Reciprocity upon this question is a mere platitude.

Let it be understood at this point of my argument that the farmers of this country do not want a complete embargo upon blackstrap. This is where I am forced to disagree with the position taken by the gentleman from Illinois [Mr. DIRKSEN], who admits that if his amendment were adopted the tax would prohibit blackstrap molasses from entering this country. I believe that I understand the feeling and temper of the American farmer. No class of individuals in this country is more fair and equitable in their relationships with the other industries of the world. I say with candor that the farmers of America do not want an embargo upon blackstrap molasses. The farmers of America do not want such high and preferential treatment. However, they do ask that every reasonable opportunity for the disposition of the surplus of the basic commodities of America be made available. They want to open every possible avenue to increase production consistent with a fair and decent price. And my amendment, which is now a part of the bill, seeking to place an importation and manufacturers' tax upon sugar, regardless of its nonsugar content, will, in my opinion, go a long way toward helping the corn producers of America. No opportunity to develop more markets for these commodities should ever be overlooked. No one will disagree with my statement when I say that such a program is socially desirable and economically sound, and the more I study the contents of my proposals and their possibilities the more I am puzzled as why this legislation has been so long delayed.

Mr. Chairman, I now submit further supporting facts which should convince the Congress that these amendments are meritorious and justifiable.

First. Do you know that outside of a small excise tax under the tariff act there is not a single dime of tax upon the importation or manufacture of blackstrap molasses? Is there any legitimate or economic reason why this liquid commodity, which comes to this country in millions upon millions of gallons, should be exempt? Under this bill sugar pays an importation and manufacturers' tax. Sugar is one of the necessities of life, while most of the alcohol distilled from blackstrap molasses goes into beverages and radiator caps, rather luxurious business at least. All I seek in this amendment is to place the actual sugar content of blackstrap molasses upon the same taxable basis as edible sugar. What is unfair about that? Is there a single individual interested in this bill who, if he uses American equality as a premise, dare challenge this position?

Second. Do you know that last year 179,123,000 gallons of molasses came into this country from the tropical countries? Now, under my amendment the importation and manufacturers' tax would be approximately 7.72 cents per gallon, resulting in the raw material cost of a gallon of alcohol of approximately 25 cents. Chemists tell me that a bushel of corn will yield 2½ gallons of alcohol. Therefore, if corn is selling at 75 cents per bushel and the same were being used in the distillation of industrial alcohol, the raw material cost of 1 gallon would be 30 cents; if corn were selling for 70 cents per bushel, the raw-material cost of a gallon of industrial alcohol would be 28 cents; if corn were selling for 65 cents per bushel, the cost would be 26 cents per gallon; if corn were selling for 50 cents per bushel, the cost would be 20 cents per gallon; and if corn were selling for 40 cents per bushel, the raw material cost of a gallon of industrial alcohol would be 16 cents. At 65 cents per bushel corn would be an attractive influence to the distillers of alcohol for industrial purposes, and this basic commodity in America would meet the competition of blackstrap molasses. If corn sold below that price, we then would be aiding the American farmer by giving to him an opportunity to sell to the manufacturer of alcohol at a cost lower than that for which blackstrap molasses could be bought in the tropical countries. Here would be a chance to expand our market when it is most needed.

And here, my colleagues, are some startling figures: Using the same figure of 179,123,000 gallons of molasses, the amount shipped in this country last year and used in making alcohol, we find that is equivalent to 28,660,000 corn-bushels. It takes 1,189,000 corn-acres to produce that number of bushels.

Mr. Chairman, I emphatically deny that this bill will be of no benefit to farmers, as is claimed by some of my colleagues upon the floor of the House. But assuming, for the sake of argument, that such is true, and that corn cannot compete with other commodities in the making of industrial alcohol and ethyl and methyl alcohol, I return you to my first observation and ask, Why should blackstrap molasses come into America tax free? There is seldom a day passes that some statesman does not rise on the floor of this House and discuss seriously the question of balancing the Budget. If my amendment will not turn the eyes of the industrial crowd to the cornfields of America, it will turn their pocketbooks toward the United States Treasury, which is sorely in need of money. It is estimated that the annual revenue to be produced by blackstrap molasses, if this amendment goes into effect, will be around $7,000,000; and even in these days $7,000,000 is a goodly sum.

I sincerely hope that the proposition to eliminate this language from the bill in the amendment will be decisively defeated; and I call upon those in this Hall who are interested in the farmers of America to help write into law a bill which will, for the first time, give the corn farmer an opportunity to compete on an equal basis with the fellow who produces the blackstrap in the Tropics.

Mr. BIERMANN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am from a district where the principal field crop is corn. If I believed this amendment would help the corn growers and was anywhere near fair to the rest of the country, I certainly would be for it. I am against it.

This amendment was adopted without any hearings in committee, and without any statement except the very able one by the gentleman from Illinois [Mr. LUCAS]. I do not believe a radical step like this ought to be taken by the Committee of the Whole when the matter has not been given mature consideration by any committee of the House. Obviously, the amendment is designed to help the corn growers. I would like to help them. This amendment, if written into law, will not help them. The manufacture of alcohol from corn would not begin until the price of corn got down to about 40 cents a bushel.

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

Mr. BIERMANN. I do not have time to yield.

One bushel of corn makes 2½ gallons of alcohol. The net cost of the manufacturing process in making a gallon of alcohol from corn is 6 cents. Therefore, if corn is selling at 40 cents a bushel, alcohol can be produced at about 22 cents a gallon. It is now produced from blackstrap molasses at approximately 20 cents a gallon and can be produced from petroleum products for just a little more.

May I read from a statement by the Department of State:

This measure—

That is, the pending amendment—

would apparently not achieve its objective of causing more corn to be used in the distillation of alcohol; instead, it would tend to increase the price of industrial alcohol, disrupt our established molasses trade, and decrease the purchasing power for American goods in molasses-supplying countries. * * *

According to the informal advices of the Federal Alcohol Administration, 90 percent or more of alcohol obtained from molasses is used for industrial purposes, 5 percent for laboratory, pharmaceutical and medicinal purposes, and only about 5 percent for beverages. * * *

The commodity which would stand to benefit most by the resultant interruption in the country's trade in molasses would be ethyl sulphate, a petroleum byproduct, an economical raw material for producing synthetic alcohol. The American corn producer would not be a beneficiary, but more probably the payer of a higher price for his industrial alcohol, and a loser to the extent that American exports of farm products to molasses-supplying countries—particularly to Cuba and the Dominican Republic—would suffer curtailment.

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

Mr. BIERMANN. Not now. If I can get more time, I will yield.

Synthetic alcohol has occupied an increasing portion of the alcohol market of this country. In 1935, 9 percent of the alcohol was made from petroleum product; and in 1936, 16 percent; and in 1936 only 7 percent of the alcohol was made from corn.

There are fundamental reasons why it would be unsound to adopt this amendment. The alcohol-producing factories are along the Atlantic coast, where they get a cheap water haul for this molasses from the West Indian Islands. The factories for making alcohol from corn are also on the east coast, and they would have a long rail haul, and they cannot use corn unless the price is down to about 40 cents a bushel at the factory.

So we are supposed to be doing something for the farmer here, which is simply not going to be accomplished by the amendment. So I hope that this amendment, which was not considered in the committee, will not be adopted.

Mr. HOFFMAN. Mr. Chairman, will the gentleman now yield?

Mr. BIERMANN. I yield.

Mr. HOFFMAN. How would this amendment affect Tugwell's molasses company or the Virgin Islands industry?

Mr. BIERMANN. Oh, that has no bearing on this matter.

Mr. HOFFMAN. None at all?

Mr. BIERMANN. A gentleman as smart as the gentleman from Michigan ought to ask a more pertinent question.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 6 minutes.

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

There was no objection.

Mr. DIRKSEN. Mr. Chairman, I only regret there was not a larger membership on the floor yesterday when I thought I had rather exhaustively discussed this whole subject of blackstrap; and I am a little surprised, of course, at the refreshing and delightful lack of information of my friend from Iowa, who does not know a great deal about the subject, because it does constitute a menace to the American farmer.

Without going into the matter too completely, let me say that 78 percent of all the blackstrap that is used in the country today comes from Cuba. It is being protected down there, and they are the ones who are seeking to perpetuate the use of blackstrap in American industry.

One hundred and forty-nine million gallons of alcohol was manufactured in this country in 1936 from blackstrap. This is the equivalent of 30,000,000 bushels of corn.

The gentleman from Iowa states that the benefits will go to the sulphate industry if we put a quietus on blackstrap. There is only one manufacturer of alcohol from sulphate in the country today.

What do you want to do in the face of the situation of a corn production of 2,600,000,000 bushels? Do you want to have the corn farmers come here and ask us to resort to some contrivance like regimentation and to subsidize our corn farmers the difference between the parity price and the price that obtains, or are we going to help to recreate this market which has been taken away by these importations of blackstrap?

I cite you this afternoon the prophetic drop in the price of corn in the last 30 days, a drop from a price of 94 cents for December, to a price of 64 cents quoted in the Washington papers of yesterday. This is an average drop of 1 cent a day.

Oh, the corn farmers have been here virtually tearing the hearts out of the Members for some kind of general legislation because they know that when the impact of this surplus comes on the market, down will go the corn price. Do you want to penalize the American consumer by reaching into the Federal Treasury in the form of benefits or are you going to give back to the corn farmer the 30,000,000 bushels of corn that is being usurped by this stuff that comes in from the islands and which, today, pays a tax of one-fifth of a cent a gallon, while under this bill it will pay two and a quarter cents for the equivalent of a bushel of corn. Is it not nonsensical that under the Tariff Act of 1930 a bushel of Argentine corn pays 25 cents before it can jump over the tariff hurdle, while if we vote down this amendment, we will say that it will be all right for 72 pounds of blackstrap which is the equivalent of a bushel of corn for distillation purposes, to pay two and a quarter cents, or one-eleventh of the corn price?

You ought to support the amendment of my colleague the gentleman from Illinois [Mr. LUCAS]. [Applause.]

[Here the gavel fell.]

Mr. BOYLAN of New York. Mr. Chairman, I have been a consistent friend of the farmers of the United States. I have voted for all farm legislation which has been presented here practically during my term of office, away back to the $500,000,000 revolving fund in the McNary-Haugen bill, and for every other bill that was here to help the farmer. Prior to that in my own State of New York I was consistently a friend of the farmers. So I do not stand before you today as one who would do anything to hurt the American farmer. I do say that the passage of this amendment will not help the American farmer in the slightest degree. Let us read the language:

Notwithstanding the foregoing exceptions, sugar in liquid form (regardless of its nonsugar solid content) which is to be used in the distillation of alcohol shall be considered manufactured sugar.

First it refers to sugar in its liquid form, and then says "regardless of its nonsugar solid content." Remember, Mr. Chairman, we are dealing with a nonedible product. I would not come before you if we were talking about the use of corn in producing edible alcohol because I know that many of you like a good nip of corn whisky, which has plenty of power in it, but here we have something in which there is no sugar and yet you want to tax it. Mr. Chairman, this alcohol made from blackstrap is used for one purpose only, and that is by the industrial manufacturers of the United States. There is hardly a man in the House who has not some manufacturer in his district that uses some of this blackstrap industrial alcohol. It should be remembered that if this amendment is agreed to, it will add to the price, and the result of that would be that alcohol used for industrial purposes will be made in a synthetic manner, and corn will not get a chance.

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

Mr. BOYLAN of New York. Yes.

Mr. GREEN. Much of this blackstrap would go to waste. It is good for no other purpose than industrial alcohol.

Mr. BOYLAN of New York. Absolutely.

The CHAIRMAN. The time of the gentleman from New York has expired. The question is on the committee amendment.

The question was taken; and on a division (demanded by Mr. DOCKWEILER and Mr. DONDERO and others) there were—ayes 83, noes 67.

Mr. BIERMANN. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed Mr. LUCAS and Mr. BIERMANN to act as tellers.

The Committee again divided; and the tellers reported—ayes 89, noes 65.

So the amendment was agreed to.

Mr. JONES. Mr. Chairman, the other two amendments are clarifying, to make the bill conform to this amendment. I ask that they be considered now.

The CHAIRMAN. The Clerk will report the other committee amendments.

The Clerk read as follows:

Page 30, line 1, strike out the comma and the words "livestock food, and distillation" and insert "and livestock feed."

Page 30, line 21, strike out "or for the distillation of alcohol."

The CHAIRMAN. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. WILCOX: Page 10, at the end of line 19, strike out the period, insert a colon and the following: "*Provided*, That no proration or allotment shall be made which shall have the effect of preventing the sugar producers in any State from producing and marketing an amount of sugar equal to the consumption requirements of that State."

Mr. WILCOX. Mr. Chairman, I think the amendment as offered explains itself. It simply provides that every sugar-producing State shall have a minimum quota for that State equal to its own consumption requirements. I discussed the bill at some length yesterday, as did my colleague [Mr. PETERSON]. We undertook to point out to the House the fact that under the bill as drawn some of the States of the Union will be prevented from producing the amount of sugar which they themselves consume. This is particularly true of Florida, which will be restricted to approximately 50 percent of its own consumption. I believe that this amendment is essential to the validity of this measure, as well as to the economic question that is involved. I very seriously doubt the right of the Federal Government to go into a sovereign State of the Union and say to the people of that State that they shall not have the power of produc-

ing their own requirements of food, particularly when the entire United States produces less than one-third of its consumption requirements. This bill as drawn and reported seems to prohibit the shipment of any sugar in interstate commerce which had been produced in any area in excess of the quota allowed under the proposed bill. This regulation is, of course, placed in the bill to give Federal jurisdiction over the subject matter. The bill proposes to set aside a definite and specific quota for Florida and Louisiana; it then proposes that the Secretary of Agriculture shall divide this quota as between these two States. In order that neither State shall produce more sugar than is allotted to it as its quota by the Secretary of Agriculture, the bill prohibits the shipment of any excess quota in interstate commerce. Now it is rumored that the allotment to be assigned to Florida will be approximately 60,000 tons if this bill is passed. Therefore, if Florida should undertake to ship more than 60,000 tons in interstate commerce, it would be penalized under the bill. This would not be quite so bad if the measure stopped at that point. The bill, however, goes further than this. It prohibits the local sale of sugar in competition with sugar which has been shipped in interstate commerce.

It may be possible, it may be constitutional for the Federal Government to say to me in Florida that I cannot produce sugar and ship it across the State line into Georgia because that would be a matter of interstate commerce, but I do not believe that the Federal Government has any constitutional, legal, or moral right to say to me that I cannot produce food on my own farm by my own efforts, with my own labor and my own money and sell it to my neighbor on the adjoining farm. You might as logically and as constitutionally say to a farmer that he shall not raise enough potatoes to feed his family.

Now, I know that we have gone a long way toward abolishing States' rights. I know that the tendency is toward centralizing all power in the Federal Government and toward having the bureaucrats regulate, control, and direct the daily lives of all the people of the country. But I do not believe that we have yet reached the point where a Federal official in Washington can tell a man in my State that he cannot produce food on his own land with his own labor and sell it to his neighbors in the same State.

If Congress can prohibit the production of sugar in my State it can prohibit the production of corn or wheat or apples or dairy products in other States, and not only can Congress prevent their shipment in interstate commerce but it can prevent their sale to a neighbor on an adjoining farm.

I believe that when a bill goes to that extent it violates not only the spirit but the letter of the Constitution. I think that when this measure undertakes to limit production within a State it is treading on very dangerous ground and that this amendment is necessary to the validity and constitutionality of the statute. I believe it is also economically sound to put this requirement in the statute, and that without the amendment the measure is unfair and economically unsound. I cannot understand the economic philosophy which says that in a country which produces less than one-third of its requirements of a necessary element of food, a sovereign State shall not be permitted to produce the amount of food which it itself consumes. Such a scheme just does not make sense. All in the world this amendment will do will be to say to the beet States and to the cane States and to all of the States of this Union that they shall have a minimum quota of the amount of their own consumption requirements. That does not give to Colorado, to California, to Florida, and to Louisiana even the same consideration that is given to Puerto Rico and Hawaii, because Puerto Rico and Hawaii are permitted to produce their own requirements and are then given an allotment of the amount that they can ship into the balance of the United States. But this amendment says to my State, "You shall not be limited to 40 percent of your consumption requirements", as the present bill would probably do, "but you will be given a minimum quota, a minimum allotment of the amount of sugar which the people of Florida consume."

I cannot see that there is anything wrong about it. It seems to me the economics are sound. It seems to me that it improves a bill whose constitutionality is at least questionable, and it appears to me to be a good amendment, and I think it ought to be adopted. I request the committee to adopt the amendment.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 3 minutes.

The CHAIRMAN. Is there objection?

Mr. BOILEAU. Reserving the right to object, what is the request?

Mr. JONES. That all debate on this amendment close in 3 minutes.

Mr. BOILEAU. Is this the only amendment to be offered on this Florida proposition?

Mr. JONES. There will be other amendments. I want 3 minutes.

Mr. BOILEAU. Is the gentleman going to oppose this amendment?

Mr. JONES. I am.

Mr. BOILEAU. I have no objection.

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

There was no objection.

Mr. JONES. Mr. Chairman, I trust the House will vote down this amendment as utterly unworkable and impractical, for two good and sufficient reasons. In the first place, it would require going across the border and counting just how much sugar is used in some of these States, to determine the quota of the States. It is a difficult job to handle this quota even by regions and areas, but it would mean that a man might be living on the border with part of his land in one State and part in another. It might be desirable and it might sound good, but this thing is based on an historical background. You might as well follow it down and say that each county should be permitted to have a quota of all it consumes. Then you could go down to precincts and probably divide on plantations between tenants.

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

Mr. JONES. I yield.

Mr. WILCOX. The gentleman would not object to even carrying it further and saying a man ought to be permitted to produce all he can eat?

Mr. JONES. It would take a constabulary to do that job, and that is not what we are engaged in.

Mr. BOILEAU. Will the gentleman yield?

Mr. JONES. I yield.

Mr. BOILEAU. If each State were to produce all they could consume, they would have to take the quota away from some of these islands, would they not, so that we would not have an oversupply of sugar in the country?

Mr. JONES. They would probably have to adjust the situation all along the line. It is impractical.

Mr. BOILEAU. It would wreck the bill, would it not?

Mr. JONES. Yes, of course it would.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. WILCOX].

The question was taken; and on a division (demanded by Mr. WILCOX) there were ayes 33 and noes 58.

So the amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. BUCK: On page 24, in the table between lines 2 and 3, strike out the figures "500 to 1,500" and insert the figures "1,000 to 1,500."

Mr. BUCK. Mr. Chairman, section 304 provides the amount of the base rate of payment for benefits to growers.

Section 304 (c) provides that those payments shall be reduced in accordance with a scale of reduction on that portion of the quantity of sugar or liquid sugar included in the table of intervals of short tons set out on page 24 between lines 2 and 3. The reductions provided in the table start at 500 tons. Evidence was presented to the Committee on Agriculture by the western beet growers that the proper breakdown should start, not at 500 tons but at 1,000 tons, and that should be the starting point as provided in my amendment. The system of reduction in base payments—this is a somewhat technical matter—is based on the fact that under the original Jones-Costigan law payments were made without regard to the amount of tonnage that any individual grower or any corporation grower might produce.

As was stated earlier this afternoon, one corporation received a check for over $1,000,000 from the Government as benefit payment. This aroused a considerable outcry, though the payment was made in strict accordance with the law. I do not believe there is anything logical at all in the system of reduction on account of gross tonnage. However, it may be that for a psychological reason some such scale as has been inserted in this bill is proper and should be adopted. I yield to the judgment of the committee in this. At the hearings, I introduced evidence covering California territory—and I cannot speak for the rest of the United States, but I believe the conditions are the same elsewhere—to show that reductions should not start at as low an amount as 500 tons per grower. We desire all individual growers to receive their full benefit. The table I introduced, at page 82 of the hearings, shows that some 95 percent of the growers—growers, understand, farmers, come under 1,000 tons. If you start at 500 tons only 83 percent will receive full payment. You are leaving out 11.3 percent of those who individually farm their lands. Why penalize them? Owing to the fact that in the West a large amount of sugar beets are raised under irrigation, owing to the amount of capital necessary to invest in irrigation plants, pipes, and other things that go with it, and owing to the acreage involved it is about impossible for an individual farmer to farm a small acreage. He will be more apt to raise between 500 and 1,000 tons. Our farmers work a larger number of acres in the West than perhaps they do in the East and the South. It is therefore somewhat reasonable to take the point where the individual farmer disappears from the picture and the corporate farmer comes into it. According to the table referred to, that point is exactly 1,000 tons.

If my amendment is adopted, 95 percent of the farmers, which means practically every individual farmer, will receive the full benefit. Those who farm larger acreage will have their benefit payments scaled down. At the same time, if my amendment is adopted, some 68 percent of the acreage of the country will receive full benefit payment, whereas if the bill remains as it is some 24 percent of the acreage will not receive the full benefit payment. This is merely a matter of fairness to the individual farmer. I hope I have made this clear to the committee and they will accept the amendment.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 3 minutes.

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

There was no objection.

Mr. CUMMINGS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I dislike very much to disagree with my friend the gentleman from California [Mr. BUCK], but 500 tons of sugar means between 280 and 290 acres of beets. There has been trouble over benefit legislation for farmers, it is true, but I think we ought to get this right somewhere along the line.

The average beet farm in the United States is from 16 to 20 acres. In Utah it is 6. In Colorado it is something like 20. In California it is much larger. Five hundred tons of sugar means 10,000 sacks. I think, if the Government takes care of a man to that extent, that they have done pretty well by him.

Mr. Chairman, I hope the amendment is defeated.

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

The amendment was rejected.

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

The Clerk read as follows:

Amendment submitted by Mr. VOORHIS. Page 37, line 10, after title V, add a new title, as follows:

"TITLE VI—CONSUMER-PRODUCER ADJUSTMENT PROVISIONS

"SECTION 601. For the protection of consumers and to permit the gradual substitution of sugar produced at low cost for sugar produced uneconomically or at high cost in areas making deliveries to the United States, and to promote increased exports of farm and factory products produced in the United States, the Secretary shall determine at the close of each calendar year the excess amount which consumers have paid during the year for sugar in the United States, and shall determine the amount of sugar which on the average is produced in the United States in 1 year on a total investment in land and production equipment equal to 20 percent of such excess amount paid by consumers. For the succeeding calendar year the Secretary shall add the amount of sugar so determined to the quotas of areas which most economically can supply such additional amount, and shall deduct such amount from the quotas of other areas: *Provided*, That the amount so added to and subtracted from quotas in any year shall not exceed 200,000 tons: *And provided further*, That the amount deducted from the quota of any area in 1 year shall not exceed 10 percent of its quota for the preceding year.

"SEC. 602. For the protection of producers and to permit the gradual adjustment of sugar production to areas economically most suited to that purpose, there shall be levied, collected, and paid additional taxes subject to the same conditions and refunds and in the amount of 50 percent of taxes authorized to be levied under title IV. The Secretary is authorized, in any calendar year and in the aggregate amount of 50 percent of total payments made under title III, to make additional payments to growers of sugar beets and sugar cane in those areas for which quotas for that year have been reduced, and such additional payments shall be distributed among the several areas in the same proportion as the distribution of total quota deductions in that year pursuant to the provisions of section 601. Such additional payments in any calendar year shall be offered to growers in each area as final payment under this act with respect to that proportion of sugar beet or sugar cane acreage which corresponds to the percentage reduction in quota of the respective area in that year, and thereafter the Secretary shall deduct from quotas determined for each such area under title II the cumulative total of its quota deductions for which final payments have been made. Within each area the additional payments in any calendar year shall be added pro rata to payments made under title III to growers in such area in that year.

"SEC. 603. For the purpose of the determinations made as provided by section 601, the excess amount paid for sugar by consumers shall be the difference between the value (raw basis), including excise tax, of sugar produced in the United States during the calendar year and the value of such sugar at the world price (New York basis) as determined by the Secretary from statistics available in the Department of Agriculture, and the total amount of sugar to be added to and subtracted from quotas shall be the result obtained by dividing 20 percent of the excess amount paid by consumers by the weighted average investment per ton of sugar produced in the United States in 1 year. Average investments per ton of sugar produced in any area of the United States which have been, or shall be, determined by the United States Tariff Commission may be employed by the Secretary in making this determination. Determination by the Secretary of areas which most economically can supply additional amounts of sugar as provided in section 601 shall be based upon relative costs of production which have been, or shall be, found by the United States Tariff Commission, with due allowance for alternative land use, conservation of soil resources, and relative returns to tenants, sharecroppers, adherent planters, and wage labor, as determined by the Secretary from statistics available in the Department of Agriculture."

Mr. JONES. Mr. Chairman, I reserve all points of order on the new bill for I have not had a chance to read it. [Laughter.]

Mr. KNUTSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KNUTSON. Is this a substitute for the bill under consideration or an amendment?

The CHAIRMAN. This is offered as an amendment to the bill. All points of order have been reserved by the gentleman from Texas.

Mr. VOORHIS. Mr. Chairman, for the comfort of the gentleman from Texas and of the gentleman from Minnesota, permit me to say that I entertain no illusion about the possibility of this amendment being adopted, but I believe it sets forth, if you will take the trouble to read it, a sound policy based upon the principle that the size of the quotas for different areas should have some direct relationship to the cost of production and to the capacity of those areas to produce sugar at a reasonable cost to the 130,000,000 consumers of the Nation. And may I say, also, that I sent copies of the amendment to every Member of the House some days ago.

In this short time, obviously I shall have no opportunity to explain in full the significance of this amendment, but I may briefly say that the amendmemnt provides that the Secretary of Agriculture shall first compute the difference between what American consumers have paid and what they would have paid on a world market price basis. That excess payment by consumers has amounted to about $300,000,000 per year in the last few years. I do not mean to say that I think there should be no protection for the American sugar producer who has to have a margin above the world price, but I do say that where the margin is too high and we set up quotas that we are thereby setting up a virtual monopoly.

We restrict output and then erect a tariff barrier, to boot. I think that today we have established a monopoly for the refiners. I think that the people are paying a pretty big bill in this respect, and to gradually remedy this condition is the real purpose of this amendment.

According to the amendment the Secretary would compute 20 percent of the overcharge paid by American consumers over and above the world price.

He would then determine the total investment in the production and processing of sugar. He would figure up the amount of sugar which would, on the average, be produced on an investment in land and equipment equal to 20 percent of the excess cost paid by consumers. Whatever this tonnage was, the Secretary would be instructed by this amendment to shift that much of the total of quotas of high-cost production to areas of low-cost production. A tax of 50 percent of the tax levied in title IV of this bill would be levied to make possible additional benefit payments to the growers in areas from which the quota was removed. These benefit payments would be considerably larger than the regular benefit payments, and they would be in the nature of final payments. The consumers would, in effect, have bought out that much investment in high-cost sugar.

Mr. Chairman, the purpose of the amendment is this: We have set up here a great industry, largely on the basis of political protection. It is not fair to knock the props out from under the industry all at once, even in the areas where the cost of production is high, nor would I suggest such a course, but I believe the consumers of America should get something in return for what they pay in additional costs, and that is all this seeks to do. It is an attempt to make a fair adjustment to all concerned and to point in a direction which will lead to a sounder policy.

I am in accord with the protection of American industries which are able to produce in abundance a crop or type of goods that America needs and consumes, and which can furnish this crop or goods within reasonable distance of world prices. Sugar is a special case and as long as we are legislating for the purpose of a particular industry and the protection of that particular industry, we have to use our best judgment and consider the question on the basis of merit in order to compare the gain from one course of action and the losses from that same course, the gains and losses from an alternative course, and so on.

I do not believe you can make a great sweeping principle apply when you are attempting to legislate, as we are trying to do, on the tariff, tariff protection, production control, and such things as we are attempting to do here. It is a question whether unlimited protection to a given industry really increases employment in this country. I think there are many instances where it does not do so. There are cases where the industries are of such scope and economically so sound that perhaps it does. I believe, as I said before, that each one of these industries has to be considered on its own merits. There is much merit, in my opinion, in the contention of the gentleman from Florida as indicated in this debate. They have a viewpoint that is about as sound as any we have heard.

Mr. SABATH. Will the gentleman yield?

Mr. VOORHIS. I yield to the gentleman from Illinois.

Mr. SABATH. The gentleman said there is an agreement on the part of the refiners. Does not the gentleman think it would be well, if he desires to break up that combination, to ask the Federal Trade Commission to make an investigation of the secret agreements by which the American people are mulcted out of $300,000,000 or more every year?

Mr. VOORHIS. I thank the gentleman for the suggestion. I was thinking about that, but it occurred to me that the Supreme Court of the United States has recently rendered a decision which perhaps makes that unnecessary. It found the Sugar Institute guilty, I believe, on about 40 separate counts of engaging in a combination and conspiracy in restraint of trade and commerce in sugar.

As I said, I know my amendment will not be adopted. But sooner or later we must get this whole sugar business on a much sounder and fairer basis than it is now.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I withdraw the point of order I previously made and ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. VOORHIS].

The amendment was rejected.

Mr. PETERSON of Florida. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. PETERSON of Florida: Page 8, line 14, after the word "effect" strike out the period and insert in lieu thereof the following: A comma and the words, "*Provided, however*, That any deficit of Louisiana shall be first allotted to Florida, and any deficit of Florida shall be first allotted to Louisiana to the extent of their respective abilities to supply such deficit."

Mr. PETERSON of Florida. Mr. Chairman, the amendment speaks for itself. In the event the Louisiana cane-producing area fails to produce its part, then my amendment provides that Florida may have that quota, and, in turn, if Florida fails to produce its part, that quota may go to the other continental cane-producing area in the United States, namely, Louisiana.

I trust the amendment may be agreed to by the Committee. I will not take all of the time allotted to me, because I have other amendments to offer. This is very vital to the State of Florida and I sincerely trust the amendment will be agreed to. It is fair to both States and does not disturb the beet quota. I want to urge the members of the Committee to vote for it.

Mr. JONES. Mr. Chairman, I do not think it is practical, in view of the vast reaches of this industry, to have all of these allotments and deficits as between the various States. I therefore ask that the amendment be defeated.

Mr. WILCOX. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Florida.

Mr. WILCOX. This is not a matter of disrupting the allotment as between beet and cane. This simply provides that as between two cane-producing States—and there are only two—if one of the cane States fails to produce, then the other one shall have the benefit of that deficit. That cannot upset the quotas.

Mr. JONES. I think they will take care of the deficit situation. There is a formula in the bill for that.

Mr. WILCOX. Cuba might get it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. PETERSON].

The question was taken; and on a division (demanded by Mr. PETERSON) there were—ayes 14, noes 56.

So the amendment was rejected.

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

The CHAIRMAN. Are there any other amendments to be offered?

Mr. PETERSON of Florida. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. PETERSON of Florida: Page 6, strike out lines 23 and 24, and on page 7, strike out lines 1 to 7, inclusive, and the table which follows and insert:

Area	Quotas (short tons)		
	1937-38	1938-39	1939-40
(a) For domestic sugar-producing areas:			
Domestic beet sugar	1,550,000	1,550,000	1,550,000
Louisiana	360,000	375,000	400,000
Florida	90,000	150,000	175,000
Hawaii	938,000	938,000	938,000
Puerto Rico	798,000	798,000	798,000
Virgin Islands	9,000	9,000	9,000
(b) For the commonwealth of the Philippine Islands	999,782	970,000	970,000
(c) For foreign countries:			
Cuba	1,911,476	1,866,258	1,816,258
Foreign countries other than Cuba	26,412	26,412	26,412

(d) In the event that the Secretary determines that the amount of sugar needed to meet the requirements of consumers is less than 6,682,670 short tons, then the Secretary shall first establish the quotas for the areas and in the respective amounts set forth in subsections (a) and (b) and, after deducting the total thereof from the determined consumption requirements, shall prorate the difference on the basis of the quota established for Cuba and foreign countries other than Cuba in subsection (c); if the Secretary determines that the amount of sugar needed to meet the requirements of consumers exceeds 6,682,670 short tons, then the Secretary shall deduct the total of the quotas set forth in subsections (a) to (c), inclusive, from the determined consumption requirements and shall prorate the balance among the domestic sugar-producing areas set forth in (a) and Cuba and foreign countries other than Cuba on the basis of the quotas set forth in subsections (a) and (c).

Mr. PETERSON of Florida. Mr. Chairman, the purpose of this amendment is to subtract from the quotas of the Philippine Islands during the years 1937 and 1938, and the Philippines and Cuba during 1939 and 1940, in order to add to the quotas of the cane areas in continental United States, and especially in order to add to the Florida quota.

As I explained the existing situation in Florida yesterday, we cannot proceed upon a historical basis for this reason: The Everglades at one time were subject to flood. We finally drained the area by the combined effort of the Federal Government and local enterprise, and turned the Everglades into one of the greatest cane-producing areas in the world. However, just about the time the plantations were getting in good shape the quota system went into effect, and 5,000 acres were taken out of cultivation. The largest single check issued for production restriction in continental United States went to the cane-producing people of this section. I understand the argument made today by those who do not want to disturb Hawaii and Puerto Rico, so I have taken amounts from the Philippines and from Cuba in order that we may have a chance to produce in our own State. An infant industry is begging for the opportunity to expand, to expand economically, and to employ American labor with the payment of decent wages. The minimum wage is $2.70, plus housing, lights, and so forth. I am pleading today that this vast area, developed in part through Federal funds, may be able to take care of Florida's unemployment. This amendment does not take from Hawaii or Puerto Rico, nor does it take from continental United States.

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

Mr. PETERSON of Florida. I yield to the gentleman from Florida.

Mr. WILCOX. The gentleman's amendment does not disturb the quotas allotted to the beet people, but leaves them exactly as in the bill?

Mr. PETERSON of Florida. Yes; exactly as in the bill.

Mr. WILCOX. The gentleman's amendment does not reduce the quota allotted the Philippine Islands under the Independence Act?

Mr. PETERSON of Florida. No.

Mr. WILCOX. The amendment leaves the quota at the exact amount fixed by the Independence Act?

Mr. PETERSON of Florida. Yes.

Mr. WILCOX. However, beginning with next year, this amendment would reduce the Cuban allotment by a few tons and add this amount to the quotas of Louisiana and Florida?

Mr. PETERSON of Florida. The gentleman is correct.

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

Mr. PETERSON of Florida. Yes.

Mr. CALDWELL. This amendment by subtracting from the Cuban quota does not violate the reciprocal-trade agreement in any way?

Mr. PETERSON of Florida. No.

I am pleading for the opportunity to expand for American capital, American labor, and American producers. We begin at a quota less than the consumption of our own State. I hope the committee will back me up on this amendment.

Mr. JONES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the allotment for Florida and Louisiana under the original act was 220,000 tons, which was later increased to about 360,000 tons. This allotment gives them practically 100,000 tons above the previous amount. It is a difficult matter to figure out quotas. When you get to figuring on them you can just reach up in the air and pull down another one and get all confused. These quotas have been carefully worked out. I hope the Committee will not adopt this amendment.

Mr. Chairman, I ask unanimous consent that all debate on this amendment do now close.

Mr. WILCOX. Reserving the right to object, Mr. Chairman, I would like to be recognized for 2 minutes.

Mr. PHILLIPS. Mr. Chairman, I would like to be recognized for 3 minutes.

Mr. JONES. Are there any other amendments?

Mr. GREEN. I have an amendment, Mr. Chairman.

Mr. JONES. Mr. Chairman, I modify my request and ask unanimous consent that hereafter all remarks on all amendments be limited to 2 minutes, with the understanding that if there is time not occupied after the offering of all amendments, any Member who is recognized may use the remaining time.

Mr. McCORMACK. Mr. Chairman, reserving the right to object, does the gentleman from Texas have in mind that the gentleman from Connecticut [Mr. PHILLIPS] desires to be recognized for 2 minutes?

Mr. JONES. I think the gentleman should be recognized.

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

There was no objection.

Mr. WILCOX. Mr. Chairman, may I call the attention of the membership to the fact that when I offered an amendment a few moments ago to guarantee to each sugar-producing State a minimum quota equal to its own requirements of sugar, the amendment was objected to by the chairman of the Committee on Agriculture upon the ground that it was too indefinite. The gentleman from Florida [Mr. PETERSON] has now offered an amendment which is very specific. The gentleman's amendment does not take away from the beet producer a single ounce of the sugar provided for in this bill. It guarantees the beet producers the same amount

guaranteed in the bill. It does not disturb Hawaii or Puerto Rico but leaves them exactly as they are under the terms of the bill. It does not reduce the quota of the Philippine Islands below the amount specified in the Independence Act but simply takes from the Philippines any excess above the amount specified in that act. However, the amendment does gradually take from the Republic of Cuba, an independent nation, a small amount, a few tons a year, and permits the development of a profitable and efficient industry financed by American capital and carried on by American workmen in American territory. It will open the way for the employment of a few thousand American citizens who otherwise must continue on relief.

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

Mr. WILCOX. Yes.

Mr. CALDWELL. This amendment does not reduce the quota of Louisiana?

Mr. WILCOX. It does not reduce the quota of Louisiana but increases it to a small degree, the same as it does the quota of Florida. This amendment does not disturb a single thing in this bill, except that it does permit the gradual reduction by a few tons a year of the amount which has been gratuitously given the Republic of Cuba.

Mr. PHILLIPS. Mr. Chairman, first of all I must respectfully decline to yield because of the shortness of the time available.

I am sure there must be other Members of the House beside myself who have listened to the debate here for the last few hours, hearing that one group of our citizens will be helped by certain legislation and hearing that other groups will be helped, a section here and a section there, but how many people have come down to the Well of this House and raised their voices telling of the moral responsibility we have to Puerto Rico and Hawaii because we took them, in effect, by force of arms and we keep them, in effect, by force of arms, and have a moral responsibility therefore to treat them just the same as the people of continental United States.

Mr. Chairman, if I make an agreement with you and you make an agreement with me, and suddenly the agreement pinches, none the less we are morally bound, and should be bound, to go on with that agreement, and therefore much as some other people, I am sure beside myself, but certainly myself feel that we might like to vote for legislation of this kind, we feel we are sitting here and in effect acting like footpads haggling over the personal effects of somebody whom we have waylaid. So until we recognize Hawaii and Puerto Rico like other people in the community of the United States I, for one, feel that we should vote against this whole bill, lock, stock, and barrel. [Applause.]

Mr. JONES. Mr. Chairman, I desire to state in connection with this amendment that I hope the House will not disturb the arrangements made here with reference to quotas, because it has been worked out and there are many conflicting interests involved.

I want to make one statement in answer to an argument made the other day about permitting America to produce all that her farmers can of any commodity not produced in surplus quantities. I thoroughly agree with that philosophy for any industry that does not require special protection. If we had no stimulus to production and without protection, on their own, they could expand, that would be one thing, but when we are making a special provision that would grant benefit payments and grant certain special concessions, as well as protection, then if these are to continue, it seems to me it is but fair that we should prevent artificial stimulation of enlarged production.

I felt this should be stated in connection with the statements that have been made.

Mr. KING. Mr. Chairman, I move to strike out the last word just for the purpose of taking about 30 seconds.

I appreciate the remarks of the gentleman from Connecticut [Mr. PHILLIPS], but I would like to make one correction. Hawaii came under the American flag voluntarily and was not captured or purchased. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. PETERSON].

The question was taken; and on a division (demanded by Mr. PETERSON of Florida) there were—ayes 23, noes 45.

So the amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. GREEN: On page 10, line 19, strike out the period, insert a colon and the following: "*Provided*, That the Secretary of Agriculture shall allot to Florida not less than 90,000 tons annually, 25,000 of which shall be charged against quotas of foreign countries as provided in this act."

Mr. GREEN. Mr. Chairman, I think this brings the question right down to its final analysis. Will this Congress give Florida 25,000 tons that now go to Cuba and foreign countries? Do you want us to expand or do you want Cuba to expand? Do you want us to pay $2.70 for labor as we do in Florida, or do you want the American people to eat 17-cents-a-day-labor sugar made in Cuba and in other foreign countries? Are we to be treated as well as the Territories, are we to be treated as Americans, or are we to be treated worse than those in foreign countries?

Mr. Chairman, we are in dead earnest about this matter. If the chairman tells you this amendment does not conform with other sections of the bill, let it go to the other end of this Capitol and there be whipped into certain form, and allow this amount of 25,000 tons to be taken from foreign countries and given to a State which I still say is one of the 48 States of this Union. Mr. Chairman, it is wrong, it is bad legislation, if you penalize a State of this Union and place it further down in the category of privilege—if you want to put it that way—than you place foreign countries. I urge you to vote for the amendment. It is fair and just.

Mr. JONES. Mr. Chairman, I hope the amendment will be voted down. The formulas are set out in the bill. It is a technical matter and if we undertake to make these little changes, we will have a bill all out of kilter. I hope the amendment will be voted down.

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

The question was taken; and on a division (demanded by Mr. GREEN) there were—ayes 32, noes 45.

So the amendment was rejected.

The CHAIRMAN. There being no other amendment, under the rule the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 7667, and pursuant to House Resolution 297, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question has been ordered. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. LANZETTA) there were—ayes 165, noes 55.

So the bill was passed; and a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DEMPSEY, for today, on account of illness.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on H. R. 7948, which passed the House last Monday, explaining the provisions of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to incorporate in the remarks I made this afternoon a certain petition.

The SPEAKER. Is there objection?

There was no objection.

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein correspondence between myself and the Governor of the Farm Credit Administration dealing with the policy of the Farm Credit Administration, and with deficiency judgments.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO FILE REPORT

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that the Committee on Labor may have until midnight tomorrow night to file a report upon the wage and hour bill.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks made this afternoon by inserting a table referred to.

The SPEAKER. Is there objection?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under the special order of the House heretofore made the gentleman from Texas [Mr. JONES] was to be recognized for 1 hour. The Chair understands, however, that the gentleman from Texas does not desire to avail himself of that privilege today.

The gentleman from California [Mr. DOCKWEILER], under the special order of the House, is entitled to be recognized for 5 minutes.

CARE OF TRANSIENTS IN CALIFORNIA

Mr. DOCKWEILER. Mr. Speaker, what will happen this winter to the thousands of destitute who fled to California from other States seeking relief from the dust, drought, and depression? Federal relief aid has been curtailed; California's relief burden is fast becoming unbearable, and impoverished thousands, living in squalor, facing hunger and disease, threaten national health and add to the possibility of a bitter and possibly violent agricultural and industrial labor conflict.

Assistant W. P. A. Administrator Aubrey Williams, while on a recent tour of western relief agencies, is quoted by a Los Angeles newspaper as saying:

> Care of transients—and of homeless Americans from the Dust Bowl—is strictly a State problem.

With that assertion, Mr. Speaker, apparently we cannot hope for substantial aid from Mr. Hopkins, W. P. A. Administrator. Apparently the responsibility for thousands of drought and depression refugees from all parts of the United States has been tossed directly into the laps of California taxpayers, who are already staggering under a terrific and ever-increasing relief burden. What are we in California doing to help out this situation, speaking for Los Angeles County?

In 1936 the cost of all classes of relief amounted to $87.51 per taxpayer, or $44.52 for each of the 2,366,904 persons residing in the county. In 1925 relief cost per capita was only 92 cents, with a gradual increase up to 1934 when it was $22.51 per person. In 1935 the cost of relief climbed to $30.24, and last year, in Los Angeles County, it was $44.52 per capita. Other California counties have experienced the same startling upward trend in relief costs which are fast becoming unbearable to local taxpayers.

California tax rates have grown with the increasing cost of relief. The tax rate in Los Angeles County has increased from 80 cents per $100 of assessed valuation in 1920 to $1.27 for the fiscal year 1936–37 and preliminary estimates for the current year indicate a tax rate of $1.65 per $100, a 34 percent increase over the previous year. Rates in other California counties have increased accordingly. So you see we Californians are not welching from our share of the responsibility.

Despite the overwhelming increases in the cost of relief in California brought about by the influx into the State of refugees from all parts of the United States, the Assistant W. P. A. Administrator insists that responsibility for the welfare of these people is California's own problem.

Since the depression and the drought hundreds of thousands of refugees have been flooding into California from other States seeking relief from debt-burdened homes, dust covered farms, and other hopeless conditions. Most of the migrants entered southern California declaring it their destination and a large proportion of these said they were seeking employment. More than 75 percent of the jobseekers were from the drought States. Adding these people to other types of relief cases, today there are 275,362 men, women, and children dependent in one form or another on relief from the several government agencies in Los Angeles County alone.

Clearly, California agriculture and industry cannot absorb the dwelling tide of destitute migrants within a short time. Most of the migratory workers are seeking agricultural employment and the field is greatly overcrowded. State agricultural production grew only 20.1 percent from 1920 to 1930, but the number of available farm workers grew by 57.1 percent. While large-labor requiring crops played a more important role in State agriculture in 1930 than in 1920, the difference is not great enough to justify the growth in the number of agricultural workers. Furthermore, the peak of California's farm labor demand is about four times as great as the low point and the off-season falls in the winter months. What will happen this winter to the thousands thrown out of employment as well as to the scores of refugees who flock into California every day in search of work?

Each month of last year 23,000 people were placed in jobs by the State reemployment service, but it is impossible to fill the ever-increasing demand for employment. Estimates made by farm employers indicate that in 1935 there were 128 farm workers for every 100 jobs, and this excess of 28 percent applied to agricultural workers as a whole and not merely to migratory workers. Since 1935 the number of excess workers has undoubtedly increased tremendously. "All the settlers need", Assistant W. P. A. Administrator Aubrey Williams is quoted as saying, "are jobs, sanitation, and good food." I agree with Mr. Williams. But where are these destitute people to find these necessities in a State where the labor market is flooded, the State overburdened with the relief load, and the W. P. A. program curtailed.

A California relief administration study of applicants for relief in 1935 reports average annual earnings of 775 migrant families, most of which received between $300 and $400 in 1930, and between $100 and $200 in 1935. The great influx of additional labor will cause further decrease in wage rates and a spread of labor unrest. How far, Mr. Speaker, will wages drop? How far will standards of living fall?

The ragged camps of migrants squatting in filth by the roadside, in open fields, along irrigation ditches, or on garbage dumps fairly beggar description. These people are not stumble bums. Disease is rife, and National as well as State health is seriously threatened. Large growers sometimes pro-

vide good housing for workers, but smaller groups with short peak seasons are often unable to do this. Many camps similar to the present three Resettlement camps are needed to provide adequate housing for migrants not only in California but also in other States, where Dust Bowl refugees and other homeless tend to concentrate. The resettlement camps in California house 500 families, less than 1 percent of the State's estimated migratory workers.

Two years ago California threatened, in self-defense, to close its borders to the destitute people who were creating such an economic problem within the State. The resulting howls from Washington, accompanied by threats of cutting off Federal relief aid, were heard across the country. Instead of closing her borders, the California relief laws were liberalized and migrants from all parts of the United States continued to pour into the State. But there is an economic limit to the number of destitute which the State can support. Taxpayers threaten to strike; and unless the Federal Government will make an effort to understand California's unique relief problem and cooperate with the State in solving the situation, the State borders may yet be closed in self-defense.

The drought refugees from the Great Plains who have been pouring into California by the scores of thousands to the west coast are leaving areas where depopulation is desirable for the national economy. They are not drifting but are seeking resettlement. They are helpless victims of a short-sighted national policy which threw open the Great Plains to a type of settlement unsuitable to natural conditions.

Why should not the Federal Government help us financially in this plight? The creation of the Midwestern Dust Bowl and the attendant problems have their roots in economic conditions, prevailing attitudes, and public policies reaching back into the 1860's. The lure of free land on the frontier under the Homestead Acts was the major influence in the settlement of the Great Plains. The movement gained force and direction from such factors as favorable market conditions, the development of railroad transportation, and the lure of free or cheap land. But throughout the settlement period free land greatly stimulated immigration and materially affected the pattern of settlement. Public-land policy proved unfortunate in at least two respects. Speculation in land, with attendant abuses in its development, was facilitated, and the holdings permitted under the Homestead Acts were so small as to stimulate overcultivation. Both factors tended to induce a more intensive use of land in the Great Plains than was justified by natural conditions. Millions of acres of natural grass cover which should never have been touched by a plow were turned under and the soil exposed to the scorching sun and the winds, which later turned parts of the Great Plains into a barren desert.

Let me repeat again that today the Federal Government, speaking through Mr. Williams, of the W. P. A., disclaims any responsibility for the drought refugees from the Great Plains.

Mr. Edward J. Rowell, regional labor adviser of the United States Resettlement Administration, in a report, Drought Refugee and Labor Migration to California in 1936, writes:

> Those States characterized as drought States continued to be the heaviest sources of migrants. Of the total of 71,047 migrants entering the State during the year (ending June 15, 1936), 56,225, or 79.1 percent came from the drought States. During the first 6 months of 1936 the proportion of Dust Bowl refugees was even greater than in the last half of 1935. Of all out-of-State migrants 85.5 percent fled from the drought area during 1936 as compared with 74.8 percent in 1935. Oklahoma alone contributed 24.6 percent of all out-of-State migrants and the States of Oklahoma, Texas, Arizona, Arkansas, and Missouri, combined, contributed 64.8 percent. It is apparent, therefore, that the tragic disruption of the rural economy of this area is by far the most important factor in the movements under consideration.

Last year 12.3 percent of the Nation's total transient population received State and county aid in California which in 1930 had only 4.7 percent of the Nation's population. In a 24-hour census of the transient and homeless conducted in 1935 by local public agencies in Los Angeles 95 percent of 4,033 cases were interstate wanderers, and among the total of 1,656 persons arrested and convicted for vagrancy in Los Angeles in January 1936, 75 percent had been in the State less than 1 year.

Although California taxpayers are bearing more than a just share of the relief burden, the State has received the lowest per-capita apportionment of Federal funds in comparison with other major industrial States. In fact, the average per capita of Federal relief for California has been less than the average per capita for the United States. This low average has been maintained despite the facts that California is the fifth ranking State in population, stands third in provisions for State and county relief funds, and is staggering under an ever-increasing relief burden.

Mr. Speaker, the burden of localities which receive disproportionately large numbers of persons in need of relief and rehabilitation, whether drought refugees or migrants following hoped-for agricultural work, is a heavy one. The problem of transient relief is a national problem and, as such, should be dealt with by the Federal Government. State and Nation should share the financial burdens imposed on county and State by relief, rehabilitation, or resettlement of nonresidents. It is the only efficient, economical, and equitable solution.

Federal aid in the form of W. P. A. funds apportioned to the State in accordance with the net total of transients and drought refugees entering California from other States would be a just and equitable method in solving California's relief problem. The Resettlement Administration should authorize loans to migrant agricultural families which will enable them, where land values are not too high, to set up farms of their own in suitable locations on the Pacific coast. Many more resettlement camps for migrants should be built not only in California but in every area where migratory workers need better housing and sanitation.

It is only fair to ask that the Federal Government take immediate steps to provide aid for the thousands of destitute in California and other communities where transients from all parts of the United States tend to concentrate. The health, education, and morale of these people who travel across State lines in search of better living conditions is more than a State problem; it is national in scope. The localities need the assistance of the National Government, and need it quickly so these unfortunates will not starve or fall victim to disease this winter.

Mr. Speaker, what is going to happen this winter to the impoverished thousands who have been driven to California from other States by dust, drought, and depression? Is the administration going to allow them to be the forgotten men, women, and children of 1937? If this great human influx continues for long, then the California taxpayer will be leveled down to impoverishment, and he might just as well resign now and take up his household effects and, bag and baggage, settle with the unemployed migratory band of his fellows.

The SPEAKER. The time of the gentleman from California [Mr. DOCKWEILER] has expired.

EXTENSION OF REMARKS

Mr. LEWIS of Maryland. Mr. Speaker, I ask unanimous consent to add to my remarks made this afternoon an editorial from the Baltimore Sun on yesterday, to which reference was made in my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 826. An act for the relief of the estate of H. Lee Shelton, the estate of Mrs. H. Lee Shelton, Mrs. J. R. Scruggs, and Mrs. Irvin Johnson; and

S. 1219. An act for the relief of Pauline M. Warden, nee Pauline McKinney.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 7472. An act to provide additional revenue for the District of Columbia, and for other purposes.

ADJOURNMENT

Mr. THOMASON of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 9 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Monday, August 9, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

Special Subcommittee on Naval Affairs, appointed by Chairman CARL VINSON will hold continued open hearings on H. R. 7777, to further amend section 3 of the act entitled "An act to establish the composition of the United States Navy with respect to the categories of vessels limited by treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limit prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes", approved March 27, 1934 (48 Stat. 505), as amended by the act of June 25, 1936 (49 Stat. 1926; 34 U. S. C., sec. 496), Monday, August 9, 1937, at 10:30 a. m.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold a public hearing in room 219, House Office Building, Washington, D. C., Tuesday, August 10, 1937, at 10 a. m., on H. R. 8080, a bill to establish a fund for the insurance of mortgages securing loans for the construction or reconditioning of floating property used for commercial purposes

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

780. A letter from the Acting Secretary of Commerce, transmitting a report pertaining to the sale of 128,659 pounds of paper for $270.18 which was recommended in House Report No. 1003, Seventy-fifth Congress, first session; also the sale of 4,330 pounds of paper for $9.09, authorized in House Report No. 3080, Seventy-fourth Congress, second session; to the Committee on the Disposition of Executive Papers.

781. A letter from the Attorney General, transmitting a draft of a bill in compliance with the Naval Appropriation Act, approved March 3, 1909 (35 Stat. 768; U. S. C., title 34, sec. 533), authorized the sale of goods by Navy post exchanges to officers and enlisted men of the Navy and Marine Corps and to civilians employed at naval stations located beyond the continental limits of the United States and in Alaska; to the Committee on Naval Affairs.

782. A letter from the Archivist of the United States, transmitting a report consisting of 889 items, among the archives and records of the Department of Commerce; to the Committee on the Disposition of Executive Papers.

783. A letter from the Archivist of the United States, transmitting a report consisting of 11 items, among the archives and records of the Department of the Navy; to the Committee on the Disposition of Executive Papers.

784. A letter from the Archivist of the United States, transmitting a report consisting of 33 items, among the archives and records of the Department of the Interior; to the Committee on the Disposition of Executive Papers.

785. A letter from the Archivist of the United States, transmitting a report consisting of 562 items, among the archives and records of the Department of Agriculture; to the Committee on the Disposition of Executive Papers.

786. A letter from the Archivist of the United States, transmitting a report consisting of 332 items, among the archives and records of the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

787. A letter from the Archivist of the United States, transmitting a report of six items, among the archives and records of the Department of War; to the Committee on the Disposition of Executive Papers.

788. A letter from the Archivist of the United States, transmitting a report consisting of 57 items, among the archives and records of the Department of Labor, which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

789. A letter from the Archivist of the United States, transmitting a report consisting of one item, among the archives and records of the Civil Service Commission which the Commission has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

790. A letter from the Archivist of the United States, transmitting a report consisting of 91 items, among the archives and records of the Veterans' Administration, which the Administration has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

791. A letter from the Archivist of the United States, transmitting a report consisting of one item, among the archives and records of the Federal Trade Commission, which the Commission has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

792. A letter from the Archivist of the United States, transmitting a list of papers, consisting of 170 items, among the archives and records of the Federal Communications Commission, which the Commission has recommended should be destroyed or otherwise disposed of; to the Committee on the Dispostion of Executive Papers.

793. A letter from the Archivist of the United States, transmitting a list of papers, consisting of one item, from the Civil Service Commission; to the Committee on the Disposition of Executive Papers.

794. A letter from the Archivist of the United States, transmitting a report, consisting of two items, among the archives and records of the Federal Emergency Administration of Public Works; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JONES: Committee on Agriculture. H. R. 7697. A bill to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes; without amendment (Rept. No. 1450). Referred to the Committee of the Whole House on the state of the Union.

Mr. COOLEY: Committee on Agriculture. S. 1998. An act 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; without amendment (Rept. No. 1451). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. S. 2475. An act to provide for the establishment of fair labor standards in employments in and affecting interstate commerce, and for other purposes; with amendment (Rept. No. 1452). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DUNCAN: A bill (H. R. 8174) to make available to each State which enacted in 1937 an approved unemployment compensation law a portion of the proceeds from the Federal employers' tax in such State for the year 1936; to the Committee on Ways and Means.

By Mr. DIRKSEN: A bill (H. R. 8175) to aid in the prevention of certain injurious and uneconomic practices in the distribution in the District of Columbia of competitive commodities bearing a distinguishing trade-mark, brand, or name; to the Committee on the District of Columbia.

By Mr. EDMISTON: A bill (H. R. 8176) providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War, and for other purposes; to the Committee on Military Affairs.

By Mr. MAGNUSON: A bill (H. R. 8177) to create a commission to be known as the Alaskan International Highway Commission; to the Committee on Foreign Affairs.

By Mr. HARRINGTON: A bill (H. R. 8178) to amend the act cited as the Farm Credit Act of 1933, as amended, to improve and safeguard the financial integrity of the Farm Credit Administration by effecting a better coordination of Federal lending and marketing activities, and for other purposes; to the Committee on Agriculture.

By Mr. JENKINS of Ohio: A bill (H. R. 8179) to prohibit certain agreements fixing fees or compensation in receivership, bankruptcy, or reorganization proceedings; to the Committee on the Judiciary.

By Mr. MAVERICK: A bill (H. R. 8180) creating a United States Unemployment Commission to investigate the problem of unemployment in the United States, and for other purposes; to the Committee on Labor.

By Mr. CASEY of Massachusetts: Joint resolution (H. J. Res. 482) giving advance consent to compacts relating to flood-control projects in the Connecticut River Basin; to the Committee on Flood Control.

By Mr. CITRON: Joint resolution (H. J. Res. 483) to establish the General Casimir Pulaski Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of Brig. Gen. Casimir Pulaski at Savannah, Ga.; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PETERSON of Florida: A bill (H. R. 8181) for the relief of James F. Johnston; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8182) for the relief of Joseph Crisp; to the Committee on Naval Affairs.

By Mr. WITHROW: A bill (H. R. 8183) to confer citizenship on Christian Holseth; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3143. By Mr. CULLEN: Petition of the International Association of General Chairmen, Brotherhood of Railroad Trainmen, urging the enactment of Federal train-limit law; to the Committee on Interstate and Foreign Commerce.

3144. By Mr. CURLEY: Petition of the Central Trades and Labor Council of Greater New York and Vicinity, endorsing the Allen-Schwellenbach bill, providing for the reinstatement of workers dismissed from the Works Progress Administration and who have not found employment in private industry; to the Committee on Appropriations.

3145. Also, petition of the New York Lawyers Association, of New York City, urging disapproval of House bill 1659, providing for the establishment of the Bank of the United States owned, operated, and controlled by the Government of the United States; to the Committee on Banking and Currency.

3146. Also, petition of the New York County Lawyers' Association of New York City, urging enactment of Senate bill 2494, in relation to changing the 2-cent local rate on letters so that instead of applying to only first-class matter mailed for local delivery it covers all mailing for delivery within the corporate limits of the same municipality; to the Committee on the Post Office and Post Roads.

3147. Also, petition of sundry citizens of the city of New York, endorsing the Allen-Schwellenbach bill for the reinstatement of needy workers dismissed from the Works Progress Administration rolls and unable to find employment; to the Committee on Appropriations.

3148. By Mr. FITZPATRICK: Petition of Local No. 802 of the Associated Musicians of Greater New York, urging the passage of the Schwellenbach-Allen resolution relative to Works Progress Administration workers; to the Committee on Appropriations.

3149. Also, petition of the Central Union Label Council of Greater New York, urging the passage of the Schwellenbach-Allen resolution in relation to the reinstatement of Works Progress Administration workers; to the Committee on Appropriations.

3150. Also, petition of the Brotherhood of Railroad Trainmen, urging the passage at this session of Congress of the train-limit bill, known as Senate bill 69; to the Committee on Interstate and Foreign Commerce.

3151. By Mr. LUTHER A. JOHNSON: Petition of E. E. McAdams, executive secretary, League of Texas Municipalities, Austin, Tex., favoring House bill 7186, with respect to the payment of interest on demand deposits of certain public funds; to the Committee on Rules.

3152. Also, petition of C. W. McCaskill, secretary, Ennis Division, No. 88, Order of Railway Conductors of America, Ennis, Tex., favoring House bill 147, train-limit bill; to the Committee on Interstate and Foreign Commerce.

3153. Also, petition of E. C. Hawkins, vice president, Ennis State Bank, and Ernest L. Raphael, both of Ennis, Tex., favoring House bill 6744; to the Committee on Agriculture.

3154. By Mr. KEOGH: Petition of the Brotherhood of Railway Trainmen, Cleveland, Ohio, concerning the train-limit bill (S. 69); to the Committee on Interstate and Foreign Commerce.

3155. Also, petition of the Interstate Airways Committee, Washington, D. C., concerning the McCarran-Lea bill for public regulation of air transport; to the Committee on Interstate and Foreign Commerce.

3156. Also, petition of the Central Union Label Council of Greater New York, Brooklyn, N. Y., concerning the Schwellenbach-Allen joint resolution; to the Committee on Labor.

3157. Also, petition of the United Shoe Workers of America, New York City, concerning the Schwellenbach-Allen joint resolution; to the Committee on Labor.

3158. Also, petition of E. R. Squibb & Sons, New York, concerning the Lucas amendment to the sugar bill (H. R. 7667); to the Committee on Agriculture.

3159. Also, telegram of the Beauty and Barber Supply Institute, Inc., New York City, concerning the sugar bill (H. R. 7667); to the Committee on Agriculture.

3160. Also, petition of the Triangle Ink & Color Co., Inc., Brooklyn, N. Y., concerning the Black-Connery bill; to the Committee on Labor.

3161. Also, petition of the G. F. Richter Manufacturing Co., Inc., Glendale, Long Island, N. Y., concerning the Black-Connery bill; to the Committee on Labor.

3162. Also, petition of the Merchants Association of New York, concerning the Fair Labor Standards Act; to the Committee on Labor.

3163. By Mr. LANHAM: Petition of Elizabeth Fountain and others, concerning House bill 2257; to the Committee on Ways and Means.

3164. By Mr. O'NEAL of Kentucky: Petition of 38,449 citizens of Louisville and Jefferson County, Ky., praying for direct aid by appropriation of the Congress of these United States of America to the flood sufferers of the Ohio Valley; to the Committee on Appropriations.

3165. By Mr. PFEIFER: Petition of the Washington Restaurant Association, Washington, D. C., concerning House bill 7950; to the Committee on the District of Columbia.

3166. Also, petition of the Eagle Lock Co., New York, concerning the train-limit bill (S. 69); to the Committee on Interstate and Foreign Commerce.

3167. Also, petition of the Brotherhood of Railroad Trainmen, Cleveland, Ohio, concerning the train-limit bill (S. 69); to the Committee on Interstate and Foreign Commerce.

3168. Also, petition of the American Bakers Association, Chicago, Ill., concerning Senate bill 2475 and House bill 7200, the wages-and-hours bill; to the Committee on Labor.

3169. Also, petition of the Merchants Association of New York, concerning the Fair Labor Standards Act; to the Committee on Labor.

3170. Also, petition of Rockwood & Co., Brooklyn, N. Y., concerning the Celler bills (H. R. 7152 and 7550); to the Committee on Ways and Means.

3171. Also, petition of the Triangle Ink & Color Co., Brooklyn, N. Y., concerning the Black-Connery bill; to the Committee on Labor.

3172. Also, petition of the Interstate Airways Committee, Washington, D. C., concerning the McCarran-Lea bill, for public regulation of air transport; to the Committee on Interstate and Foreign Commerce.

3173. Also, telegram of the Beauty and Barber Supply Institute, Inc., New York City, concerning the sugar bill (H. R. 7667); to the Committee on Agriculture.

3174. Also, telegram of the Toilet Goods Association, New York, concerning the Gambrill amendment to the sugar bill (H. R. 7667); to the Committee on Agriculture.

3175. Also, petition of E. R. Squibb & Sons, New York, concerning the Lucas amendment to the sugar bill (H. R. 7667); to the Committee on Agriculture.

3176. By Mr. SANDERS: Petition of the American Legion of Kilgore, Tex., urging passage of H. R. 6704 and S. 25, the Sheppard-Hill universal service bills; to the Committee on Military Affairs.