

By Mr. SECREST: A bill (H. R. 9889) granting a pension to Mary V. Wells; to the Committee on Invalid Pensions.

By Mr. STEAGALL: A bill (H. R. 9890) granting a pension to Mary L. Thomas; to the Committee on Pensions.

By Mr. VOORHIS: A bill (H. R. 9891) extending the provisions of the act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," to A. V. Taggart; to the Committee on the Civil Service.

By Mr. WILLIAMS: A bill (H. R. 9892) for the relief of Katherine Scott, Mrs. J. H. Scott, Jettie Stewart, and Ruth Mincemeyer; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4444. By Mr. BARRY: Petition of the United Wall Paper Craftsmen and Workers of North America, protesting against the proposed reciprocal trade treaty with Great Britain, Newfoundland, the British Empire colonies, and Canada; to the Committee on Ways and Means.

4445. By Mr. COFFEE of Washington: Resolution of the Snohomish County Council, Workers Alliance of Washington, at Sultan, Wash., pointing out the lack of the people's culture in the United States and the lack of accessibility of the masses of the people to the benefits of artistic development, and therefore urging enactment by the Congress of House bill 9102 (the Coffee bill), to establish a permanent Bureau of Fine Arts; to the Committee on Education.

4446. By Mr. CURLEY: Petition of the Legislature of the State of New York, urging ratification of an amendment to the Constitution of the United States which will remove existing exemptions from taxation on personal income derived from any salary, wage, or emolument paid by the United States or any unit or agency of government within the United States, by any State; to the Committee on the Judiciary.

4447. Also, petition of the Association of Towns of the State of New York, opposing the Parsons bill (H. R. 8327); to the Committee on Rivers and Harbors.

4448. Also, petition of the Legislature of the State of New York, urging an amendment to the Constitution of the United States to permit taxation of income derived from securities issued by the United States or any unit or agency of government within the United States; to the Committee on the Judiciary.

4449. By Mr. HANCOCK of New York: Petition of employees of the Cortland Corset Co., Inc., Cortland, N. Y., opposing the Patman bill (H. R. 9464); to the Committee on Ways and Means.

4450. By Mr. KENNEDY of New York: Petition of the Association of Towns, of New York, opposing the Parsons bill (H. R. 8327), or any other act or legislation that would permit the waters of the Great Lakes to be diverted and thus materially affect the natural flow thereof into the Niagara River, the Falls, and the St. Lawrence River; to the Committee on Rivers and Harbors.

4451. By Mr. LAMNECK: Resolution of Alta L. Schick, chairman, legislative committee, Columbus Women's Auxiliary to the Railway Mail Association, and 112 members, of Columbus, Ohio, opposing the passage of the reorganization bills, and urging the passage of the amendment to the uniform-retirement law which would permit optional retirement at a lesser age than the original bill and present amendments permit, and for the restoration of grade reductions for terminal clerks, namely, House bills 8910 and 9191, respectively; to the Committee on the Civil Service.

4452. By Mr. MEAD: Petition of the Association of Towns of the State of New York, expressing opposition to House bill 8327, the so-called Parsons bill for diversion of water from the Great Lakes at Chicago; to the Committee on Military Affairs.

4453. By Mr. O'NEILL of New Jersey: Petition of the Association of Highway Officials of North Atlantic States, requesting that first consideration be extended to the traffic link between Washington, D. C., and the city of Boston; to the Committee on Roads.

4454. Also, petition of the National Furniture Warehousemen's Association and Allied Van Lines, Inc., requesting that the Social Security Act be changed so that pay-roll taxes remain at the present level until an increase is necessary to meet requirements and maintain a reasonable contingency reserve; to the Committee on Ways and Means.

4455. By Mr. PFEIFER: Petition of the Association of Highway Officials of North Atlantic States, urging the Boston-Washington link in the system of arterial transcontinental highways; to the Committee on Roads.

4456. Also, petition of the Gotham Advertising Co., New York City, concerning the executive reorganization bill; to the Committee on Government Organization.

4457. Also, petition of the Hauck Manufacturing Co., Brooklyn, N. Y., concerning the Borah-O'Mahoney Federal licensing bills (S. 3072 and H. R. 9589); to the Committee on Banking and Currency.

4458. Also, petition of the Cullen Transportation Co., Agents, Inc., New York City, urging increased appropriation for the inland-waterways program; to the Committee on Military Affairs.

## SENATE

WEDNESDAY, MARCH 16, 1938

(Legislative day of Wednesday, January 5, 1938)

The Senate met at 12 o'clock meridian, 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 Tuesday, March 15, 1938, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Connally	Johnson, Calif.	O'Mahoney
Ashurst	Davis	Johnson, Colo.	Overton
Austin	Dieterich	King	Pittman
Bailey	Donahey	La Follette	Pope
Bankhead	Ellender	Lee	Radcliffe
Barkley	Frazier	Lewis	Reames
Berry	George	Lodge	Reynolds
Bilbo	Gerry	Logan	Russell
Bone	Gibson	Loneragan	Schwartz
Borah	Gillette	Lundeen	Schwellenbach
Bridges	Glass	McAdoo	Shipstead
Brown, Mich.	Green	McCarran	Smathers
Brown, N. H.	Guffey	McKellar	Smith
Bulkeley	Hale	McNary	Thomas, Utah
Bulow	Harrison	Maloney	Townsend
Burke	Hatch	Miller	Truman
Byrd	Hayden	Milton	Tydings
Byrnes	Herring	Minton	Vandenberg
Capper	Hill	Murray	Van Nuys
Caraway	Hitchcock	Neely	Walsh
Chavez	Holt	Norris	Wheeler
Clark	Hughes	Nye	

Mr. MINTON. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from New York [Mr. COPELAND], the Senator from Wisconsin [Mr. DUFFY], the Senator from Kansas [Mr. MCGILL], the Senator from Florida [Mr. PEPER], the Senator from Texas [Mr. SHEPPARD], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are detained from the Senate on important public business.

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

#### EXTENSION OF CERTAIN LAWS TO VIRGIN ISLANDS—STATEMENT OF MUNICIPAL COUNCIL

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting a statement

of the Municipal Council of St. Thomas and St. John, justifying its petition to Congress on March 7 to amend section 4 of the organic act of the Virgin Islands to provide that the laws of the United States for the preservation of the interests of navigation and commerce shall not extend to the Virgin Islands unless the President shall so proclaim, which, with the accompanying paper, was referred to the Committee on Territories and Insular Affairs.

#### PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by Sawtelle Post, No. 2, Regular Veterans' Association, of Los Angeles, Calif., favoring the enactment of the bills (S. 3503) to liberalize the laws providing pensions for veterans and the dependents of veterans of the Regular Establishment for disabilities or deaths incurred or aggravated in line of duty other than in wartime, and (S. 3505) to adjust the pay of enlisted personnel of the Army, Navy, Marine Corps, and Coast Guard, and for other purposes, which was referred to the Committee on Military Affairs.

He also laid before the Senate a resolution adopted by the Saturday Lunch Club, of Minneapolis, Minn., protesting against the enactment of legislation to enlarge the Navy, which was referred to the Committee on Naval Affairs.

Mr. HOLT presented a telegram in the nature of a memorial from O. Slack Barrett, president of the Ohio Valley Improvement Association, of Cincinnati, Ohio, which was ordered to lie on the table and to be printed in the RECORD, as follows:

CINCINNATI, OHIO, March 14, 1938.

Hon. RUSH D. HOLT,

United States Senate, Washington, D. C.:

Ohio Valley Improvement Association urges you to oppose vigorously that part of the reorganization bill creating Natural Resources Planning Board because provisions, sections 402 to 405 and section 501 are vague and too general. Dangerously broad authority is granted and way open for great extravagance. Such legislation should be specific. It has no place in this bill.

O. SLACK BARRETT,  
President, Ohio Valley Improvement Association.

Mr. WALSH presented the following resolutions of the General Court of Massachusetts, which were referred to the Committee on Commerce:

Resolutions memorializing Congress in favor of legislation requiring all shoes imported from foreign countries to have the name of the country of manufacture stamped on the outer soles thereof

*Resolved*, That the General Court of Massachusetts hereby urges the Congress of the United States to enact such legislation as may be necessary to require that all shoes imported from foreign countries have the name of the country of manufacture stamped on the outer soles thereof; and be it further

*Resolved*, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the presiding officers of each branch of Congress, and to the Members thereof from this Commonwealth.

Mr. WALSH also presented the following resolutions of the General Court of Massachusetts, which were referred to the Committee on Education and Labor:

Resolutions memorializing Congress for legislation, and for action to promote interstate cooperation, in respect to the removal of industrial establishments from one State to another

Whereas the General Court of Massachusetts is aware of unfair and unwholesome practices employed in encouraging the migration of industrial establishments from one State to another; and

Whereas such practices are demoralizing to high standards of wages, hours, and conditions of employment, and to the fundamental purpose of governmental function: Therefore be it

*Resolved*, That the General Court of Massachusetts respectfully and earnestly requests the Congress of the United States to enact whatever legislation it may deem proper, and to encourage such interstate cooperation as it may, within its power, to discourage the migration of industrial establishments from one State to another State insofar as such removals are effected by offering to said industrial establishments exemption from or abatement of taxes, free rental, light, and such other benefits, by or with the cooperation and assistance of governmental agencies, National, State, or local; and be it further

*Resolved*, That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, to the presiding officers of both branches of Congress, and to the Members thereof from this Commonwealth.

Mr. LODGE presented resolutions of the General Court of Massachusetts, favoring the enactment of legislation requiring the stamping on the outer soles the name of the country of manufacture of all shoes imported from foreign countries, which were referred to the Committee on Commerce.

(See resolutions printed in full when presented today by Mr. WALSH.)

Mr. LODGE also presented resolutions of the General Court of Massachusetts, favoring the enactment of legislation to discourage the migration of industrial establishments from one State to another insofar as such removals are effected by offering to said establishments the inducements of free rental, free power, or exemption from or abatement of taxes, which were referred to the Committee on Education and Labor.

(See resolutions printed in full when presented today by Mr. WALSH.)

#### BILLS INTRODUCED

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

By Mr. VAN NUYS:

A bill (S. 3673) to amend section 4 of the Rural Electrification Act of 1936; to the Committee on Agriculture and Forestry.

By Mr. WALSH (by request):

A bill (S. 3674) for the relief of Lottie A. Abbott, the legal representative and administratrix of the estate of James D. Felley, deceased; to the Committee on Claims.

By Mr. SMITH:

A bill (S. 3675) for the relief of Chester Parker; to the Committee on Naval Affairs.

#### AMENDMENT TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. WHEELER submitted an amendment intended to be proposed by him to the bill (H. R. 9621) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1939, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 98, after line 14, to insert:

"Photographic mat service: For initiating and maintaining a mat service for the reproduction in magazines and newspapers of photographs of scenery in the National Parks, \$5,000."

#### AMENDMENT OF ADMINISTRATIVE PROVISIONS OF TARIFF ACT OF 1930

Mr. KING. Mr. President, I submit an amendment to the bill (H. R. 8099) to amend certain administrative provisions of the Tariff Act of 1930, and for other purposes. I ask that the amendment may lie on the table, be printed, and printed in the RECORD.

There being no objection, the amendment was ordered to lie on the table, to be printed, and printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. KING to the bill (H. R. 8099) to amend certain administrative provisions of the Tariff Act of 1930, and for other purposes: On page 13, between lines 22 and 23, insert the following new section and renumber the present sections accordingly:

"Sec. 8. The Tariff Act of 1930 is hereby amended by adding at the end of title III the following new part:

"Part IV. Declaratory rulings.

"Sec. 370. Authority to issue.

"(a) The Secretary of the Treasury is authorized to issue, whenever he deems that the effective administration of the customs laws will be promoted thereby, a declaratory ruling to determine any question (within the jurisdiction of the Secretary), including questions of fact, arising in respect of any completed or contemplated act, transaction, or event, and concerning the application of any customs laws or any accrued or prospective criminal or civil liability, or any exemption, imposed or conferred by such laws. The authority hereby conferred shall not limit or affect any power or authority to issue rulings or regulations conferred by any other provisions of law.

"(b) Such rulings may be issued upon application made therefor or upon motion of the Secretary of the Treasury. The Secretary of the Treasury may prescribe by regulation the classes of cases or matters in which applications for declaratory rulings may be made, and the form and manner in which such applications shall be filed. No suit, action, or proceeding shall lie or writ issue (1) on account of any failure or refusal of the Secretary to issue



a declaratory ruling, or (2) to restrain the issuance of such a ruling.

"(c) The Secretary of the Treasury is authorized to confer or impose upon the Commissioner of Customs or any other officer or employee of the Treasury Department, under such regulations as the Secretary may prescribe, any of the rights, privileges, powers, and duties conferred or imposed upon the Secretary by the provisions of this part.

"Sec. 371. Application.

"(a) An administrative ruling concerning the application of any customs law or any criminal or civil liability or any exemption imposed or conferred by such laws shall be effective as a declaratory ruling in the manner hereinafter provided only when designated as such by the Secretary of the Treasury.

"(b) A declaratory ruling shall apply as such only in respect of the persons, acts, transactions, or events described or specified in the ruling, and shall be applicable in respect of a specified act, transaction, or event only if such act, transaction, or event is consummated or occurs in substantial compliance with the terms of the ruling. The Secretary of the Treasury may cause such investigation to be made as he deems necessary to determine whether there has been such compliance.

"(c) Except as otherwise provided by law or by the terms of the ruling, a declaratory ruling shall apply with respect to acts, transactions, or events occurring before as well as after its issuance.

"(d) A declaratory ruling shall not be effective (except as provided in subsection (e) of this section) in any case where the Secretary of the Treasury finds that there has been fraud, or misrepresentation of a material fact.

"(e) A declaratory ruling shall be effective with respect to any act proved to the satisfaction of the Secretary of the Treasury to have been done or omitted in good faith and reliance, and in conformity with, such declaratory ruling notwithstanding that such ruling may, after such act or omission, be amended or rescinded or be determined by judicial or other authority to be invalid for any reason.

"Sec. 372. Review.

"A declaratory ruling shall not be reviewed by any administrative or accounting officer of the United States with respect to any act, transaction, or event in respect of which such ruling has become effective as provided in section 371; and no determination by a declaratory ruling of any question of fact, if supported by substantial evidence, shall be reviewed by any judicial officer of the United States.

"Sec. 373. Termination.

"(a) A declaratory ruling shall be effective until terminated in any manner provided in this section.

"(b) The Secretary of the Treasury is authorized to terminate the effective period of a declaratory ruling upon due notice being given, by publication or otherwise, at least 30 days before the termination of the effective period, but shall not terminate the effective period of a declaratory ruling (1) within 1 year after the date of issuance, or (2) within such period of time after such date of issuance as may be found by the Secretary, and stated by him in the declaratory ruling, to be the period of time which normally elapses between the dates of order and importation with respect to a class or kind of merchandise covered by the ruling, unless he finds that the ruling was procured by fraud, or misrepresentation of a material fact, or is inconsistent with a subsequent enactment by the Congress or with a final judicial decision rendered after the issuance of the ruling.

"(c) If a declaratory ruling is determined to be erroneous, in whole or in part, by a final decision of a court of competent jurisdiction such ruling shall thereupon cease to be further effective for any purpose.

"(d) Nothing in this part shall be construed to affect the finality of any determination which has become final pursuant to any other provision of law."

Mr. KING. I also ask permission to have printed in the RECORD a statement which I have prepared explanatory of the proposed amendment and showing its importance and necessity.

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

STATEMENT BY SENATOR KING

Several years ago I sponsored in this body the legislation which became the Declaratory Judgment Act of June 12, 1934. The value of that act, whose constitutionality has now been sustained by the Supreme Court in *Aetna Life Insurance Co. v. Haworth* (1937) (300 U. S. 227), is best evidenced by the scores of cases in which it has been invoked.

I have today submitted an amendment to H. R. 8099, the customs administrative bill, now pending before the Senate. The amendment supplements the Declaratory Judgment Act and represents a new attack on a grave problem. Today the businessman is not alone faced with the problem of ascertaining the laws, regulations, rules, and orders which affect his business; he must also, after he has located these multitudinous rules, determine at his peril in what manner they affect it. Frequently it is imperative for him to know the effect of a particular law upon certain acts which he contemplates. As things stand today, he cannot obtain this information in the great majority of cases until he has acted. He may, and frequently does, then discover that he has harmed himself irrevocably.

The Declaratory Judgment Act of 1934 designedly left outside its scope a large area of activity. Under its provisions the proceedings must be adversary. There must be an actual controversy appropriate for judicial determination. The controversy must be definite and concrete, touching the legal relations of parties having adverse legal interests. It must be a real and substantial controversy admitting of specific relief through a decree of a conclusive character, as distinguished from an opinion advising what the law would be upon a future or hypothetical state of facts.

It is apparent, therefore, that declaratory judgments afford no relief in a large class of cases where relief is necessary to free the businessman from uncertainties which now hamper the proper conduct of his affairs. To remedy this condition, which is distressing to both the Government and the citizen, I propose a new procedure, one which will afford protection to everyone in the field covered by the amendment.

Heretofore the Treasury Department has, from time to time, attempted upon request to advise those having dealings with it concerning their liabilities in contemplated future transactions, but in so doing it necessarily indicated that under existing law it could not assure them that the later actual determination of liability to the Government would be in accord with the advice given in advance. In these circumstances, the result of the Treasury's efforts to be helpful by rendering advance rulings has not always been happy. Let me give an actual case:

A church in Philadelphia received a bequest of \$20,000 to be used in ornamenting the church. It wished to purchase a particular type of tapestry to be made abroad in a particular factory in accordance with a design to be furnished by the church. In order that the church might know what charges would be imposed by the customs and accordingly how much of the bequest might be spent on the tapestry itself, all the details of the proposed transaction were communicated to customs officials, who advised that under the described circumstances the tapestry would be free of duty. The order for a tapestry was accordingly placed, the purchase price of which consumed practically the entire bequest. Three months later the tapestry was imported. In the meantime, and in connection with another matter, the customs officials had reexamined the law under which free entry was to have been granted and decided that the law did not apply to articles of the kind purchased by the church. Therefore, when the tapestry was imported, duty was assessed in the amount of \$12,000. The assessment was protested, the Treasury Department ruled that it could grant no relief, and the assessment of duty was sustained in the customs courts.

My proposed amendment specifically authorizes administrative rulings conclusively declaring the law in such cases. The declaratory rulings will be binding upon both the Government and the importer subject, of course, to the latter's right to have any ruling reviewed by the customs courts in any case involving its application. I have limited the amendment to the customs field because in this form it is germane to the pending customs administrative bill. However, I favor the extension of the same principle to other fields and I should, for example, be glad to see an amendment of this character made to the revenue bill now pending before Congress. If it proves helpful in such fields (and I am confident that it will), I believe that it will be found advantageous to apply the principle to wider fields of governmental administration.

Briefly the amendment that I propose is as follows: It authorizes the Secretary of the Treasury to issue, either upon application of the importer or upon his own motion, declaratory rulings to determine any question within his jurisdiction arising in respect of any completed or contemplated act, transaction, or event, involving the application of the customs laws. Such a ruling would be issued by the Secretary only upon a full investigation of the details of the transaction involved.

A declaratory ruling would apply only to the persons or transactions described or specified in the ruling itself and then only if the transaction is consummated or occurs in substantial compliance with the terms of the ruling. A declaratory ruling will ordinarily apply to transactions occurring in the future but it may apply to past transactions as, for example, where goods have been imported but duties on them have not been finally determined. Except as to innocent parties, such a ruling will not be effective in any case where the Secretary of the Treasury finds that there has been fraud or misrepresentation of a material fact. Thus, for example, if an individual obtains the issuance of a ruling by fraud and innocent persons covered by the ruling rely upon it, the ruling would be effective as to them, though it would not be as to the guilty individual.

A declaratory ruling will be binding upon all nonjudicial officers of the United States. It may, however, be reviewed in a court of competent jurisdiction in any case involving its application. Questions of fact determined by the ruling would, in such a case, be binding upon the court if they were supported by substantial evidence.

Until its termination a declaratory ruling will be binding both upon the importer and the Government. The Secretary of the Treasury is authorized to terminate a declaratory ruling upon 30 days' notice, but he cannot terminate the ruling within 1 year after its issuance, or within such period of time after the date of issuance as the Secretary may find and state in the ruling itself is the period of time which normally elapses between the dates of order and importation with respect to the class of merchandise covered by the ruling. The latter alternative minimum period for

the life of the ruling is designed to permit an importer to obtain a ruling upon which he can rely with respect to merchandise which he will obtain on special order from abroad as contrasted with orders which are filled out of stock. These minimum limitations on the life of declaratory rulings will not apply, however, in cases where the Secretary finds that the ruling was procured by fraud or misrepresentation or is inconsistent with a subsequent act of Congress or with a final judicial decision rendered after the issuance of the ruling.

If a declaratory ruling is determined to be erroneous by a final court decision, the ruling thereupon ceases to be further effective for any purpose.

It is my considered opinion that the enactment of an authorization for declaratory rulings in customs matters will greatly benefit American businessmen who import merchandise from abroad by affording them assurance in advance as to what their duty and other liabilities will be. I believe that the declaratory ruling will prove so useful in this relatively limited field that its application will be soon extended to broader fields of Federal administration.

#### INVESTIGATION OF TENNESSEE VALLEY AUTHORITY—REFERENCE OF RESOLUTION

Mr. NORRIS. Mr. President, I ask unanimous consent that Senate Resolution 251, providing for a Senate investigation of the Tennessee Valley Authority, be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

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

Mr. NORRIS. Yes.

Mr. KING. That does not contemplate, of course, favorable or unfavorable action; but the resolution merely goes to the committee?

Mr. NORRIS. No. The Senator has heard the request I have made, but, Mr. President—

Mr. KING. I have no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nebraska that Senate Resolution 251 be referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. McNARY. Mr. President, I think it is a proper request, but I do not believe it is necessary, as I think automatically all such resolutions requiring expenditure from the contingent fund go to the committee.

The VICE PRESIDENT. Is there objection to the request? The Chair hears none, and the resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

#### RECIPROCAL-TRADE AGREEMENTS

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD a very interesting and instructive letter from Hon. Cordell Hull, the Secretary of State, to 15 Republican Members of the House of Representatives in regard to the reciprocal-trade agreements, with particular reference to the importation of shoes from Czechoslovakia.

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

Text of letter, March 14, 1938, from the Honorable Cordell Hull, Secretary of State, to the following Members of the House of Representatives: The Honorable Ralph Brewster, Maine; the Honorable James C. Oliver, Maine; the Honorable Clyde H. Smith, Maine; the Honorable George J. Bates, Massachusetts; the Honorable Charles R. Clason, Massachusetts; the Honorable Charles L. Gifford, Massachusetts; the Honorable Pehr G. Holmes, Massachusetts; the Honorable Robert Luce, Massachusetts; the Honorable Joseph W. Martin, Jr., Massachusetts; the Honorable Edith Nourse Rogers, Massachusetts; the Honorable George Holden Tinkham, Massachusetts; the Honorable Allen T. Treadway, Massachusetts; the Honorable R. B. Wigglesworth, Massachusetts; the Honorable Charles W. Tobey, New Hampshire; the Honorable Charles A. Plumley, Vermont.

I have received the joint letter, signed by 15 Republican Members of Congress, including yourself, dated March 3, 1938, and delivered on March 7, urging that the negotiation of any further reciprocal trade agreements be deferred "until the cost of production is ascertained in the countries with which negotiations are contemplated." In this connection, the letter refers specifically to the negotiations with Czechoslovakia as affecting shoes, and to articles, to be considered in the trade-agreement negotiations with the United Kingdom, "which compete directly with our own manufactured products," and recommends that no action be taken on these items "until production costs are available."

With reference to that part of your communication relating to Czechoslovakia, as you, of course, know, the trade agreement with

that country was signed on March 7, 1938, and the terms of the agreement have been made public. In regard to the action taken with respect to shoes, I need only say that cost data, as well as other relevant factors, were carefully considered in the course of the negotiations before the moderate concessions on certain types of shoes, with ample safeguards for the domestic shoe industry, were included in the agreement with Czechoslovakia.

To adopt the cost-of-production formula as the sole criterion in connection with further trade-agreement negotiations would, for all practical purposes, amount to a virtual suspension of the trade-agreements program. When the resolution to renew the Trade Agreements Act (H. J. Res. 96) was before Congress in February 1937, substantially the same proposal came before the Ways and Means Committee. Commenting on this proposal, that committee, in its report on the resolution, stated, in part, as follows:

"The committee has taken note of suggestions that the cost-of-production formula, whereby changes in duties would be made only on the basis of prior findings of the difference in cost of production here and abroad, be incorporated into the Trade Agreements Act. However plausible on its face, this formula, if introduced into the act, would, in the committee's opinion, so seriously impede the effective operation of the act as virtually to nullify it. The committee feels that adequate consideration is already given to cost data as part of the general body of information taken into account in administering the act, and that reliance upon the cost formula as the sole basis for tariff adjustments in the trade agreements would be wholly impracticable.

"The most immediate and vital objection to the use of this formula in connection with trade agreements is the fact that it would so delay and hamstring the conduct of the negotiations as to make the act virtually a dead letter. Experience in the administration of section 336 of the Tariff Act of 1930 (and the corresponding provision of the act of 1922) has conclusively shown that the investigations required to make such findings cannot be completed short of months, sometimes a year. In view of the many investigations that would have to be conducted simultaneously if every proposed change of duty in an agreement were to be predicated upon such an inquiry, it is obvious not only that the resources of the Government would be swamped but that any possibility of concluding an agreement would be indefinitely delayed."

The committee further called attention to the serious objections to the cost formula as the exclusive basis for determining tariff rates on grounds both of policy and of difficulties in administration.

In view of the foregoing considerations, the action recommended in your letter would amount not only to a "stay of negotiations," as your communication puts it, but to a complete suspension, a virtual abandonment, of the trade-agreements program.

Thus the real issue which your letter raises is whether it would be in the interest of this country to suspend or abandon the trade-agreements program. Surely you do not propose such a course of action.

From the standpoint both of our own economic well-being and of peace, suspension or abandonment of the trade-agreements program would be the worst possible blunder. It would be a mistake, moreover, the staggering costs of which would have to be shared by New England in common with the rest of the country.

A little more than a year ago, when the resolution to renew the Trade Agreements Act (H. J. Res. 96) was pending, the Ways and Means Committee, in its report to the House, stated its conclusions as follows:

"On the basis of careful study of the results of the trade-agreements program in its 2½ years of operation, and of the manner in which the act has been administered by the executive branch of our Government, the committee is convinced that—

"(1) The foreign-trade agreements have demonstrated their efficacy in reviving our foreign commerce and in safeguarding it from adverse discriminations abroad;

"(2) The provisions of the act have been administered with care and caution and with scrupulous regard to the best interests of the Nation and to the intent of the Congress in authorizing the Executive to negotiate foreign-trade agreements;

"(3) The policy pursued by our Government under the act has served to strengthen our influence in favor of establishing and maintaining the conditions of peace by helping to remove some of the most dangerous economic causes of war; and that

"(4) In the sphere of international economic relations there is a continuing urgent need of effective action along the lines so far followed with marked success in the application of the Trade Agreements Act.

"The committee concludes, therefore, that it is of imperative importance to our national interests that the authority for the continuance of the program embodied in the act of June 12, 1934, be extended in its present form for a further temporary period as provided by the accompanying resolution."

The urgency for stimulating international trade is even more obvious now than it was at that time. It is of the utmost importance that nothing be done at this time which will retard the restoration of foreign outlets for both agricultural and industrial products so necessary for our prosperity.

Consider for a moment the situation with respect to agriculture, and bear in mind that the prosperity of agriculture in this country vitally affects the prosperity of industry in New England and elsewhere. Agriculture, as a whole, is dependent on export outlets, and that dependence is reemphasized this year by the return of good crops. Since the trade-agreement program has been in effect, severe shortages of many agricultural commodities, resulting from



the unprecedented droughts of 1934 and 1936 have greatly reduced or entirely eliminated our exportable surpluses of important products. With high yields again in 1937 we are face to face with the problem of disposing in foreign markets of large surpluses of farm products over and above what can be readily absorbed in the domestic market. In years of favorable weather we invariably produce large surpluses of many of our most important crops. These surpluses, if not exported, weigh heavily upon the domestic market and force prices down to disastrous levels.

To discontinue the efforts to expand foreign outlets for farm products would evidence an indifference to the welfare of our farm population and a lack of understanding of the vital importance of a prosperous agriculture to our whole economy. We are now in process of negotiating a trade agreement with the United Kingdom. That country is of transcendent importance as a market for our farm produce, taking over a third of our total agricultural exports and about half of all agricultural exports other than cotton. Our exports of agricultural products to the United Kingdom in 1929 amounted to \$445,000,000. In 1937 these sales, although they had recovered considerably from the low years of the depression, were still down to \$259,000,000. Conclusion of a satisfactory trade agreement with the United Kingdom would obviously constitute an important contribution toward the solution of the problem of expanding market outlets for farm products. To suspend the operation of the Trade Agreements Act just at the time when an attempt is to be made to save and expand a market that takes one-third of our total agricultural exports would, in my opinion, be an inexcusable blunder.

Prosperity in industry likewise depends upon active foreign demand. In 1937 our exports of manufactured and semimanufactured products amounted to \$2,300,000,000. Automobiles and tractors, office appliances, agricultural machinery, various types of industrial machinery, radio apparatus and various electrical household appliances, refined mineral oils, refined copper, various coal-tar products, these are but major categories in a vast range of industrial items the exportation and profitable sale of which mean the difference between prosperous and unprosperous conditions for a large proportion of our manufacturing industry. The prosperity of such industries is, moreover, of vital importance to other industries not themselves directly dependent upon foreign markets.

It was no blessing, disguised or otherwise, to our manufacturing industry, to the country as a whole, or to New England, when the value of our exports of manufactured and semimanufactured products fell—as it did between 1929 and 1932—from three and three-tenths billion dollars to eight-tenths billion. That was a situation to which our embargo tariff policy, reaching its climax in the Hawley-Smoot Act, greatly contributed; and it is precisely that situation which we are now endeavoring, through the Trade Agreements Act, to correct.

It cannot be a service to American industry or labor, or a contribution to the maintenance of American living standards, to become suddenly indifferent toward the preservation and expansion of foreign markets for the products of such industries. On the contrary, to suspend the trade-agreements program in the face of such a situation would be about the worst possible thing that could be done, from the standpoint both of industry and labor. It would deal a body blow to the efforts of the Government to increase industrial activity and employment in the United States through a healthy expansion of our foreign trade. Far from helping to maintain American living standards, it would definitely tend to lower them.

Let there be no illusion concerning New England's stake in this whole situation. Because New England produces a considerable range of manufactured products which are subject to actual or potential competition from imports, it is an easy but false jump to the conclusion that excessively high tariff duties are in its interest. That is most certainly a short-sighted and an erroneous view. Leaving entirely aside New England's direct interests in exports and in water-borne commerce, important as they are, and confining attention to the home market, the question which has to be squarely faced is this: What kind of a tariff policy is best calculated to promote a prosperous domestic market for New England products?

Surely it must be clear that an extreme protectionist policy does not do this. The virtually prohibitive tariff rates of the Hawley-Smoot Act did not prevent a decline in the value of manufactures produced in New England from six and four-tenths billion dollars in 1929 to three and one-tenth billion in 1933. Nor, for example, did they prevent factory pay rolls in the State of Massachusetts from declining to only 46 percent in 1932 of what they were in 1929. When the purchasing power of the other parts of the country, including regions directly and vitally dependent upon foreign markets, collapsed, New England's producers of textiles, shoes, and numerous other articles were direct sufferers along with the rest. New England's bread lines were no shorter than those elsewhere.

There could be no greater illusion than to suppose that New England's essential interests can be divorced in this matter from those of the rest of the country. No more than the rest of the country can New England profit from a narrow policy of embargo protectionism. Of that the experience under the Hawley-Smoot Act is proof abundant. And the reason New England cannot profit is because a policy of that sort leads inevitably to the ruination of the domestic, as well as the foreign, market for products of American industry.

A program which is designed to restore and promote the domestic as well as the foreign markets for American products, when it is

administered, as is the trade-agreements program, with scrupulous and painstaking regard for the interests of the domestic producers, cannot fail to be of unquestionable benefit to New England and to every section of the country.

But New England's stake in this program does not end there. As I have stressed over and over again, this program is a constructive and a vital contribution to the cause of peace. It is the greatest single force today in bringing about a turning of the tide of international trade away from a tooth-and-claw struggle for vanishing trade opportunity toward a rebuilding of mutually profitable trade based on friendliness and fair dealing. It is thus helping to create conditions hospitable to peace and inhospitable to war. In a period when political tension has increased both in Europe and Asia, and danger of a world-wide conflagration has been ever present, the United States, through its trade-agreements program, has introduced an important stabilizing factor into international economic relations.

Abandonment of our liberal policy would signal a revival of economic warfare which would inevitably result in an increase of the political tension throughout the world. If we do not continue to move forward with the trade-agreements program, we shall not be standing still; we shall be going backward. Suspension or virtual nullification of the program would be the signal for further increases in trade barriers everywhere and new inroads into our reviving foreign trade. To turn aside from our carefully chosen course into a dead-end street that is still strewn with the wreckage of past tariff blunders would be worse than folly; it would be a great national tragedy. Rather we should continue to go forward with the program as vigorously as possible, on a broad nonpartisan basis, in the interest of our prosperity and of world peace.

Sincerely yours,

CORDELL HULL.

Text of letter from "Republican Members of Congress from the New England States" to the Secretary of State, dated March 3, 1938, delivered by the riding page to Secretary Hull's office at 3:45 p. m., March 7, 1938

MARCH 3, 1938.

The Honorable CORDELL HULL,

Secretary of State, Department of State, Washington, D. C.

MY DEAR MR. SECRETARY: This letter, which bears the signatures of the Republican Members of Congress from the New England States, is written to urge you to defer the negotiation of any further reciprocal trade agreements until the cost of production is ascertained in the countries with which negotiations are contemplated.

In the case of the proposed agreement with Czechoslovakia, the United States Tariff Commission is seeking this information concerning shoes. Nothing should be done until the data is available to you and to the Congress.

There are so many articles to be considered in the agreement with Great Britain which will compete directly with our own manufactured products it will be extremely unwise to negotiate until production costs are available.

This matter is of such vital importance to the workers of our section of the country, thousands of whom are at the present time unemployed, that we urge you most strongly to accede to our request for a stay of negotiations.

Very respectfully yours,

James C. Oliver, Maine; Ralph Brewster, Maine; Charles W. Tobey, New Hampshire; Charles A. Plumley, Vermont; George Holden Tinkham, Massachusetts; Edith Nourse Rogers, Massachusetts; Allen T. Treadway, Massachusetts; Charles L. Gifford, Massachusetts; R. B. Wigglesworth, Massachusetts; Charles R. Clason, Massachusetts; Robert Luce, Massachusetts; Clyde H. Smith, Maine; Joseph W. Martin, Jr., Massachusetts; George J. Bates, Massachusetts; Pehr G. Holmes, Massachusetts.

FAITH VERSUS BATTLESHIPS—ADDRESS BY SENATOR JOHNSON OF COLORADO

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD a radio address entitled "Faith Versus Battleships," delivered by Senator JOHNSON of Colorado on Tuesday evening, March 15, 1938, which appears in the Appendix.]

TAX IMMUNITY—OPINION OF THE SUPREME COURT

[Mr. ASHURST asked and obtained leave to have printed in the RECORD the majority and dissenting opinions of the Supreme Court of the United States in the case of Guy T. Helvering, Commissioner of Internal Revenue, petitioner, against Mountain Producers' Corporation.]

PROPOSED TRADE AGREEMENT WITH THE UNITED KINGDOM—STATEMENT OF EDWARD A. O'NEAL

[Mr. POPE asked and obtained leave to have printed in the RECORD the statement of Edward A. O'Neal, president of the American Farm Bureau Federation, to the Committee on Reciprocity Information, on March 15, 1938, with reference to the proposed trade agreement with the United Kingdom, which appears in the Appendix.]

## TARIFF EQUALITY FOR AGRICULTURE—ADDRESS BY EDWARD A. O'NEAL

[Mr. POPE asked and obtained leave to have printed in the RECORD an address delivered by Edward A. O'Neal, president of the American Farm Bureau Federation, at Des Moines, Iowa, on February 19, 1938, on the subject "Conflicts and Communities of Interest of Industries and Agriculture in Foreign Trade," which appears in the Appendix.]

## ATTITUDE OF AMERICA IN EUROPEAN CRISIS

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD an editorial from the Bergen Evening Record of March 14, 1938, entitled "Don't Be a Sap Again, Uncle Sam," which appears in the Appendix.]

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

## REORGANIZATION OF EXECUTIVE DEPARTMENT

The Senate resumed the consideration of the bill (S. 3331) to provide for reorganizing agencies of the Government, extending the classified civil service, establishing a General Auditing Office and a Department of Welfare, and for other purposes.

Mr. WHEELER. Mr. President, I ask that when the amendment which I sent to the desk yesterday shall be read it be read as proposed to be modified by me.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. PITTMAN. Mr. President, I should hesitate to vote for any amendment which would provide that a proclamation by the President under this bill should be referred to the Senate and the House for action unless it was quite certain that it would not be subject to a filibuster, and that there would be expeditious action. For that reason I approve of that portion of the amendment of the Senator from Montana which provides that when the proclamation is sent to each House, each shall vote upon the matter within 10 days after the receipt of the proclamation, and the House which first passes on it shall message the joint resolution over to the other body, and in that body also there must be a final vote on the matter within 10 days.

There have been some suggestions that that is contrary to the Constitution, which authorizes each House to make its own rules and regulations.

That seems a strange proposition, in view of the fact that we have before us an instance, to which reference was made yesterday and today, in which the two houses heretofore, by statute, have limited their right to make rules. Certainly if they have the constitutional right to make rules they have the constitutional right to limit themselves by the rules or by statute.

As a matter of fact, in both sides we have in the rules limitations providing that the rules may not be set aside except on a day's notice and by a two-thirds vote. That, in itself, is a restriction upon the Members of each body. We find that on yesterday the Senator from Nebraska [Mr. NORRIS] asked unanimous consent for action on a resolution requiring the payment of money out of the contingent fund of the Senate without having the resolution referred to the Committee to Audit and Control the Contingent Expenses of the Senate. Each House has a rule, and I suppose has had such a rule for 100 years, requiring the reference of resolutions authorizing the payment of money from the contingent fund to the committee having control of the contingent fund; and yet 50 years ago both of these bodies were not satisfied with binding themselves solely by their own rules, because rules may be set aside on a day's notice or by unanimous consent. Therefore, in addition to binding themselves by rules, they bound themselves by a statute.

I will read the statute; but before doing so let me say that when the Senator from Nebraska asked unanimous consent to have his resolution referred to the Committee to Audit and Control the Contingent Expenses of the Senate the Senator from Oregon [Mr. McNARY] rose and said that

it was not necessary; that apparently the resolution went to that committee by virtue of the statute.

Here is the statute, the language of which I think is quite simple:

Hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate, or from the contingent fund of the House of Representatives unless sanctioned by the Committee on Accounts of the House of Representatives. And hereafter payments made upon vouchers approved by the aforesaid respective committees shall be deemed, held, and taken, and are hereby declared to be conclusive upon all the departments and officers of the Government; *Provided*, That no payment shall be made from said contingent funds as additional salary or compensation to any officer or employee of the Senate or House of Representatives.

That act has been on the statute books for 50 years and never has been questioned. It seems fundamental that a body having authority to make rules has equal authority to limit those rules, and limit its Members under the rules. Of course the Senate could not pass a Senate resolution limiting any rules of the House of Representatives, nor could the House of Representatives pass a House resolution limiting the acts of the Senate under its rules. Here, however, is a case in which both bodies acted concurrently and in harmony for the purpose of cooperation in a matter which they deemed of vital importance. The statute limits the rules. A body may by majority vote make at any time any rule it sees fit to make; and for the purpose of preventing that from being done in this respect the two Houses concurrently passed a statute which limited their actions under their rules.

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

Mr. PITTMAN. I yield to the Senator from Texas.

Mr. CONNALLY. The real effect of that, though, is that by agreeing to the statute to that extent we modified our rules.

Mr. PITTMAN. That is true.

Mr. CONNALLY. That, however, does not take away from each body the constitutional power which it may exercise if it shall see fit. The Senate could, if it desired to do so, make a new rule, and set aside that statute, could it not?

Mr. PITTMAN. No; I do not think so. I do not think a statute can be repealed in that way.

Mr. CONNALLY. It would not be a case of repealing the statute, but the statute would not affect us in that situation, because the Constitution says each body shall make its own rules. If we desire to agree to a statute making joint rules, that is all right; that has the effect of making a new rule; but, under the Constitution, would not each body, if it should see fit, have a right to say, "That rule does not suit us any longer, and we will ignore it, and make our own rule which ignores it"?

The question may be academic, but I should like to have the Senator's view upon it.

Mr. PITTMAN. I will say to the Senator from Texas that I do not think so.

Mr. BARKLEY. Mr. President, in that connection, will the Senator yield?

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

Mr. BARKLEY. We already have a rule on cloture, for instance, which requires that a petition be filed by a certain number of Senators, and voted on upon the second day, and requires a two-thirds vote, by which we may limit debate on any measure or any motion or anything which may be before the Senate. Is it the Senator's contention that if a different rule were prescribed by a majority vote of the two Houses in the enactment of a statute, the Senate could not immediately change that statute so as to conform to the present rule on limitation of debate, under the constitutional authority which each House has to fix its own rules? Does the Senator believe we could not do that?

Mr. PITTMAN. I think that if the Senate voted on a bill from the House which came in conflict with our so-called cloture rule, to that extent we would modify the cloture rule, and it would be done by our own vote on a bill in conjunction with the House of Representatives.



Mr. BARKLEY. Suppose that on the following day, or the following week, or the next year, the Senate should conclude that the Constitution gave it the right to make its own separate rules, and it should make a rule which would be in violation of the statute passed by both Houses regulating procedure; does the Senator think that the subsequent rule would be void simply because the statute had been passed by the two Houses?

Mr. PITTMAN. I think a body may make its rules in more than one way. It may make its rules by a vote on a rule, and, if a majority favor the rule, it is adopted. It may make a rule, if it sees fit, by an act of Congress. If the two bodies see fit to bind themselves by an act of Congress with regard to their procedure, it is binding until the act of Congress is repealed.

Mr. NORRIS. Mr. President—

Mr. PITTMAN. I yield to the Senator from Nebraska.

Mr. NORRIS. I desire to submit a question to the Senator; but before doing so I should like to say that, as I understand the Senator from Nevada, I agree with him 100 percent. It seems to me it is perfectly unreasonable to say that by a rule of the Senate or the House we may repeal or modify a statute. If we concede that we may make a rule that will modify or change or repeal a statute, we are contending that one body has greater power of legislation than both bodies and the President put together, for a joint resolution requires his signature.

Mr. PITTMAN. That is very true.

Mr. NORRIS. Now I desire to ask the Senator a question. He probably is more familiar than I am with the history of this matter.

The statute says that no money shall be paid out of the contingent fund of the Senate without the approval of the Committee to Audit and Control the Contingent Expenses of the Senate, or words to that effect. While the resolution in which I am interested has already gone, and I think it is proper that it should go, to the Committee to Audit and Control the Contingent Expenses of the Senate, nevertheless I can see no reason why, under such a resolution authorizing the expenditure of money out of the contingent fund, we could not go on without ever referring the resolution to the Committee to Audit and Control the Contingent Expenses of the Senate; but we never could have any expenses paid under the resolution unless the committee passed on the matter. In other words, I do not think the committee has to pass on it in advance, though that has been our custom, and I think it is pretty good practice. Technically, however, I believe we could go ahead with any investigation we wanted to make without ever referring the matter to the Committee to Audit and Control the Contingent Expenses of the Senate; but we would run against that committee when we wanted to use any money out of the contingent fund.

Mr. PITTMAN. There is no doubt that each House may regulate its own procedure. There is no requirement, however, that the rules of procedure in the Senate shall be exclusively adopted on this floor in the form of a Senate resolution.

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

Mr. PITTMAN. Just a moment, until I finish this thought.

There is nothing to compel a majority of this body to vote for a measure which fixes its procedure. If they do not like it, a majority does not have to adopt it. On the other hand, it may be very valuable for both Houses to have similar rules for certain procedure, and if that is the case, and each House wants to know that the other House is going to stand by the procedure, there is only one way to fix that procedure, and that is by statute. We have passed a statute which requires that all bills calling for the payment of money out of the contingent fund of the Senate and out of the contingent fund of the House shall be approved by the appropriate committee in each House. Either House could have refused to agree to that, but a majority liked that form of procedure and established it, and the procedure having been established by act of Congress, it is governed by that act, and

cannot be set aside by either body separately. That is the whole situation.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. There may be a statute limiting an appropriation or providing that an appropriation shall be made out of the Treasury under a certain condition; that is, that it must be approved by the Committee to Audit and Control the Contingent Expenses of the Senate. It seems to me that is quite different from a rule of procedure with respect to a limitation of debate in the Senate or in the House. If the Constitution had provided that the two Houses should jointly decide what their rules should be, there would be no question about it; but when it provides that each House separately, independent of the other, shall have the right to make its own rules of procedure—because the Constitution makers realized that the procedure could not be the same in both Houses, due to their make-up—it seems to me that even if we attempted to pass a statute providing for a limitation of debate, or any other matter of procedure, and either the Senate or the House later, following its constitutional right to make its own rules, made a rule which would be in violation of the rule of procedure already adopted, we would have to give precedence to the constitutional right rather than the statutory right.

Mr. PITTMAN. The statute deals with procedure in both Houses. It states that any bill requiring payment of money from the contingent fund must be first referred to a certain committee. That is procedure. It provides that it cannot be acted on until it is sanctioned by the committee. That is procedure. While the Constitution has allowed each body to make its own rules and regulations, there is no prohibition that I know of as to how they shall make their rules. There is no prohibition that they could not act in accord with each other. They can make their rules by statute, by resolution, or in any way they choose. They cannot be compelled to vote for an act which establishes procedure, but if a majority of the Senate vote for an act which establishes procedure, they are carrying out their constitutional privilege, and it is binding. Having seen fit to bind their procedure by act, they cannot set it aside except in accordance with law.

I wish to leave this subject, however, and discuss a matter which I consider of such vital importance to the Forest Service that I cannot remain silent.

Mr. President, I have watched the growth of the Forest Service throughout most of my life. There were not many forest reserves outside of the West until a very few years ago. There are some State forests now in the East and in the South, but very few. We have had large forest reserves throughout the West for fifty-odd years.

The Forest Service has had vast experience in the protection of the forests against fires, against insects, against death of the trees from the washing away of the soil which surrounds their roots. They have found that these great forest areas may be useful in the raising of livestock without injury to the forests; but they have also discovered that if the grazing is not properly regulated it can destroy forests.

I have seen on a mountainside an area 10 miles long, extending from the valley to a height of 5,000 feet, on which there is nothing but bare, glistening, slippery rocks where once great forests grew. What caused that? Before the forests were controlled with regard to grazing, those raising sheep, not being interested in the forests, really knowing nothing about the preservation of shrubs and plant life, drove across the sides of those mountains perhaps as many as 20,000 sheep. Moving side by side, digging trenches with their little, sharp hoofs, and dragging the very roots of the plants and the grass out of the ground, back and forward the sheep went, destroying plant life, digging up the soil, loosening it. Then came the heavy rains, the soil slipped down into the valleys, the roots of the trees and the plant life were uncovered to the sun and the frost, and today we see great, barren, slick, rocky mountainsides where once trees and plant life grew.

Much is said with regard to what may be the intent of the President with respect to forest reserves. I do not know what his intent is. I have not had the pleasure of conferring with him with regard to the pending bill or any part of the bill. I know it has come with considerable authority that he has no intention of taking the Forest Service from the Department of Agriculture and placing it in the Interior Department. That may be true. But I have equal authority and information which would lead me to believe that, while he will not place the Forest Service in the Department of the Interior, he will put certain functions of the Forest Service under the Secretary of the Interior.

What function has he in mind, if he has any in mind? There is only one I can think of, and that is the control of grazing. We can conceive of what would happen to a forest reserve with one organization trying to preserve plant life and increase its growth and another solely interested in the grazing of livestock on the forest reserve. It would be impossible for the Forest Service to protect plant life under such conditions. They would have no control over the grazing whatever. The thing is absurd on its face.

Even if it were possible for one department to have unlimited power over grazing while another department had the responsibility of preserving plant life, I say that the only department which should have control is the one which has had charge of that function for 50 years and which has made a success.

Even 30 years ago there was constant squabbling and quarreling between the stockmen of the West and the forest reserve officers. It took 8 or 10 years for some of the rangers who were sent out from the East, men who were educated in forestry but knew nothing about grazing, to learn what grazing involved, to learn how reasonably to regulate it, and how to get along with the stock raisers. For the last 25 years there has been perfect harmony of operation between the stock raisers, and the rangers and supervisors who look after the forest reserves.

Is it the intent now to put that organization under the Secretary of the Interior? If the Secretary of the Interior had such a character and such a disposition that he could listen to the advice of those who understood a subject, it might be possible that he would allow these experienced men in the Forest Service to go on in their own way. But the history of the Secretary is such that we know there is nothing on earth he does not want to meddle in. I think probably we ought to have an amendment in the bill preventing the Secretary of the Interior from taking over our foreign relations. However, while there may be no intention of turning the State Department over to Secretary Ickes, some functions of the State Department might be transferred to the Secretary of the Interior, for instance, the function of speaking in foreign countries with regard to our foreign policy and other diplomatic matters. That would only be transferring the function, and nothing else.

The Secretary of the Interior is in charge of grazing on the public lands outside of the forest reserves. He appointed in charge of it a very competent man, a Mr. Carpenter. Mr. Carpenter has been harassed more than anyone on earth by constant orders from Washington, containing contradictions and interferences with what he is trying to do in the field. The Grazing Act provides for giving a preference to men who own homesteads and water rights on the public lands to grazing areas around them sufficient to graze the cattle that they can take care of. Yet when Mr. Carpenter and the late First Assistant Secretary of the Interior were out in Nevada talking to a great assembly of stockmen who were trying to agree on the right distribution of the range, an order came from Washington, which was published in every newspaper in the State of Nevada, offering an area one-fourth the size of the State of Nevada for lease at auction to the highest and best bidder offering to lease it without limitation, to lease the land abutting right up against the homesteads, absolutely destroying people who had been on their homesteads, themselves and their ancestors, since the days of '49.

I telegraphed the Secretary and told him that he had no authority under the statute to make any such advertisement; that he had no authority under the statute to put that land up for public bidding. I did that because Mr. Carpenter was afraid to send the telegram, and because the late First Assistant Secretary was afraid to send the telegram. I received a reply telegram from Mr. Ickes saying that his intentions were good, that he had never intended to injure the little homesteaders, and that he was really trying to help them but that no harm had been done because no one had bid for the land, and in view of that he would not thereafter accept any bids.

The States have passed laws dealing with the matter of funds coming from grazing. Mr. Carpenter thinks that is altogether proper, and favors it, but Mr. Carpenter testified the other day that Secretary Ickes was opposed to the States having anything to do with it. Yet some of the functions of the Forest Service may be transferred to the Department of the Interior. There is really but one function which could be transferred, and that is the function of supervising grazing. I have already said to the Senate that the power of controlling grazing carries with it the power of destroying a forest, it carries with it the danger of soil erosion and plant destruction, it carries with it the danger of fires. The situation is an unreasonable and impossible one.

Of course, everyone who knows anything about the grazing of stock on the western plains knows that one department should have control of grazing, and not only in the forest reserves on the high mountains but on the public lands in the valleys. Why? Because practically all our forests are in the high mountains where the snow lies long in the spring and where springs of water flow. That is the summer range. The cattle go up there in the summertime, and when the heavy snow covers the range 3 or 4 or 5 or 6 feet the cattle then come down into the valleys off the forest reserves and there wait for the spring. So it is perfectly evident that we cannot have one department ordering the cattle off the forest reserves and another department prohibiting them from coming upon the other range. Every cattleman would then be between the devil and the deep sea. It is an impossible situation.

I come now to the question of submitting these Presidential proclamations to Congress for approval. As I have said, if there were any danger of there being no action, if there were any danger that a filibuster might prevent action by the Congress either in favor of or against the proclamation, I could not favor the amendment providing for a joint resolution, but I think it is now so clearly provided that in a short time after the proclamation reaches Congress there must be a decisive vote that I feel there is no danger of any delay.

I cannot believe the President would object seriously to this amendment providing for the passage of a joint resolution. I can understand that he would seriously object to it if it might result in a filibuster, because that might mean there would never be any action at any time. But it occurs to me that the President, having such a tremendous majority in the Senate and such a tremendous majority in the House, which certainly cannot be reduced much in the near future, and as the bill itself requires that his proclamation shall be made before 1940, can rely on the fact that during that period of time there will be a large majority of his supporters in both Houses of Congress. If a majority of this body today are willing to stand by him, as they are on this very revolutionary legislation, why should he or his supporters or friends be afraid that they would not stand by him when he sends his proclamation to Congress?

Personally I do not believe there is any other way to reorganize this Government except through the Chief Executive. If this body or the other House should attempt definitely to define the duties and powers of each department, I think we would become involved in a debate which would last forever. I think that one man must work it out and, having worked it out, send it to Congress for its approval. I think the President would like to get the approval of Congress. I believe that in ninety-nine cases out of one hundred we will



find that his work is good. But it is human to make mistakes.

There are many things that the President cannot know of personally. I know that the President does not know personally of the condition with respect to the forest reserves in the high mountains of the West and the effect of grazing on them. I do not think he understands that matter. He is a great forestry expert, it is true, he is a great conservationist, but he may make a mistake with regard to the very serious matter of the protection of the forest reserves of the West against overgrazing. He may take the advice of men who themselves know nothing of it. Such things sometimes happen. If such a mistake were made, then Congress would protect him against it by not ratifying the proclamation, and if it were a mistake the President should be glad, and I believe he will be glad, to have such protection.

Let me say that I have absolute confidence in the President. I realize that no man can work the hours he works and consider every problem personally. I know he has to depend upon someone for advice, and that advice may be right or it may be wrong. However, I do not wish to assume the attitude that the President of the United States does not have the same confidence in the Congress that we have in him. I do not want to lend aid and impetus to the charges that the President of the United States desires to be a dictator, because I do not believe anything of the kind.

Mr. WHEELER. Mr. President—

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from Nevada yield to the Senator from Montana?

Mr. PITTMAN. I yield.

Mr. WHEELER. The Senator, of course, realizes that practically everything he has said with reference to the Forest Service likewise applies, as it affects our Western States, to irrigation and reclamation, and it applies to the Packers Act, and it applies to the Office of Indian Affairs. As a matter of fact the actions of two or three of the departments in Washington apply with greater force to the western territory and the Western States than to any other section of the country. In view of some of the things that have taken place in certain departments, it seems to me it would be suicidal blindly to turn over the power to reorganize to the President and let him reorganize as he sees fit.

Mr. PITTMAN. If the Secretary of the Interior were a man who had been brought up in the environment of the West and were familiar with the forest reserves, the Reclamation Service, the mining industry, and the public lands, there would be less danger. I care not how great a lawyer a man may be or how great a progressive he may be; if he was born and raised in the Loop of Chicago I doubt his wisdom with regard to subjects having to do with the problems of the West. I do not believe there is a western Senator today who would be willing to trust Secretary Ickes with the forest reserves of this country.

In his testimony recently, which I shall have the pleasure of reading in a few days, Secretary Ickes admitted that he knows nothing about the West, but he said Mr. Burlew does know. He said Mr. Burlew knows much about the West, and that he advised with him with regard to matters affecting the West. Mr. Burlew is a distinguished Pennsylvanian, formerly a detective. He went out to San Francisco and back at one time. But Secretary Ickes relies upon the advice of Mr. Burlew as to all western matters.

Mr. WHEELER. The Solicitor of the Department of the Interior was born in New York.

Mr. PITTMAN. That is really nothing against him.

Mr. WHEELER. No; except that he does not know anything about the West.

Mr. BARKLEY. Perhaps he has learned much about the West, just as the Senator from Montana, who was born in Massachusetts, has learned a great deal about the West.

Mr. WHEELER. The trouble is that he has never been there, either before or since his appointment.

Mr. PITTMAN. Mr. President, I do not want to continue this discussion any longer, or we shall have the minority leader boasting that he was born in the West. [Laughter.]

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

Mr. PITTMAN. I yield.

Mr. BARKLEY. A moment ago the Senator mentioned the Reclamation Service, in which not only Members of the Senate from the West but all of us are interested, even though we do not come from the West. The Reclamation Service is now in the Department of the Interior.

Mr. PITTMAN. Yes.

Mr. BARKLEY. It is not the contention of the Senator, is it, that Members ought to vote for this amendment because they object to having the Forest Service transferred from Mr. Wallace to Mr. Ickes, and that they ought to vote for it also because they object to having the Reclamation Service transferred from Mr. Ickes to Mr. Wallace?

Mr. PITTMAN. I have not said that.

Mr. BARKLEY. I understand the Senator has not; but the intimation was made here that if this amendment is not adopted, the President might in some way interfere with the Reclamation Service, which is doing pretty well, even under the Interior Department.

Mr. PITTMAN. I should not object to having all the functions transferred from Mr. Ickes; so do not misunderstand me. I am not making the argument the Senator suggests.

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

Mr. PITTMAN. Yes.

Mr. WHEELER. I mentioned the Reclamation Service because I should not want to see the Reclamation Service transferred to the Department of Agriculture. It is well known that the Secretary of Agriculture, at least at the outset, was very much opposed to irrigation and reclamation projects, simply because of his lack of understanding of the subject. He thought there should be no more irrigation and reclamation projects because the additional land put under cultivation would compete with the Iowa farmers. He did not realize, as a matter of fact, that the products which are raised in Montana, in Nevada, and in other Western States on irrigated lands, do not compete with the hogs and the corn which are raised in the State of Iowa.

It took us a long time to educate him to the proper point of view, and it took us a long time to educate some other officials of the Government in that respect.

Mr. BARKLEY. The Senator does admit, though, that the Secretary of Agriculture is susceptible to education?

Mr. WHEELER. The trouble is, it is necessary to educate some of these officials every few days.

Mr. BARKLEY. No doubt the Secretary of Agriculture has learned much since he became Secretary of Agriculture, just as I hope some of us have learned something since we came to the Senate. All of us have preconceived notions about things, due to no fault of our own, but due to our environment and our experience.

One test of a real public servant, it seems to me, is his willingness to accumulate experience and knowledge to such an extent as to dissipate any erroneous preconceptions he may have with reference to anything about which he may have formed an opinion.

Mr. WHEELER. I am not objecting. I agree entirely with the Senator from Nevada that some reorganization should be effected. But I say that those of us who have the responsibility under the Constitution of the United States to legislate upon such things ought at least to retain in our power some small voice in deciding whether or not these agencies, which every Senator from the West knows have made tremendous mistakes in dealing with our western problems in the past few years, shall be kicked around and put under departments which are unfriendly to the particular interests of our constituents. That is the reason why, when the Senator and others said they feared that reorganization would be subject to delays and filibusters, I offered my amendment, which would compel us to vote upon any projected reorganization within 10 days.

I do not know what the constituents of the Senator from Kentucky would think about it; but I know, as the Senator

from Nevada knows, and as every Senator from the Rocky Mountain States, who is familiar with the problems of those States knows, that we have had a great deal of trouble with the Interior Department because of the lack of understanding with respect to our problems on the part of the officials of that Department. We have had grave misunderstandings with the Agricultural Department because of the lack of understanding of our problems on the part of officials in the Agricultural Department.

The trouble with the Indian Service has been that persons who had never seen an Indian, except, as I said the other day, in a moving picture on Broadway, were sent out to uplift the Indians; and in some instances they were almost driven out because of the fact that they were dealing with the Indian problem as they would deal with a social problem in the slum districts of New York. All we are asking is the right to say that such agencies shall not be put under the head of a department who is unfriendly to the policies which have been laid down by the Congress of the United States.

I cannot conceive, for instance, of the Senator from Nebraska [Mr. NORRIS] wanting some President to place the Tennessee Valley Authority under any branch of the Government he saw fit. The point I am making is the same point which the Senator from Nebraska made yesterday. Why does not the Senator from Nebraska want the investigation of the T. V. A. to be conducted by the Committee on Commerce? Not because it is not a committee of the Senate, but because he is afraid the personnel of that particular committee would be unfriendly and would carry on an investigation which would not be fair. I agree with the Senator from Nebraska that the matter should not go to the Committee on Commerce. It ought to go to a special committee. The fears of the Senator from Nebraska in that connection are identical with the fears of those of us in the West with reference to shifting the various bureaus around without the Congress having something to say about it and putting them under personnel officers or Cabinet officers who would be unfriendly or who, if they were not unfriendly, might be totally ignorant of the problems confronting the people of the West.

Mr. PITTMAN. Mr. President, I have said all I desire to say, except that during the whole period of time this bill has been pending I have tried intensely and sincerely to ascertain the intent of the President with regard to our forest reserves. I have not been able to ascertain his intent. It is true I have not asked the President. I have not visited the White House. I have not discussed the bill with the President. But such information as seems to drift around through the air sometimes leads me to believe that the President does have an intention of placing the grazing under another department and that that department will be the Department of the Interior, under the theory that already the Secretary of the Interior has control of about three times as much public land as is embraced within the forest reserves.

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

Mr. PITTMAN. I yield.

Mr. BARKLEY. I do not know whether it is the duty of Senators to take the initiative in ascertaining the views of the President about a matter of this sort or whether the President himself should take the initiative and communicate his views to Members of the Senate. We all realize that it is impossible for the President to know what any one Member of the Senate is thinking about any particular problem or bureau or agency unless he learns it directly from that Senator. But I believe it would be fairer to the President to ask his views about the matter or what his intentions are with reference to the Forest Service than to accept any rumors which may be floating around as to what he intends to do.

If the President were to tell the Senator from Nevada that he has no intention of touching the Forest Service in any respect, I am sure the Senator from Nevada would accept the word of the President on that subject.

Mr. PITTMAN. I certainly should. I should not accept the general statement, mind you, that he was not going to transfer the Forest Service to another department.

Mr. BARKLEY. I understand.

Mr. PITTMAN. Because functions may be transferred; and I am advised, just as authoritatively as the Senator has advised the Senate with regard to these matters, that a western Senator did go to the President and that the President stated that he would not transfer the Forest Service but that he might transfer some of its functions.

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

Mr. PITTMAN. I yield.

Mr. CONNALLY. As I recall, the Senator from Idaho [Mr. POPE] made a statement on the floor of the Senate some 2 weeks ago, which I regarded as a statement based upon assurances from someone high in authority, to the effect that the Forest Service would not be transferred or moved from the Department of Agriculture. I do not see the Senator from Idaho present in the Chamber. I regret to comment upon the matter in his absence. He did not categorically say what the source of his authority was; but, to an innocent and unsuspecting mind like that of the Senator from Texas, it appeared that the Senator from Idaho was speaking on the basis of absolute authority from somebody who would have it in his power either to transfer the Forest Service or to leave it where it is.

Mr. BARKLEY. If the Senator will yield there, he understands, of course, how delicate it is for any Senator to quote the President or even to claim to represent him or to assume what his views are. But my question to the Senator from Nevada was based upon the assumption that the President not only did not intend to transfer the Forest Service but did not intend to touch it, which would mean, of course, not to interfere with any of its functions. That information can be ascertained at first hand by any form of communication with the President that any Senator may wish to adopt in order to satisfy his own mind on the subject.

Mr. NORRIS. Mr. President, will the Senator from Nevada yield?

Mr. PITTMAN. I yield the floor; I have nothing further to say.

Mr. JOHNSON of California obtained the floor.

Mr. NORRIS. Then, Mr. President—

The PRESIDING OFFICER. The Senator from California had asked to be recognized.

Mr. NORRIS. Very well.

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

Mr. NORRIS. I did not know of that arrangement and I will not ask the Senator from California to yield.

Mr. JOHNSON of California. Mr. President, the contest that is being waged here at present, important though it is, is a replica of that which is age-old with Anglo-Saxon peoples. It first saw among our forbears its birth at Runnymede and then, some centuries later, in the historic battles of that period which were written in letters of blood during the contest between King and Parliament, cavalier and roundhead. In those days in Britain there were men who were staunch for the parliamentary cause, who, at the risk of their lives, stood for what they believed to be their freedom. We are not in that situation now, I concede, but we have been singularly fortunate in the last year in having a man stand for parliamentary government, for the Congress of the United States, and that man deserves the thanks of every Senator in this body. I refer to the junior Senator from Virginia [Mr. BYRD]. He has stood like a lion in the path during the last year, and he has contended for the rights of the Congress, rights that are kicked about today in such fashion that one would hardly believe that any considerable number of people entertained the idea that a Congress was necessary or a Congress could legislate.

But during the last year we have seen the strange spectacle presented of an attempt being made to whittle away the powers that exist in the Congress, and, doubtless in the best of faith—I am not questioning anyone's good



faith at this time—doubtless in the best of faith, they were always given to the President of the United States.

Today, Mr. President, I speak of the wickedness, if I may term it such, of the pending bill. I speak, sir, for retaining in the Congress the few powers that it yet has; I speak, sir, against giving to any authority all the rights and the powers and the duties of the Congress of the United States, no matter how highly I may regard that authority, and no matter who he may be. I speak, sir, for the common liberty of the common man and for the privileges, prerogatives, and obligations of the Congress of the United States.

An Englishman, during the time of the wars which were waged three centuries ago, said, "Give me the purse, and I will govern." How true that is—"Give me the purse, and I will govern." We have given away the purse of the Nation almost entirely. We want to retrieve a small part of it if it be possible; we want to retrieve, if we can, the right to say what shall be done, and how, in the matter of the transfer of the powers of various departments or bureaus of the Government. We want, indeed, to restore, to take back, and to have the Congress do its duty under the Constitution. And we want the time to be here now when the Congress shall, in accordance with its allotted duties and privileges, perform its allotted functions.

Think a moment of the first bill that was presented on the basis of the report that was rendered by the Brownlow-Gulick-Merriam committee. Senators may seek to minimize that bill as they see fit; that bill, they may assert, was never even considered by the committee; but they are in error there, for it was considered, and it was recommended by the President of the United States, and it came to the Committee on Reorganization as the measure of the President of the United States.

The report prepared by the three members of the so-called Brownlow committee is an able document. Its authors had had experience in municipal government, but none of them had had experience in State government; none of them had had experience in Federal Government. The report went into detail concerning the various matters that had to do with so-called reorganization. Its framework is the framework of the bill that is before us now. Its recommendations are not in the same manner set forth by the bill now before us, but its recommendations one can see running through all the bill that is before us.

One may read the report, as I have done, with some degree of pleasure and some degree of humor, but it will be found that the report is the basis of what we are acting upon today, and to it I, therefore, turn to ascertain the intent of those who presented the report and the bill when they first conceived the idea of so-called reorganization. In order that there may be no mistake in regard to what was said by the President in respect to that bill, and the report of his Commission, I wish to read what the junior Senator from Nebraska [Mr. BURKE] read the other day, and ask the Senate to reflect a moment upon it. The letter of the President, under date of January 21, 1937, with which all of us ought to be familiar, submitting this matter is in the President's own language. I read from it:

The committee has now completed its work and I transmit to you its report, administrative management in the Government of the United States. I have examined this report carefully and thoughtfully, and am convinced that it is a great document of permanent importance. I think that the general program presented by the committee is adequate, reasonable, and practical, and that it furnishes the basis for immediate action. The broad facts are known; the need is clear; what is now required is action.

And that report was the basis of what we are doing today. So, going to that report in its original form, I read to the Senate the first of its recommendations, and that recommendation may enable the Senate to understand exactly what was the peculiar bent of mind of the gentlemen who constituted the Brownlow committee.

The first matter referred to is The White House staff. I do not propose to read all of the report on that subject, but I shall read sufficient of it to give you a fair understanding of what it is.

After saying that six new men should be appointed to assist the President, the report says:

Their effectiveness in assisting the President will, we think, be directly proportional to their ability to discharge their functions with restraint.

You, Mr. President, may know what that means; I may guess at it; but when six men are to be employed, and their ability to discharge their functions with restraint is one of the chief tests of the adequate performance of their duty, we are a little in doubt as to what may be meant.

They would remain in the background—

Just imagine, in this day, any man—Senator or Presidential Secretary—remaining in the background!

Issue no orders, make no decisions, emit no public statements.

They would then be of that class of human beings who would emit no public statements. How could they subsist during the period of their employment if they were to remain in the background, issue no orders, make no decisions, emit no public statements?

Men for these positions should be carefully chosen by the President from within and without the Government.

There is a concession by this report; men might be chosen from without the Government.

They should be men in whom the President has personal confidence and whose character and attitude is such that they would not attempt to exercise power on their own account. They should be possessed of high competence, great physical vigor, and a passion for anonymity.

[Laughter.]

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

Mr. JOHNSON of California. I yield.

Mr. CLARK. Does the Senator find those qualifications set out in the bill?

Mr. JOHNSON of California. Oh, no; the bill does not set them out.

Mr. CLARK. Calling attention to the fact that the recommendations of the President's committee have been very unctuously followed by the recommendation of the Senate Committee on Reorganization, with the exception of the last sentence, it seems to me the recommendations of these two very eminent committees should be followed. I therefore have presented for printing an amendment which is now on the table, and which at the proper time I intend to offer, setting out in the bill, as qualifications, those which are set out in the reports of these two very eminent committees.

Mr. JOHNSON of California. A perfectly appropriate proceeding, and one which, of course, ought to be followed, because the gentlemen who constituted the committee were eminent in every way; but the difficulty with them was that they wrote a thesis from a schoolman's standpoint, and they wrote that thesis under directions of some sort—perhaps their own, perhaps those of somebody else—and the result of their labors thus appears.

I read that again, because all those within the sound of my voice who are aged or infirm, those who have passed the time when they have the vigor that is expected of them, should realize that the only men who could be employed under this dictum would be those who are—

Possessed of high competence, great physical vigor, and a passion for anonymity.

[Laughter.]

If, Mr. President, you can recall a single individual in the employment of the United States today, anywhere, under any circumstances, who has a passion for anonymity, I shall be inclined to make the bet which the Senator from Kentucky [Mr. BARKLEY] was making the other day—although I should hate to lose my head—and bet it against the hole in the doughnut.

Mr. BARKLEY. Mr. President, I hope the Senator would not be subjected to the humorous criticism that the odds were not sufficient in the wager I made. [Laughter.]

Mr. JOHNSON of California. No.

Mr. BARKLEY. I was betting my head against the hole in the doughnut, and the Senator from Idaho [Mr. BORAH] said or intimated that that was unfair to the doughnut.

Mr. JOHNSON of California. Oh, I would not say that in relation to the Senator from Kentucky, anyway, under any circumstances.

Mr. BARKLEY. I appreciate that. I should not want the Senator from California to follow my example, whatever that example might be, if it in the remotest degree took any chances on the Senator losing his head.

Mr. JOHNSON of California. I would not lose it for the world. I might lose my legs; that is a different proposition; but I want to retain my head until the end. Yet I feel so certain of my position here that I should be almost willing to bet my head against the same doughnut which the Senator from Kentucky coveted that nobody in the Government of the United States has a passion for anonymity.

Mr. BARKLEY. Mr. President, will the Senator admit that if anybody had such a passion for anonymity, he might thereby be a very desirable and efficient servant of the public?

Mr. JOHNSON of California. Oh, yes, indeed; but he would be out at St. Elizabeths if he did that. [Laughter.]

Mr. BARKLEY. Then, in that case, he would have lost his head without betting it against the hole in the doughnut.

Mr. JOHNSON of California. That is correct. He would have kept his head, and the Senator would have kept his doughnut.

Seriously speaking, however, that is the beginning of the report which is the foundation of this bill; and that shows clearly, not anything to the detriment of the three distinguished gentlemen who wrote the report, but it clearly indicates a lack of a sense of realities, and of little understanding of the matters which they were investigating.

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

Mr. JOHNSON of California. Yes; I yield; but do not make that bet again.

Mr. BARKLEY. No; I will not.

The Senator a moment ago suggested that this was a report made by three men who were more or less cloistered in the atmosphere of collegiate attainments and environments.

Mr. JOHNSON of California. No; I did not say that.

Mr. BARKLEY. It sounded like that; something on that order.

Mr. JOHNSON of California. Did it? I hope it was musical in the sound.

Mr. BARKLEY. It sounded well rhetorically, but it did not read logically. It was rhetorical but not logical. One of these distinguished gentlemen, who, I believe, was the chairman of the committee, has had very wide experience in public administration. So far as I know, he has never been a college professor, though he is a very highly educated man.

Mr. JOHNSON of California. I did not say anything about college professors.

Mr. BARKLEY. I thought the Senator intimated that this report was made by three men who dwelt in a sort of a rarefied atmosphere of intellectuality and not of experience in practicality. I thought he intimated that they had dwelt in the cloistered schoolroom or the atmosphere of colleges and universities, and therefore they could not be practical. I may have misunderstood the Senator.

Mr. JOHNSON of California. Perhaps the Senator could justify himself on that score. Perhaps my language lent itself to that interpretation.

Mr. BARKLEY. I received that impression from what the Senator said. I was simply trying to correct that impression. Of course, two of these gentlemen have been connected with universities, and probably are now connected with them. Mr. Gulick, I think, occupies a position in Columbia University or some other university in the East. Dr. Merriam, who at one time, at least, was a very enthusiastic follower of the Senator from California, is, I believe, connected with the University of Chicago.

Mr. JOHNSON of California. And the other?

Mr. BARKLEY. Mr. Brownlow was a Commissioner of the District of Columbia years ago.

Mr. JOHNSON of California. And the city manager of Knoxville, Tenn.

Mr. BARKLEY. And the city manager of Knoxville, Tenn., and Petersburg, Va., and other cities in the United States.

Mr. JOHNSON of California. They are all splendid men. Do not misunderstand me in that regard.

Mr. BARKLEY. But I did not want the impression to be left that these are impractical men whose only experience has been in the schoolroom.

Mr. JOHNSON of California. Oh, no!

Mr. BARKLEY. Even if that were largely their life work, in my judgment, it would not militate against them.

Mr. JOHNSON of California. No.

Mr. BARKLEY. But while they have had educational experience and professorial experience, and have stood before classes year after year in the capacity of teachers, in addition to that they have had wide practical experience in advising in matters of this sort. Mr. Gulick, though connected with a university, has for years been one of the outstanding advisers of State administrations and of Governors in formulating reorganizations within the States.

Mr. JOHNSON of California. What I said, I now recall, was that their experience came in municipalities. That, however, does not make any difference, and the Senator is quite right in saying that they are most excellent men. They made a splendid report. It was made in January 1937. During that year there went on the process of framing a reorganization bill.

I compliment the Senator from South Carolina [Mr. BYRNES] upon his perspicacity, his perseverance, his ability, and his shrewdness in making the requisite amendments that he deemed appropriate and that I deem appropriate to this measure. He has produced an infinitely better bill—a bad bill still, in my opinion, but it is a better bad bill—than the terrible bill which was the subject matter of discussion by the committee in the first place.

In this bill the only things which are shown in detail are civil service, the abolition of the Comptroller General, the welfare department, and one or two smaller things. They are shown in detail. There is no reason on earth why every single act of reshuffling and rejugling should not be presented on this floor just as those things are presented.

If they are not presented, then there is every reason on earth for the adoption of the Wheeler amendment.

The bill presents the peculiar circumstances of the specific matters. It purports to go into them and them alone, and no living soul can tell what will be the result if the bill be enacted. No living soul knows what will be rejugled, reshuffled, and finally fixed in some different fashion from what it is today.

Why should Congress sit here and permit that sort of thing? It is said Congress is not fit to do the job, though it is fit to do it as to one or two matters within the purview of the bill. With three or four, perhaps, Congress can deal in detail. Why can it not deal in detail with the 30 or 40 or 50 more which ought to be dealt with? If it does not deal with them in detail in the bill, then Congress should have the right to pass upon those matters subsequently when the President shall have made up his mind as to what he is going to do.

I repeat that, Mr. President, because we sit here content to take what is handed us and to do as we are told. We, sentient human beings, occupying the highest political office there is in this Union, take our orders and we do as we are bid. Why should we be that sort of Senators, and why should we permit that sort of thing to be rammed down the throat of the Senate of the United States?

There was opportunity, during the year or more which has elapsed, to designate exactly the mode in which reorganization should be brought about. There was opportunity, again and again, during the 2 or 3 years which have passed since this subject was first bruited; and yet in that time we have not seen fit to demand that there should be presented



to us a program showing exactly what is to be done and how it is to be done; and that, in my opinion, is the greatest objection that can be found to the pending measure.

Why should not those things be presented to us?

It is said there would be too great a lapse of time. A year or more was permitted to elapse before the bill was taken up. It is said that the Congress is unfit. There was a congressional committee dealing with the subject matter. It is said that the Chief Executive was so engaged that he could not attend to the matter during that period. During all the space of time when this subject has been a matter of great moment to the Congress of the United States and to the President, during every moment of that time there could have been presented a measure which showed in detail specifically just what was endeavored to be done; yet we sit here and are going to let pass a measure which touches but two or three of the subjects which are to be dealt with in the reorganization program.

The prime purpose of a bill of this sort is economy, secondarily, efficiency; or they may be twisted around in the reverse order if preferred. The two prime causes for a measure of this sort, however, are economy and efficiency. There is neither the one nor the other in the pending bill. Would economy result? Read the statement made by the junior Senator from Virginia [Mr. BYRD] upon that subject, and it will be seen that under the proposed law the operation of the Government will cost some hundreds of millions more than it now costs.

How will any efficiency be accomplished by this measure? I challenge contradiction of the statement that the bill is neither an economy bill nor an efficiency bill. What is it? It is a bill for delegation of power, to give away the power of the Congress and to lodge it some place where it ought not to be lodged. I care not where it is lodged, I care not who is the one who receives the power; I rebel against the notion of giving more power, under this or any other measure, to any man under any circumstances.

I spoke a moment ago of the control of the purse. We have not control of the purse any longer. God pity the country and the Congress that gives up its power over the purse. The power over the purse we no longer have, but there is a chance for us to take back a small portion of it in the part of the bill which deals with the abolition of the Comptroller General. We may take back a small part of it, only a small part, it is true, but we may, if we adopt the amendment which has been presented, take that part back; and that we ought to do.

I shall not enter into any detailed argument now, but the matter of the abolition of the Comptroller General's office may be posed thus: Shall Congress have an officer responsible only to Congress to see to it that when an appropriation is made such appropriation shall be expended in accordance with law, and who shall make the examination, so far as possible, before payment is made?

The point is that the Comptroller General is now the representative of the Congress. Call his function precontrol, preaudit, or what you will, the Comptroller General is today an officer of the Congress. We are asked to exchange that arrangement for one under which he would be an officer of the executive department.

I rebel against that. When in 1921 I voted for the establishment of the office of Comptroller General I did it with the express understanding that that officer was to be free of any control whatsoever, and that he was to represent the Congress of the United States in all expenditures.

I content myself on that score by reading an editorial which appeared recently in the Washington News entitled "Watch-dog or Poodle," as follows:

The Senate is debating a proposal to fire the Treasury's "watch-dog" and put a pet poodle in his place.

This proposal is, in our opinion, the most vital feature of the pending Government reorganization bill, and the one which most certainly should be rejected.

It would abolish the office of Comptroller General, created 17 years ago, because the World War era of big spending had convinced Congress of the need for an agency, independent of the Government's spending departments, to make certain that appropriations were spent only as Congress intended them to be spent.

It would give the power to approve or disapprove expenditures to the Budget Director, who is dependent for his job on the President, the head of all the spending departments. Then it would set up a new independent functionary—an auditor general—to audit expenditures, but only after the money has been paid out.

The Constitution holds Congress responsible for seeing that "no money shall be drawn from the Treasury but in consequence of appropriations made by law." Congress should not surrender this responsibility to any President. By adopting this proposal, Congress would do just that.

We are in another era of big spending. The need is to strengthen and improve the present device for holding spending within the letter of the laws of Congress.

The Comptroller General is independent of the spending departments because, although appointed by a President for a 15-year term, he can be removed from office only by Congress. President Roosevelt has seen fit not to appoint a successor to the first Comptroller General, whose term expired 20 months ago, and an Acting Comptroller is now on the job.

The Comptroller General has been too independent to be popular with the spenders, many of whom at various times have accused him of blocking or delaying their plans. Urged by the administration, Congress itself has weakened his authority by taking many Government agencies out of his jurisdiction.

But because he can say "no" without risking his job, he can save money and protect the Treasury against wild or unauthorized spending. If the spenders don't like one of his rulings, they can always ask Congress to change the law on which the ruling is based.

What is proposed is to substitute an official who would be under constant pressure to say "yes" to the spending plans of departments headed by the President, upon whose good will his job depends. The present Budget Director is a good man. We don't want to see him or any other man put on that sort of spot.

The Comptroller General's office has not been perfect, and many things might be done to increase its efficiency, speed up its rulings, and provide prompter remedies for any mistakes it may make.

One suggestion, which seems reasonable, is to give departments which object to decisions by the Comptroller General the right to appeal from them to the Federal Court of Claims.

But the present system is based upon a thoroughly sound principle. The thing to do is to improve the present system, not abandon the principle for one that seems unsound and extremely dangerous in its possibilities. Congress should keep its watchdog at the Treasury, and Congress should keep him independent of those who want to take money from the Treasury.

In my opinion, Mr. President, the editorial states the case so succinctly and so clearly that I rest upon it.

However, a hiatus of time has existed for a year or more since the expiration of the term of the Comptroller General, during which there has been no appointment to that office. The President, who has the power to appoint, has allowed nearly 2 years to pass without making an appointment to that office. There, Mr. President, is the nub of this bill. There is the reason for its existence. There is the real crux of the argument made in the Senate. If those who are the proponents of this measure could trade every other amendment to the bill for the amendment dealing with the Comptroller General, it is my opinion that they would jump at the opportunity, and they would make the trade without the slightest hesitation.

Something has been said about specific agencies that might be transferred and might be hidden, and there has been an exchange back and forth, as I understood the Senator from Kentucky and the Senator from Nevada as to what the President might have said. What he might have said does not make any difference. It does not alter the principle in the slightest degree. If there are agencies that he might have changed or he might change, then the rule remains as I have suggested it.

Mr. President, I do not mean to explain the Wheeler amendment, for this morning the Senator from Montana himself explained it so cogently and so well that we all ought to be familiar with it. It requires the presentation to the Congress of the United States of the various changes that may be made under this measure, and it gives the right to the Congress to say whether it wants those changes made or whether it does not. It precludes the possibility of long delay by placing a 10-day limitation upon the vote on that subject.

Mr. President, we are in the hands of the fates. They sit above us carving out our destiny, weaving the warp and woof of what this country may become. We see abroad, oh, so clearly, every single bit of freedom stamped out under the military heel. We look abroad and see nations that call

themselves democratic, with their idealism the same as ours, fearful of doing anything, and doing wrong accordingly.

Here we are confronted with a singular situation. For God's sake, let us preserve what democracy is left in this Nation!

Someone once said, "Democracy gives every man the right to be his own oppressor." Whether that be so or not, let us not be parties to oppressing ourselves or killing democracy.

The germ of just that sort of thing is in this bill. It may result in further transference of power to the President of the United States at the expense of the Congress. What sort of Congressmen are we that we sit here and permit that to be done? In the olden days of Hampden and Pym, men risked their lives for parliamentary freedom and for parliamentary right. We risk our offices only. Is there any man here who will be so small as to say that for the right, for parliamentary right, for opposing the giving of power to someone else, he will fear to risk his political life and fear to risk the office that he holds?

This is the time, sir, to strike and strike hard. This is the time, sir, when we should not be shilly-shallying around with relation to this matter, but we should in every way we can do what is possible to preserve the power of the Congress of the United States unsullied and in its pristine purity.

We have an obligation, sir. Some Senators on this side of the Chamber may not think so, and some Senators on the other side of the Chamber may not think so. We received a country which was a glorious country and is yet. We received it with an obligation upon us to pass it on to our posterity, to pass it on just as we received it. And I pray God the day will never come when a Congress will hesitate on that sort of proposition, but will do its duty, and do it wholly.

Mr. POPE. Mr. President, a few days ago I made a statement to the Senate during which I placed in the Record a press release issued by the Secretary of Agriculture bearing on the point which has been raised here of the possible transfer of the Forest Service from the Department of Agriculture. It will be recalled that the Senator from South Carolina yesterday reread a part of the statement made by the Secretary of Agriculture. At that time I stated to the Senate that if I thought there was any danger of the transfer of the Forest Service from the Department of Agriculture to any other department—and when I used the term "Forest Service" I meant all the services connected with forestry—that I should oppose this bill. I stated, however, that I had received assurances that there was absolutely no danger of such transfer being made.

Since I have been in the Senate I have looked for an opportunity to carry out one plank in the platform of the Democratic Party in 1932, and I shall read that plank to the Senate now:

We advocate an immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance.

Since then, because of the condition with which we have been faced we have gone on creating additional bureaus, boards, and commissions. I voted for most of the laws creating such commissions for the reason that I thought it was necessary for the welfare of the American people that those laws be passed, and necessarily they have to be administered. I have looked for the opportunity in the present Congress to vote to abolish some commissions and boards that were useless, those whose functions overlapped and duplicated other functions of the Government. I have observed in numerous ways that there is an overlapping of services by agencies of our Government, and I have looked for an opportunity to eliminate that sort of thing. So far there has been no opportunity to do so.

In the pending bill I see the opportunity to do that thing. I can see where the Executive could do the things that Congress either cannot or will not do.

The Senator from South Carolina a few days ago stated that whenever the Congress attempts to abolish any bureau

or board or commission we in the Congress are besieged with requests from the employees of the affected bureau, board, or commission, and from our own people at home, not to abolish it. I have found that those who condemn bureaucracy most in this body and in the other House will, when it comes to the bureau in which they are particularly interested, stand up and fight for it. In other words, it seems that all Senators, and Representatives as well, have bureaus and boards in which they are particularly interested, and which they do not want to have abolished.

Therefore, I have come to the conclusion that the statement made by the Senator from South Carolina the other day was absolutely accurate. It has been my experience that we in Congress cannot abolish boards and bureaus.

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

Mr. POPE. I yield.

Mr. CLARK. Does the Senator find anything in the Democratic platform of 1932, which he just read, and upon which he and I both ran, which recommends or sanctions in any way the abdication by the Congress of its legislative functions, and turning them over to the Executive?

Mr. POPE. I have read to the Senate all that I have found in the platform with reference to that matter.

Mr. CLARK. That is all that I myself find with reference to it in the platform, and yet I place a different construction on it than that placed on it by the Senator from Idaho.

One further question. Does the Senator recall that abdication of power, as was pointed out the other day by the Senator from South Carolina, did actually take place in the so-called Economy Act of 1933, against which I voted, a vote of which I am very proud? Does the Senator recall how many bureaus were abolished and consolidated during the period when the President had the authority to abolish and consolidate bureaus, and how many new bureaus were created during that period?

Mr. POPE. I found that the efforts of the President to bring about the economies provided in that bill, particularly with reference to veterans, could not be carried through. I observed that in the Senate there was a constant demand that we restore the benefits which were cut under the Economy Act.

Mr. CLARK. I am not speaking at the moment of the question of veterans' compensation, although I shall be very glad to discuss the merits of that matter with the Senator at an appropriate time. I am simply asking the Senator at this time, when this power was temporarily granted on a previous occasion, what consolidations under the Democratic platform were made by the President? How many economies were effected? During the same period how many new bureaus and activities were created?

Mr. POPE. My observation is that the new bureaus were created by the Congress itself from time to time as the laws were passed. It is true that consolidations were not made, because we were then in the position I have already indicated, in which we had to bring about recovery if we could. Laws were passed and commissions were created.

Mr. CLARK. Does the Senator think we are not now in a position where we ought to bring about recovery if we can?

Mr. POPE. Will the Senator permit me to finish?

Mr. CLARK. I beg the Senator's pardon.

Mr. POPE. The laws had to be administered, and we necessarily created boards and bureaus for their administration. Now, however, we do have an opportunity, as I see the matter, to give to someone who can act the power to abolish, or at least to consolidate, many of the boards and bureaus. I see no hope of bringing about such a result in the Congress of the United States.

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

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Idaho yield to the Senator from Michigan?

Mr. POPE. Just a moment.

With reference to the amendment of the Senator from Montana, if the evidence is not clear that consolidations cannot be brought about by referring the matter back to the



Congress of the United States, it seems to me it would be hard to produce evidence to that effect. Therefore, I do not approve of the Wheeler amendment. When the matter comes back to the Congress, we shall be in exactly the same position in which we are now—unable to abolish a board or bureau. Then pressure will be brought to bear upon the Members of Congress, and, as I see it, exactly the same situation will exist that now exists.

If we are to bring about any reorganization or any economy along the lines laid down by the Democratic platform of 1932—and I think we could find pledges of the same kind in the Republican platform as well—I ask the Members of this body how in the world we are going to do it except in the manner provided in the bill.

Mr. VANDENBERG and Mr. WHEELER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and if so, to whom?

Mr. POPE. I yield first to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, the Senator referred to the fact that under the Economy Act veterans' allowances were heavily cut, and that subsequently Congress hastily retraced its steps.

Mr. POPE. Yes.

Mr. VANDENBERG. The Senator uses that circumstance as an indication of the difficulty of relying upon Congress for this sort of economy. I remind the Senator that when the Economy Act was passed we were given some very definite specifications and assurances as to what was to be done in respect to veterans' allowances, and the subsequent rules and regulations definitely violated those assurances. That is the reason why the act was promptly overtaken in many aspects. I submit that the exhibit offered, far from arguing in favor of the Senator's viewpoint, is an infinitely better argument against taking anything for granted in respect to assurances which we think we possess.

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

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. POPE. Just a moment. I think the Senator from Michigan is entitled to his opinion; but my observation was that just so soon as the benefits were cut, the veterans appealed to their Senators. Many of them appealed to me, as well as to every other Senator, to restore those benefits. The appeal became so powerful that we actually repealed the Economy Act. Due to group pressure, we voted to restore the benefits.

Day after day this group pressure comes. Every time we attempt to reduce an appropriation in a department, the group pressure comes not only from the department, of course, but from the friends of the department scattered over the country, and from the people at home who receive the benefits of the service.

I feel that it is a futile thing for Congress to attempt to make these reductions. I think I have voted as often as any other Senator has voted for the various measures creating boards and commissions to administer laws which have been enacted; but, notwithstanding that fact, I have felt a sincere desire to carry out in some measure the provisions of the Democratic platform of 1932, to remedy the situation which exists by reason of duplication, overlapping, and the existence of commissions which are useless, or almost useless. We desire to abolish such useless agencies. I cannot see any other way to do it than the way proposed by the bill.

With reference to the amendment of the Senator from Montana, if the reorganization plan is referred back to Congress we shall have exactly the same situation to face; and, frankly, with the evidence before us, I do not see how reorganization can be accomplished in that way. I think it would be futile to enact a law and refer the subject back to Congress, because if Congress could accomplish reorganization it would have done so before now. That is the basis of my objection to the amendment.

A question has been raised which is very vital to us from the West. My own colleague [Mr. BORAH] referred to it yesterday. The Senator from Montana [Mr. WHEELER] has referred to it. The Senator from Nevada [Mr. PITTMAN] today made a very strong plea against transferring the functions of the Forest Service to any other department.

What the Senator from Nevada said is absolutely true. Over a period of 25 years satisfactory relations have been established between the Forest Service and the people of my State. I desire to see those relations continued and improved; and I think the way to improve them is to allow the Forest Service to remain exactly where it is. If I thought there was any danger of the transfer of the Forest Service to any other department or any other Cabinet officer, I should oppose this bill as vigorously as I know how.

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

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Texas?

Mr. POPE. Just a moment.

I am not convinced that there is any danger of the transfer of the Forest Service to another department. On the other hand, I am thoroughly convinced that there is no danger. I stated the other day that I had assurances from the very highest sources with respect to that matter. The question was again raised today. It was said that although the Forest Service might not be transferred from the Department of Agriculture to the Department of the Interior, perhaps the control of grazing on the forest reserves would be transferred. Since that time I have received renewed assurances that not only would the Forest Service itself not be transferred, but that no part of the Service would be transferred, and that the control of grazing on the forest reserves would not be transferred.

Believing as I do that it is desirable to consolidate these boards and bureaus and to eliminate them just as far as possible, and believing that the way provided in the bill is the only way in which to do it, I am faced with these questions: When I have the assurances to which I refer, should the possible danger, or the legal provision in the bill, that transfers may be made overcome my desire to do the thing which I think we have all advocated when talking to the people of our parts of the country? Should I be deterred from standing for the abolition or elimination of useless boards, bureaus, commissions, and offices which are found in the Government service?

As I said a few minutes ago, I will say to the Senator from Texas that at some points at which we contact the Government we find overlapping, we find duplication, we find one department trying to do the same thing as another department. They ought to be consolidated in the interest of efficiency and, I think, undoubted economy. That is an important matter. One of the most important questions Congress has ever confronted is the problem of bringing about efficiency and economy through the reorganization and abolition of unnecessary boards and bureaus. Inasmuch as I have absolute and complete assurance on the question which has been raised, I shall vote against the amendment of the Senator from Montana.

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

Mr. POPE. I yield first to the Senator from Texas.

Mr. CONNALLY. Mr. President, I desire to say to the Senator from Idaho that the Senator from Texas probably erred today in making reference on the floor, in the absence of the Senator, to the statement which the Senator made on the floor some 2 weeks ago, as I recall, and which the Senator now confirms, to the effect that he had assurances from very high authority that the Forest Service would not be transferred. If that be true, I am wondering why the Senator does not now offer an amendment giving the rest of us the same assurance which the Senator has, that the transfer will not be made.

Mr. POPE. An amendment?

Mr. CONNALLY. Why not offer an amendment to the bill providing that jurisdiction of forestry and grazing shall be retained in the Department of Agriculture?

Mr. POPE. The answer to that question, it seems to me, is perfectly plain. The Senator from South Carolina a few days ago stated that if such a thing were done in this case it would establish a precedent for doing it in the next case, and in the next, and in the next, until the President would have no power to do the thing we are authorizing him to do.

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

Mr. POPE. We ourselves cannot do it. It seems to me such an amendment would constitute a wide-open invitation to every Department which might be consolidated, or every agency which might be transferred or eliminated, to request exemption from any consideration by the President of the United States.

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

Mr. POPE. I yield first to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, in connection with the question of the Senator from Texas, I think the matter came up in his absence yesterday. I am in the same position as the Senator from Idaho with reference to the assurances which he has. I have tried to convey such assurances without attempting to quote anybody. I think every Senator understands the delicate situation which exists under the circumstances.

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

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

Mr. BARKLEY. If the Senator should offer an amendment exempting the Forest Service, which exemption I regard as unnecessary, I know, and the Senator from South Carolina and other Members of the Senate know, that at least half a dozen, or perhaps a dozen, other bureaus in other departments have been "on our necks" ever since we started with this bill in an effort to obtain exemption. One such bureau is the Bureau of Biological Survey. I visited the other day by representatives of the Smithsonian Institution and of three or four other agencies desiring exemption. If we start by exempting one, it will be difficult to refuse to exempt others, and there is no telling how far we shall have to go.

Mr. CONNALLY, Mr. GLASS, and Mr. BYRNES addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and, if so, to whom?

Mr. CONNALLY. Mr. President, may I reply to the Senator?

Mr. POPE. I yield to the Senator from Texas to reply.

Mr. CONNALLY. On the other hand, to the Senator from Texas that offers no difficulty. That is what we are here for. If we want to exempt the Forest Service, let us exempt it; if some other bureau or agency wants to be exempted, we have a right to vote on the question; and, if we do not want to exempt it, we do not have to do so. That is legislative procedure, as I understand it.

With reference to the question of overlapping agencies, I frankly am very pessimistic about it. There will be overlapping when we are all overlapping in the next world, because it is impossible altogether to prevent it. I do not attach a great deal of importance to it. Take a little bureau in a certain department, what difference does it make where it is put so long as it is going to retain the same functions it now has. I think there is more excitement about this bill on both sides and greater exaggeration than in connection with any bill I have ever seen come before the Senate.

Mr. GLASS and Mr. BYRNES addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and if so, to whom?

Mr. POPE. I yield first to the Senator from Virginia.

Mr. GLASS. The Senator stated that all Senators have their pet bureaus. I desire to know if there is any more reason why the Senator from Idaho should receive assurances from high authority that his little bureau will not be touched than that some of the others of us should receive from high authority assurances that our little bureaus will not be

touched? I should like to ask the Senator if my vote here is not as valuable as his?

Mr. POPE. No doubt it is much more valuable, I will say to the Senator.

Mr. GLASS. But I have not received any assurances.

Mr. POPE. I think, perhaps, the Senator has not taken steps to secure any.

Mr. BARKLEY. Perhaps the Senator from Virginia does not want any.

Mr. GLASS. No, I do not want any, and I do not think any Senator ought to want any or should receive any.

Mr. BYRNES. Mr. President—

Mr. POPE. I yield to the Senator from South Carolina.

Mr. BYRNES. I merely wish to state that an opportunity will be afforded to every Member of the Senate to offer any amendments after the pending amendment shall have been disposed of.

Mr. GLASS. I did not understand the Senator's statement.

Mr. BYRNES. I said the Senator from Texas is correct, for, of course, any Senator may offer any amendment exempting any agency of the Government.

Mr. GLASS. I am not proposing to exempt anything.

Mr. BYRNES. I appreciate the attitude of the Senator from Virginia, but I was referring to what the Senator from Texas said.

Mr. GLASS. And I have not received any assurances from high authority, either.

Mr. POPE. Of course, any Senator may offer an amendment. I want every assurance possible that this agency will not be transferred; but by offering an amendment, I can conceive that the whole purpose of the bill may be destroyed.

However, I do have the assurance, and I will say to the Senator from Virginia that I was sufficiently interested to obtain such assurance.

Mr. GLASS. Does not the Senator know perfectly well what was the basis of the assurance?

Mr. POPE. I do not know exactly what the Senator means.

Mr. BARKLEY. I do not think the word "assurance"—

The PRESIDING OFFICER. Does the Senator from Idaho yield; and if so, to whom?

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

Mr. BARKLEY. I do not think the word "assurance" is a happy word.

Mr. GLASS. Neither do I.

Mr. BARKLEY. Senators have sought in their own way to ascertain the intention with respect to this matter. It is quite a different matter to find out what an intention is and to obtain some assurance that carries with it the implication that there has been a promise made on the part of somebody to get someone else's vote.

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

Mr. POPE. I will yield the floor unless the Senator from Texas wants to ask me a question.

Mr. CONNALLY. I want the Senator from Idaho to keep the floor.

Mr. POPE. Very well; I yield to the Senator from Texas.

Mr. CONNALLY. I should like very modestly to suggest that I think it is very bad practice for Senators and Members of the other House to rise on the floor when legislation is being considered and give some sort of "assurance" that they have obtained. I do not know how they get the assurances but they get them. I think that is very bad legislative and parliamentary practice. I regret to see my friend from Idaho, however much I may agree with his intentions, adopt that sort of policy. The Senator from Idaho has just stated that if he did not have those assurances he would vote against this bill.

Mr. POPE. No; I said if I thought there was any danger of a transfer of the Forest Service, I would vote against the bill.

Mr. WHEELER. And the Senator said he had assurances.

Mr. CONNALLY. The assurances remove the danger.



Mr. POPE. I am not quibbling about the word "assurances."

Mr. CONNALLY. I am not criticizing the Senator but I want to bring his attention to this point: Here is a great reorganization proposed of the bureaus of the Government and the Senator favors it; he thinks it is going to do something overnight that is going to work wonders and marvels in the matter of economy and efficiency.

Mr. POPE. I will say to the Senator that I have given up the idea of the bill doing marvels. I merely say that I think it will help to accomplish the purpose which it seeks to accomplish.

Mr. CONNALLY. Yet the Senator is willing to wreck the bill unless he gets this particular bureau, the Forest Service, kept where it is. So we come to the point that unless we get some secret assurances that other Senators cannot get, which are denied to other Senators, then we will go ahead and vote against the bill. I do not want to be critical. I have been away, I will say, and I have not heard all the debate. I am just trying to get a little light on the subject.

Mr. LEWIS. Mr. President, I think I can straighten this out, if Senators will allow me.

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

Mr. POPE. Mr. President, I have the floor.

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Illinois?

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

Mr. LEWIS. If the able Senator will allow me, I am bold enough to assume that I can reconcile these discordances and what appears to be somewhat of a conflict of construction. What the Senator from Idaho says with reference to assurances can best be made plain by what I shall now reveal. I am the Member of this honorable body who tendered a bill placing the Department which is under the supervision of the now recognized Secretary of the Interior, Mr. Ickes, under what would be called the department of public works. But those who sought to have that Department amalgamated with the other department now no longer desire it, and make public announcement of no intention or effort in that direction. That is what I think the able Senator from Idaho alludes to.

Mr. POPE. I thank the Senator.

Mr. WHEELER. I am glad the Senator from Illinois has explained what the Senator from Idaho meant.

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

Mr. POPE. I will be glad to yield the floor, unless the Senator wants to ask me a question.

Mr. CLARK. Then, I will claim the floor in my own right.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. CLARK. Mr. President, I agree very heartily with what has been said by the Senator from Virginia [Mr. GLASS] and the Senator from Texas [Mr. CONNALLY] with regard to the matter of "assurances." A few days ago the distinguished junior Senator from Idaho [Mr. POPE] arose in his place on this floor and said that he would not vote for this bill if he thought there was any danger that the Forest Service would be transferred or unless he was certain that the Forest Service would not be transferred from the Department of Agriculture to the Department of the Interior, and that he had assurances that that would not be done. He was asked by the junior Senator from Virginia from whom those assurances came, and he declined to state the source. It may be entirely proper for the Senator from Idaho to be actuated by matters within his own knowledge and by conversations which he has had and of which other Senators do not have knowledge, but he certainly cannot expect the ordinary, common "mine run" Senators to be convinced on important matters by assurances which he has had and which he refuses to disclose to the Senate. In my view, Mr. President, under the constitutional theory of the functions of the Congress and of the Executive of this country, assurances and declarations of policies which are to be made as affecting congressional action should be made to the Congress in the method provided by the Constitution.

Now, apparently others have had some other assurances in the matter of the transfer of the Forest Service from the Department of Agriculture to the Department of the Interior.

Let me say, in the first place, Mr. President, that I am not one of those who are particularly concerned about the status of the Forest Service. I am not one of those Senators who think that there is anything sacrosanct in the maintenance of the Forest Service in the Agricultural Department, although I recall that something over 25 years ago there arose a very serious scandal that wrecked the Taft administration at that time by reason of the administration of the Forestry Bureau by the Interior Department, and that the President saw fit to recommend—and Congress, in its wisdom, saw fit to adopt his suggestion—the transfer of that Bureau to the Department of Agriculture.

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

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

Mr. CLARK. I yield.

Mr. CONNALLY. The trouble in that instance was not where the Forest Bureau was located; it was who was running it, was it not? It does not make any difference whether it is in one building or another building.

Mr. CLARK. It seemed to be located at that time in a department which Congress thought afforded an unhealthy atmosphere for it, and they saw fit to transfer it to the Department of Agriculture.

Mr. CONNALLY. If the same Cabinet officer had been at the head of the other department, the same condition would have resulted.

Mr. CLARK. As to that I do not desire at this time to enter into any argument.

Mr. CONNALLY. I do not want to argue anything. I agree with the Senator that it does not make much difference in which department a bureau is if an honest man is at the head of it.

Mr. CLARK. I will say to the Senator I am not one of those who are deeply concerned about the identification of the Forest Service with the Agricultural Department or with the Interior Department. As a matter of fact, I voted, as did, I think, every other Senator who was on the floor at the time, a couple of years ago, for a bill the essence of which was originally in this measure, to change the name of the Department of the Interior to the Department of Conservation, but which failed in the House. It is well recognized, by reason of the contrary lobbying activities around the Capitol of both the Department of the Interior and the Department of Agriculture, headed by the respective chiefs of both departments, that this measure was the forerunner of the transfer of the Forest Service to the Department of the Interior.

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

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

Mr. CLARK. I yield.

Mr. BONE. What objection, if any, has been registered against the transfer of the forestry activities to the Department of the Interior?

Mr. CLARK. If the Senator will read the hearings before the Reorganization Committee, and look in the files in his own office, he will find a vast volume of literature on both sides of that controversy. At the present moment, I do not desire to enter into that controversy, except as it illustrates the principle of power being granted under this bill unless the amendment of the Senator from Montana shall be adopted.

Mr. BONE. I am merely thinking that the controversy revolves around personalities rather than around principles.

Mr. CLARK. The point I am making is, if the Senator from Washington will permit me, that it is a matter which ought to be regulated by Congress. Since many Senators, many Members of the House of Representatives, and many large public organizations have very definite views on that subject, and since it is a matter of policy granted and en-

trusted under the Constitution to Congress, it ought to be settled by Congress.

So far as I am concerned, if Congress had taken up the subject of a transfer of the Forest Service from the Department of Agriculture to the Department of the Interior or Conservation or anything else, I should bring to the consideration of the problem an absolutely open mind; but the point I am making is that when Senators stand up on this floor and say that they would not vote for this bill if they thought there was any danger of the transfer of this particular bureau from one department to the other, they are making the strongest argument which can be made against writing a blank check and granting that power as to all other bureaus.

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

Mr. CLARK. I yield.

Mr. WHEELER. I entirely agree with what the Senator from Missouri says. The Forest Service was used as an illustration; but if the Senator from Idaho [Mr. POPE] can get an assurance for the stockmen or for the sheepmen in his State that the Forest Service will not be transferred to the Interior Department, to which they object, why should not the veterans located all over the United States have an assurance from somebody that the Veterans' Administration will not be transferred from its present independent status and placed under some department of the Government?

Mr. CLARK. Mr. President, if the Senator from Montana will permit me to interrupt him right at that point, I have received requests from all over the United States, from veterans' organizations and individual veterans with whom I have been associated for many years—I suppose they wrote to me particularly because I happen to be a past national commander of the American Legion—begging me to offer on this floor an amendment to exempt the Veterans' Administration from transfer, and I refused to do it, because I told them one and all that I thought the principle of the abdication by Congress of its powers was wrong, and that to the extent that I or anybody else sought to secure assurances as to a particular bureau in which I might be interested, or some of my constituents or some of my associates might be interested, I should be giving my adherence to the principle of the abdication by Congress of its powers and responsibilities.

Mr. WHEELER. I desire to say to the Senator that persons interested in the transfer of the Forest Service came to me and wanted me to offer an amendment exempting the Forest Service. I took exactly the same position—that I would not come in here and ask for an exemption for the Forest Service, because, if I asked for it for the Forest Service, I ought to ask for it for the Reclamation Bureau, and I ought to ask for a similar assurance with reference to the Bureau of Public Roads.

Mr. CLARK. And the Biological Survey.

Mr. WHEELER. And I ought to ask for a similar assurance for the labor people, who do not want their division transferred and who have been up to see me, asking me for an exemption with reference to it. I said to all of them that I refused to seek assurances either from the President of the United States or from any of the departments, and I refused to help to put in exemptions by my vote. If that is the way we are going to legislate, if we are going to have private conversations with somebody in high authority in which we will be assured that a certain thing will not be done in order to get our votes, then we certainly have come down to a pretty low state in Congress.

Mr. CLARK. And we do not know how many of these assurances are out with regard to how many various bureaus or activities, and we do not know where the assurances came from. Both the Senator from Idaho [Mr. POPE] and the Senator from Kentucky [Mr. BARKLEY] have spoken here about assurances, but they have declined or failed to state from whom or whence the assurances came. In other words, other common, mine-run Senators are put in the position not of shaking the hand of Sullivan but of shaking the hand

that shook the hand that shook the hand that shook the hand of Sullivan. [Laughter.]

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

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

Mr. BARKLEY. I hope the Senator from Missouri is not going to do himself the injustice of putting himself among what are called the "common, mine run" Senators.

Mr. CLARK. I certainly have not had any assurances, and I have not asked for any.

Mr. BARKLEY. I deny that there is any such class of Senators. If the "ordinary, mine run" of Senators, as he describes them, means what we mean in the coal industry when we take the ordinary mine run of coal that comes out with slate and slack and stone and iron and everything else in it, I protest against the description of any Member of this body as belonging to any such mine-run class; and I am sure the Senator from Missouri himself does not belong to it.

Mr. CLARK. Of course, in the Senate we always speak of each other in very complimentary terms, as "the eminent Senator" So-and-So, or "the able Senator" from some State, or "the distinguished Senator" from some other State. I was referring to the ordinary mine run of Senator as one who has not received any assurances from anybody about this bill, and has not wanted any.

Now, Mr. President, let us see about some of these assurances. It seems that there are contradictory assurances out.

Mr. BURKE. Mr. President, will the Senator yield to me before he takes up that subject?

Mr. CLARK. I should yield first to the Senator from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. I retire in favor of the Senator from Nebraska.

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

Mr. BURKE. It distresses me to hear the Senator from Missouri still talk about assurances as coming from the lips of our leader, because I distinctly heard the Senator from Kentucky say a few moments ago that he thought the term "assurance," as used by the junior Senator from Idaho [Mr. POPE], was a very unfortunate term—

Mr. CLARK. I think that was a later thought on the part of the Senator from Kentucky. A little while before that he was talking about assurances which he had received.

Mr. BURKE. And that we ought, instead, to talk about intention. The question I desire to ask the Senator from Missouri is this: Assume that we make this substitution, and wipe out of our minds altogether the word "assurance," no matter whom or what department or where it may have come from, and talk about intention, if we say that somebody, some unknown person, now has said that there is no intention to transfer the Forest Service, how does that help us when we consider the fact that this measure by its own terms is to operate until July 1, 1940? Would a declaration now from anyone that there is no present intention to transfer the Forest Service from the Department of Agriculture to the Department of the Interior be in any way binding on the same person who now declares that intention 6 months from now, or a year from now, and prevent him from doing the very thing we are informed there is now no intention to do?

Mr. CLARK. It not only would not bind anybody, but it ought not to bind anybody. If the President of the United States at the present moment were to send to Congress a message stating that he had no intention of changing the Forest Service, or any function of the Forest Service, from the Department of Agriculture to the Department of the Interior or the Department of the Treasury or anywhere else he wanted to, I do not think that ought to be binding on the President of the United States under the sweeping powers we are giving him in this bill, because on complete reconsideration of the subject, on a study of it, on representations which undoubtedly would be made to him—because they certainly have been made to Congress over a period of about 20 years—he might change his mind, and



if he did change his mind then, under the tremendous power being granted him here, he ought not to be bound by statements of his intention prior to the passage of the act but ought to exercise his best judgment at the moment he acts.

Mr. VANDENBERG. Mr. President, if the Senator will permit me—

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

Mr. VANDENBERG. Furthermore, intentions may fail to materialize for reasons beyond the control of those who may have announced their intentions. For instance, for 4 or 5 years the President has announced his intention to balance the Budget, but that has not balanced the Budget.

Mr. CLARK. I agree with the Senator from Michigan. In the statement of the Democratic platform of 1932, which the Senator from Idaho read a little while ago, we announced intentions which we were not able to effectuate. But on the subject of assurances on this particular question—I use the Forest Service illustration only because it has been several times injected into the debate, and because it affords an excellent particular exemplification of what might be the operation of this bill—I wish to call attention to the testimony of the Assistant Solicitor of the Interior Department, Mr. Rufus G. Poole, given before the Committee on Public Lands of the House of Representatives last year, and reported on pages 204 and 205 of the hearings of that committee on a bill known as H. R. 5858, having to do with reforestation and public use of certain lands to be returned to the Government from certain abandoned railway companies and certain abandoned stage-coach companies. This was a bill which had been recommended to the Congress by the Department of Agriculture. In connection with it, Mr. Poole said:

The draft of legislation which culminated in H. R. 5858 was submitted to the Bureau of the Budget by the Interior Department. After two conferences with the officials of the Bureau of the Budget and the Interior Department, the Department was advised by Mr. Bell that this legislation "is in accord with the program of the President." During the conferences mentioned the question of jurisdiction was considered and it was pointed out that in view of the President's reorganization recommendations the Department of the Interior was the proper agency to administer these public lands under a conservation program. The reorganization program recommended by the President, as you know, is set forth in the Brownlow report. On pages 31 to 33, inclusive, a plan of reorganization is projected. A part of that plan calls for the change of the name of the Department of the Interior to the Department of Conservation and provides that the Department shall have the following major purpose—

"To advise the President with regard to the protection and use of the natural resources of the Nation and the public domain. To administer the public lands, parks, territories, and reservations and enforce the conservation laws with regard to public lands and mineral and water resources, except as otherwise assigned."

Then Mr. Poole goes on:

This reorganization program is now pending before Congress and would lay the foundation for economy, greater governmental efficiency by avoiding conflicts in jurisdiction, and the elimination of duplication and contradictory policies.

To transfer the jurisdiction of these lands to the Department of Agriculture only would add responsibilities to that Department which, under the recommendations of the President's reorganization plan, it would seem should be placed in a department of conservation. In my judgment, this jurisdictional question is one which cannot be solved by piecemeal legislation such as is suggested here by the Department of Agriculture's report. The Departments of Agriculture and Interior have duplicating functions in many fields of governmental activity, including grazing, mineral development, park and recreational activities, and game preservation.

I regret that the question of jurisdiction has been injected by the witness from Agriculture. I had not the intention of raising that issue, as I believe it can only serve to delay the enactment of this important conservation measure. If, however, the question of jurisdiction over these lands—

These were lands which were to be returned to the Forest Service—

in the judgment of the committee, is one which should be considered at this time and by this committee, it is my suggestion that the committee consider an amendment which I now offer for the transfer of the Forest Service to the Interior Department. Such an amendment is believed to be in furtherance and not in derogation of the President's reorganization recommendation.

Here is the amendment:

The Forest Service and all the functions thereof, together with its personnel, records, files, supplies, office furniture, equipment

and property of every kind, unexpended balances of appropriations, and/or allotments in the District of Columbia or elsewhere are transferred from the Department of Agriculture to the Department of the Interior; and all duties, powers, and authority now vested by law in the Secretary of Agriculture, performed, executed, or exercised by him through or in the administration of the Forest Service, are transferred to the Secretary of the Interior.

In the same hearings Mr. Poole qualified as to his authority and right to make official statements on behalf of the Department of the Interior before committees of Congress. Bear in mind, this seems to be another case of assurances. Mr. MOTT of the House committee said:

Mr. MOTT. My recollection of his [Mr. Poole's] testimony was that he said that a consolidation, taking the Forest Service into the Interior Department, was contemplated by the President's reorganization plan.

Mr. POOLE. That is correct.

The CHAIRMAN. That is correct; and that it would probably take place.

Question having been raised as to whether Mr. Poole was an expert in the matters under discussion and spoke for the whole Department of the Interior, the record was made clear by the following colloquy, reported on page 248 of the aforesaid hearings:

Mr. CRAWFORD. It has always been the custom, or it has been the custom for years, at least, to have a man in your capacity to appear before this committee to represent the whole Department, rather than sending Tom, Dick, and Harry from the Department to present their views.

Mr. POOLE. That is right. There is a departmental order which has delegated to me the onerous duty of appearing before all committees, or such persons as I may designate.

Mr. CRAWFORD. And when you do come up here and submit definite information, which has been prepared by the experts of your Department, it is, in your opinion, the custom of this committee and other committees to accept that as expert testimony.

Mr. POOLE. Yes, sir; they accept it as the considered opinion or recommendation of the Interior Department or of the administration.

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

Mr. CLARK. I yield.

Mr. BARKLEY. Let us assume that the Department of the Interior wants to get the Forest Service; let us assume that one of the reasons why the name "department of conservation" was suggested was that every matter pertaining to all sorts of conservation was intended to be located in that department; does the Senator think that a statement made before a House committee by an assistant solicitor—

Mr. CLARK. The official representative of the Department.

Mr. BARKLEY. Yes; does the Senator think that the statement made before the House committee by an assistant solicitor, or by the solicitor, or even by the Secretary of the Interior himself, on another bill, although it referred to reorganization, has any binding force on the President of the United States?

Mr. CLARK. Mr. President, I have just stated that even a declaration by the President himself would have no binding effect on the President of the United States. I am not reflecting on the President in the slightest degree. I am not undertaking to tie the President's hands. If we give him this power, I do not think he ought to be bound by any public or private assurances. I mention this testimony for the reason that both the junior Senator from Idaho and the Senator from Kentucky himself have been talking about assurances. I have read this testimony to show that there may have been some assurances on the other side somewhere, or some statement that people could think they were taking as assurances.

I am not objecting to any statement anyone has made to the junior Senator from Idaho or to the Senator from Kentucky, the distinguished majority leader. What I am objecting to is asking the Congress, in discharging its own high constitutional function, to be influenced by some private conversation, or some assurance which the Senator from Kentucky or the Senator from Idaho or anyone else may have had.

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

Mr. CLARK. I yield.

Mr. BARKLEY. There is nothing insidious or mysterious about anything to which we have referred. There is no objection so far as I know, to any Senator or any Member

of the other body going to any officer of the Government, whether it be the highest or the next to the highest or the lowest, and asking what his intention is with respect to a certain matter. Any Senator has that right, and I do not think it is an objectionable thing.

Mr. CLARK. No one has criticized either the Senator from Kentucky, or the Senator from Idaho, or Mr. Poole, or Secretary Ickes, or Secretary Wallace, or anyone else, for getting any information or assurances possible. The thing I am pointing out is that no Senator or anyone else ought to ask the Senate of the United States and the Congress of the United States to be governed in their official conduct by some sort of understanding someone else has had with some undisclosed party or parties.

Mr. BARKLEY. If any Member of either body who entertains any fears with respect to any particular bureau desires to confer in his official capacity with anyone having authority to do anything about it, and if the information which he receives is satisfactory to him, is there anything wrong about it, is there anything to be criticized about it?

Mr. CLARK. I think the whole Congress is entitled to all the information that is to be available on this subject. So far as I am concerned, it so happens that the one exception made in the bill, I believe, to the power of the President to make transfers, happens to be in regard to an agency for whose outstanding work I have very high respect and regard and in many of whose activities I have a very great interest. I refer to the Engineer Corps of the United States Army. I happen to know that at one time there was a serious intention in very high quarters of transferring the personnel and functions of the Army Engineer Corps to the Interior Department. That doubtless had something to do with the action of the committee in exempting the Army Engineer Corps from the operations of the bill. But, as much as I am interested in, and as much respect as I have for the Army engineers, and as much as I am interested in the great and meritorious work they do, I am opposed to exempting the Army engineers or anyone else from the operation of the proposed law, because every time we do that we weaken the objection to the viciousness of the abdication by Congress of its official functions.

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

Mr. CLARK. I yield.

Mr. CHAVEZ. I was one of the Senators who had some fear that the Forest Service would be taken over by the Department of the Interior, and I took it upon myself to satisfy my own mind, anyway, as to whether or not there was such an intention; and I have some assurances, too—assurances based upon inquiry that was founded on apprehension. I have assurance that not only was there no such intention, but that the Forest Service would not be transferred to the Interior Department if this bill were to be enacted. I made inquiries, and the information which I received, which satisfied me, went not only to the extent of the function, but satisfied my own mind, anyway, that it would not be done under the President.

Mr. CLARK. Mr. President, any Senator who receives any assurance of any sort as to any governmental agency is entirely within his rights to be governed by the assurance he has received, either as to that agency or in voting for the bill; but he certainly has no occasion to expect other Senators to be controlled or even influenced in their action and in their votes on the bill by assurances of which they know nothing.

Mr. CHAVEZ. It was not the intention of the Senator from New Mexico to have his state of mind influence any other Senator, but it did satisfy the Senator from New Mexico as to that particular point.

Mr. CLARK. Mr. President, before I take my seat—and I do not desire to detain the Senate very long—I wish to say that the first time I had the honor of formally addressing the Senate of the United States, when I first came to the Senate, was on a bill which contained almost identically the same provision as to the grant of power the pending measure contains. I voted against the bill. I filed a minor-

ity report against it in the Committee on Finance. I was one of the 13 Senators who voted against the bill on its final passage. I regretted unspeakably at that time the abdication not only of its powers but its responsibility by the Congress of the United States—powers which come to us from generations of forefathers who fought and struggled, some of whom shed blood, and some of whom died as martyrs, not that we might as individuals enjoy this power, but that the legislative branch of the Government, as representatives of the American people, should have it, and pass it on to our successors as we inherited it from our predecessors.

I regretted the enactment of that measure, and I rejoiced when the President of the United States wisely and patriotically forbore to exercise the authority granted him under the act of 1933, and passed that power back to the Congress, where it belonged.

I do not wish to detain the Senate, but I intend to read a few observations from the speech I made when the bill to which I have referred was under consideration, on the 14th of March 1933, because they express my views as clearly and as concisely as I could possibly express them now. On that occasion I said:

Mr. President, this bill embodies fundamental changes in our entire system of government which I cannot support, because they are abhorrent alike to my conscientious convictions, to my pledges to my constituents, and to the very oath to support and defend the Constitution of the United States which I took when I held up my hand and was sworn into this body. My opposition to the extraordinary grants of power to the Executive contained in this act has no faintest trace of lack of confidence in President Roosevelt. Holding the views of our constitutional government to which I adhere, I could not vote to confer these powers upon the Executive if George Washington, Thomas Jefferson, Andrew Jackson, and Abraham Lincoln could return to life, their great qualities of mind and heart be combined in one person, and he be the occupant of the Presidency.

This bill, Mr. President, makes a definite, far-reaching, and fundamental change in our theory and organization of government. It is no less than the open proposal that Congress shall abdicate the duties and powers imposed upon it by the Constitution, delegate them to the Executive, and become in effect nothing but an aggregation of governmental supernumeraries, content to remain on the Federal pay roll to perform the perfunctory task of appropriating gross sums of money, in the specific expenditure of which they are to have no direction or control.

In order that there may be no possible misconception of the purpose of this measure to effectuate a drastic and fundamental change in government I quote from the President's message of March 10, 1933:

"The proper legislative function is to fix the amount of expenditure, the means by which it is to be raised, and the general principles under which the expenditures are to be made. The details of expenditure, particularly in view of the great present emergency, can be more wisely and equitably administered through the Executive."

Mr. President, with all respect to the President of the United States, I cannot agree that the drastic change in our whole form of government contemplated in this measure is either desirable or constitutional. It may be taken as a rule of universal application that that government is a free government in which control of the purse strings is in the hands of a parliamentary body elected by the people, and that that government is not a free government in which control of finances and expenditures is in the hands of the Executive, free from parliamentary limitation and control.

In my view, Mr. President, no transitory emergency, no degree of confidence in the integrity and disinterestedness of the present Chief Executive can justify such a revolutionary departure from the constitutional separation of powers provided by the framers of our basic law. If the time has come when Congress has become an anachronism, when the Members of the House and Senate have become incapable or unwilling to perform their constitutional functions, when the vesting of all essential functions in the Executive has become justifiable, then the radical change should be accomplished according to the orderly processes provided by the Constitution for changes in our fundamental structure of government.

Speaking for myself, Mr. President, I recognize the necessity for drastic cuts in governmental expenditures. I am ready to vote for radical economies not only in veterans' appropriations and Federal salaries, but in consolidation and elimination of bureaus, departments, and activities upon the recommendation of the President. In casting those votes I would be as little intimidated by the propaganda of the organizations opposing the measures as by the propaganda of organizations which favor them. For the last 2 or 3 days we have all been flooded with telegrams which any experienced man can recognize as simply the outcome of propaganda, both pro and con, on measures pending before this session of Congress. My objection to the pending measure aside from matters of detail, is, in general principle, that it seeks to effect



economies by Executive order rather than by constitutional legislation.

It is idle to say that the President is to be charged with the determination of these matters. We all know that it simply means that these legislative matters are to be determined by appointive officers and clerks rather than by the elected representatives of the people. I am unwilling to agree that the mere fact of appointment by the Executive vests an officer with infallibility and renders his judgment superior to that of the Members of Congress elected by the people. For example, one of the administrative experts who appeared before the Finance Committee in its brief hearing on this bill made a mistake of nearly \$100,000,000 as to the amount now being expended by one activity of the bureau of which he is the head.

I have no fear, Mr. President, that the extraordinary grants of power contained in this act will be abused by the present President of the United States; but it is precisely such inroads upon the functions and duties of the legislative branch, granted in times of stress to executives enjoying in a high degree the confidence of the people, which are taken as precedents for bringing about a permanent dislocation in the constitutional practice of government.

Mr. President, so far as the pending measure is concerned I insist with every bit of earnestness at my command that it is not necessary in order to bring about proper economy of government and the abolition or consolidation of useless bureaus, for Congress to abdicate its fundamental functions under the Constitution, and to say so, Mr. President, is not only a reflection on the character and membership of the Congress, but it is in contravention of the whole parliamentary history of the United States from the foundation of the Government down. Any real examination of the growth of these powers, of their original establishment, of their reaching out for enlargement of powers, any consideration of the estimates submitted by the Executive, either before or after the establishment of the Budget, and the action on it by congressional committees, will demonstrate that the responsibility for the expansion of bureaus, for the multiplication of bureaus, for the enormous growth in appropriations for the executive departments, has been due to the activities of the executive rather than the legislative branch.

In conclusion, Mr. President, I desire to make the suggestion that Congress was already well on its way to bring about an effective reorganization of Government, with a view to economy as well as efficiency, by the establishment of the Byrd committee, which was making a very effective start along the monumental job of governmental reorganization when the report of the Brownlow committee was sent to Congress, and another committee was superimposed on the Byrd committee, which effectively silenced the functions of that committee. And, I insist, Mr. President, that the provisions contained in the amendment of the Senator from Montana, which simply requires the Congress to pursue its constitutional function in passing on essential changes of government, cannot in any way be in derogation of any theory of economy or efficiency or reorganization advocated by anyone.

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

The PRESIDING OFFICER. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Calif.	O'Mahoney
Ashurst	Davis	Johnson, Colo.	Overton
Austin	Dieterich	King	Pittman
Bailey	Donahey	La Follette	Pope
Bankhead	Ellender	Lee	Radcliffe
Barkley	Frazier	Lewis	Reames
Berry	George	Lodge	Reynolds
Bilbo	Gerry	Logan	Russell
Bone	Gibson	Loneragan	Schwartz
Borah	Gillette	Lundeen	Schwellenbach
Bridges	Glass	McAdoo	Shipstead
Brown, Mich.	Green	McCarran	Smathers
Brown, N. H.	Guffey	McKellar	Smith
Bulkley	Hale	McNary	Thomas, Utah
Bulow	Harrison	Maloney	Townsend
Burke	Hatch	Miller	Truman
Byrd	Hayden	Milton	Tydings
Byrnes	Herring	Minton	Vandenberg
Capper	Hill	Murray	Van Nuys
Caraway	Hitchcock	Neely	Walsh
Chavez	Holt	Norris	Wheeler
Clark	Hughes	Nye	

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

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT

Mr. GLASS submitted a conference report on the bill H. R. 9181) making appropriations for the District of Columbia, and for other purposes, which was ordered to lie on the table.

REORGANIZATION OF EXECUTIVE DEPARTMENTS

The Senate resumed the consideration of the bill (S. 3331) to provide for reorganizing agencies of the Government, extending the classified civil service, establishing a general auditing office and a department of welfare, and for other purposes.

Mr. O'MAHONEY. Mr. President, it seems to me that no one could have listened to the debate this afternoon without coming to the conclusion that a reorganization of the executive branch of the Government by congressional action alone would be impossible. The question which was debated back and forth for more than an hour was whether or not a particular bureau should or should not be transferred from one department to another; and Senators were taking contrary views with respect to the principle of reorganization solely upon the question as to whether or not this measure would effect the transfer of a single bureau. The actual work of the bureau, its significance as an agency of the Government, was not involved at all, indicating what would happen in the event the amendment offered by the Senator from Montana [Mr. WHEELER] were adopted, and every Executive order made by the President reorganizing the Government were to be catapulted back into both Houses of Congress, there to be discussed pro and con as to whether the transfer should be made.

No one, I venture to hope, is more jealous than I of the legislative function of the Congress. No one would more reluctantly than I surrender a purely and completely legislative power; that is to say, one which deals with substantial matters of public policy. But, as I read this bill and listen to the discussions, it is difficult for me to come to the conclusion that the question at issue is quite so important as some of the Senators have sought to make it appear.

There is no question of legislative policy with respect to any bureau or department of Government involved in this reorganization bill. There is no question of actual function involved in this bill. The passage of the reorganization bill and its signature by the President would not change a single law or curtail a single function of Government. The only question actually involved is that of the relation of the bureaus to one another. It is a question of personnel. That, it seems to me, was rather clearly indicated by all the controversy over what was going to happen to the Forest Service.

No intimation has ever been made that the functions of the Forest Service were to be altered in the slightest degree. There is nothing in the bill which would clothe the President with the power to make any alteration of its functions; and that is the situation with respect to every bureau. Not a single activity of government is to be suspended. But, as will be readily acknowledged, any real reorganization of the far-spreading bureaucracy which now exists in Washington would affect those who are employed in one degree or another. If every order were to be subject to review, the employees, fearful of the results of the order upon their individual positions, would inevitably rush to Congress to prevent it from becoming effective, just exactly as pressure has been brought to bear upon all Members of the Senate and Members of the House to prevent a transfer of the Forest Service from the Department of Agriculture to the Department of the Interior, a change which it was thought was in prospect. The result would almost certainly be that no reorganization of any kind would be effected.

When we consider the fact—which no one, it seems to me, can deny—that this reorganization bill, by its terms, does not repeal any law, does not change any policy, and does not alter any functions, the only question to be decided is whether or not proper safeguards have been set up in the bill, whether or not proper standards have been laid down,

to guide the President in framing his Executive orders. That the committee sought to do that, I think, is now generally recognized. Not only was that true of the deliberations which took place in committee, but it has also been evidenced by what has transpired upon the floor of the Senate.

When the question arose with respect to the power of the President to abolish functions or parts of functions, and it became clear that some Members of the Senate entertained the belief that the bill would give the President the power to cut off or suspend the operation of functions authorized by Congress, the committee very readily agreed to an amendment of the standard so as to make it clear that no such change would be or could be authorized.

When all is said and done, therefore, we come to the conclusion that what Congress is saying by this bill is that the President of the United States shall undertake the responsibility of reorganizing the executive bureaus, which are all under his control. In other words, we are dealing with a purely executive matter. The Constitution makes the President the Chief Executive. He is in direct charge of every agency affected. His leadership and his responsibility guide them all. What possible danger can there be in authorizing him to coordinate them? What actual abdication is contemplated, so long as no law can be changed, no policy of government altered? The President sees, as we see, the innumerable conflicts, and the great overlapping of one function upon another; and it is for him, under this bill, within the restrictions which we have laid down, to undertake the very difficult task of attempting to simplify and improve the executive functions.

What possible danger can be involved in such a power? It is not a power, let me repeat, to change any law. It is not a power to suspend any function of government which has been authorized by the Congress. It is solely a power to regroup and coordinate those functions; and I am frank to say, Mr. President, that it is difficult for me to understand how there can be so much fear as has been expressed with respect to the exercise of this power.

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

Mr. O'MAHONEY. I shall be glad to yield to the Senator.

Mr. BYRNES. The Senator will recall that the same language contained in this bill was in the act of March 3, 1933, granting the same power. For 18 months that power was in the President, and there was no abuse of that power by the President. So there is really little justification for the fears which have been expressed on the floor of the Senate.

Mr. O'MAHONEY. It seems to me that is the conclusion which must be reached.

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

Mr. O'MAHONEY. I shall be glad to yield.

Mr. GEORGE. I did not want to participate in this debate even to the extent of asking a question. Do not the Senator from Wyoming and the Senator from South Carolina realize that far vaster powers are now vested in bureaus of the Government than were lodged in the hands of any agency in 1933? Do not both the Senators realize that far vaster powers over the intimate affairs of every family in America have been vested in boards, bureaus, and agencies since 1933?

Mr. O'MAHONEY. Greater than before that time?

Mr. GEORGE. Yes.

Mr. O'MAHONEY. There can be no question about it.

Mr. GEORGE. Do not the Senators understand that that fact makes some difference in the situation at this time? For instance, where shall the activities under the Social Security Act be placed? Is it desirable to turn over the administration of social security to Mme. Perkins, without Congress having any right to say anything at all about it?

It seems to me the Senators are just begging the question. Our Government has undergone so many changes since 1930 that, it seems to me, there is no comparable base at all.

Mr. O'MAHONEY. May I say to the Senator from Georgia that I think the fear which he expresses upon this score is not well founded, when one considers that in this bill

there is proposed to be established a department of public welfare? Social security is quite obviously a matter of public welfare; and, for my part, I should not entertain the slightest fear, if any order were made with respect to that bureau, that it would be transferred to any other department whatsoever except the department of public welfare.

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

Mr. O'MAHONEY. Certainly.

Mr. BYRNES. Does not the Senator believe, too, that while under the provisions of this bill no order may be signed by the President after July 1, 1940, it is contemplated that consolidation would continue; and there is no justification for believing that those who now fill offices will be continued forever in charge of the Government or of any one department?

Mr. O'MAHONEY. It seems to me, Mr. President, it comes down to the very practical question of whether or not it is now desired by the Congress, in the interest of the public welfare, to have a reorganization of the executive branch of the Government. This does not in any degree whatsoever involve any question at all of Government policy. So that, when all is said and done, the fears which have been expressed here seem to me to be altogether without basis.

If it be worth while to reorganize, this is the way to do it. The only changes of policy and structure to be made are made by the bill itself. The fact that it sets up a department of welfare, establishes a resources board, and alters the accounting system is in itself proof that no substantial legislative power is abdicated. Those things the President could not do by Executive order. He cannot do anything similar. He is only authorized to improve housekeeping facilities.

The PRESIDING OFFICER. The question is on the amendment, as modified, of the Senator from Montana [Mr. WHEELER].

Mr. BORAH. Mr. President, I note that the Senator in charge of the amendment is not now present. Is the Senate ready for a vote?

Mr. BARKLEY. No; I do not think so.

Mr. BYRNES. Before the vote is taken, I desire to speak; but I understand that the Senator from Nebraska [Mr. NORRIS] desires to address the Senate, and that is why I do not ask for the floor at this time.

Mr. BARKLEY. Mr. President, inasmuch as the Senator from Nebraska is not present, and I understand he desires to address the Senate, I make the point of no quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Adams	Connally	Johnson, Calif.	O'Mahoney
Ashurst	Davis	Johnson, Colo.	Overton
Austin	Dieterich	King	Pittman
Bailey	Donahay	La Follette	Pope
Bankhead	Ellender	Lee	Radcliffe
Barkley	Frazier	Lewis	Reames
Berry	George	Lodge	Reynolds
Bilbo	Gerry	Logan	Russell
Bone	Gibson	Loneragan	Schwartz
Borah	Gillette	Lundeen	Schwollenbach
Bridges	Glass	McAdoo	Shipstead
Brown, Mich.	Green	McCarran	Smathers
Brown, N. H.	Guffey	McKellar	Smith
Bulkley	Hale	McNary	Thomas, Utah
Bulow	Harrison	Maloney	Townsend
Burke	Hatch	Miller	Truman
Byrd	Hayden	Milton	Tydings
Byrnes	Herring	Minton	Vandenberg
Capper	Hill	Murray	Van Nuys
Caraway	Hitchcock	Neely	Walsh
Chavez	Holt	Norris	Wheeler
Clark	Hughes	Nye	

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, a quorum is present. The question is on the amendment, as modified, offered by the Senator from Montana [Mr. WHEELER].

Mr. NORRIS. Mr. President, for a great many years—in fact, practically during all the time I have been in Congress and have been familiar with the workings of the Departments—there has been an agitation in regard to the



transfer of the Forest Service from the Agricultural Department to the Interior Department. Sometimes it has gone so far as to take the form of an attempt; and the movement has excited not only a great deal of curiosity but of resistance on the part of Members of Congress, especially those from the West. I am speaking from memory only, but I think there were times when bills were introduced to bring about such a transfer. If my memory serves me aright, that agitation has continued more or less all during that time, although there were at least 4 years, and perhaps a longer period, when there was no such agitation.

I have always been opposed to the transfer of the Forest Service. I think most of the Members of the House and the Senate who are from the West or the Middle West have been opposed to it; but I think the opposition came mostly from knowledge, or what was thought to be knowledge, at the particular time when the agitation occurred that the Secretary of the Interior was not so friendly to the Forest Service as was the Secretary of Agriculture. Those who wanted to retain the Forest Service in the Agricultural Department were fearful if the transfer were made that the Forest Service would be placed in unfriendly hands, or, at least, from our point of view, we thought it would be placed in unfriendly hands. Sometimes I thought the agitation assumed rather violent proportions.

So far as I know, and certainly so far as my position is concerned, those who were opposed to the transfer were opposed for the reason to which I have just alluded, to wit, that the Forest Service would not be in as friendly hands if it were transferred as it would be if it were left in the Agricultural Department.

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

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Indiana?

Mr. NORRIS. I yield.

Mr. MINTON. Was not the Forest Service at one time in the Department of the Interior?

Mr. NORRIS. Yes; I believe it was.

Mr. MINTON. Under the administration of Theodore Roosevelt, as I recall, it was transferred to the Agricultural Department.

Mr. NORRIS. I do not remember when it was done, but the Senator may be accurate as to the time.

Mr. MINTON. I think it was in 1905.

Mr. NORRIS. I cannot answer the question categorically.

Mr. CLARK. Mr. President, will the Senator from Nebraska yield to me?

Mr. NORRIS. I yield.

Mr. CLARK. The Senator will recall, of course, the row between the Interior Department and the Agricultural Department over the Forest Service during the time Secretary Ballinger was head of the Interior Department, and the Forster was Mr. Pinchot, which, as I recall, was the principal contributing factor to the wrecking of the Taft administration.

Mr. NORRIS. Yes. I am of the opinion that the transfer took place prior to the Ballinger investigation.

Mr. CLARK. The Senator remembers the Ballinger-Pinchot controversy?

Mr. NORRIS. Oh, yes; and, perhaps unfortunately for me, I participated in it more than was for my own good, probably. However, be that as it may, at least so far as it affected me, and I think the statement applies to others as well, it would have made but little difference whether the Forest Service was in the one Department or in the other if we had thought and believed it would be properly administered and administered by its friends. The agitation with reference to transferring the Forest Service has led Representatives and Senators to believe that there was something wrong without really formulating the reasons why they had reached that conclusion. The agitation always taking place between these two Departments has led Representatives and Senators to the belief that there was something wrong if an effort was made to take an activity from one Department and put it in another without really working out the reason why they had reached that conclusion.

As the two Departments now stand, I have no choice; I should be perfectly satisfied if the Forest Service were put under either one of the Departments; but tomorrow there may be installed a Secretary of Agriculture who is unfriendly to the Forest Service, and in that event I should want to have the Forest Service in the Interior Department. But if there were a friend of the Forest Service in the Agricultural Department, and there were an enemy of the Service, or a man whom I believed to be its enemy, or unfriendly to it—he might be honestly unfriendly to it—in the Interior Department, I should want the Forest Service to stay in the Agricultural Department.

Mr. President, I think the differences of opinion as to where the Forest Service ought to be have arisen from a jealousy, I may say, which has long existed, and we took one side or the other without thinking that in the future the entire picture may be reversed.

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

Mr. NORRIS. I yield.

Mr. WHEELER. Let me say to the Senator that that is not the reason. Rightly or wrongly—they may be wrong about it—because of experience which has been had with reference to some of the workings of some of the Departments, there is in my State, and there is generally throughout the mountain States, a very decided feeling on the part of many persons there that they do not want the Forest Service placed under the Interior Department.

I am not passing upon the question whether that feeling is right or wrong. All I am saying is that we ought to be given an opportunity to express our opinion upon the transfer after it has been made.

Mr. NORRIS. If it is made.

Mr. WHEELER. If it is made.

Mr. NORRIS. I am coming to that question before I conclude. If I forget to mention it, I shall be glad to be reminded of it.

Mr. WHEELER. I do not think any criticism could be made of people because of that fear. They may be wrong about it; but I am sure the Senator from Nebraska would not want to have the T. V. A. transferred to the Department of Commerce without Congress at least having a chance to vote upon the matter.

Mr. NORRIS. I will branch off from what I was about to say and take up that subject. I hope I can get back to my chain of thought later; but the Senator from Montana earlier in his remarks referred to that subject, and I was about to ask a question in regard to it when it seems that there was some misunderstanding. I did not expect to speak on the matter, but I might as well take it up now.

I do not believe the illustration which the Senator has given is applicable in this instance. I should be opposed to the Tennessee Valley Authority being attached to any Department, I care not what it is. The very theory of the Tennessee Valley Authority act itself was to make the organization independent of any Department, independent of any President, independent of any political change which might come over the country by which we would go from one extreme to another, as the country often does; to put the Tennessee Valley Authority as nearly as possible upon a business basis, upon a permanent basis, so that it would be beyond the power of either party, if it came into power at some time, to overthrow the Tennessee Valley Authority before it would be possible to have a friendly administration in power.

I should be just as much opposed to putting the T. V. A. under the Agricultural Department as I should to putting it under the Interior Department, or the War Department, or any other Department. The heads of those Departments change. They change on political issues which are decided in a national election, when the particular activities of independent services or organizations or whatever we may call them, like the Interstate Commerce Commission, to give an example, are not in issue at all.

Mr. WHEELER. Or the Federal Trade Commission.

Mr. NORRIS. Or the Federal Trade Commission, or the Tennessee Valley Authority. In other words, the country

might switch over from one political party to the other, and all the heads of departments might be changed. If, for instance, the issue of the abolishment of the Interstate Commerce Commission were submitted to the people at that time, and were decided by the people at the election, I should concede that the Commission ought to be abolished, or strengthened, or handled just as the people had decided should be done. Usually, however, that is not the case. The people will elect a President probably on a tariff issue, or on a labor issue, or on a thousand other things that might be issues, in which the T. V. A. was not considered at all; and yet, by reason of some President going into office on that kind of an issue and appointing heads of Departments on that kind of an issue, he might, even without intending to do so, if a particular activity was in a Department, appoint someone at the head of the Department who would carry out the issues decided in the campaign, but, in addition, he might be an enemy of the particular independent bureau in question and might wipe it off the face of the earth by administration.

That is the reason, I will say to the Senator from Montana, why I do not believe his illustration applies here.

Mr. WHEELER. But it does apply, it seems to me, for this reason: Under this bill, for instance, as I understand it, the President could put the T. V. A. under the Agricultural Department, or the Interior Department, or the War Department.

Mr. NORRIS. No; I do not understand that he could.

Mr. WHEELER. I do understand that he could.

Mr. NORRIS. The Senator may be right.

Mr. WHEELER. There is not any doubt that he could.

Mr. NORRIS. Could the President wipe the Interstate Commerce Commission off the face of the earth?

Mr. WHEELER. No; but that was the intention when the bill was first introduced. It was framed so that the Interstate Commerce Commission or the Federal Trade Commission could be dealt with in that way.

Mr. NORRIS. I have always been opposed to any proposal of that kind.

Mr. WHEELER. All right; but we are now talking about the independent agencies. The Senator from Kentucky [Mr. BARKLEY] the other day said:

There are a number of independent agencies floating around through the air that ought to be under some executive head.

Mr. NORRIS. No; if the Senator will examine the speech made by the Senator from Kentucky, I think it will be found that he was referring to bureaus. I heard what he said, and he was referring to bureaus. That is true to a great extent in regard to bureaus. In other words, I think it is generally conceded—I may be wrong in that statement, but it is my belief—that a very large majority of Members of Congress in both Houses concede that we ought to have a departmental reorganization, and most of them concede that we shall never be able to get it if Congress itself is required to do it.

Mr. WHEELER. Will the Senator let me call his attention to the language of the bill itself? I think that will clear up the dispute.

Mr. NORRIS. Yes.

Mr. WHEELER. I read from the bill:

#### DEFINITIONS

Sec. 5. When used in this act, unless the context otherwise requires—

(1) The term "agency" means any executive Department, independent establishment, independent agency, commission, board, bureau, service, office, administration, authority, division, or activity in the executive branch of the Government, whether in the District of Columbia or elsewhere, and shall include the municipal government of the District of Columbia, and any corporation a majority of the stock of which is owned by the United States and any nonstock, nonprofit corporation organized by the United States or any agency thereof, of which no member of the board of directors is elected or appointed by private interests.

Now—

(2) The term "independent establishment" means the legislative courts and the Board of Tax Appeals, the Federal Communications Commission, the Federal Power Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Na-

tional Bituminous Coal Commission, the National Labor Relations Board, the Securities and Exchange Commission, and the United States Maritime Commission.

At no place is the T. V. A. exempted under the language of the bill.

Mr. NORRIS. That includes it.

Mr. WHEELER. Where does it include it?

Mr. NORRIS. The Senator just read the list.

Mr. WHEELER. I will read it again. There is the Board of Tax Appeals, the Federal Communications Commission, the Federal Power Commission—

Mr. NORRIS. Those are the ones—

Mr. WHEELER. Which are exempted.

Mr. NORRIS. No.

Mr. WHEELER. Yes; these are the ones which are exempted. Then there are the Federal Trade Commission, the Interstate Commerce Commission, the National Bituminous Coal Commission, the National Labor Relations Board, the Securities and Exchange Commission, and the United States Maritime Commission. The only ones exempted in the bill are the ones whose names I have read to the Senator.

Mr. NORRIS. If that be true—

Mr. WHEELER. Of course it is true.

Mr. NORRIS. If that be true, then the bill should be amended by including the Tennessee Valley Authority and, perhaps, some others in the exemptions.

Mr. WHEELER. The T. V. A. is not included. When my attention was first called to the bill, certain persons close to the administration called me up and asked me if I would favor it. I said I would not favor it if it included the Federal Trade Commission and the Interstate Commerce Commission. The purpose was to take the Interstate Commerce Commission and these other independent agencies and put them under some executive branch. The complaint has been that they ought to be put under some executive branch. When those proposing that could not succeed in it, then they exempted these particular boards, but the T. V. A. is not exempted.

Mr. NORRIS. It ought to be exempted. If the Senator's theory is correct, it ought to be.

Mr. WHEELER. There is no doubt about it. It is not my theory, it is the bill.

Mr. NORRIS. That has not anything to do with the amendment we are discussing.

Mr. WHEELER. Oh, yes, it has; for the reason that they could take the T. V. A. and put it under some Department.

Mr. NORRIS. I am coming to the Senator's particular amendment, and will state the reason why I think I cannot support it.

Mr. WHEELER. I understand that; but I wanted to point out to the Senator that he would not, as a matter of fact, support the bill if he felt that the administration could take the T. V. A. and put it under an executive Department.

Mr. NORRIS. I would not support the bill if I thought they could take the Interstate Commerce Commission and put it under some executive Department. The very theory is to have them independent.

Mr. WHEELER. Exactly, and that is true with reference to numerous other boards, and many people have come to me about it. Many of these boards were established as independent agencies, and were so established because Congress wanted to do exactly the thing which the Senator has expressed, and for the very reasons he has given. It is not possible to exclude one particular agency or another particular agency and have assurance from the White House that some other agency will not be included. Someone will call the White House and say, "I have assurance that such and such a thing will not be done." I offered the amendment so that the Congress itself may retain the right to say whether or not any of these independent agencies shall be put under the executive departments.

Mr. NORRIS. I shall discuss the Senator's amendment when I get through the preliminary remarks I am making. When the Senator first offered his amendment, before the



bill had been changed, I was inclined to support the amendment, and I would have voted for it if several corrections had not been made in the bill which I think make the Senator's amendment unnecessary.

I do not believe all this talk about seeing the President and being assured that this is not going to be done or that that is going to be done. I take those statements with several grains of salt. I would not ask the President what he was going to do in a matter of this kind. I believe that if I did he would not tell me. He should not tell me. He should not tell anyone, because if he does, at the very beginning we will get into the same difficulty that I am afraid the Senator's amendment would get us into afterward.

Mr. WHEELER. Mr. President, may I interrupt the Senator again?

Mr. NORRIS. Certainly.

Mr. WHEELER. I agree with the Senator entirely; I would not ask the President for any assurance, but on the floor of the Senate it has been stated on two different occasions, if not three, that certain Senators have received assurances.

Mr. NORRIS. I understand.

Mr. WHEELER. And that for that reason they have changed their minds. Are we going to legislate because Senators receive assurances?

Mr. NORRIS. No; but I have not heard anyone on the floor of the Senate state that he got any assurance from the President. One may get assurance from what the President said in the past, perhaps, when this was not an issue, as to what he thought ought to be done, and one might rely on that, and one has a perfect right to rely on the position he was taking then, and think that it would govern him in this matter. But I do not believe the President has given any assurance to anyone.

Mr. WHEELER. One Senator said on the floor of the Senate that he got an assurance, and then another Senator stated that he got an assurance.

Mr. NORRIS. Did they say where they got the assurance?

Mr. WHEELER. The Senator is not so naive as his question would indicate.

Mr. NORRIS. I am just that naive. I do not believe any Senator has received any definite assurance from the President as to what bureau he is going to put in any particular place or in any department.

Mr. WHEELER. I cannot argue that with the Senator.

Mr. NORRIS. The Senator can argue it with me, but it seems to me that if we are to proceed on the theory that every man with a pet bureau is going to be assured in advance that it will not be interfered with, we might just as well vote the bill down, and have no reorganization.

Mr. WHEELER. That is what is being done.

Mr. NORRIS. I do not think so.

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

Mr. NORRIS. I yield.

Mr. MINTON. It has been openly charged on the floor of the Senate, as I understand, not that the President, but that someone in some of the Departments was in favor of transferring the Forest Service from the Department of Agriculture to the Department of the Interior. That was supposed to be one of the devious, dark, deep purposes of the bill; they were going to assassinate the Forest Service, and put it in the Department of the Interior. That has been openly charged. Senators who are interested in that matter who live in the West have been bombarded with the propaganda which is getting well under way about the bill, to the effect that that was one of the purposes. They stirred up the people in the far West about the question of forestry until Senators became very much concerned about it, and of course contacted the Department to determine whether or not it was the intention and purpose to do the thing which it was said they were going to do.

Now we have it from at least two Senators—I have heard at least two Senators make the statement—that they had information that there was no intention to do this das-

tardly, cowardly, scuttling thing that was threatened to the Forest Service.

Mr. NORRIS. Mr. President, I do not believe any such information that is in circulation as to what the President is going to do with this bureau or that is founded on anything more than information someone may get in the way the Senator from Indiana has suggested. One might know how the President feels, he might know how he felt 10 years ago about a certain thing involving a certain bureau, and he could judge from that what he would do with it. But if this bill becomes law, probably after it becomes law, the President will study these various questions. Perhaps he has studied them already; I do not know. Perhaps he could send in an order the day after the bill became a law, though I do not believe it. Probably in a great many instances the President does not now know, probably in some instances does not have any idea, what he is going to do with this bureau or that bureau, or whether it is going to be possible to do anything.

I am laboring under the impression that many governmental bureaus and offices ought to be reorganized. I am of the belief that the proper body to reorganize them—if it could act intelligently—would be the Congress of the United States, which set them up. But I am of the opinion, and I think it is agreed to by practically everyone, that that would be an absolute impossibility.

We set up the Interstate Commerce Commission and delegated to them some authority. We have had the right to take up in Congress everything that has ever come before the Interstate Commerce Commission. We have had jurisdiction, and could have put in the form of law what they have done. But everyone knows it would be a physical impossibility for Congress to perform all those duties with any intelligence whatever. That is true of a good many other cases where Congress has delegated its authority.

Congress must delegate to someone its authority to reorganize governmental bureaus and offices. It seems to me that the best decision, the proper step, would be to delegate the power to the President. We might delegate it to some commission, or something of the kind, but it is not claimed that the President is going to abuse the power in any arbitrary way; it is not claimed that he has his mind made up now that he is going to ruin every bureau in the Government of the United States if he is given the power. He does not ask for the power particularly, but someone has to have the power if the action is to be taken, and if it is worth doing at all, we have to delegate the power to someone to do it.

Mr. WHEELER. I do not think anyone disagrees with the statement of the Senator. Certainly I do not. No one thinks the President is going to be guilty of any skulduggery. We are willing to delegate the power to him, but we want to say to him, before these important bureaus are transferred, that at least the Congress should have some little power to say whether or not our constituents and the people of the country generally are going to be injured because bureaus or agencies might be put under some department which would be adverse or unfriendly to them.

Mr. NORRIS. As I stated before, I had intended to take up that question, and I might as well take it up now.

Mr. MINTON. Mr. President, will the Senator yield to me a moment before he does that?

Mr. NORRIS. I yield.

Mr. MINTON. When we give to the Interstate Commerce Commission and the Federal Trade Commission, and all the other agencies, large legislative power—and that is all it is—we never ask them to resubmit to us for our approval the action taken by them before it becomes effective, do we?

Mr. NORRIS. No.

Mr. MINTON. Did the Senator ever think Congress was doing an improper thing in placing that kind of power in the hands of the Federal Trade Commission, or the Interstate Commerce Commission, to be exercised without their coming back to Congress for approval of their acts after they had decided on something?

Mr. NORRIS. With the theory of the Senator from Montana I do not disagree. It is a beautiful theory. But

if such a theory had been carried into effect it would have precluded the establishment of the Interstate Commerce Commission when that Commission was organized.

It is admitted, I think, to begin with, that Congress cannot effect reorganization and place the bureaus where they ought to be and properly divide up their functions. The amendment of the Senator from Montana contains some attractive features, I admit. I would gladly support it if it were not for the many amendments that have already been placed in the bill, and because of one which still remains to be acted upon, as I understand.

Mr. President, in all, there are over 150 bureaus and agencies that will be affected by reorganization. The orders which the President will send to the Congress will probably be strung out over the remainder of his term of office.

Incidentally, let me say that I would not give the proposed power to anyone permanently. I think it is necessary to delegate the power now in order to put the bureaus on a more businesslike basis. Even though the amendment of the Senator from Montana were agreed to, and the time within which the Congress could act were limited, yet, if the President sent in the orders required to bring about reorganization, Congress would not have time to do much else than to discuss the orders with respect to reorganization. We would have to take them up and pass upon them. I am not objecting to that provision. The orders ought to be taken up immediately after they are presented to Congress. However, I can see that it would mean the elimination of nearly all other business in Congress in order to act on those orders.

Mr. President, for sometime past the Senate has been engaged in discussions with reference to various bureaus. We have found that Senators disagree with respect to the effect of this measure on various bureaus. The same disagreement will be found to exist in the House with respect to almost every bureau in the Government. Suppose the Senator's amendment were agreed to, and under one of its provisions the Senate should take up 10 days in considering each order which came to us from the President. In the aggregate there will be from 150 to 200 such orders. If Congress were to give 20 days' time to discussion of each order, what could Congress accomplish in the way of consideration of any other legislation? I admit that I have given the extreme example. Probably as many orders as I referred to will be sent to Congress, but the full time of 10 days in each House will not be consumed with respect to each order. However, I know, judging from the disagreement which has already taken place, and the amount of debate we have had up to this time, that so much time would be spent in considering each order that practically all the time of Congress would be consumed in considering the President's orders.

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

Mr. NORRIS. I yield.

Mr. WHEELER. The Senator does not for one moment think that the present President in the remaining 3 years of his term is going to be able to reorganize the departments of Government on a Utopian basis, and that there will be no need for reorganization, in order to save money and in order to promote efficiency, during the next 10 or 15 years, does he? If Congress gives this power to one President why should Congress not grant the power permanently to the Executive, and after we have granted that power say, "We give you the power to go ahead and reorganize in any way you see fit." I would not do that if Mr. Hoover were President, and I do not think the Senator from Nebraska would.

Mr. NORRIS. No.

Mr. WHEELER. And I would not do it if Mr. Coolidge were President, or if Mr. Harding were President.

Mr. NORRIS. I should like to answer the Senator before he goes so far from his original question that I forget the point he is making. I shall ask the Senator to repeat the question.

Mr. WHEELER. I stated a moment ago that many persons have said that Congress is so busy it cannot take care of the proposed reorganization. Certainly the Presi-

dent of the United States is a very busy man. He is not going to be able to reorganize bureaus and agencies of Government and put them all on a utopian basis in the 3 years remaining of his term.

Mr. NORRIS. I have the Senator's question now. It may be that the President will make some mistake with respect to reorganization. However, Congress has not closed its doors. Suppose the President does make mistakes—and I assume he will make some—and do some things that I will not like and perhaps the majority of the Members of Congress will not like. It will be perfectly legal for us at any time to take a bureau that he transfers to one department, and by act of Congress place it in another department. Congress can do that if it wishes to. The President's action in that respect is not final.

Mr. WHEELER. No; but the President can veto the bill passed by Congress, and then Congress will be obliged to override the veto by two-thirds majority.

Mr. NORRIS. Of course, the same action will have to be taken with respect to it as with respect to any other law. But we have not foreclosed ourselves. We have not closed the doors to making any reform we may deem necessary to make in the future. As time goes on we shall no doubt establish many more independent bureaus, which we may wish to have consolidated at some time, and we can confer the power to do that upon the President, with such limitations as we may want to make, and as we are making in this bill. I think we ought not to proceed on the theory that what the President does, if he does anything under this measure, is final, and that whatever action he takes must forever remain the law, and that Congress will be helpless.

Mr. President, we established these bureaus in good faith. We put them in one department or in another department. In the judgment of Congress, we did what we thought was right. We have since found that the functions of various agencies are overlapping, and that all manner of confusion exists. We have found that a reorganization is required in order to place the various bureaus on a proper basis. It is my belief—I may be wrong in that belief—but it is my belief that as a practical proposition, if the Senator's amendment is adopted, we shall find that Congress will have all its time taken up in consideration of the orders sent in to Congress by the President. We shall find that all the time of Congress is taken up simply in considering those orders, to the detriment of appropriation bills and all other kinds of legislation.

One reason why the consideration of the President's orders would interfere with the other business of the Congress is that when the orders come in, under the amendment of the Senator—and I approve of that portion of the amendment—it is necessary, if we are to have effective action, to take action immediately. It will be impossible for Congress to attend to the regular order of business which ought to be attended to in the way of consideration of appropriation bills and other legislation.

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

Mr. NORRIS. I yield.

Mr. BARKLEY. It has been stated, and it is true, of course, that in addition to all the bureaus that are already allocated in various departments, there are some 135 independent bureaus and agencies in the District of Columbia that are not in any department at all. It might be possible for the President in one comprehensive order to allocate all these bureaus to some department, but it is hardly conceivable that the President would do it in that way. So every week, beginning at the opening of the next session of Congress, or any session, the President might send to Congress a proclamation locating some of these independent bureaus in some department. Even under the amendment of the Senator from Montana, which requires a vote in one House within 10 days, and in the other House within 10 days later, making 20 days in all, if the President were to send a proclamation to Congress every week, allocating some of these bureaus separately to some departments, it is entirely possible that the whole session of a Congress might be taken up in arguing whether these bureaus are to be located where



he is putting them, or whether they ought to be located anywhere.

Mr. NORRIS. I think that is possible.

Mr. BARKLEY. And if the President should send all of them up in a single comprehensive order—

Mr. NORRIS. Then we would have a pork barrel.

Mr. BARKLEY. Then we would have a pork barrel, and under the amendment offered by the Senator from Montana we would have to vote on the order, up or down, without amendment, just as we do with regard to conference reports, so that a Member who was dissatisfied with the allocation of one single bureau, but satisfied with the allocation of all the other 134 bureaus, in order to defeat the transfer of the bureau in which he was particularly interested would have to vote against the whole proclamation in order to accomplish his purpose.

Mr. NORRIS. As I said, I do not think that will happen; but it could happen.

Mr. BARKLEY. I do not think it will, either, but it could happen.

Mr. NORRIS. If such a comprehensive order were made, it would be a good deal like one of the old river and harbor bills. It would be a good deal like a public-buildings bill. A majority of the Members of the Senate and the House would have to be satisfied with the President's order. Members would vote against the entire order unless they were satisfied with respect to some particular pet bureau they had in mind. That would be the only way they would have to express themselves. The order could not be amended. It would have to be voted up or voted down as a whole.

Mr. BYRNES. Mr. President, I certainly agree with the Senator that the language of the amendment is "a joint resolution specifically approving such Executive order."

I should like to ask the Senator whether he has given consideration to the question of the rules. The Constitution provides that each House "may determine the rules of its proceedings." When the House meets, it must establish rules governing its proceedings during the next Congress. If the Wheeler amendment were enacted, and if the House adopted a rule to the effect that joint resolutions, like bills, were open to amendment, could the action of the present Congress in passing this bill prevent the House from exercising its constitutional authority to adopt its own rules when the House meets for the next Congress?

Mr. NORRIS. As an abstract proposition, I should say not. I will say to the Senator, however, that I expressed my views about the rules when the Senator from Nevada [Mr. PITTMAN] had the floor earlier today. I do not believe either House of Congress may adopt a rule which conflicts with the law. The law must be observed by each House of Congress, so far as its rules are concerned.

Mr. BYRNES. Pursuant to constitutional authority, each House may "determine the rules of its proceedings."

Mr. NORRIS. Probably there are exceptions to it. Perhaps I ought to modify my statement. There is a constitutional provision to the effect that "each House shall be the judge of the \* \* \* qualifications of its own Members." We may not pass any law, and we may not make any rule, which would violate that constitutional provision. A rule or a law would be in the same category. It seems to me we may not violate the constitutional provision.

Another constitutional provision is that one-fifth of the Members present in either House may demand a roll call. We may not pass a rule to avoid that provision. Neither may we pass a law to avoid it. The constitutional provision is higher than a rule or a statute.

Mr. BYRNES. In connection with cloture, I wonder if the Senator is of the opinion that Congress, by a simple majority vote, could provide that cloture could be applied in the Senate regardless of the rule of the Senate adopted pursuant to the constitutional provision.

Mr. NORRIS. I think it could. I think if Congress passed a law which provided that no one in the Senate or in the House should speak more than 1 hour on any question, it would be the law, and it could not be violated by a rule of the Senate. That is an offhand, "curbstone" opinion.

Mr. BYRNES. Let us assume that we should adopt such a rule pursuant to the constitutional provision. As I understand, the Senator does not believe that such action of the Senate pursuant to the constitutional provision would govern the proceedings of the Senate. I know the Senator says it is an offhand opinion.

Mr. NORRIS. I do not know that I care to argue it; but a while ago, when the Senator from Nevada [Mr. PITTMAN] had the floor, I expressed the opinion that if either House had the authority by rule to nullify the Constitution or a statute of the United States, it could repeal practically every statute on the statute books, and likewise could repeal nearly every provision of the Constitution, by a simple rule, on the ground that the Constitution gives us the authority to make our own rules.

Mr. BYRNES. I agree with the Senator; but I should say that any rule adopted by the Senate pursuant to the Constitution would be valid, and no statute could defeat the right of the Senate to adopt its own rules under the constitutional provision.

Mr. NORRIS. The Constitution gives us authority to adopt rules. The Constitution also gives us authority to be the judge of the qualifications of our own Members. That authority could not be taken away by statute. It exists by virtue of the Constitution.

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

Mr. NORRIS. I yield.

Mr. BARKLEY. If we could abrogate or nullify by statute the constitutional right of each House to adopt its own rules in a particular case, such as the joint resolution referred to in the amendment now pending, we could by statute enact a law which would bind both Houses with respect to all their rules of procedure on any sort of legislation. Could we not pass a law making the rules of the House and the Senate identical with respect to all matters?

Mr. NORRIS. Probably we could. Let us take the other side of the question. If we are to regulate the country by rule, could we not adopt a rule providing that when any bill comes to the Senate from the House it shall lie on the table for 30 days, then be referred to a committee, that the committee shall be powerless to report it for 30 days more, and that when the bill comes on the floor of the Senate it shall not be voted on for another 30 days, or 60 days, even though a statute fixed the procedure by which such matters should be considered?

Mr. BARKLEY. I suppose that when the Constitution provided that each House should fix its own rules of procedure it took the chance that the Senate or the House might be foolish in the determination of its rules.

Mr. NORRIS. No; I think it took the chance that it would not be foolish.

Mr. BARKLEY. That is just what I was about to say.

Mr. NORRIS. Yes.

Mr. BARKLEY. Of course it would be possible for the Senate to provide by rule that a bill coming over from the House shall not be referred to a committee for 30 days, but shall lie on the table; that it shall then be held in committee for 30 days; and then it shall not be passed for 30 days more. That, however, would be a ridiculous exercise of the constitutional authority to establish rules.

Mr. NORRIS. The same thing is true of any activity of Government. The Constitution makes the President the Commander in Chief of the Army and Navy. Everybody knows that with that power in his hands, in 30 days he could make war against all the world, or any part of the world. He could go so far that we could not get out of what he had done. Everybody knows that the Constitution says that we shall be the judge of the qualifications of our own Members. If a man came here who was a Democrat, we could say, "We will not take him in because he is a Democrat." We could keep him out because of his color or because of his nativity.

We could keep him out by reason of his age. We could do any ridiculous or foolish thing we chose to do; but it is impossible to put together a government on paper without having all those possibilities. If power is to be given to any-

body to do anything under a government, it is possible for him to misuse and abuse the power and make it disreputable and destructive.

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

Mr. NORRIS. I yield to the Senator from Texas.

Mr. CONNALLY. I am very much interested in the Senator's discussion of the constitutional provision giving the Senate the power to make its own rules. That power is not in anywise limited or restricted. If the Senate should foolishly adopt a rule such as the one suggested by the Senator from Kentucky, providing that a bill shall lie on the table for 30 days, and then go to a committee for 30 days, no power on earth could prevent it.

Mr. NORRIS. I agree with the Senator.

Mr. CONNALLY. Any power which the Constitution gives to Congress, when properly exercised, is just as strong as the Constitution itself, is it not?

Mr. NORRIS. Yes.

Mr. CONNALLY. So if we should enact a statute providing the manner in which a bill should be considered, so long as the Senate observed the statute and did not adopt a rule contrary to it, of course, the statute would be a rule of this body. But if the Senate should decide, under its constitutional authority, to adopt such a rule, the Rules Committee could bring in a resolution providing the manner in which a bill should be considered, thus overturning the statute. Will not the Senator agree to that?

Mr. NORRIS. Yes.

Mr. CONNALLY. That is true, is it not?

Mr. NORRIS. That is true. There would be a conflict.

Mr. CONNALLY. And the constitutional provision would override the statute.

Mr. NORRIS. We cannot change the Constitution, so far as I know.

Mr. CONNALLY. Certainly not.

Mr. NORRIS. There is no provision in the Constitution giving any Federal official anything to do which we could not disregard if we wanted to do so. Suppose a Governor appointed somebody who was only 15 years old to fill a vacancy in the Senate. The Senate is the judge of the qualifications of its own Members. It is supreme. There is no appeal. When the Senate decides such a matter, it is ended. The Constitution plainly states what the age must be. But suppose the Senate, in passing on the question, should say, "We will accept this 15-year-old boy and make him a Senator." What power could change it? Is there anybody in our Government who could change it? The Senate would have decided it. Everybody might say, "The Senate itself has violated the Constitution." What of it? The Constitution gives the Senate authority to pass upon the qualifications of its own Members. When the Senate decides such a question, that is the end of it.

The Supreme Court is given certain authority under the Constitution. Suppose the Supreme Court should hold unconstitutional every act passed by the Congress. What could we do about it? It would be foolish, it would be silly; but the Supreme Court has the power to do it. So, in order to have power to perform the functions of their offices in a decent, methodical way, the Supreme Court must have power which, if abused, might make them and the country ridiculous.

Mr. President, I have been diverted from what I was saying to a discussion of the rules; but that, in my judgment, has not much to do with this question. While the amendment of the Senator from Montana has some good features, and if the bill in its original form was now under consideration, I would heartily support it; yet, in view of the amendments which have been adopted to the bill, it seems to me it is not necessary to run the chances of delay and of interference with the public business that I think would follow the inclusion of the amendment in the bill.

I felt before this bill was really whipped into shape by the committee that there were a good many things in the measure as it was originally drafted that I could not support. I said so frankly. The bill as it was originally introduced proposed to give power to the President to change

functions; that is, to change laws. I do not think any President should have such authority under this kind of an arrangement, and I would have voted, if that provision had remained in the bill, for the amendment of the Senator from Montana. But, under the bill, if it should be enacted as it now stands, as I understand it, the President would have no authority to change any law.

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

Mr. NORRIS. I yield.

Mr. HATCH. The provision to which the Senator has just referred, and which he says would have given the President the authority to change the law, was even stronger than that, for it would have given the President absolute authority to repeal existing legislation.

Mr. NORRIS. Yes; I think it would.

Mr. HATCH. I merely observe that my thought had been until the change was made that, instead of voting for the amendment, I would have to vote against the bill, if that provision had remained in it, and to have tried to prevent its passage.

Mr. NORRIS. I did not understand the Senator's suggestion.

Mr. HATCH. It is immaterial, because of an amendment which has been adopted to the bill; but my thought was that the bill, with that provision in it, should have been entirely defeated.

Mr. NORRIS. Yes; I would have voted against the bill if that provision had remained in it, if there had not been placed in it also an amendment such as that of the Senator from Montana.

Mr. ELLENDER. Mr. President, I have been listening to the debate on the pending bill for the last several days and I fail to understand why there should be so much disagreement regarding it, in view of the fact that most Senators seem to feel that a bill providing for a method of reorganization of the executive and administrative departments of our Government should be enacted by the Congress. If we are to provide means so that the executive branch of our Government may place its house in order, then I contend that the Chief Executive should be afforded broad powers. The amendment of the Senator from Montana [Mr. WHEELER] would leave the Chief Executive at the mercy of either House of the Congress. A mere joint resolution passed by either branch of Congress against any proposed reorganization plan could thwart the President in his effort to provide better methods of administering the executive branch of our Government, of which he is the head. Let us not overlook the fact that under our form of government we have three distinct branches: one that enacts the laws; another that takes care that all laws are faithfully executed, and the third whose function is to judicially interpret them when they are contested.

It has been said by many Senators that if this bill should pass it would take away from the Congress much of its legislative powers. I cannot subscribe to that statement. There is no place in the Constitution which provides for a War Department; there is no place in the Constitution which provides for a Department of Agriculture, or for a Department of Commerce, or for a Department of the Interior, or, in fact, any other branch of our executive department. Yet the Congress has seen fit from the time it was organized until today to establish these various departments. Thus the departments are creations of Congress, and the President himself cannot exercise powers beyond those that are vested in him either by the Constitution or by the laws passed by Congress in the creating of executive branches and agencies of the executive department.

The Department of State, for instance, was organized in 1779. Then the Treasury Department was organized, then the War Department, then the Department of Justice, and then the Post Office Department, and so on. Why was it necessary to create those Departments? It is my understanding that they were created in order to relieve the President of the burden of the details of administration of the executive branch of our Government; that is all.



What does the pending bill propose to do? The President of the United States must, under our Constitution, take care that the laws passed by Congress be faithfully executed; he is the chief administrator of our Government. All that this bill proposes to do is to permit him to decide whether or not, under specific limitations, some of the bureaus or commissions or agencies of the Government shall be consolidated or reorganized or shall be placed under the jurisdiction of a particular department that is now in existence.

In any event the laws that have been passed by the Congress must be observed; they must be executed by whoever is at the head of the department. Whether the Forest Service, let us say, be transferred from the Department of Agriculture to the Department of the Interior, or to any other department, what difference does it make? Let us forget the person who will be designated to administer the law, and what have we left to argue about? It is certain that the President would not have the authority to change the laws pertaining to forestry, and whoever would have the actual administration of such laws would have to follow the strict letter of the laws as laid down by the Congress. In other words, no matter who administers the law, he must adhere to the recommendations of the Congress. That is how far any administrator or executive may go and no farther. I ask how can it be argued that the Congress is losing its powers to legislate? I contend that the Congress still retains its rights to legislate and it may enact the laws as it sees fit and the executive must administer them as laid down by the Congress.

I say to the Senate that if we forget the human element, that is, the person or persons who are to administer the laws, then, we can solve the problem, because the law is there to be administered; and whether it is administered by the Senator from Arizona [Mr. ASHURST] or the Senator from Indiana [Mr. MINTON] or the Senator from Wisconsin [Mr. LA FOLLETTE], or anyone else, still the administrator has to follow the dictates of Congress, and the Congress itself has the right to amend the law and specify what the administrator is to do.

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

Mr. ELLENDER. I yield for a question.

Mr. MINTON. While the Senator was an officer of his own State and his own State legislature, did he not have some experience with the reorganization of his own State government? Will the Senator give us the benefit of his experience in that line?

Mr. ELLENDER. I may state to the Senator from Indiana that prior to the advent of Huey Long there was a great deal of dissension among the various departments of my State. The heads of the departments were elected by opposing factions. The secretary of state did not try to coordinate his work with that of the secretary of agriculture; the secretary of agriculture did not try to coordinate his work with that of the treasurer or the auditor; the treasurer did not try to coordinate his work with that of other departments. Thus the business of the State lagged. The departmental heads did not try to help each other. They were at odds. They were jealous of each other's rights. With practically the same amount of money being spent by the State of Louisiana, three times the amount of work is now being done by our chief departments of state.

I can remember, as a lawyer, going to Baton Rouge to try to locate a copy of an act of incorporation. I could not get that information from the secretary of state for 2 weeks. Today, such information can be obtained in less than 10 minutes. You can put your fingers on it at once. We now have efficiency in the various departments of the State of Louisiana, and the various officers cooperate with each other. They work together. I have never seen anything like it in the Federal Government. Today, in the Federal Government every departmental head is at the throat of every other departmental head. I found that out last year, in connection with the sugar bill. The Department of the Interior desired that we do a certain thing with reference to the sugar bill. The head of the Department was

taking care of the Virgin Islands, the Hawaiian Islands, and Puerto Rico. Then we had the Department of State, Mr. Secretary Hull, who wanted a portion of the sugar quota to use as a football to trade with foreign governments; and we had the Department of Agriculture contending for something else. They were not trying to work for the benefit of the people of the 48 States, but they were trying to use the sugar issue to serve their respective departments. When all those contentions were bared and it was shown that the bill would redound to the good of the people of the United States, the President signed it. Before that, however, I really and truly believe the President was under a misapprehension and that misapprehension was caused by the fight which was being carried on by the various departments mentioned. There was no coordination at all.

In January 1936—stop and listen to this—we had 24 different map-making divisions of the United States Government. Think of that, 24 different little commissions, or boards, or what not, to make maps.

First, we had the Corps of Engineers, War Department.

Second, we had the United States Coast and Geodetic Survey, Department of Commerce, making maps.

Third, the United States Geological Survey, Department of the Interior.

Fourth, the General Land Office, Department of the Interior, the second such division of that Department.

Fifth, the Division of Topography, Post Office Department.

Sixth, the Bureau of Chemistry and Soils, Department of Agriculture.

If you will notice, not only did we have various departments that had to do with the drawing of maps, but we had various divisions in the same department. The Interior Department had two or three such divisions, the Agricultural Department had two or three, and other departments had two or three.

Seventh, the Bureau of Reclamation, Department of the Interior. That is the third one we had under this one department, and yet they were all separate little bureaus or divisions whose duty it was to draw maps. Some were drawing maps for reclamation projects, and others were drawing maps for roads, and others were drawing maps for this and that, when all of the map making could have been supervised under one head, and in that way duplication could have been avoided.

Eighth, the Bureau of Public Roads, Department of Agriculture, the second in that Department.

Ninth, the Office of Indian Affairs, Department of the Interior, the fourth in that Department.

Tenth, the Mississippi River Commission, War Department. That is the second division of the War Department which was engaged in drawing maps.

Eleventh, the United States Lake Survey, War Department. That is the third one in the War Department.

Twelfth, the International (Canada) Boundary Commission, Department of State, another little map-making commission.

Thirteenth, the Forest Service, Department of Agriculture, the third in that Department.

Fourteenth, the United States Hydrographic Office, Navy Department.

Fifteenth, the Military Intelligence Division, General Staff, War Department, the fourth in the War Department.

Sixteenth, the Federal Power Commission.

Seventeenth, the Air Corps, War Department. That is the fifth little map-making division in the War Department.

Eighteenth, the Bureau of Aeronautics, Navy Department, the second in that Department.

Nineteenth, the Bureau of Air Commerce, Department of Commerce, the second in that Department.

Twentieth, the Geographic Section, Department of State, the second in the State Department.

Twenty-first, the Division of Maps, Library of Congress.

Twenty-second, the Bureau of Lighthouses, Department of Commerce, the third in that Department.

Twenty-third, the Tennessee Valley Authority.

Twenty-fourth, the Soil Conservation Service, Department of Agriculture, and the fourth in that Department.

I repeat that we had 24 different divisions which had to do with drawing maps for various departments of the Federal Government, and even in the same department we had as many as five divisions that did the same thing. There is no doubt but that there was a lot of lost motion and by having this work under one head, much duplication was eliminated.

Mr. MALONEY. Mr. President—

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair). Does the Senator from Louisiana yield to the Senator from Connecticut?

Mr. ELLENDER. I yield for a question.

Mr. MALONEY. In view of the large number of investigating agencies that there are in the Federal Government, I wonder if the Senator feels that it would be wise to incorporate all of them under one head.

Mr. ELLENDER. Mr. President, does the Senator mean the agencies appointed by the Senate? Let me ask the Senator from Connecticut what investigating agencies he has in mind.

Mr. MALONEY. We have the Secret Service in the Treasury Department; we have the Bureau of Investigation in the Department of Justice; we have the Postal Inspector Service of the Post Office Department; we have the Inspection Service of the Department of the Interior, and ever so many other investigational services.

Mr. ELLENDER. I am not prepared to answer that question, but I can imagine, for instance, that the Bureau of Investigation in the Post Office Department would require men of different talents than, let us say, the Department of the Interior. In investigating certain mail frauds, or investigating charges made against certain persons, I can conceive that it may be necessary to have under certain departments the separate investigating bodies of which the Senator from Connecticut speaks. On the other hand, because of a great deal of work that may have to be done by a department, I can understand that it may be necessary to have special investigating bodies in that department. I think that statement would apply eminently to the Post Office Department, where complaints are received every day. As to other departments, I believe it may be possible to combine the investigating bodies; and under this bill, if we enact it, the President would have a right to do that.

Mr. MALONEY. Yes; I understand that the President would have a right to do it.

Mr. ELLENDER. I see no objection to it.

Mr. MALONEY. I am asking whether the Senator from Louisiana thinks it would be all right.

Mr. ELLENDER. I think so. I do not see why it would not work.

Mr. MALONEY. The Senator thinks it would be proper and safe, and probably a wise procedure, to delegate to one man the tremendous power of all these investigating police forces?

Mr. ELLENDER. Why not? I ask the Senator, why not?

Mr. MALONEY. I will answer that question in a moment.

Mr. ELLENDER. The question asked involves the same thing that was discussed here yesterday with reference to the Walsh amendment in regard to the Civil Service Commission, about which I propose to speak in a few minutes. It is my honest opinion that one man can do just as well as five men at the head of that Commission and carry on its work just as well.

Mr. MALONEY. I am fearful that he might do it better.

Mr. ELLENDER. I think so, too. I agree with the Senator.

Mr. MALONEY. The Senator is perfectly willing to see that sort of coordination and consolidation?

Mr. ELLENDER. Yes; certainly I am.

Mr. President, the President of the United States, as I pointed out, is the chief administrator of all the laws which the Congress passes that have to do with the operation of our Government. He has supervision of all such matters.

On him rests the responsibility of carrying out the dictates of Congress. He has the power to appoint the Secretary of the Treasury, the Secretary of Commerce, and all the various other officers to administer the law. The only reason why that is done is because the President has not the time to go into all the details, and the Congress saw fit to establish the various Departments in order to relieve him of the task of handling the innumerable details of the work placed upon him; but who is finally responsible for the performance of the work? The President of the United States.

Mr. MALONEY. Does the Senator want to relieve Congress of all the responsibility?

Mr. ELLENDER. I am not seeking to relieve Congress of any of its responsibility, because the President has no authority to do anything except what the Constitution tells him he may do and what the Congress says he may do. In other words, let us consider the act establishing the War Department—

Mr. MALONEY. May I interrupt the Senator there?

Mr. ELLENDER. Just a moment. The act establishing the War Department does what? It sets out what the Secretary of War must do. The act establishing the Navy Department sets out what the Secretary of the Navy must do; and the same thing is true in the case of the various other departments. Those departments are creatures of the Congress, and they have no power beyond such authority as the Congress itself gives them. If we lose sight of the human element, what have we left to argue about?

Mr. MALONEY. The Senator from Louisiana seems to overlook the fact that by passing the bill in its present form we are authorizing the President to transfer some of the functions of the War Department, about which the Senator speaks, to the Navy Department.

Mr. ELLENDER. What difference will it make whether Secretary Swanson administers a law that the Congress passes or whether Secretary Woodring administers it? Certainly the Senator will not say that either Secretary Woodring or Secretary Swanson may go beyond the power that is vested in him by the Congress.

Mr. MALONEY. If the argument of the Senator were carried to its logical conclusion, of course, we should arrive at one-man control.

Mr. ELLENDER. We do that when we elect the President of the United States. All that the Congress has done in the past in establishing these various departments and bureaus is to relieve the President, not of responsibility but of the necessity of handling the details of the laws. That is all we have done. If the Senate would only forget the human element, it would take the props from under the whole debate.

Mr. MALONEY. Mr. President, the Senator has insisted two or three times that we should forget the human element. Does the Senator think the human element is of no account?

Mr. ELLENDER. It depends on the standpoint from which we view it. Politically it may make a great difference to some Senators. What I have in mind particularly is, What difference does it make to the people of the Nation whether Mr. Ickes, the Secretary of the Interior, or Mr. Wallace, the Secretary of Agriculture, administers the forest laws, or any other laws pertaining to their respective Departments? What difference does it make, when neither of those gentlemen can go beyond what the Congress says they can do? It does not make any difference who administers the law, does it?

Mr. MALONEY. I am not so much concerned with the Forest Service, of course, as are some other Senators.

Mr. ELLENDER. I refer to any service.

Mr. MALONEY. There are a number of Senators who have declared day after day that they were tremendously concerned as to which department would have charge of the Forest Service. The Senator asked me what difference it made to the people of the country which department administered the Forest Service. There are not many forests in my part of the country, but if my mail is any indication of



the mail that is coming to Senators from places where there are large forestry interests, the people of the country are vitally and tremendously concerned and exercised over which department will administer the affairs of the Forest Service.

Mr. ELLENDER. Mr. President, I may state to the Senator from Connecticut that I have received quite a few letters myself, but I feel that if I were to trace the authorship of those letters it would be found that they came from a large number of officeholders, whose deep concern was really their fear of losing their jobs, because they reason that if the President is given the right and the power to consolidate bureaus or commissions, a few hundred employees here and perhaps 50 there and 50 more some other place will not be retained in dual positions.

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

Mr. ELLENDER. I yield.

Mr. MINTON. The Senator will perhaps, upon a little closer analysis, find that a lot of the mail emanated from the propaganda organization of Mr. Frank Gannett, who is out saving the Nation and the Constitution.

Mr. ELLENDER. I do not know about that, but I can trace several letters I have received, and I know they emanated from either job seekers, or people trying to help others to keep their jobs.

The Senator from Indiana [Mr. MINTON] asked me a question a while ago pertaining to Louisiana, and recurring to that, I may say that I was a member of the convention which drafted the present constitution of Louisiana, and we made an earnest effort in that convention to consolidate bureaus and departments of State, and as it finally wound up, all we could do was to give the legislature the power to accomplish this upon a two-thirds vote. How was our effort blocked? It was blocked by a lot of officeholders and obstructionists who came to the convention and prevailed upon the members, knowing that through consolidation, or doing away with this department or that department, they would lose their positions.

The same condition prevails here today. Two hours ago I was asked by certain persons—though I shall not mention the names—if I thought that if the pending bill were passed such and such a department would be consolidated with another or would be done away with. Of course, I did not attempt to answer the question. They said that if the reorganization did not affect their department they would have no opposition to the pending bill. As I stated, the major opposition to the bill, I would say, comes from officeholders, and I think a good deal of it comes from the departments themselves. There is no question about that. They are afraid of losing the little power they now have. That is the sum and substance of the opposition.

I now wish to say a few words with reference to the Civil Service Commission. I am glad that on yesterday the Senate saw fit to vote down the Walsh amendment.

Mr. MALONEY. Mr. President, will the Senator yield to me for just a moment before he begins his statement on that subject?

Mr. ELLENDER. I yield.

Mr. MALONEY. I desire to make a very brief statement.

Mr. ELLENDER. I am glad to yield.

Mr. MALONEY. It appears to me that the speech the Senator is delivering this late in the afternoon is rather clearly an indication that we will not vote on the so-called Wheeler amendment today, and because I shall be compelled to be out of the city tomorrow, at which time there probably will be a vote, I am asking the Senator to let me state that were I able to be present tomorrow I would vote for the Wheeler amendment.

Mr. ELLENDER. Mr. President, reverting to the Civil Service Commission, I have pending before the Senate a resolution to investigate certain functions of civil service, not the Civil Service Commission itself, but the way the civil-service law is being administered by various departmental heads and their subordinates.

I am sure every Senator since he has been in office has received complaints from persons who are employed in the

various departments of the Government as to the method of promotion, method of handing out salary increases, the method of punishment, the method of blackening the record, as it were, of some office worker who may not have been liked by his superior. I hope that in due time a committee of the Senate will be permitted to investigate the conditions that now prevail in the departments of our Government under civil service. I bow to no man in the Senate when it comes to the principle of promotion on merit. I should like to see every department of the Government under civil service. I should like to see every department under a merit system, with merit the real guiding factor in promotions, and not personal favoritism as is now shown in so many departments.

When the senior Senator from Massachusetts [Mr. WALSH] was discussing his amendment 2 or 3 days ago, he pointed out that without the Civil Service Commission, as now constituted, some poor girl or some poor boy would have no tribunal before which to plead his or her cause. I doubt if any poor boy or poor girl was ever permitted to go before the Commissioners in order to rectify a wrong which may have been done to him or her in retarding promotion or in rendering punishment. If any employees have ever been accorded this privilege, I have yet to run across them.

Do Senators know how promotions are made in the branches of our Government under civil service today? Here is a typical case of a Government employee who feels he deserves a promotion because of the length of time he has served in the department, or because of the work he has done. First, he is given an application to fill out. On that application it is necessary for him to outline a history of the work he has been doing in the department since first employed. Then there is a section of the application which must be filled out by the person who is the immediate superior of the applicant. Should the applicant not be liked by his immediate superior, or should he in the past have incurred his superior's displeasure, he stands a mighty slim chance of getting a rating consistent with his experience and ability.

When this application is forwarded to the Appeals Board through the proper channels, it is my understanding that the recommendation or condemnation of that immediate superior counts more in influencing judgment than anything that can be submitted to the Board of Appeals.

In the last 6 or 8 months I have had presented to me many cases dealing with the matter of civil service. In some, girls have been in the employ of the Government for as many as 19 years, and have had only one promotion. I feel that either those girls were incompetent, or something was wrong with the promoting authority. I say that that situation ought to be investigated. Provision should be made whereby promotion would be based on merit, and nothing else, and such promotion should not be dependent on the whims of a czar at the head of a department who has the authority to mark the record of the employees either up or down, and who decides whether or not they are entitled to promotion. Of course, I have no other proof but hearsay, but I have been told that in numerous cases promotions depend on the looks of the applicants. I do not have this in writing, but I have been informed that one department head has a fancy for red-headed girls, who are given preference over all others, and added privileges if they happen to be young and attractive. [Laughter.]

I will say to the Senator from Indiana [Mr. MINTON] that I have had cases presented to me showing that employees in some bureaus were asked by the heads of their divisions for loans of money, from a dime on up, and if they refused, or even showed they resented the imposition, it is easy for Senators to imagine what happened when their efficiency ratings were made out, or their applications for promotion acted upon. I have had a number of complaints of that nature.

Senators talk about a system of promotions based on ability. That is what we are supposed to get under civil service. But what we are actually getting is promotions

based on how well the various bureau chiefs and their favored assistants personally like the employees who are under them.

And let an employee who feels he has not been dealt with fairly appeal to his Senator or Congressman for help! Whenever a Senator or Congressman takes part in the controversy, and tries to help his constituent get a square deal, such "political influence" is resented by these little "czars," and is marked against the record of the employee.

As conditions exist now in the various departments, the Government employee has no one to whom he can turn. The Civil Service Commissioners will not help him. The Senators or Congressmen cannot help him. And he is left at the mercy of these little bureaucratic czars.

Mr. President, I assure the Senate that if we were to examine into this question we would find that the civil service is not handled on the basis of merit at all. I will say to the Senator from Oregon [Mr. REAMES] that so far as I am concerned, I would rather have the old spoils system back than to continue under the conditions which now prevail in some departments.

The Senate Committee on Civil Service investigating civil-service administration recently made a report to the Senate. Included in the report is a statement which I submitted to the committee. This is what the committee had to say:

The Senate Committee on Civil Service, to whom was referred the resolution (S. Res. 198) providing for the appointment of a special committee to make a full and complete investigation of the administration and operation of the civil-service laws and the Classification Act of 1923, as amended, having considered same, report favorably thereon, with amendments, and recommend that it do pass.

On page 1, line 1, strike out "three" and insert "five."

On page 2, line 15, insert after the dollar sign "10,000."

The purpose of this resolution is to provide for a thorough investigation of civil-service administration throughout the Federal Government with the view of submitting the committee's findings and recommendations to Congress.

Your committee believes that the desirability of an investigation of this nature will be readily apparent to the Members of Congress who are daily approached by civil-service employees who charge superiors with discrimination, favoritism, and other violations of the purpose and intent of the civil-service law.

Senators, as I said a while ago, I am not complaining of the civil-service laws that are on the statute books, but I am complaining of the administration of those laws. It may be, however, that some amendments may be in order. As I pointed out, when the Senator from Massachusetts [Mr. WALSH] stated that these boys and these girls who are employed by the Government would be denied the right to appear before the administrator, if one administrator were provided for, he is mistaken with respect to what has heretofore been the situation. Few, if any, employees are even given the privilege of knocking on the door of the Civil Service Commission, much less given the opportunity to come before the Commissioners and discuss their cases with them. They are indeed lucky if they even get to confide their troubles to the Commissioners' secretaries.

I call the attention of the Senator from Wisconsin [Mr. LA FOLLETTE] to the fact that I have received letters from civil-service employees complaining that the one who makes the charges against them becomes the judge and the prosecuting attorney, passes upon the cases, and those accused are not even given a chance to deny the charges or defend themselves. Many cases are handled in that way. What happens? Those accused are either suspended for 2 or 3 or 4 weeks, which, of course, results in a black mark being placed against their records, or they are transferred from one department to another and gradually eased out of the service altogether.

That is the reason why in some departments employees have worked for 16 or 17 years and received only one promotion. I am told that because of the worry of some of these men and women with respect to such matters, there are to be found in the insane asylums in Washington many patients who were formerly in the Government service, and who have gone insane because of their worries resulting from being spied upon or watched by this man or that man, or

this girl or that girl, or even Negro porters, to see that what they did was done just according to Hoyle, and if it was not, a mark was placed against their record. Every means at their command is resorted to by some higher-ups in order to blacken the records of certain employees should they in any way be in disfavor with those higher-ups. I continue to read from the report:

These charges and the evidence submitted therewith indicate that there has grown up within the civil service a clique of "bureaucratic czars" who, while abhorring "party politics," have worked out a system of "personal politics" whereby personal promotions and salary increases are traded back and forth and their friends and relatives are appointed, transferred, and promoted in complete defiance of the civil-service laws. The worst enemy of effective government and a real merit system is a secret group of this kind responsible to no one and chiefly interested only in personal advancement.

That is the Senate Committee on Civil Service speaking.

If these charges are true, and the voluminous evidence presented to your committee convinces them that in a very large number of cases they are true, then steps should be taken to correct these practices if an effective and unbiased merit system is to be continued in our Government. If they are not true the shadow of suspicion which has been cast upon these officials charged with the administration of the civil-service law and Classification Act will be removed and the public and Congress can go forward with renewed confidence in the efficiency of the civil-service method.

Your committee believes that this proposed investigation is particularly timely. There is a great deal of agitation in Congress and throughout the Nation to extend the civil-service law upward and outward to include all but policy-forming positions within the Federal structure. If these charges of maladministration of the civil service and Classification Act by "bureaucratic czars" are true they should be exposed to the light of public opinion and corrective steps taken before all or any part of the more than 300,000 persons now outside the civil service are included under it. Furthermore, no thorough investigation of the civil-service administration in the several bureaus and departments has been made by any congressional committee in a number of years and with the increased scope of governmental activity and changes in personnel methods it is probable that revisions and amendments to the law are necessary in order that the merit system may be made to comply more closely with modern practices. A thorough investigation should bring to light the shortcomings of the present system and point the way to improvement.

Appended hereto is an excellent statement submitted by Senator ELLENDER, author of Senate Resolution 198, outlining his findings relative to this proposition:

Mr. President, it is not my purpose to delay the Senate by reading the recommendation, but I ask that my statement to the committee may be printed in the RECORD at this point in connection with my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER's statement to the Committee on Civil Service is as follows:

#### *Members of the Committee:*

The majority of the complaints I have received to date bear against the following three practices in the Government classified civil service:

1. The method used in giving efficiency ratings: It seems that these ratings are meted out by the immediate superior of the worker, and then are subject to juggling either up or down, at the whim of the party next in command. Under this method, a worker has no appeal from the efficiency rating given him. True, he can appeal to his immediate superior, but this usually affords him no relief, as his superior may have been the one who marked him down in the first place, or if not, his superior will usually have to accede to the wishes of the party next above him. The worker may be discriminated against in two ways: First, his immediate superior may take a personal dislike to him, or have some grievance against him, and he can, without fear of contradiction, mark his efficiency rating down; or, second, a worker may receive an "excellent" or "very good" efficiency rating from his immediate superior, yet the man above can mark him down, without any reason whatsoever, and without even being familiar with the employee's work. I am informed that employees are marked down by their chiefs for personal reasons, or for the purpose of keeping down the number of persons who would be eligible for promotions.

2. The method used in awarding promotions: Recommendations for promotions must come from the bureau chiefs, through the immediate superior of the employee, and, therefore, unless a worker can get the "ear" of his immediate superior, he stands little chance of ever securing a promotion. Practically all complainants state that promotions are made "based on not what one knows, but who one knows." It appears that merit plays little part in promotions. Bureau chiefs build up their favorites by giving them high



efficiency ratings, or assigning them work that will lead to promotion by reclassification, and hold down those they have no personal interest in, or against whom there is some grievance, by giving them low efficiency ratings, or by never giving them an opportunity to do a higher class of work.

3. The method used in administering reprimands, demotions, or transfers: The accused are usually charged with some misdemeanor or minor offense, and then instructed to submit in writing their reasons why they should not be reprimanded or disciplined. Then the party who accused them is called before the chief of the bureau, and he presents his side of the case. He usually has the opportunity of passing on the defense submitted by the accused. It is rather definitely proven that in most instances the accuser passes final judgment. The accused never gets a chance to refute the charges made against him, nor does he get an opportunity to present witnesses to prove his side of the case. He has no appeal once he has been reprimanded or disciplined. Workers who object to disciplinary measures, or who try to appeal the decision of the bureau chief, or who complain against treatment received from their superiors, are usually "blackballed," and never stand a chance of promotion in Government service. It is stated that these "blackballing" tactics are handed from one department to another, and follow the victim as long as he remains in the Government service.

In addition to the above three complaints, the following must receive consideration:

1. Methods of appointments under civil-service rules: Many have complained of gross mistreatment in this respect. Although at the head of the register for periods of as long as 2 years, and although numbers of appointments have been made from the register, still they have never been called.

2. The method of "blanketing in" employees under civil service: It is claimed that "fixed" examinations are held in many instances, so that a favored few can be sure to make the best grade and be selected, while those who are not in favor are dropped out. It is claimed that the questions are often designed to fit the individuals rather than to cover the requirements of the position in question. I am informed that in many instances the applicants who are taking the examination have aided in drawing up the questions, and also in correcting and grading them.

3. Method of transferring personnel from one department or bureau to another: This usually results in outsiders coming into the bureau and getting all of the good jobs, and thus not giving those in the bureau a chance for the promotion. This does not seem fair to those in the lower brackets, who are working hard and faithfully in the expectation of advancing to better positions. These transfers are usually made when the parties in question are "in" with the bureau chief, or because of political pressure.

4. Too much authority to burden chiefs, with reference to personnel: This results in personal persecutions and intimidations. In most instances, workers have to bow and scrape before their immediate superiors, for fear of losing their favor. Instances have been called to my attention where these superiors regularly call on their assistants for loans, or for personal favors, which of course have to be granted, if the worker desires to retain his chance for promotion.

5. Practice of raising salaries of bureau chiefs and their assistants, while workers in the bureau are denied salary increases due to "lack of funds": This practice seems to be prevalent throughout the departments. The bureau chiefs and their assistants have no hesitancy about raising their own salaries regularly, and seem always able to find funds for this purpose; but when approached by the lower-grade workers, they invariably offer the excuse that "Congress did not appropriate enough money to give you a raise." I have had cases called to my attention where workers have been in the Government service for as long as 17 years without being granted an increase in salary, while others have come into the service within recent years and have received salary increases and promotions in grade. Personal dislike of the immediate superior is the reason assigned for this discrimination.

Mr. ELLENDER. In that connection, Mr. President, I ask that Senate Resolution 198, to investigate the administration and operation of the civil-service laws and the Classification Act of 1923, as amended, be printed in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Senate Resolution 198 is as follows:

*Resolved*, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete investigation of the administration and operation of the civil-service laws and the Classification Act of 1923, as amended, with a view to determining, among other things, (1) the extent to which discrimination is practiced by appointing and supervisory officials with respect to appointments, promotions, transfers, reinstatements, disciplinary action, and allocation of positions in the Government service; and (2) the adequacy of the opportunity for impartial hearing given to employees who are discriminated against with regard to such matters. The committee so appointed shall report to the Senate, at the earliest practicable date, the results of its investigation, together with its recommendations.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hear-

ings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-fifth and succeeding Congresses, to employ such clerical and other assistants, to require by subpoena 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 \$10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. ELLENDER. Mr. President, it is not my purpose to go into minute details concerning the bill. I cannot, however, see how Congress is going to lose any of its powers if the pending measure is passed. I repeat that the various bureaus and departments that have been created by the Congress are now administered by certain persons or by certain commissions that are responsive to the President of the United States, and if we remove from the discussion the human element, there will be little left for argument, because it cannot make much difference who administers the laws passed by the Congress, since they must follow the law as enacted by Congress. Every bureau must be administered according to the law, according to the authority that the Congress itself imposes on those who have the right to administer it, and since the President of the United States is the head administrator, and is responsible for the proper execution of the law, I say that he should have the authority and the right to coordinate Government bureaus in such a way as he sees fit.

It is now 5 o'clock and I understand our majority leader desires to recess. I could further discuss the bill, but I can see no necessity for so doing.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Montana [Mr. WHEELER] as modified.

Mr. BARKLEY. Mr. President, I had hoped we might vote on the Wheeler amendment this afternoon, but it is now obvious that we cannot do so. I have consulted the Senator from Oregon [Mr. McNARY] and others in an effort to see if we cannot vote at a definite time tomorrow. I do not want to shut off any Senator who desires to speak. I myself have no desire to speak. Although I might wish to make a 5- or 10-minute speech on the subject, I am willing to forego that privilege.

I ask unanimous consent, Mr. President, that tomorrow, not later than 2 o'clock, the Senate shall vote on the pending amendment and any amendments that may be offered thereto, without further debate.

Mr. McNARY. Mr. President, I should like to refer that proposal to the Senator from Montana [Mr. WHEELER], who is just entering the Chamber.

Mr. BARKLEY. I will say to the Senator from Montana that I was just asking for a unanimous-consent agreement to vote not later than 2 o'clock tomorrow on the pending amendment and any amendment that may be proposed to it.

Mr. WHEELER. Mr. President, I should have been willing to vote tonight, or I should have been willing to vote at any time today, but I am unwilling at this time to agree to vote at a definite, specific time.

Mr. BARKLEY. The Senator will recall that yesterday I sought to obtain a unanimous-consent agreement to vote at a certain hour today.

Mr. WHEELER. I was perfectly willing to do so, but I shall have to object to the time being fixed.

#### 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. THOMAS of Utah in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORTS OF COMMITTEES

Mr. VAN NUYS, from the Committee on the Judiciary, reported favorably the nomination of Francis C. Canny to be United States attorney for the southern district of Ohio.

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably the following nominations:

Antonio C. Gonzalez, of New York, now Envoy Extraordinary and Minister Plenipotentiary to Ecuador, to be Envoy Extraordinary and Minister Plenipotentiary of the United States to Venezuela, vice Meredith Nicholson;

Meredith Nicholson, of Indiana, now Envoy Extraordinary and Minister Plenipotentiary to Venezuela, to be Envoy Extraordinary and Minister Plenipotentiary of the United States to Nicaragua, vice Boaz Long; and

Boaz Long, of New Mexico, now Envoy Extraordinary and Minister Plenipotentiary to Nicaragua, to be Envoy Extraordinary and Minister Plenipotentiary of the United States to Ecuador, vice Antonio C. Gonzalez.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state in their order the nominations on the calendar with the exception of the one passed over.

## THE JUDICIARY

The legislative clerk read the nomination of Arthur G. Jaeger to be United States marshal for the eastern district of New York.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

## COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Margaret M. McQuilkin to be collector of customs for customs collection district No. 48, with headquarters at Salt Lake City, Utah.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

## IN THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

That concludes the calendar.

## RECESS

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 52 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 17, 1938, at 12 o'clock meridian.

## NOMINATIONS

*Executive nominations received by the Senate March 16 (legislative day of January 5), 1938*

## REGISTER OF THE LAND OFFICE

Lorraine Rollins, of Wyoming, to be register of the land office at Evanston, Wyo. (Reappointment.)

## POSTMASTERS

## ALABAMA

Earle H. Smith to be postmaster at Greenville, Ala., in place of L. M. Lane, resigned.

Robert Rice Hairston to be postmaster at Hayneville, Ala., in place of L. A. Easterly, deceased.

## ARIZONA

George C. Wright to be postmaster at Clifton, Ariz., in place of Peter Riley, resigned.

## ARKANSAS

Herbert A. Whitley to be postmaster at Bradford, Ark., in place of H. A. Whitley. Incumbent's commission expired January 27, 1938.

Will H. Wardlaw to be postmaster at De Queen, Ark., in place of W. H. Wardlaw. Incumbent's commission expired February 28, 1938.

Earl E. Sterling to be postmaster at Mammoth Spring, Ark., in place of E. E. Sterling. Incumbent's commission expired February 15, 1938.

Don N. Matthews to be postmaster at Yellville, Ark., in place of D. N. Matthews. Incumbent's commission expired February 28, 1938.

## CALIFORNIA

Harold V. Tallon to be postmaster at Jackson, Calif., in place of H. V. Tallon. Incumbent's commission expired February 5, 1938.

Alva A. Fields to be postmaster at Modesto, Calif., in place of A. A. Fields. Incumbent's commission expired February 5, 1938.

Albert LaVerne Swanson to be postmaster at Crows Landing, Calif., in place of I. M. Fink, deceased.

Adda B. Ruth to be postmaster at Mecca, Calif., in place of S. K. Fry, resigned.

James Joseph Britt to be postmaster at Monterey Park, Calif. Office established.

Knox Lofland to be postmaster at Yermo, Calif., in place of J. F. Wallahan, resigned.

## COLORADO

Benjamin H. Snyder to be postmaster at Gunnison, Colo., in place of M. J. Schmitz, resigned.

Grace M. Crouse to be postmaster at La Veta, Colo., in place of G. M. Crouse. Incumbent's commission expired February 1, 1938.

Lulu C. Marold to be postmaster at Saguache, Colo., in place of L. C. Marold. Incumbent's commission expired February 1, 1938.

Ben B. Beshoar to be postmaster at Trinidad, Colo., in place of B. B. Beshoar. Incumbent's commission expired February 1, 1938.

Matthew W. Huber to be postmaster at Victor, Colo., in place of M. W. Huber. Incumbent's commission expired February 1, 1938.

## CONNECTICUT

Samuel Morgan Bella to be postmaster at Centerbrook, Conn., in place of S. T. Platt, removed.

## FLORIDA

Katherine S. Grey to be postmaster at Atlantic Beach, Fla. Office became Presidential July 1, 1936.

Jefferson Gaines to be postmaster at Boca Grande, Fla., in place of Jefferson Gaines. Incumbent's commission expired February 10, 1938.

Betsy R. Rives to be postmaster at Dunedin, Fla., in place of B. R. Rives. Incumbent's commission expired February 10, 1938.

Emma S. Fletcher to be postmaster at Havana, Fla., in place of E. S. Fletcher. Incumbent's commission expired February 10, 1938.

Morton O. Brawner to be postmaster at Pensacola, Fla., in place of M. O. Brawner. Incumbent's commission expired February 10, 1938.

## GEORGIA

Marion C. Farrar to be postmaster at Avondale Estates, Ga., in place of M. C. Farrar. Incumbent's commission expired February 28, 1938.

Olin L. Spence to be postmaster at Carrollton, Ga., in place of O. L. Spence. Incumbent's commission expired February 28, 1938.

Ruth A. Redmond to be postmaster at Chatsworth, Ga., in place of R. A. Redmond. Incumbent's commission expired February 28, 1938.

John A. Walker to be postmaster at Cochran, Ga., in place of J. A. Walker. Incumbent's commission expired February 22, 1938.

Sara B. Green to be postmaster at Fairburn, Ga., in place of S. B. Green. Incumbent's commission expired January 30, 1938.



Fannie M. Vaughn to be postmaster at Jeffersonville, Ga., in place of F. M. Vaughn. Incumbent's commission expired January 30, 1938.

Jane M. Wilkes to be postmaster at Lincolnton, Ga., in place of J. M. Wilkes. Incumbent's commission expired January 30, 1938.

Arthur B. Caldwell to be postmaster at Smyrna, Ga., in place of A. B. Caldwell. Incumbent's commission expired January 30, 1938.

Mamie G. White to be postmaster at Stone Mountain, Ga., in place of M. G. White. Incumbent's commission expired January 30, 1938.

Bertha L. Boyd to be postmaster at Union Point, Ga., in place of B. L. Boyd. Incumbent's commission expired January 30, 1938.

Robert B. Bryan to be postmaster at Wrightsville, Ga., in place of R. B. Bryan. Incumbent's commission expired January 30, 1938.

Paul C. Sewell to be postmaster at Cave Spring, Ga., in place of F. J. Forbes, resigned.

#### HAWAII

Minoru Tanaka to be postmaster at Hana, Hawaii. Office became Presidential July 1, 1937.

Manuel R. Jardin to be postmaster at Kalaheo, Hawaii. Office became Presidential July 1, 1937.

#### ILLINOIS

George Racey to be postmaster at Cypress, Ill. Office became Presidential July 1, 1936.

Fabian F. Colgan to be postmaster at Dunlap, Ill. Office became Presidential July 1, 1937.

Clarence B. Muchmore to be postmaster at Charleston, Ill., in place of C. B. Muchmore. Incumbent's commission expired February 15, 1938.

Virginia D. Wall to be postmaster at Nebo, Ill., in place of V. D. Wall. Incumbent's commission expired January 31, 1938.

Ora C. Maze to be postmaster at Tower Hill, Ill., in place of O. C. Maze. Incumbent's commission expired February 15, 1938.

#### INDIANA

Frank Ulmer to be postmaster at Bluffton, Ind., in place of Frank Ulmer. Incumbent's commission expired February 10, 1938.

Irven V. Tyler to be postmaster at Georgetown, Ind., in place of I. V. Tyler. Incumbent's commission expired February 10, 1938.

Ernest R. Presser to be postmaster at Lapel, Ind., in place of E. R. Presser. Incumbent's commission expired January 31, 1938.

Henry Wyrick to be postmaster at Maywood, Ind., in place of Henry Wyrick. Incumbent's commission expired January 31, 1938.

#### IOWA

Bernard G. Remmes to be postmaster at Charter Oak, Iowa, in place of E. L. Glau, removed.

Lillian E. Wicks to be postmaster at Minburn, Iowa, in place of M. B. Henderson, resigned.

#### KANSAS

George O. Hunt to be postmaster at Belle Plaine, Kans., in place of G. O. Hunt. Incumbent's commission expired February 10, 1938.

#### KENTUCKY

Sara G. Friel to be postmaster at Ashland, Ky., in place of S. G. Friel. Incumbent's commission expired January 30, 1938.

Virginia C. Reynolds to be postmaster at Carlisle, Ky., in place of V. C. Reynolds. Incumbent's commission expired January 30, 1938.

Walter McKenzie to be postmaster at Eubank, Ky., in place of Walter McKenzie. Incumbent's commission expired January 30, 1938.

John S. Hollan to be postmaster at Jackson, Ky., in place of J. S. Hollan. Incumbent's commission expired February 15, 1938.

Robert L. Case to be postmaster at Mount Olivet, Ky., in place of R. L. Case. Incumbent's commission expired January 30, 1938.

Ollie M. Lyon to be postmaster at Olive Hill, Ky., in place of O. M. Lyon. Incumbent's commission expired January 30, 1938.

Fred Acker to be postmaster at Paducah, Ky., in place of Fred Acker. Incumbent's commission expired January 30, 1938.

Lula Sharp to be postmaster at Sharpsburg, Ky., in place of Lula Sharp. Incumbent's commission expired February 5, 1938.

#### LOUISIANA

Richard M. Almond to be postmaster at Tallulah, La., in place of J. A. Gilbert, deceased.

Blanche E. Tucker to be postmaster at Wisner, La., in place of E. A. Pennebaker, removed.

#### MAINE

Charles P. Lemaire to be postmaster at Lewiston, Maine, in place of C. P. Lemaire. Incumbent's commission expired January 30, 1938.

#### MARYLAND

Lewis H. Stoner to be postmaster at Emmitsburg, Md., in place of L. H. Stoner. Incumbent's commission expired February 10, 1938.

Helena R. Guyther to be postmaster at Mechanicsville, Md., in place of H. R. Guyther. Incumbent's commission expired February 10, 1938.

Charles W. Carney to be postmaster at Mount Savage, Md., in place of C. W. Carney. Incumbent's commission expired February 10, 1938.

#### MASSACHUSETTS

Winona G. Craig to be postmaster at Falmouth Heights, Mass., in place of W. G. Craig. Incumbent's commission expired December 16, 1933.

John E. Roche to be postmaster at Orange, Mass., in place of J. E. Roche. Incumbent's commission expired January 30, 1938.

Florence S. Roddan to be postmaster at Randolph, Mass., in place of F. S. Roddan. Incumbent's commission expired January 30, 1938.

Nellie G. McDonald to be postmaster at Ward Hill, Mass., in place of N. G. McDonald. Incumbent's commission expired January 30, 1938.

Anna A. Tufts to be postmaster at Pocasset, Mass., in place of M. H. Lumbert, resigned.

#### MICHIGAN

Janet C. White to be postmaster at Essexville, Mich., in place of L. J. Navarre, resigned.

Leo W. Arnestad to be postmaster at Marenisco, Mich., in place of Mayme Arnestad, removed.

Lyman Woodard to be postmaster at Peck, Mich., in place of Wallace Reynolds, deceased.

Bessie May Pomeroy to be postmaster at Sterling, Mich., in place of C. M. Pomeroy, deceased.

Glenn O. Donner to be postmaster at Garden City, Mich., in place of G. O. Donner. Incumbent's commission expired January 30, 1938.

Mary E. Devins to be postmaster at Michigamme, Mich., in place of M. E. Devlin. Incumbent's commission expired January 30, 1938.

George D. Mason to be postmaster at Montague, Mich., in place of G. D. Mason. Incumbent's commission expired January 30, 1938.

Peter Trudell, Jr., to be postmaster at Negaunee, Mich., in place of Peter Trudell, Jr., Incumbent's commission expired January 30, 1938.

Victoria Jesionowski to be postmaster at Posen, Mich., in place of Victoria Jesionowski. Incumbent's commission expired February 15, 1938.

Louis J. Braun to be postmaster at South Range, Mich., in place of L. J. Braun. Incumbent's commission expired January 30, 1938.

## MINNESOTA

Mathias J. Olson to be postmaster at Wolverton, Minn., in place of M. J. Olson. Incumbent's commission expired January 31, 1938.

## MISSISSIPPI

James M. Thames to be postmaster at Decatur, Miss., in place of J. M. Thames. Incumbent's commission expired January 30, 1938.

John B. Vinson to be postmaster at Magee, Miss., in place of J. B. Vinson. Incumbent's commission expired February 10, 1938.

## MISSOURI

Lawrence W. Bartee to be postmaster at Holt, Mo., in place of A. C. Eby, deceased.

## NEBRASKA

Glen B. Hill to be postmaster at Arapahoe, Nebr., in place of C. G. Magee, removed.

## NEW JERSEY

Martin Kenneth Collins to be postmaster at Marlboro, N. J. Office became Presidential July 1, 1937.

## NEW MEXICO

John A. Werner to be postmaster at Albuquerque, N. Mex., in place of R. L. Cook, resigned.

## NEW YORK

Fred J. Burns, Jr., to be postmaster at Glenwood Landing, N. Y., in place of J. H. T. Smallwood, removed.

Loretta Patton to be postmaster at Harrison, N. Y., in place of M. A. Blazina. Removed without prejudice April 29, 1936.

James E. McWilliams to be postmaster at Prattsville, N. Y., in place of A. E. Hummel. Incumbent's commission expired April 29, 1936.

## NORTH CAROLINA

James A. Bonner to be postmaster at Aurora, N. C., in place of J. A. Bonner. Incumbent's commission expired February 15, 1938.

G. Leslie Hensley to be postmaster at Burnsville, N. C., in place of G. L. Hensley. Incumbent's commission expired January 31, 1938.

Clinton E. Bolick to be postmaster at Conover, N. C., in place of C. E. Bolick. Incumbent's commission expired February 1, 1938.

Vivian T. Davis to be postmaster at Forest City, N. C., in place of V. T. Davis. Incumbent's commission expired February 1, 1938.

Newberry McDevitt to be postmaster at Marshall, N. C., in place of Newberry McDevitt. Incumbent's commission expired February 15, 1938.

Oscar L. Phillips to be postmaster at Matthews, N. C., in place of O. L. Phillips. Incumbent's commission expired January 31, 1938.

Columbus L. Biggerstaff to be postmaster at Rutherfordton, N. C., in place of C. L. Biggerstaff. Incumbent's commission expired February 1, 1938.

## NORTH DAKOTA

William Texel to be postmaster at Ross, N. Dak., in place of E. J. McKinnon, removed.

## OHIO

Edward V. Hartmann to be postmaster at Holland, Ohio, in place of H. E. Dunn. Appointee not commissioned.

Michael F. O'Donnell to be postmaster at Cleveland, Ohio, in place of M. F. O'Donnell. Incumbent's commission expired February 15, 1938.

Fred W. Justus to be postmaster at Massillon, Ohio, in place of F. W. Justus. Incumbent's commission expired January 30, 1938.

Howard A. Haber to be postmaster at New Lebanon, Ohio. Office became Presidential July 1, 1937.

John Maurer to be postmaster at New Philadelphia, Ohio, in place of John Maurer. Incumbent's commission expired January 30, 1938.

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William E. Farmer to be postmaster at Piketon, Ohio, in place of W. E. Farmer. Incumbent's commission expired February 15, 1938.

Albert E. Beardmore to be postmaster at Salem, Ohio, in place of A. E. Beardmore. Incumbent's commission expired February 1, 1938.

Theodore A. Lauber to be postmaster at Sandusky, Ohio, in place of T. A. Lauber. Incumbent's commission expired February 15, 1938.

Paul M. Keyser to be postmaster at Shadyside, Ohio, in place of P. M. Keyser. Incumbent's commission expired February 15, 1938.

## OKLAHOMA

William J. Allen to be postmaster at Boynton, Okla., in place of E. L. Jacks, removed.

Frank H. Clark to be postmaster at Idabel, Okla., in place of A. A. Westbrook, resigned.

## PENNSYLVANIA

Marvin F. Birely to be postmaster at Blue Ridge Summit, Pa., in place of M. F. Birely. Incumbent's commission expired February 1, 1938.

Marion S. Macomber to be postmaster at Delta, Pa., in place of M. S. Macomber. Incumbent's commission expired February 1, 1938.

Charles A. Williams to be postmaster at Gettysburg, Pa., in place of C. A. Williams. Incumbent's commission expired February 1, 1938.

Georgia E. Sweitzer to be postmaster at Newell, Pa. Office became Presidential July 1, 1937.

## SOUTH CAROLINA

Thomas B. Hallman to be postmaster at Aiken, S. C., in place of T. B. Hallman. Incumbent's commission expired February 1, 1938.

William Clyde Coward to be postmaster at Cheraw, S. C., in place of W. C. Coward. Incumbent's commission expired February 20, 1938.

John B. O'Neal to be postmaster at Fairfax, S. C., in place of J. B. O'Neal. Incumbent's commission expired February 1, 1938.

Lorna M. Hutson to be postmaster at Hardeeville, S. C., in place of L. M. Hutson. Incumbent's commission expired February 10, 1938.

John W. Willis to be postmaster at Lynchburg, S. C., in place of J. W. Willis. Incumbent's commission expired February 1, 1938.

James M. Muirhead to be postmaster at Mount Pleasant, S. C., in place of J. M. Muirhead. Incumbent's commission expired February 1, 1938.

Lindsay C. McFadden to be postmaster at Rock Hill, S. C., in place of L. C. McFadden. Incumbent's commission expired February 1, 1938.

William S. Gibson to be postmaster at Sharon, S. C., in place of W. S. Gibson. Incumbent's commission expired February 20, 1938.

George C. Cartwright to be postmaster at York, S. C., in place of G. C. Cartwright. Incumbent's commission expired February 20, 1938.

Leamonde Avery Hall to be postmaster at Beaufort, S. C., in place of E. D. Raney, deceased.

## SOUTH DAKOTA

Florence M. Langer to be postmaster at Olivet, S. Dak., in place of F. J. Foley, removed.

## TENNESSEE

LeRoy J. Eldredge to be postmaster at Hixson, Tenn. Office became Presidential July 1, 1937.

Marvin McKnight to be postmaster at Bemis, Tenn., in place of Marvin McKnight. Incumbent's commission expired January 31, 1938.

John J. Parran to be postmaster at Bolivar, Tenn., in place of J. J. Parran. Incumbent's commission expired January 31, 1938.



James F. Anderson to be postmaster at Cleveland, Tenn., in place of J. F. Anderson. Incumbent's commission expired January 31, 1938.

Etoile Johnson to be postmaster at Doyle, Tenn., in place of Etoile Johnson. Incumbent's commission expired February 15, 1938.

Vola W. Mansfield to be postmaster at Dunlap, Tenn., in place of V. W. Mansfield. Incumbent's commission expired January 31, 1938.

Hugh C. McKellar to be postmaster at Memphis, Tenn., in place of H. C. McKellar. Incumbent's commission expired February 15, 1938.

James H. Davenport to be postmaster at Soddy, Tenn., in place of J. H. Davenport. Incumbent's commission expired February 15, 1938.

Lois McReynolds to be postmaster at South Pittsburg, Tenn., in place of Lois McReynolds. Incumbent's commission expired January 31, 1938.

James R. Hennessee to be postmaster at Sparta, Tenn., in place of J. R. Hennessee. Incumbent's commission expired February 15, 1938.

Raymond B. Gibson to be postmaster at Spring City, Tenn., in place of R. B. Gibson. Incumbent's commission expired January 31, 1938.

#### TEXAS

Edgar L. Watson to be postmaster at Athens, Tex., in place of E. L. Watson. Incumbent's commission expired February 10, 1938.

John R. Griffin to be postmaster at Blooming Grove, Tex., in place of J. R. Griffin. Incumbent's commission expired February 10, 1938.

Earl E. Frost to be postmaster at Bridgeport, Tex., in place of E. E. Frost. Incumbent's commission expired February 10, 1938.

Minnie P. Irving to be postmaster at Center Point, Tex., in place of M. P. Irving. Incumbent's commission expired February 10, 1938.

Carlos D. Berry to be postmaster at Dawson, Tex., in place of C. D. Berry. Incumbent's commission expired February 10, 1938.

Burwell W. McKenzie to be postmaster at Denton, Tex., in place of B. W. McKenzie. Incumbent's commission expired February 10, 1938.

David F. Stamps to be postmaster at Dime Box, Tex. Office became Presidential July 1, 1937.

Edgar W. Brooks to be postmaster at Eldorado, Tex., in place of E. W. Brooks. Incumbent's commission expired February 22, 1938.

Marie E. Parker to be postmaster at Anahuac, Tex., in place of A. D. Rawlinson, deceased.

Emory D. Cotton to be postmaster at Brownsboro, Tex. Office became Presidential July 1, 1937.

Gordon Keith Denman to be postmaster at Dumas, Tex., in place of Wiley Fox, resigned.

Julius D. Gibbs to be postmaster at Kingsville, Tex., in place of G. C. Hoffman. Incumbent's commission expired February 19, 1936.

Lizzie Faye Grissette to be postmaster at North Zulch, Tex., in place of W. E. Shannon, resigned.

Robert E. Spears to be postmaster at Tioga, Tex., in place of J. P. Sharp, deceased.

Gladys M. Waters to be postmaster at Grandview, Tex., in place of G. M. Waters. Incumbent's commission expired February 22, 1938.

Jennie W. Reynolds to be postmaster at Mason, Tex., in place of J. W. Reynolds. Incumbent's commission expired February 22, 1938.

Bennie H. Larsen to be postmaster at Pflugerville, Tex. Office became Presidential July 1, 1937.

Marcus E. Cannon to be postmaster at Thornton, Tex., in place of M. E. Cannon. Incumbent's commission expired February 10, 1938.

Walter J. Huff to be postmaster at Trenton, Tex., in place of W. J. Huff. Incumbent's commission expired February 10, 1938.

#### VIRGINIA

Ira D. Newcomb to be postmaster at Clarksville, Va., in place of I. D. Newcomb. Incumbent's commission expired February 10, 1938.

Henry C. Swanson to be postmaster at Danville, Va., in place of H. C. Swanson. Incumbent's commission expired February 10, 1938.

Burley M. Garner to be postmaster at Emporia, Va., in place of B. M. Garner. Incumbent's commission expired February 10, 1938.

James H. Ashby to be postmaster at Exmore, Va., in place of J. H. Ashby. Incumbent's commission expired February 20, 1938.

Wilbert D. R. Proffitt to be postmaster at Highland Springs, Va., in place of W. D. R. Proffitt. Incumbent's commission expired January 19, 1933.

Howard O. Rock to be postmaster at Irvington, Va., in place of H. O. Rock. Incumbent's commission expired February 20, 1938.

Edward L. Graham to be postmaster at Lexington, Va., in place of E. L. Graham. Incumbent's commission expired February 10, 1938.

Margaret H. Hardy to be postmaster at McKenney, Va., in place of M. H. Hardy. Incumbent's commission expired February 10, 1938.

Joseph W. Harvey to be postmaster at Montross, Va., in place of J. W. Harvey. Incumbent's commission expired February 10, 1938.

Leslie N. Ligon to be postmaster at Pamplin, Va., in place of L. N. Ligon. Incumbent's commission expired February 10, 1938.

John P. Mugler to be postmaster at Phoebus, Va., in place of J. P. Mugler. Incumbent's commission expired February 10, 1938.

James V. Lewis to be postmaster at Prospect, Va., in place of J. V. Lewis. Incumbent's commission expired February 10, 1938.

Joseph F. Judkins to be postmaster at Surry, Va., in place of J. F. Judkins. Incumbent's commission expired February 10, 1938.

Jesse F. West, Jr., to be postmaster at Waverly, Va., in place of J. F. West, Jr. Incumbent's commission expired February 10, 1938.

#### WASHINGTON

Clinton L. Byers to be postmaster at Longview, Wash., in place of L. C. Eastman, removed.

Mary E. Brown to be postmaster at Sequim, Wash., in place of J. K. Carr. Incumbent's commission expired March 29, 1936.

Grover C. Houtchens to be postmaster at Waitsburg, Wash., in place of G. C. Houtchens. Incumbent's commission expired February 15, 1938.

Joshua E. Leander to be postmaster at White Bluffs, Wash., in place of J. E. Leander. Incumbent's commission expired February 28, 1938.

#### WEST VIRGINIA

Marion L. Taylor to be postmaster at Ansted, W. Va., in place of M. L. Taylor. Incumbent's commission expired February 20, 1938.

Ada B. Steiner to be postmaster at Berkeley Springs, W. Va., in place of A. B. Steiner. Incumbent's commission expired February 28, 1938.

Eulalie B. Wheeler to be postmaster at Elkhorn, W. Va., in place of E. B. Wheeler. Incumbent's commission expired January 31, 1938.

#### WISCONSIN

Arthur G. Hoskins to be postmaster at Dodgeville, Wis., in place of A. G. Hoskins. Incumbent's commission expired January 30, 1938.

Thomas J. Burns to be postmaster at Oakfield, Wis., in place of T. J. Burns. Incumbent's commission expired February 10, 1938.

Nicholas Lucius, Jr., to be postmaster at Solon Springs, Wis., in place of Nicholas Lucius, Jr. Incumbent's commission expired January 30, 1938.

Martin J. Williams to be postmaster at Winneconne, Wis., in place of M. J. Williams. Incumbent's commission expired February 10, 1938.

C. Kenneth Peisker to be postmaster at Catawba, Wis., in place of F. S. Gruber, deceased.

#### WYOMING

Clyde M. Elbert to be postmaster at Ten Sleep, Wyo. Office made Presidential July 1, 1937.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate March 16 (legislative day of January 5), 1938*

##### UNITED STATES MARSHAL

Arthur G. Jaeger to be United States marshal for the eastern district of New York.

##### COLLECTOR OF CUSTOMS

Margaret M. McQuilkin to be collector of customs for customs collection district No. 48, with headquarters at Salt Lake City, Utah.

##### PROMOTIONS IN THE NAVY

Jesse B. Oldendorf to be captain.  
Walter S. Macaulay to be commander.  
John A. Hollowell, Jr., to be lieutenant commander.  
Edward R. Gardner, Jr., to be lieutenant commander.  
William McC. Drane to be lieutenant.  
Perceval S. Rossiter to be medical director.  
Albert P. Kohlhas, Jr., to be passed assistant paymaster.  
Fred W. Boettcher to be chief machinist.  
Martin L. Lince to be chief machinist.  
Menard Steltenkamp to be chief machinist.  
Charles Henc to be chief machinist.  
Edwin W. Streeter to be chief machinist.  
Julious H. Ford to be chief machinist.  
Miles A. Coslet to be chief machinist.  
Ernest A. Koehler to be chief machinist.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 16, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou, O Lord, art a God full of compassion, gracious, long-suffering, plenteous in mercy and truth. Turn unto us and have mercy; give Thy strength to these Thy servants. Let us beware lest we forget the Lord and diligently keep His commandments and testimonies. Heavenly Father, by doing the things we know to be right and just, may this day yield benefit and subdue fear in our country. Help us to make our ideals come true, bright with cheerfulness and promise. Grant that the mists of doubt may be dispensed with in the light of vigorous, happy faith. Cleanse us from all disobedience and darkness; be our constant guide, and establish Thou the work of our hands. In the name of our blessed Lord and Savior. Amen.

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

#### EXTENSION OF REMARKS

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting an address made by the Postmaster General.

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

There was no objection.

Mr. TREADWAY asked and was given permission to extend his own remarks in the RECORD.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks at this point in the RECORD and to include therein, or have printed in connection with my remarks, a concurrent resolution which I introduced.

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

There was no objection.

Mr. SPARKMAN. Mr. Speaker, on yesterday I introduced a concurrent resolution providing for an investigation of the T. V. A. by a special committee of five Senators and five Members of this House. The scope of the investigation would be substantially the same as called for in the resolution offered in the other body by Senator NORRIS. There is one additional matter in my resolution—the matter of the location of T. V. A. headquarters. Senator NORRIS is rightfully regarded as the father of the T. V. A. The people of my district nurtured the hope for long years that the Tennessee River would be developed. They welcomed the interest and leadership of Senator NORRIS and have confidence in his leadership at the present time. I have discussed this feature of my resolution with Senator NORRIS, and it is agreeable with him that it be included.

Let me say in the first place that I believe there should be an investigation. I represent the Muscle Shoals district—the original and rightful home of the T. V. A. I believe in the T. V. A., and the people whom I represent—the people among whom the T. V. A. has worked—believe in it. We feel that it has been honestly administered and that differences that have arisen have been honest differences of opinion. There has been no dishonesty or corruption. The internal dissension has been most unfortunate and has reached the stage where an investigation is a necessity.

No true friend of the T. V. A. fears an investigation. However, we want such investigation to be fair, impartial, and unbiased. It should not be simply a mud-slinging affair, a fishing campaign, nor should it be a whitewashing. We who believe in the T. V. A. want it to be complete. It should be held without delay, in order that the great program may continue unimpeded. Whatever house cleaning may be necessary, let us have it, but let us not hinder the program. We have faith in the outcome.

The T. V. A. is a legislative child of both Houses of Congress. I do not believe that the investigation should be conducted by either House alone. For that reason I have provided for a joint committee of an equal number from each House. I do not believe that anyone with a fixed and avowed opinion, either for or against the T. V. A., should be named to the committee but that men in whom the Nation has confidence, and whose findings the Nation will respect, should serve.

I should like to call your attention to the fact that my resolution calls for an investigation not only of the administration of the T. V. A. but also of the harassing activities of the Power Trust in its efforts to hamstring and block the T. V. A. in its program. Let us have all of the facts relating to the T. V. A. operations.

There is one provision of my resolution to which I should especially like to direct your attention. If I asked any one of you where the principal office of the T. V. A. is located, you would immediately tell me that it is at Knoxville, Tenn. From every practical viewpoint you would be correct. Yet, in the act setting up the T. V. A., it was plainly provided:

SEC. 8. (a) The Corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala. \* \* \*

By no stretch of the imagination could Knoxville, Tenn., be construed as being in the immediate vicinity of Muscle Shoals, Ala. It is 300 miles distant.

The T. V. A. has attempted to meet this requirement by placing a sign over the offices at Muscle Shoals designating one of them as the principal office and by leaving its corporate seal there. This cannot be a reasonable compliance



with the law. It might be a technical compliance with this provision if it stood alone, but there are other provisions that clearly show the intent. There is no ambiguity. It is provided in the same section:

The Corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to the venue of civil suits.

It was intended that the T. V. A. would be domiciled in north Alabama—that the main offices, personnel, activities would be there where T. V. A. was born and in the very midst of the whole development.

But, to show further the intent as to the location of the offices, it was written into section 2 (e):

Each member of the Board, in addition to his salary, shall be permitted to occupy as his residence one of the dwelling houses owned by the Government in the vicinity of Muscle Shoals, Ala., the same to be designated by the President of the United States.

What could more clearly show that it was contemplated that the directors should live there and should carry on their work there?

When the T. V. A. program was started Norris Dam was the first big project. While this was in the process of construction we of the Muscle Shoals area did not protest vigorously the maintenance of offices in Knoxville, being told that it was a temporary arrangement because of the nearness to the center of activity. But Norris Dam has long since been completed. Construction started on it in October 1933. Its reservoir began filling March 4, 1936. Then came Wheeler Dam, only 15 miles upstream from Wilson Dam, first of them all. Wheeler Dam was completed June 10, 1937. The next project authorized was Pickwick Landing Dam, some 50 miles down the river from Wilson Dam. This was authorized November 19, 1934, and is now near completion. On November 27, 1935, Guntersville Dam, 74 miles upstream from Wheeler Dam, was authorized. This is still in process of construction. Chickamauga Dam, near Chattanooga, came next, being authorized on January 2, 1936. The sixth T. V. A. construction project was Hiwassee Dam, near Chattanooga, authorized January 10, 1936, and the next proposed project is the Gilbertsville Dam.

These projects are listed to show that any original justification that may have been claimed for placing the main offices at Knoxville, in the face of the very plain mandate of the law, has been removed ever since the Norris Reservoir started filling on March 4, 1936. Every project since that time has been far downstream from Knoxville. In fact, with the exception of Norris Dam, every single project is below Knoxville, the nearest being nearly 100 miles away.

Of the seven projects now completed or under construction, three are in Alabama within a total distance of 90 miles. Two others are just outside Alabama, one upstream and one downstream, and six are downstream from Knoxville. Evidently this situation convinced Congress in the beginning that the logical location for headquarters was in the immediate vicinity of Muscle Shoals, Ala.

The T. V. A. owns ample property there. It owns buildings, and, I am told, could maintain its offices there as intended in the act at an actual saving to the Government. I believe it should do so, and therefore have included it as a part of the matters to be investigated.

The concurrent resolution reads as follows:

*Resolved by the House of Representatives (the Senate concurring),* That a special committee consisting of five Senators, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House, is hereby authorized and directed to make an investigation of the operations of the Tennessee Valley Authority, with a view of ascertaining—

(1) Whether said Authority is carrying out with reasonable economy and efficiency the provisions of the Tennessee Valley Authority Act, approved May 18, 1933, and the amendatory act, approved August 31, 1935.

(2) Whether the work of said Authority has been handicapped or interfered with in any way by any internal dissension among members of the Board of said Tennessee Valley Authority; if so, the cause, if any, of such dissension and what effect it has had upon the work of said Authority.

(3) Whether any member of said Board is holding office in violation of subsection H, section 2, of said act; and whether any

member of said Board has given aid or assistance, either directly or indirectly, to private power companies in suits for injunctions instituted by said private power companies.

(4) What suits, if any, have been instigated by private power companies in State and Federal courts, praying for injunctions against the activities of said Board; what effect, if any, said injunctions have had upon the carrying out of said act according to its terms; what disposition has been made up to date of said injunction suits; what has been the expense to said Tennessee Valley Authority in defending said suits; what has been the disposition of said suits in the superior courts to which said cases have been appealed from the lower courts; and what has been the loss in revenue to said Authority on account of said suits.

(5) What has been the financial loss to the municipalities and farm organizations which have been prevented by said suits from purchasing electric power of said Authority.

(6) What has been the effect upon the personnel and the organization perfected by the Board under said act by the prosecution of said injunction suits or by the action of any member of said Board in giving aid or assistance to private power companies therein.

(7) What have been the activities, if any, of the private power companies, in attempting by the expenditure of money, the institution of legal proceedings, or other means and methods to prevent municipalities and farm organizations in the Tennessee Valley from buying electric power of said Authority.

(8) What efforts, if any, have been made by private power companies to prevent municipalities or farm organizations desiring to purchase power of said Authority from acquiring title to their distributing systems.

(9) To what extent, if any, have the public interests been injured or jeopardized by the activities of the private power companies in attempting to prevent the Board from carrying out the provisions of said act.

(10) Whether or not said Authority has complied with that part of subsection (a) of section 8 of such act, as amended, which requires that the principal office of the Authority be maintained in the immediate vicinity of Muscle Shoals, Ala.; and be it further

*Resolved,* That said committee is authorized and directed to make a full and complete investigation of all phases of the administration of the Tennessee Valley Authority Act of 1933, as amended, by the Tennessee Valley Authority. The committee shall report to the Senate and the House of Representatives as soon as practicable the results of its investigation, together with its recommendations, if any, for necessary legislation.

Said committee is hereby authorized, in the performance of its duties, to sit at such times and places, either in the District of Columbia, or elsewhere, as it deems necessary or proper. It is specifically authorized to require the attendance of witnesses by subpoena or otherwise; to require the production of books, papers, and documents; and to employ counsel, experts, and clerical and other assistants; and to employ stenographers at a cost not exceeding 25 cents per 100 words.

Said committee is hereby specifically authorized to act through any subcommittee authorized to be appointed by said committee. The chairman of said committee or any member of any subcommittee may administer oaths to witnesses and sign subpoenas for witnesses; and every person duly summoned before said committee, or any subcommittee thereof, who refuses or fails to obey the process of said committee or who appears and refuses to answer questions pertinent to said investigation shall be punished as prescribed by law.

The expenses of said investigation, not exceeding in the aggregate \$500,000, shall be paid in equal amounts from the respective contingent funds of the Senate and House of Representatives on vouchers signed by the chairman of the committee or the chairman of any subcommittee.

All hearings before said committee shall be public, and all orders or decisions of the committee shall be public.

The committee shall make a full report to the Senate and House of Representatives as soon as possible.

#### CALL OF THE HOUSE

Mr. RICH. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Will the gentleman withhold that for a moment?

Mr. RICH. Mr. Speaker, I withdraw the point of no quorum.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. PLUMLEY. Mr. Speaker, yesterday the Governor of my State released for publication the report of the special milk investigational committee appointed by him by authority of the last legislature, and of which committee former Congressman Elbert S. Brigham was chairman.

This report states that Vermont dairymen cannot expect to sell all the milk they produce for export at Boston door-

steps; that Vermont farmers are getting less than butter value for surplus milk, which loss, it is suggested, could be turned to a profit if the farmers would go into the making of cream, butter, and cheese of the highest quality, rather than sending such quantities of surplus milk to a market from which there is practically no return.

This report is especially significant because of the composition of the special committee; as has been suggested, at its head is former Congressman Elbert S. Brigham, long-time commissioner of agriculture for the State of Vermont, now president of the National Life Insurance Co., and who, when he was in Congress, was recognized as one of the leaders in matters pertaining to agriculture and to the dairy industry, as the only New England member of the Committee on Agriculture of the House of Representatives, and under whose successful leadership the bill taxing oleomargarine was enacted.

Ralph E. Flanders, president of the Jones & Lamson Co., of Springfield, Vt., distinguished as an engineer, member of the Business Advisory and Planning Council of the United States Department of Commerce, and generally very well informed with respect to all matters affecting Vermont and its interests, and Hon. Matthew G. Leary, of Burlington, several times member of the Vermont Legislature, and now senator from Chittenden County, recognized as one of the best lawyers in the State of Vermont, are the other two members of the committee. All three members of which were born and raised on a farm.

The annual cash income, which under present conditions the dairy industry and the dairymen of Vermont are receiving, amounts to approximately \$20,000,000, notwithstanding which the dairymen have had difficulty in maintaining fair profits, and have been searching for some solution of their problems.

This report, which contains 15,000 words, ought to be read by everybody who is interested in dairying, for the suggestions contained in it are valuable and of interest to all dairymen; for instance, the committee suggests uses for the surplus milk in Vermont which will yield a million dollars more revenue annually.

The report covers all phases of the present dairying problem in a pamphlet of some thirty-odd pages, full of illustrations and statistical tables, and copies of this pamphlet may be had by addressing the State librarian, Harrison J. Conant, Montpelier, Vt.

The report states that the committee feels strongly that the possible increase in farm income from the sale of fluid milk is limited by factors over which the dairymen of Vermont can exercise no permanent control. If producers were to take over the distributing end and gain this profit for themselves, we do not believe it would equal the gains they can make in other methods less difficult of adoption.

We recommend the appointment of a commission which shall include leading representatives of the farm organizations and the Extension Service to study the most practicable method of putting into effect these suggestions, and any others that may appear hopeful. From such a study we believe there can be developed a progressive program for Vermont agriculture ready for submission to you before the next legislature convenes, which will substantially increase the income of the Vermont dairyman.

#### HIGHLIGHTS OF REPORT

Obviously it is impossible to condense a 15,000-word report with satisfactory accuracy and emphasis, but the following paragraphs have been culled as interesting highlights of the documents:

Vermont contains only 4.4 percent of the people of New England, but it has 36 percent of the New England cows.

The Vermont cow produces an average of 5,200 pounds of milk a year, to a total of one and one-quarter billion pounds.

The total production of Vermont milk has not fluctuated widely over a 10-year period, except for seasonal influences. Approximately 75 percent of Vermont milk production finds its market outside the State, not in the form of milk alone but also as manufactured products.

Vermont dairy farmers have been centering all their discussion on fluid milk, yet fluid milk sales account for not over 40 percent of the State's output.

In 3 years out of the past 10, the sums paid for dairy products other than fluid milk have exceeded the total paid for fluid products.

Sixty percent of the Vermont milk shipped as fluid goes to the Boston market, 30 percent to New York, and small amounts to secondary markets in Massachusetts and Rhode Island.

Truck shipments have increased, but only 17 percent of Vermont milk shipments in 1936 went by truck, while 83 percent went by rail.

The report lists 77 licensed Vermont dairy companies operating 132 plants.

#### PRODUCERS SHOULD SKIM ON FARM

Skim milk is estimated as worth at least 40 cents per hundredweight for feeding pigs or dairy heifers, and even more for feeding poultry, and the report emphasizes that the Vermont farmer should do more skimming himself rather than ship so much whole milk into an over-supplied market.

Vermont imported 5,620 dairy cows, costing half a million dollars, in 1936. These could be raised here, and large numbers in addition.

A program of utilizing more of Vermont milk for fine quality cheese, butter, and sweet cream, with skim milk fed on the farm would increase the annual income of Vermont dairymen by one to two million dollars.

#### VERMONT'S MILK HALF SURPLUS

The other methods suggested in the report have to do with uses of surplus milk, and the report states that more than half the milk produced in Vermont is sold as surplus and is used as cream, butter, and other dairy products. Under present conditions these products from Vermont milk, produced under expensive sanitary conditions necessary for table milk, receive no advantage in price over western dairy products made with no restrictions as to methods of production.

The suggestion of the committee is that the dairymen of Vermont try to secure a price advantage through manufacture of quality products, such as butter which can be advertised and sold as made from milk produced under board of health requirements, certified cream, and quality cheese. It is pointed out that Vermont's most successful creameries are now producing butter with a net adjusted milk price not far below the Boston composite price, and high above the class 2 price.

Other suggestions of the increased profits are through the sale of young dairy stock from improved herds with accessible records for sires, and also through developments of a reputation for milk-fed bacon hogs.

Lower cost of production is recommended through more general attention to cow testing, breeding for production, balanced production, raising more feeds on the farm, and keeping dairy-farm accounts.

#### PRODUCER'S WAY OUT

In conclusion the committee says:

The way out for the Vermont milk producer lies in a more practical attitude toward the fluid milk market and in a great expansion into quality products from his supply of surplus milk. There is no State in the Union today with which quality is associated in the public mind as it is with our State. It is proper and it is necessary that we turn this sentiment into profit for ourselves by furnishing on an increasing scale the high-grade products expected of us.

Extension courses. To effect such a thoroughgoing program of improvement as that outlined above, dairy farmers should organize into groups for the careful study of their problems, using all the resources of the Farm Bureau, the Grange, the State and Federal departments of agriculture, the State agricultural school, the State agricultural college, and the University Extension Service.

It is true that the present method of straining milk into cans left at the door, cooling the milk, and leaving it for a truck to pick up, relieves the farmer of much work, but the return is unnecessarily low.

Vermont milk shipments to the Boston market have been falling off since 1932, while those from Maine and Massachusetts have been increasing, though Vermont continues to be the largest single contributor, in both milk and cream to Boston.



Cream shipped to Boston from Vermont is largely derived from surplus milk, made under the same rigid Board of Health requirements as milk used for fluid, yet this Vermont cream is sold on a price basis in competition with western cream, uninspected by the Boston Board of Health—as the cream market is almost unrestricted.

Of the hundred billion pounds of milk produced by the Nation's cows each year, it is startling that Vermont, as important as it is in dairying, produces 1 percent only of the total.

It requires 1,131 pounds of milk to supply the average Bostonian with dairy products for a year, but only about 26 percent of this is consumed in fluid form, while about 56 percent is consumed as butter, which may be shipped in without restrictions, and the cream requirements with only minor restrictions.

The competition of the Vermont dairy farmer is mistakenly being centered wholly on the 26-percent consumption of fluid milk in Boston, largely overlooking the cream, butter, and cheese market. But New England, as a whole, produces double the milk which its population will consume in fluid form.

As for New York City, it is estimated that in November 1937, the period of short production, there was a surplus of 100,000,000 pounds of milk in New York State above milk and cream requirements of the area—which supports the contention that Boston dealers can abandon their supply stations in Vermont and purchase their requirements from New York surplus.

Organization of dairy farmers to demand an excessive price of milk from Boston is futile because large volumes of outside milk may be attracted into this market and the price broken down.

#### MANUFACTURING THE SURPLUS

The Vermont Department of Agriculture estimates that 48 percent of the State's milk sold as fluid is now handled by cooperatives:

We believe these cooperatives should manufacture the surplus into high-quality cream, butter, cheese, etc.—that these plants should be owned by the farmers who patronize them, that these plants should be federated under an overhead organization to provide expert management, technical assistance, and advertising and selling facilities, all with the aim to give high quality and service.

At a cost of 25 cents per hundred or more, milk is now being trucked from remote farms into shipping stations within the State. Report questions whether these farmers would not be better off financially if they organized cooperative creameries to receive sweet cream, to sell as such, or as high-quality butter, and to keep skim milk at home to feed to cows, pigs, and poultry, and thereby save the present hauling charge.

#### HERD IMPROVEMENT

The report points to the need of reducing costs of milk production in Vermont by better breeding and feeding and praises the efficient leadership of the dairy herd improvement associations of E. H. Loveland, extension dairyman of the University of Vermont, and the report regrets that the last legislature failed to appropriate sufficient funds to extend this work.

The culling of low-producing cows, the feeding of good cows better, and the breeding for better production in the future are recommended, along with elimination of Bang's disease and mastitis.

Vermont farmers have received for approximately one-half of their milk, which was produced under conditions to meet city health requirements, a lower price than its value would be in the butter market.

The committee doubts that if producers took over the distribution of milk in the cities and gained this profit for themselves, they would equal the gains they can make by other methods.

We recognize that milk can be produced more cheaply in the West than here. We cannot compete in price but we can in quality. For instance, by advertising butter made from milk produced under city board of health requirements, the price of butter might be raised.

The same suggestion is made with reference to cream and cheese.

There is a good market in Vermont and elsewhere in New England for young dairy stock. A general improvement in our breeding and accessible records for sires should make a most profitable market for our skim milk in meeting the demand.

#### BACON AND SAUSAGE BUSINESS

The whole Nation of Denmark depends upon butter and milk-fed bacon for its main support. The demand for lean loin bacon and English-type streaky bacon is growing rapidly in this country. Canada is meeting the demand and we are importing tons of this new food annually from north of the border. Why not raise the bacon hog in Vermont on Vermont skim milk? And why not expand the country-sausage market?

The institution of cow testing must be expanded to cover all the commercial herds of the State; the 4,000-pound cow must be eliminated and be replaced with cows of a capacity of 6,000 pounds and up.

Cooperative buying is recommended to lower the cost of feed, fertilizer, and supplies; and a uniform system of dairy farm accounts, along lines developed by the United States Department of Agriculture, should be adopted by the dairy-men of Vermont.

#### EXTENSION OF REMARKS

Mr. LORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include certain statements I made yesterday before the Tariff Commission.

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

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein President Quezon's Rizal Day speech on proclamation on Philippine national language, together with a reprinted article on Philippine language problem by Mr. Villareal.

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

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. DONDERO. Mr. Speaker, I desire to call attention to the Members of the House and their friends to a preview showing in the Ways and Means Committee room, street floor, New House Office Building, tomorrow at 8 p. m., of a motion picture entitled "Materials." It requires less than 30 minutes. It is of special interest to every Member of this House. No matter what State or section of the Nation you represent, it concerns and affects your people.

From Maine to California, from Florida to Oregon and Washington, come materials; from forest, farm, and field; from mines and mountains, liquids and solids, from below the earth and above it, come materials—showing agriculture, business, and industry interwoven, interrelated, and dependent on each other. Materials combined and refined—affecting one in seven of our people. Materials fashioned, fabricated, and molded by science, skill, and invention. Materials contributing to the happiness, progress, prosperity, and comfort of the American people through the automobile industry.

The story of materials as told in sound motion picture is of deep interest to every individual Member of this body. I commend it to you.

You and your friends are cordially invited to see it.

Mr. SNELL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. SNELL. Mr. Speaker, many of the Members on this side are very desirous of finding out definitely, if the majority leader can inform us, when it is expected a final vote will be had on the present naval bill, now under consideration? Some of the Members are desirous of going away over tomorrow and Saturday.

Mr. RAYBURN. A number of Members have spoken to me with reference to the same matter. Many Members have engagements on tomorrow, which is St. Patrick's Day, and they do not want to come back on Friday. Some of them will be far enough from Washington that to return will be inconvenient. After discussing this matter with the chairman of the Committee on Naval Affairs, who has the bill in charge, and after he in turn discussed the matter with his committee, it was decided to have the final vote on the bill on Monday.

Mr. SNELL. I thank the gentleman.

Mr. RAYBURN. I may say, Mr. Speaker, in further answer to the gentleman, that, of course, the bill will be read for amendment tomorrow and Friday.

Mr. SNELL. That is what I have understood.

Mr. RAYBURN. It is very important that those who can be here on tomorrow and Friday be present.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, may I add a few words to the remarks of my colleague the gentleman from Michigan [Mr. DONDERO] in regard to the sound picture to be shown in the committee room of the Committee on Ways and Means tonight at 8 o'clock. This picture is both educational and entertaining, and you can well afford to spend a half hour or a little more learning the extent to which the automobile industry affects every major industry in every congressional district in this country, especially farming. Bring along your wives, your friends, and your secretaries. I believe we can all benefit by spending at least a half hour studying and enjoying this preview on the importance of the world's largest and most important industry.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. REED of New York. Mr. Speaker, I am very much interested in what the two previous speakers have stated in regard to the preview to be given tonight for the benefit of the Members of Congress and their friends in the committee room of the Committee on Ways and Means. This is a marvelous production, and each of you who happens to see this picture tonight, as I am sure you will endeavor to do, will be proud of the State and the district you represent. This picture will graphically portray to you the tremendous potential resources of every State in the United States, and the relation of agriculture to industry. Further, you will have the opportunity to hear throughout the picture some of the finest music that has been produced in connection with any film anywhere at any time. I hope you will all be there.

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on a matter relating to the discovery of the Pacific islands now claimed by the Government, and to include therein a brief article of explanation.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain excerpts.

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

There was no objection.

Mr. LAMNECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by Dr. Arthur E. Morgan, of the T. V. A.

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

There was no objection.

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent radio address by Admiral Reginald R. Belknap, commander in chief of the Military Order of the World War, on the importance of naval preparedness.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point and include therein a letter I wrote yesterday to the Secretary of State regarding the reciprocal trade agreement hearings. I believe this letter will be of interest to all the Members, and I think they will agree with me.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the letter is as follows:

MARCH 14, 1938.

MY DEAR MR. SECRETARY: I am writing to bring to your attention a matter of procedure in regard to the conduct of the public hearings held by the Committee for Reciprocity Information on the proposed reciprocal-trade treaty between the United States and the United Kingdom. These hearings began this morning.

It is my belief that this proposed treaty is extremely important and should receive very careful study as to the effects upon industrial production and employment throughout the many industries producing a large number of commodity articles involved. In order that all points of view as well as all facts involved might be brought before the State Department before any proposed treaty is signed, section 4 of section 350 of part III of the act to amend the Tariff Act of 1930 was approved by Congress on June 12, 1934. Section 4 is as here quoted:

"Before any foreign-trade agreement is concluded with any foreign government or instrumentality thereof under the provisions of this act, reasonable public notice of the intention to negotiate an agreement with such government or instrumentality shall be given in order that any interested person may have an opportunity to present his views to the President, or to such agency as the President may designate, under such rules and regulations as the President may prescribe; and before concluding such agreement the President shall seek information and advice with respect thereto from the United States Tariff Commission, the Departments of State, Agriculture, and Commerce, and from such other sources as he may deem appropriate."

In section 4 of the so-called Reciprocal Trade Act of 1934 the Congress provided an opportunity for any interested person to present to the President his or her views concerning any proposed treaty. The intention of the Congress was to obtain all possible facts both pro and con in regard to a proposed treaty and to permit every interested person a chance to be heard. By authority of this section, any interested person may appear as a matter of right, and not by permission or privilege, before the Committee for Reciprocity Information, which is the agency for the President. Certainly, a Member of Congress appears before this Committee as a matter of right and not by permission or privilege granted by the Committee.

In regard to the public hearings on the proposed treaty between the United States and the United Kingdom which opened this morning, I filed an application to be heard in due time and appeared as scheduled at 10 o'clock this morning, March 14, 1938, to present a statement of my views. I was appearing not only to express my own views but to register the protest of thousands of working people in my congressional district, the second largest district in the Commonwealth of Massachusetts. Without interruptions for questions, to present my statement required about 15 minutes. During the first part of my presentation the chairman of the committee interrupted me, requesting that I must not continue with the statistics I was presenting, as they were not pertinent to the treaty under consideration. As a matter of fact, they were extremely pertinent. He further requested that I be as brief as possible, since some of my colleagues were to follow, in spite of the fact section 4 does not limit the time of any



witness appearing before the agency of the President. In the chairman's own statement prior to the opening of the public hearings he stated that witnesses may have every opportunity to present their information and that the hearings shall continue for a sufficient period to hear adequately those listed for appearance. In consideration for my colleagues, for whom I have great respect, I asked the chairman to suggest another time when I could present my complete statement. He refused to do so, stating the committee did not have the time. In doing so he exceeded his power. According to section 4 of the so-called Reciprocal Trade Act, quoted in this letter, the chairman of the Committee for Reciprocity Information, which is the agency for the President, has no power to limit my statement, or to refuse me another time when I could present it completely. A Member of Congress has the right to appear and present views as long as the hearings are in progress. I respectfully request that right be recognized.

It was the intention of Congress for the President, through his agency, which is this committee, to gather information and not autocratically sit as a court of star chamber, passing their judgments on the material presented. I respectfully request that the intentions of Congress as stated in section 4 be complied with.

The Department of State has been given large appropriations to carry on the work of arranging trade treaties in accord with the so-called Reciprocal Trade Act. In addition, the Secretary of State has the advantage of having access to all of the statistical and informational services of the Government. The Department of State has the advantage of sending out speakers such as you, Mr. Sayre, Mr. Grady, Mr. Burke, and others, with all expenses paid, for the purpose of spreading the doctrine of trade agreements with foreign countries. While the Department of State has these advantages, Members of Congress, representatives of industry and the workers themselves must spend their own money to protect their interests before an autocratic committee in Washington. Hundreds of them are coming to Washington paying every cent of their expenses out of their own pockets, not the pockets of the taxpayers. Certainly this group should be permitted, having come at their own expense, to present their case in most minute detail.

When Members of Congress appear before any governmental agency or committee, they should be treated with courtesy and respect. It must be remembered that they represent thousands of persons in their districts and have a right to appear. Their argument and views should receive proper attention.

At the public hearings now in progress before the Committee for Reciprocity Information, the representatives of the United Kingdom are present. They have the opportunity to hear the views and facts presented by interested persons in this country. In their presence we put our cards on the table. On the contrary the hearings for the representatives of the United Kingdom before the Committee for Reciprocity Information, are secret and closed to the American public, and those persons directly and indirectly concerned with the proposed treaty. They are closed also to the Members of Congress. I respectfully request that these secret hearings be opened to the public and Members of Congress.

Again, I bring to your attention, Mr. Secretary, the fact that there are few officials sitting with the Committee for Reciprocity Information, who represent the United States in the final negotiation of this treaty. Interested persons as well as Members of Congress should have the opportunity to present their views directly to those officials who have final authority in making the agreement. It jeopardizes the case and weakens the facts to have them pass through a second party such as the present committee acting as a clearing house. I respectfully request again, that the Secretary of State and Assistant Secretary of State be present at these hearings.

In conclusion, I respectfully request that you inform the chairman of the Committee for Reciprocity Information to give every witness official or otherwise, appearing at these hearings, all of the time necessary to present his or her case. If the chairman is unwilling to cooperate in this way, I believe he should be replaced. By way of contrast, in all of my direct relations with the Department of State and particularly from you, Mr. Secretary, I have received the most courteous consideration and cooperation. I am grateful.

With kindest regards,  
Yours very sincerely,

EDITH NOURSE ROGERS.  
(Mrs. JOHN JACOB ROGERS).

HON. CORDELL HULL,  
Secretary of State, Washington, D. C.

#### NAVAL AUTHORIZATION BILL

Mr. VINSON of Georgia. 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. 9218) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, 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. 9218, with Mr. O'CONNOR of New York in the chair.

The Clerk read the title of the bill.

Mr. MAAS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BACON].

Mr. BACON. Mr. Chairman, I have asked for this time under general debate to make a few observations in favor of the pending naval authorization bill. We are the only Nation in the world today that has a self-imposed top limitation on our own naval strength. The existing strength of our Navy is authorized by the Vinson-Trammell bill which resulted from, and put into effect the limitations imposed by, the London Treaty. This treaty is now scrapped. It no longer exists. Other nations who were party to this treaty are no longer bound by it. However, the United States is still bound by the treaty's limitations because the Vinson-Trammell Act giving effect to this treaty still remains on our statute books. Our Navy is self-limited by this law. No other country has a legislative limitation on its navy. No other nation requires an authorization act before its legislative body can make appropriations for the building of naval vessels. In the United States alone it is necessary to pass an authorization law before an appropriation bill can be passed to build the naval vessels previously authorized. It therefore requires two acts of Congress before a single warship can be built.

The result is that we are the only nation that is bound by a treaty that no longer exists. All other countries can and do appropriate money at will to increase their navies. All nations formerly signatories to the London Treaty have long since greatly exceeded the old limitations of that treaty—and there is no end to their building which is proceeding as fast as ships can be laid down.

This pending bill simply increases the authorized tonnage of the Vinson-Trammell Act. It adds 255,412 tons to our authorized naval strength that may eventually be appropriated for and built over a period of a minimum of 5 years.

Also it must be remembered that when this pending bill becomes law the United States will still be the only nation with a self-imposed legislative limitation on its own naval strength.

Contrast this, for example, with Italy. Only yesterday the International News Service published the following dispatch:

#### ITALY RUSHES NAVY BUILDING

ROME, March 15.—A new naval building program for Italy, involving the construction of 250,000 tons of new warships at a cost of \$100,000,000 was announced to the Chamber of Deputies tonight by Admiral Cavagnaro, Under Secretary of the Navy. The funds already have been appropriated, Cavagnaro said, and most of the ships laid down.

Just think of it! An Italian admiral announces to the Chamber of Deputies a new naval program of 250,000 tons and tells this Italian Chamber of Deputies that the money has already been appropriated and most of the ships laid down.

And here we are arguing for and against a bill that merely authorizes the eventual building, over a period of not less than 5 years, of 255,412 tons of new warships—if they are also appropriated for by subsequent act.

In the face of this contrast our proposed authorized increase is certainly reasonable. In view of what is going on all over the world, the administration would have been remiss in not asking for the pending bill.

Opponents of this measure talk about a huge naval building program. It is modest compared to what we were doing in 1922. That was the year of the Washington Naval Disarmament Treaty.

Prior to the treaty we had built and were building 1,979,891 tons of warships. By the treaty we scrapped 30 warships built and building totaling 755,000 tons. Other nations mainly tore up blueprints.

In 1922 we scrapped 500,000 more tons of warships than the pending bill authorizes.

After the 30 warships built, and building, were destroyed we were left with a total tonnage of 1,224,891 tons.

Let us now suppose that all the warships authorized by the existing Vinson-Trammell Act are completed. This would give us a total naval tonnage of 1,262,068 tons. This is but 37,177 tons greater than we actually had in 1923 just after the Washington Treaty.

As I have said, the pending bill adds but 255,412 tons to our authorized strength. Thus, if this program is carried out, and all authorized warships are appropriated for, we will have, by around 1945 at the very earliest, a total of 1,517,480 naval tonnage.

If we had completed the program under way in 1922 we would have had over 10 years ago a Navy with a total tonnage of 1,979,891 tons. Thus, if we complete every warship authorized by existing law and every warship authorized by the pending bill, we will have, in 1945, a Navy of 463,411 less tonnage than we would have had in 1925, had we carried out our original program.

As under our procedure naval construction requires two steps: authorization and appropriation, let us not handicap ourselves in times like these, by self-imposing a limit which may prove inadequate when faced by the limitless construction of other countries.

In my opinion, this bill hardly provides for a minimum navy for the adequate defense of our Pacific coast alone.

The defense of our Pacific coast involves what is called the Pacific strategic triangle, involving great distances. It runs from the Panama Canal to Samoa to Hawaii to the Aleutian Islands off Alaska. Alaska and the Hawaiian Islands are a part of the United States and must be defended at all costs. Let us examine some of these distances in this defensive area.

From Panama to Samoa is 5,665 miles. From Samoa to Honolulu is 2,276 miles. From Honolulu to the Aleutian Islands is 2,185 miles, or a total outer defensive line of 10,126 miles.

Now let us see how far these defensive outposts are from our naval bases in California. From San Diego to Panama is 2,800 miles.

Honolulu is 2,278 miles from San Diego and 2,091 miles from San Francisco and 4,685 miles from the Panama Canal.

A fleet to defend this great strategic triangle must take to the sea and remain great distances from its bases. Long lines of communications must be kept open and patrolled. Huge areas must be continually scouted. An attacking enemy might strike at Panama, at Hawaii, or the Aleutian Islands and Alaska.

Our Pacific defense therefore presents a great problem, which can only be successfully solved by an adequate, well-rounded fleet that can take to the high seas and stay there. A purely defensive battle might be fought 3,000 miles from California. To meet an attack in the Pacific, our present Navy is inadequate, our Navy under the Vinson-Trammell Act is inadequate. Our Navy under this bill will be inadequate.

And the testimony is overwhelming that the navy authorized by this bill would never be sufficient for a successful offensive.

The defense of the United States depends on our Navy. As my colleague [Mr. WADSWORTH] so eloquently told the House yesterday, we cannot rely on coast defenses to adequately defend the country. If our Navy is weak, to provide ourselves with an adequate defense we must rely on some friendly ally. If, however, we are to rely only on ourselves we must have a Navy completely adequate for defensive purposes. Our national policy, rightly or wrongly, seemingly, is one of isolation. We will have nothing to do with entangling alliances. Our people do not want partners in international affairs. Therefore, it is all the more important to be self-sustaining in taking care of our own defense. This means a strong navy. A weak navy is a waste of money. If it is overwhelmed all is lost. Navies cannot be improvised; warships cannot be built when once you are attacked. After all, our Navy serves two purposes. First, if it is adequate it prevents war. A strong navy discourages attack. Second, if we are attacked a strong navy must end the war and can end the war victoriously and as quickly as possible with a minimum loss of life and property.

Every one will agree that today the world is in a turmoil. Dictatorships are everywhere increasing their armed forces and their strength. Japan and her dependencies have 97,000,000 people today, armed, militarized, and mobilized. If and when they conquer and hold China they will be even more powerful. Germany today now has 75,000,000 people completely militarized, mobilized, and ready to go to war. Italy and her dependencies have 58,000,000 people armed and arming, and from the news this morning apparently Spain may soon fall into her lap. Russia has the largest peacetime army ever known.

Who knows where the world is going? Who can possibly foretell the future? I, for one, do not want to see the United States engulfed.

Democracies today are on trial. If they are going to survive they have got to be ready to defend themselves. This applies more to the United States than to any other democracy. We, as a nation, believe in peace; we do not want war. We believe in all things involved in democracies, such as the Bill of Rights, freedom of speech, freedom of religion, freedom of the press. Dictatorships believe in none of these things. In fact, in Russia, Germany, Japan, and Italy all have been suppressed. And dictators today are on the march. We have too much at stake to procrastinate. We have too much at stake to quibble over the adequacy of our defensive naval strength.

This bill serves as a partial notice to the world that the United States intends to stand on its own feet and look after itself. [Applause.]

Mr. MAAS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, in considering this bill it seems to me we should have in mind the situation confronting us from the standpoint of present authorization. We should have in front of us a picture of the categories of ships that need supplementing, and we should have in front of us a picture of the categories that do not need supplementing insofar as authorization is concerned.

In my opinion, Congress will be prepared at any time to authorize any ships that are needed. The Congress will be prepared to appropriate for any ships that are needed for the protection of America and her possessions. But what is the picture? Personally, I stand for adequate national defense. I am opposed to fooling away the people's money. I am opposed to starting ships that we cannot build and build efficiently. What is the situation? With reference to battleships, we have two building, we have two carried in the Navy bill which are yet to be started, we have five authorized but not appropriated for, and, not in that bill, we have four more that will become authorized as a result of the operation of the over-age rule by 1942. This means that for each one of the fiscal years 1940, 1941, and 1942, we can carry three additional battleships in our appropriation bill without a drop of further authorization.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. May I ask the gentleman to state that those are replacement ships and not an addition to the tonnage?

Mr. TABER. After the gentleman has listened to what I shall have to say next, I should like to have him controvert it if he can.

Those three battleships each year, in my opinion, are all the yards and naval architectural force can design, properly supervise, and properly construct during those 3 years.

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

Mr. TABER. I cannot yield at this time.

I do not think the Naval Affairs Committee ought to abdicate its function to the extent of going further than that at this time. I do not believe we can build good ships and go further than that, and I have in mind some of those ships that were laid down in 1918, 1919, and 1920, when almost 50 percent of those destroyers were bad, because we did not have available proper design and proper supervision of such



ships. I do not want to vote for any helter-skelter program that is going to result in our not having good ships to defend America. I want to keep the program within the bounds that we can build to, and build to rightly.

This is a position for national defense. A position that calls for more ships to be authorized than can be built properly is not a position for national defense, but a position for scuttling the Navy. This is the plain, common sense of the proposition we are confronting.

If in 1942 or 1941, 3 years away, it becomes apparent that more ships can be laid down, let us authorize them at that time when we have the entire picture in front of us or when we have some kind of picture of what we can really do.

I now want to talk a few moments about the rest of the program. The cruiser authorization, as I understand it, is all gone; that is, it is all appropriated for, and I believe that we should have more authorization. I believe what is in this bill is not more than it should be.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. VINSON of Georgia. The gentleman is somewhat confused. Everything in the act of 1934, oftentimes referred to as the Vinson-Trammell Act, can be replaced as they become over age, battleships, cruisers, and so forth.

Mr. TABER. There are no cruisers over age at the present time.

Mr. VINSON of Georgia. That is correct.

Mr. TABER. And there is none that is going to be over age so quickly so that you could today appropriate for the laying down of a cruiser.

Mr. VINSON of Georgia. You do not have to authorize it—it is already authorized.

Mr. TABER. But there is none available to lay down, and for that reason I think we should have that.

I think we have not as many aircraft carriers as we should have, and I believe we should go along with that.

With reference to the destroyers there is already authorized 50,000 tons, and that is as much as would normally be laid down in 3 years under any circumstances.

I think the authorization for a few more submarines is all right.

In a good many cases here, for instance, in section 6, some of the experimental work is good. The authorization for the small, experimental ships is good. Experimental work on surface craft and heavier-than-air and lighter-than-air craft and aerial bombs is probably good, but here is a thing in this experimental provision which I regard as a complete waste—\$3,000,000 for a rigid airship.

We have had experience with these things. This experience has demonstrated that we do not make progress when we go into this. We just waste money and there is no evidence whatever that these things have any sort of military value. The only military value that these rigid airships may have would be for very small ones to hover over a little area outside of the Canal Zone to watch for submarines or outside of a port in weather that would permit them to do so. This is the only military value that they have. The rigid airship can only make about 60 to 80 miles an hour at best, or 25 or 30 percent of the speed that the heavier-than-air craft can make. They are absolutely defenseless against the kind of attack that the heavier-than-air craft can make.

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

Mr. TABER. I yield.

Mr. PHILLIPS. Would the gentleman suggest, in the progress of the manufacture of airplanes, that the art should be discontinued after four of them went down?

Mr. TABER. When it is demonstrated that they have not any military value, I would not fool away the money and the energy of the people on a thing of that sort. I would not go into things that are useless when we might better be spending the money on constructive work.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. VINSON of Georgia. Personally, I am glad to have the sentiment of the House determine whether or not we should go along with a lighter-than-air program. It is here. Let the House determine whether it should be carried out or rejected.

Mr. TABER. I make the point that it is not of military value. I believe, from the experience of all experts, that is a correct position.

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

Mr. TABER. I do not think there is anything I care to yield for.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. COLE of New York. Under the Vinson-Trammell Act of 1934, aircraft of sufficient number to meet our treaty strength in vessels is authorized. Our naval experts have testified no longer than 2 weeks ago that 2,000 airplanes are necessary for our naval ships. This bill authorizes an increase of 20 percent in our ships, but 50 percent increase in airships. I wonder if the gentleman can see any justification for that disproportionately large increase in airships, except as a lure to those Members of the House who are air-minded.

Mr. TABER. I can see some. I can see that there are a great many naval seaplanes, especially the heavier-than-air ships, that are ships rather than airplanes. I can see that we need to go ahead with that, without regard to what complements the ships might carry.

I do hope this bill might be amended to correct some of those defects that I have suggested. I believe it would be in the interest of national defense. [Applause.]

Mr. MAAS. Mr. Chairman, I yield now to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, this country is too much influenced by Great Britain. As diplomats the English have always been and now are the master performers. In the World War England decided to fight as long as there was a Frenchman left. When money was needed to carry on the World War, it was England that made arrangements in this country whereby we loaned and lost \$12,000,000,000 by handing out money to England and her allies. It was British propaganda and British influence, more than anything else, that finally caused Congress to vote war.

At the present time it is England, and England alone, who is touching off the spark for a race in battleship building. This country would never have thought of the proposal if it had not been for British propaganda. There is no country in the world threatening us; no nation is so devoid of common sense as to believe they could cross the Atlantic or Pacific and invade this country with any possibility of success. With England the situation is entirely different. For centuries England has governed one-fourth of the earth's surface from a little island smaller than the State of Alabama, much smaller than the State of North Dakota, and one-fifth the size of Texas, and she has accomplished this by means of her great navy. While the power of battleships lasted the British Empire was invincible, but with the passing of the power of battleships England sees her colonial power threatened.

England's plan now is to have more and bigger battleships than anyone else, and knowing the friendship that exists between this country and herself, and knowing the power of this country, she believes that with the United States harnessed up with a big navy program, the two nations may continue the British Empire intact.

If England cannot keep intact her territory upon which the "sun never sets," it is her problem and not ours. We are not seeking new territory; the people of this country want to get rid of some of the territory we now have; the people of the United States do not want the Philippine Islands, and we have put in motion a plan by which we will get rid of them. We gained possession of the islands through events springing from war, but to always maintain them as a part of the territory of the United States at a distance from our shores of 7,164 miles is repugnant to American ideals. If England can maintain her vast empire beyond the seas, let her do so; we

have no interest in her territory, but we should not be weak-minded enough to pull the chestnuts out of the fire for Great Britain.

Stripped of British propaganda, there is no war scare anywhere that involves the United States. We do not need an increase in Navy appropriations for the protection of our own shores, and since we must admit that we do not want foreign territory, what reason have we for battleships more powerful than any afloat? By the program of more battleships, do we not admit that our policy is not defense, but aggression?

The people of the United States are too heavily burdened now with debts, interest, and unemployment to be forced under a heavier load of debt for the protection of any foreign country.

Even if we desired to enter into the obligation of maintaining the present boundaries of the British Empire against the nations of the earth, the plan to build more and bigger battleships does not make the undertaking secure. The reason is that a battleship, in view of new powers of destruction, is not the floating engine of destruction that it once was. While this country, through the Navy Department and the President, will not admit the comparative ease with which the most powerful battleship afloat can be destroyed, yet within the last few months we have witnessed the aerodestruction of the engines of war. The answer of the navy-minded is that other powers are now in operation or will soon be discovered that will prevent the overhead destruction of battleships. We must take facts as they happen and not the facts we might wish to happen. The fact is that battleships are being destroyed by air attacks. The Spanish battleship, the pride of the Spanish rebels, was sent to the bottom within the last few days by overhead attacks. It is entirely possible for a fleet of bombing planes to attack and destroy any battleship afloat within a few minutes at practically no expense. A battleship costing, when equipped, \$70,000,000 is sent to the bottom, with the result that a debt of \$70,000,000 and interest for the next half century is the bill the people pay.

If we are so spineless as to be controlled by British influence in the protection of the British Empire, let us not embark upon a foolish and hopeless plan of defense, but spend our money in the interests of the people of the United States and the western continent. Let us build the engines of destruction that can destroy battleships and transports and keep our enemies off these shores. This should be all this country demands.

The wars now in operation on the earth's surface and those now threatened are due, without any qualifications, to the economic pressure in those countries involved.

Countries like Japan and Italy either become overpopulated, or the ravages of unemployment and poverty of the lower classes create unrest and loss of confidence in the government, which cause, in either event, leads to war. Italy had to move against new territory or be consumed at home—the economic pressure demanded it. Japan took a similar course for similar reasons. Unrest is as dangerous as overpopulation, and large navy and army appropriations always follow in the wake of this unrest. The program gives employment, enlistments in war furnish employment, and carefully worked up patriotism, which war lords always superintend, brings back confidence in government.

I will venture this prediction, that in any country of the world where the mass of the people are employed and contented, that a war would be too unpopular to be supported. The economic conditions in this country are shaping themselves toward war. The first overt act to support this tendency would be to force upon the people of the United States a huge navy program. To some it means work; to others it means army and navy employment; to others it means we must have a further demonstration of worked-up patriotism in order to support and reestablish confidence in the administration of our Government and in the form of government itself.

With 12,000,000 people out of employment in this country we ought to see clearly that it is not battleships we want, but a program of employment. The people of the United

States will defend this country if they are in a position, economically, to defend it. But what would be the attitude of the jobless in a land of plenty? What would be the attitude of a citizen with a family with no house, no job, and scanty food and clothing? Throughout the history of the world the last-ditch defense has always been made by men whose homes were in jeopardy. Anyone fighting for the possession of home and loved ones is always a dangerous antagonist. With those without homes and wandering nomads in search of work, the incentive to fight would not be there.

I have stated before in this House, and repeat it now, that if the people in this country had an equal opportunity, and special privilege was stamped out, the control of our finances turned over to the Government instead of profit-taking financial institutions, and our credit used to put into operation equal opportunities for all, we would be the most powerfully defended nation on earth. Today our weakness in defense does not lie in not having battleships enough, but in the fact that our employment system has utterly failed to meet the needs of the people.

The special privileged in the United States are well entrenched, but if the people remained united for 6 months the system would be done away with. The plan of special privilege is to get the opponents fighting among themselves over nonessential questions. They raise the Jewish question; they raise the religious question; they condemn this "ism" and that "ism"; but manage to keep the people in turmoil over nonessentials. In the United States a citizen has the constitutional right to believe in any religious sect he pleases, but whatever sect he may belong to, does that make him any less a fighter for the right? Are not the Jews out of employment the same as all other nationalities? Are not Catholics hungry and without homes; are not Protestants dispossessed and driven out of foreclosed homes? If that is true, why should these people who equally suffer the results of financial disaster through no fault of their own become divided on questions that are not material? Those who are the recipients of special privilege laugh to themselves over the turmoil stirred up among the people, for they know that as long as that situation continues they may remain unmolested.

What we need in this country today is absolute honesty of purpose. If it is wrong to allow private interests to use the Nation's credit for their own enrichment, it should be stopped. If interest is draining the substance of the people until they cannot make enough in 12 months to pay the annual interest charge, interest should be stopped. If boards of trade and chambers of commerce are operating gambling operations that rob the producers of millions, while a few enrich themselves, it should be stopped. If private employment does not give the laborers their fair share of the income, it should be righted at once, and the laborers rescued from the sweating process to accumulate the wealth of the Nation in a few hands. There should be no division among common sufferers in a common cause.

If the people of the United States will rouse themselves to the necessity of making the wrongs of this Government right, they can build in America a great democracy that shall be the dream of reformers for the last 4,000 years.

To start with, we now have a Government which guarantees more freedom to the individual than any government on earth. We should not permit it to be destroyed by either those who are selfish for profit, or by those who have rebelled against all government. We should move forward in one common mass, regardless of blind alleys of religion and racial differences, and make the United States the light of liberty for the entire world. We can do it if we will.

Some in Congress have expressed the idea that to have a large, powerful navy would be a great psychological defensive weapon, for such a navy would make us feared. In other words, other nations would be afraid of us—we would be the bully whom no one would dare to touch. That is an expression of the same dictatorial idea that the American people condemn in the dictatorships of Europe. Bluster and bluff has never been a part of the American make-up. We



have attended to our own business in the past, with the exception of the World War, and we are now paying tragically for our mistake then.

If we continue to attend to our own business and so shape our own economic structure that all shall have an opportunity to express their full worth, other nations will then know as we already know, that no combination of nations on the earth's surface, have the remotest chance of destroying such a nation. If we will change the slogan in our economic life to read that "all shall have some and not some have all," we will then be voting for the greatest defense weapon this Nation has ever had. [Applause.]

Mr. MAAS. Mr. Chairman, I yield 7 minutes to the gentleman from Minnesota [Mr. BERNARD].

Mr. BERNARD. Mr. Chairman, the setting of this debate is historic. Fear stalks the peoples of Europe today. Swift as the radio flash bringing news of Austria's sudden and violent death, fear jumped the Atlantic to strike at the heart of America.

We have heard before, and we shall hear again in the course of this debate, the cry that our fear is unwarranted. We may even hear that our fear is hysterical, whipped up by administration propagandists and by the President himself for the purpose of getting votes for this bill, or for the purpose of diverting our attention from domestic difficulties, or for other more secret and sinister political ends. I take sharp issue with the administration on the question of this supernavy and I shall vote against the bill. But with equal sharpness I repudiate the slanders against the President of the United States uttered by his political enemies. In the face of the heavy responsibility for the defense of peace and of the democracy of our Nation which President Roosevelt must bear today, the suggestion that he contemplates foreign aggression is an infamous slander.

We have seen the flames of war break out in Ethiopia, in Spain, in China. We have watched the noose draw tight around the neck of a once independent Austria. The Austrian nation died without the letting of much blood and without the death rattle of gunfire. But Austria is nonetheless dead.

We have seen these things happen while the great and powerful democracies of the world, including our own, stood by acquiescent, accessories both before and after the facts. Why do the American people fear that the spreading horrors of war will soon engulf Czechoslovakia, Hungary, all of Europe, and finally sweep the United States into the maelstrom? Is it bitter fact or mere propaganda which gives rise to our fear?

With Hitler's triumphant entrance into Austria the world received a moral shock which may still prove our salvation. The policy of the world's Tories, and particularly the policy of Neville Chamberlain, was exposed in all its callous brutality, its criminal connivance at criminality. There is no policy of peace. It is a policy of world submission to gangster rule, of tribute to the gangsters in return for doubtful protection to be bought at the price of heavier tributes.

What shocks and terrifies the American people today is the thought that international banditry can go unpunished and international murder unchecked. Unlike Austria, we do not fear national extinction. Unlike Czechoslovakia, we do not fear immediate invasion. But together with all the peace-loving peoples of the world we do fear the hazards of a life lived out in a world from which law and order are banished, and brute terror reigns supreme.

What will restore order to our world? What will renew our faith in treaties and international law, reestablish the fundamental decencies and secure peace?

I do not believe that a navy can be built large enough and strong enough to keep America out of war. That is one reason why I shall vote against this extraordinary naval appropriation. The way to peace in international life, like the way to order in domestic affairs, is through the organized cooperation of decent people and decent nations.

It has been said that this supernavy is designed to implement the policy laid down by President Roosevelt at Chicago. But if that policy had been put into effect, such

implementation would not be necessary. Not arms, but conferences, not battleships, but joint economic action are the implements of the Chicago policy. A big navy is the implement of isolation, and the corollary of isolationist policy. My good friend the gentleman from California [Mr. Scott] has rightly called the big navy the bill rendered us by the isolationists. Unlike my friend from California, I refuse to O. K. the bill.

I refuse, first because I believe that payment will not insure our national safety. Long before the ships for which we are now asked to make appropriation can be built, the issue of peace or war will have been decided. We can still play our part in deciding for peace, and the decision will cost us not one penny, but will save us billions.

I refuse to O. K. the bill because it will be charged up to those Americans least able to pay. I cannot, in making my decision, divorce the Navy appropriation from the tax bill just passed by this House, a bill which once more left the coffers of the monopolists locked against taxation, and dug deep into the lean purses of the people. I cannot divorce the naval appropriation from the problem of a balanced Budget, so ardently advocated by some supporters of this super-Navy. The Budget in which I am interested is further unbalanced by this \$1,120,000,000 expenditure for battleships at a time when billions are needed for relief and work relief, for roads and schools, and the myriad immediate needs of our citizens.

In voting against this appropriation I do not feel that I am betraying my duty as a Representative to provide for the national defense. On the contrary, I firmly believe that the national defense urgently requires diplomatic and economic action. It does not require either war or battleships. The national defense is inseparable from the defense of world peace and world democracy. Today that defense can still be carried on by peaceful means. Tomorrow we shall be too late.

Not a day, scarcely an hour, passes now without new evidence of the fascist rush toward world conquest. The price of Italian permission for German soldiers to mass at the Brenner Pass is already being paid in Spain. Before Czechoslovakia, Spain has been placed upon the agenda. A Nazi-Fascist Spain menaces France and European peace. Japan, the third partner in the axis of death, looks across the Pacific to us.

And what do we do? We keep on our statute books a so-called neutrality act which bars effective action for peace.

German planes and German guns, Italian bombs and Italian artillery pound the flesh of peace in Spain. How many of those instruments of destruction were made in the United States of America? This monstrous neutrality of ours hastens the march to war by permitting us to sell to those noninterventionists, Hitler and Mussolini, and denies our legal commerce with the republican Government of Spain.

I wish I could stand here today and proclaim that I was wrong in voting against the Spanish embargo and against the Neutrality Act. How tragically have events proved the correctness my solitary "no." I want peace, as all our people want peace. And peace is not won by solo votes. I plead with all the Members of this House to make my "no" a mighty chorus against war. I oppose this bill, believing that navies cannot save the world from destruction. I urge the cause of peace upon you all. Peace can now be saved only by amending the Neutrality Act, only by American embargoes against aggressors and war makers. [Applause.]

Mr. MAAS. Mr. Chairman, I yield 15 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, in the time allotted to me in this debate I shall try to confine my discussion to what I believe to be the real issues involved in this bill, H. R. 9218, the naval construction bill. I want to avoid, if possible, covering ground already covered, and I want to answer, if I can, some of the main arguments that have been made in opposition to the bill. I wish also to answer some of the principal questions that have been asked by Members who find themselves to be seriously and honestly in opposition to the bill. I have a great deal of respect for those opponents

and for the sincerity of their opposition. Their questions certainly are entitled to frank and open answers.

Now, let me say at the beginning that while I respect the good faith with which opponents criticize this bill, I am not able to agree with those opponents of the bill who contend that there is anything mysterious or complicated or ambiguous about the proposals made in the bill or about the issue involved in it. To me, both the proposal and the issue arising out of it seems to be perfectly plain. It is a very short, concise bill. The language is clear and definite.

The proposal in the bill is simply that we increase by approximately one-fifth the present authorized strength of the United States Navy as provided in the Vinson-Trammell bill which was enacted some 6 years ago, and which met with general approval throughout the country. The issue involved in the pending bill, H. R. 9218, and I think the only issue, is whether for the proper defense of the United States it is now necessary to increase the authorized strength of the Navy to the extent of 20 percent above that provided in the Vinson-Trammell Act.

It is that issue which I wish to discuss, and I wish to discuss it as calmly and as impassionately as I can. First, however, I would like to repeat some of the principal questions that have been asked by opponents in regard to this bill. I will state these questions and answer them categorically. Then if I have time I will endeavor to enlarge upon those answers in the hope of clearing up any misgivings there may be in the minds of the questioners as to the scope and purpose of this bill.

The first question, and the one most frequently asked, is this: "Is this increased Navy to be used for the purpose of carrying on a foreign war or for the purpose of policing the world or for the purpose of carrying out the policy of parallel action with other democracies against dictator nations?"

The answer to this question is "No." The President has no such intention, the Naval Affairs Committee has no such intention, and the Navy Department has no such intention, and the people of the United States would not tolerate the Navy being put to any such use even if the President and the Congress were in favor of it. In this connection let me say that a number of witnesses before the Naval Affairs Committee advanced this idea. Every one of them was thoroughly cross-examined upon that point for the purpose of ascertaining upon what evidence they based their ideas in this regard. As a member of the Naval Affairs Committee I examined all of these witnesses myself upon that point, because if there had been any evidence whatever to substantiate the views of those witnesses I would now be opposing this bill instead of supporting it.

I urge every Member of this House to read the hearings before our committee on this bill. The testimony covers nearly 3,000 pages. Three-fourths of the witnesses heard were in opposition to this bill. I not only heard all the testimony of all these witnesses but I also read all their testimony after the hearings were printed. I now challenge any opponent of the bill to find in any of the testimony one word of evidence that will support the contention that the President or anyone else intends to use this Navy for any purpose whatever except to protect the United States against invasion. The most outstanding opponents of this bill in the United States were witnesses at the hearings. Every one of them, without exception, who made the charge that this Navy was to be used for aggression, for patrolling the world, for parallel action, or for any other purpose than the defense of this country, admitted upon cross-examination that they had no evidence whatever upon which to base their opinions in this regard, except their own fears that the Navy could and might be used for these purposes. Most of them, I think, were sincere in their opinions; but I repeat that the record shows that all of them admitted that there was nothing tangible upon which they based their opinions.

The next most frequently asked question is, "If our Navy is to be used only for the protection of the United States against invasion, why is not the present authorized strength sufficient?"

The answer to that question is that, although we have the longest coast line to defend of any nation in the world with the possible exception of Great Britain, the present authorized strength of the United States Navy is the smallest of any great nation in the world except Germany. This statement has been denied by opponents of the bill, but the fact is that the authorized strength of the navies of the world, up until a few months ago, when Japan, Italy, and Germany refused to give out any further information, is a matter of public record. The tables are all contained in the printed hearings. In under-age ships, which are the only ships that are considered to be of real use in battle, the United States Navy is smaller than that of England, smaller than that of Japan, smaller than that of France, and smaller than that of Italy. If we have any use for a navy at all, this is a complete answer to the second question.

The third question most frequently asked is: "What nation is likely to attack the United States?" Mr. Chairman, if I knew the answer to that question then the question of what size and strength of the Navy ought to be would be very easy of solution. It is because that question cannot be categorically answered that the question of the exact size the Navy ought to be is so difficult of solution. But we do know this. Throughout the history of the world every nation has from time to time been the object of attack from other nations. Who could have foretold in 1811 that in 1812 the United States would be invaded by Great Britain. Who, in 1913, ever predicted that in 1914 all of Europe would be engaged in war and that within the next 3 years the whole world would be embroiled in it. Whoever supposed a year before it happened that Italy would invade and subjugate Ethiopia? Did anybody predict even 6 months before it happened that Italy and Germany would send their legions into Spain to crush the Spanish Government and to bomb and murder the innocent women and children of that country? Did you ever hear anyone say a year ago that by this time Japan would have invaded and conquered half of China. What would you have thought even 1 month ago if someone had told you that by this 16th day of March 1938 Hitler would have invaded, conquered, and destroyed the independence of Austria? Did the expanse of the sea stop England from conquering India? Did the Atlantic Ocean prevent Napoleon III from attempting to establish a dictatorship in Mexico? By what authority does anyone say the United States is free from the danger of invasion? We will be free from the danger of invasion just as long as we have the naval and military strength to resist it. To contend otherwise is to contradict the experience of all history.

The next point I wish to discuss is the origin of the bill. All sorts of statements and all sorts of inferences have been made as to the authorship of and the responsibility for the bill. Some of the opponents have attributed its origin to the Navy Department. Some say that the munitions makers are responsible for it, and some say that the militarists are responsible for it. The fact is that the President of the United States and no one else is responsible for this bill. The President sent the bill in. The Navy had absolutely nothing to do with the making of it, except the drafting of the purely technical part of it. The Committee on Naval Affairs had nothing to do with the making of it. The committee simply called witnesses for the purpose of ascertaining whether it ought to report the bill, which the President in his message to Congress on that subject said he wanted. Those hearings covered 5 weeks, and the hearings were held daily. Most of the witnesses heard, as I have said, were in opposition to the bill. That was because the committee was particularly anxious to hear and consider every bit of evidence that was against the necessity for the bill.

I wish to make it clear, particularly in view of what some of the Democratic Members have stated, that the President and the President alone is responsible for this bill, and that after hearing all the evidence available on both sides of the question all but three of the Naval Affairs Committee, in reporting the bill out, found themselves in agreement with the President's views, and there are 25 members on that committee.



The question naturally arises, why do we need this particular increase of approximately one-fifth in the naval strength of the United States? The evidence presented to the committee was conclusive in the opinion of the great majority of the committee, that the reason we now need it is because since the 5-5-3 treaty was repudiated by Japan through her failure to renew it, and since every other nation signatory to that treaty has long since started an armament race, since every one of these nations has already expended, or has authorized the expenditure of much larger sums of money than we propose to authorize here; it is necessary for the United States also to increase its own naval strength. That is the entire purpose of the bill. I think no one has ever contended either in this debate or elsewhere that the Navy provided under the 5-5-3 treaty was too small or that the United States is not entitled to that ratio. This bill will do no more than give us that ratio. As a matter of fact the figures show that when and if all the ships authorized to be constructed under this bill are actually built, we will still not be quite up to the treaty ratio. The ratio even after the program is completed will not be 5-5-3, but it will be Great Britain, 5-plus; United States, 5; and Japan 4.

Had that 5-5-3 treaty, which was made in 1922 between the United States, Great Britain, France, Italy, and Japan, been kept, there would, of course, be no necessity for this bill. But the treaty was destroyed in 1936 when Japan refused to renew it and began construction of a navy beyond and above the treaty limit. Everybody knows what happened then. Every other nation following Japan's lead—all except the United States—began an armament race. England at the present time is spending \$7,000,000,000 to increase her Navy, and Japan ever since 1936 has been increasing her Navy at a rate probably twice as fast as we are increasing ours. So is Italy. So is Germany. And, furthermore, at the present time Japan has under construction three 45,000-ton battleships, which is 10,000 tons larger than any battleship we have, and she has very bluntly told us that she intends to build whatever ships she wants, and that the size of her Navy is none of our business.

If a navy is necessary, if a navy is to do us any good in the unfortunate event of a war, all authorities agree that it must be at least equal to the strength and the size of the navy of any nation that is liable to attack us. That is just plain common sense. If you say that no nation is going to attack us, that it is not possible for any nation to invade the United States, then my answer is that it is not necessary to have any navy at all. It is not necessary to have any army, either, for that matter, or any other defensive establishment.

If we are sure that no nation is going to attack us, then I say we do not need either an army or a navy. But the Army and the Navy of the United States are established and maintained upon the theory that at some time some nation will attack us. That theory is based upon the experience of every nation in the world, including the United States. If we do not consider an invasion as even a remote probability, then there is absolutely no reason for spending a single dollar for an army or a navy. If, however, this is a probability, we must have an adequate navy, and we must build it in advance of the day we might have to use it, for we cannot build a navy overnight. This is the reason for the increase in the Navy as here proposed—to bring it up to the ratio strength it had while the treaty was in effect; and I think it is a fair answer to the questions that have been asked about it and the objections that have been made to it.

I find, however, that the principal objection made to this bill by those who have spoken in opposition to it here has not been the size of the Navy as such. It has not been the cost of this proposed increase. Those who have opposed the bill here seem to be of the opinion—and I think they are sincerely of the opinion—that having a navy as large as that contemplated by this bill may endanger us; that it may involve us in a war.

In fact, opponents who have spoken against the bill here have gone so far as very definitely to imply that the reason

the President wants this bill is so that he can carry on an offensive war, a war of aggression; so that he can police the world, and so that he can bring all of the dictator nations to terms. These statements have been made here on the floor. They have been made in the committee. I want to call your attention again to the fact that if you will read the hearings you will find absolutely no justification, no foundation, and no evidence upon which such statements can be based.

Mr. Chairman, will the Chair advise me how much time I have remaining in order that I may know whether I will be able to read from the hearings or not at this point?

The CHAIRMAN. The gentleman from Oregon has 5 minutes remaining.

Mr. GIFFORD. Mr. Chairman, will not the gentleman talk about section 9 instead of reading from the hearings?

Mr. MOTT. I can hardly talk about section 9 in 5 minutes, and I am afraid I cannot read this testimony from the record in that time, either. I only want to point out again, because I think it is so important, that every witness who made the statement before the committee that the President wanted this Navy for the purpose of being able to carry on an aggressive war, finally admitted that he had no evidence upon which to base it.

Mr. LUCKEY of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Nebraska.

Mr. LUCKEY of Nebraska. What is the immediate need of rushing this bill through at this time when we have so many other vessels authorized and not even started?

Mr. MOTT. We are starting construction of those vessels in accordance with the regular naval-construction policy. These, of course—the vessels authorized under the pending bill—cannot be constructed immediately, but they will be the program, and in due time they will be built. However, this bill provides that if in the meantime the nations of the world enter into an arms limitation treaty, these ships shall not be constructed at all. I think that answers the gentleman's question sufficiently.

We have heard a great deal also about the President's foreign policy, and it has been subjected to a great deal of criticism. I believe the President's foreign policy as outlined in this bill is not properly subject to criticism because it is simply a declaration of the same foreign policy we have always had. I did not agree with the President's foreign policy prior to the time he sent this bill in. My opinion was, prior to that time, that the President wanted agreements and understandings with foreign nations for collective security. I believe that is clearly indicated in the President's Chicago speech. I can put no other construction upon that speech. It was a trial balloon which he sent up for the purpose of finding out what the people thought of that policy. Well, it did not take the President long to find out. After the first 24 hours of apparent approval the answer of the people of this country to the President's proposals in his Chicago speech was an emphatic "no." The answer of the dictator powers of Italy and of Germany was ridicule and derision of the President's proposal in the inspired press of those countries and a direct challenge to him to put those proposals into operation. And the answer of Japan to the President's proposal for parallel action with other nations was the blowing up of the *Panay*.

I think at that time the President changed his mind in regard to his foreign policy, immediately and as a direct result of the reaction to his speech. He knew then that the American people were isolationists; and I believe it is proper, and 90 percent of our people believe it is right that we should be isolationists. We always have been isolationists, I hope we always shall be. We want no entangling alliances with any nation. The President having at last understood that, he sent in this bill which is strictly and logically in line with our policy of isolation.

If we should get into a foreign war, we must protect ourselves; we cannot look for protection to any other country; and the only way we can protect ourselves is to have a navy big enough and strong enough to prevent any foreign power

even reaching our shores. That is the whole purpose of this bill. It is insurance against war and insurance for peace. It is the best insurance for peace and the cheapest insurance against war that we can possibly get.

Mr. GIFFORD. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I am so sorry the gentleman will not talk about section 9. Do not stop until you define national integrity and the need for a navy to protect national integrity. What is it?

Mr. MOTT. The language in section 9 is clear. I may say to the gentleman from Massachusetts that the declaration in that section of the bill is not new. It is simply a declaration of the foreign policy of the United States as it has existed from the time this Government was established. There is absolutely nothing new in section 9. The reason for the section is simply to give an answer to those people throughout the country who state that we have no foreign policy. That is the only purpose of section 9.

Mr. GIFFORD. I asked the gentleman about national integrity.

Mr. MOTT. National integrity has always been a part of our foreign policy. Our foreign policy is contained in Washington's Farewell Address. It is further amplified by the declaration of President Monroe. That is our foreign policy and section 9 is a repetition of that foreign policy.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield the gentleman 5 additional minutes.

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

Mr. MOTT. I yield to the gentleman from Washington for a short question.

Mr. LEAVY. I am still open-minded on this issue, representing, as the gentleman does, a district on the Pacific coast. I am deeply concerned with reference to the language in section 9, particularly that part in line 12, which reads—

To protect the commerce and citizens abroad.

I am wondering if we are laying down a legislative policy conferring a carte blanche authority upon the Executive, whoever he may be, to go wherever he wishes.

Mr. MOTT. I may say to the gentleman what I have just said to the gentleman from Massachusetts. That has always been our national policy. It has always been our foreign policy. There is no change.

Mr. LEAVY. Then why do we have to write it into law?

Mr. MOTT. We do not have to. So far as I am concerned, I would just as soon not have it written into the law, but I think I stated quite clearly, a moment ago, what the reason was for putting in this particular declaration.

Mr. Chairman, there is danger of aggression. There is danger of an attack upon this country. There is danger of an attack upon Central and South American countries and that, in the opinion of every one of us, would be the same thing as an attack upon the United States itself. We would have to meet such an attack if it should come, and common sense and patriotism, therefore, demands that we should be prepared if it comes.

Every gentleman here knows I hold no brief for the President. I have been obliged to oppose him on many major bills. But when he is right I do not like to see a wrong inference against the motives of the President on this bill left by Members of this House, particularly those on the Democratic side. May I say to the gentlemen who have made such statements in regard to the President's motives and intentions in connection with our foreign policy, that if I were a Democrat, as I am a Republican, and if I thought the same thing as you do about the President's reason for wanting this bill, then on my own responsibility as a Representative of the people in this Congress, I would impeach the President? I would have the courage of my convictions.

But I think he is right, so far as this bill is concerned, and because we are an isolationist nation, we must have a navy that is adequate to protect us. The purpose of this bill is to give the United States just that kind of a navy.

Mr. SNELL. Will the gentleman yield?

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

Mr. SNELL. If our Navy is so gravely deficient—and the gentleman seems to think it is—why is it the gentleman's committee has not insisted before now upon starting the battleships that have been previously authorized under our present program?

Mr. MOTT. I thought I answered that question a while ago. The Committee on Naval Affairs would not have initiated this, the Navy Department would not have initiated this, and the President of the United States would not have initiated it unless the President had been convinced, as a result of the reaction to his Chicago speech, that the people of the country would not stand for carrying out what was then the President's collective-security policy.

When he became convinced of that he proposed a navy big enough to defend this country on both coasts, and that is what he should have done in the circumstances.

Mr. SNELL. Yes; but what excuse can the gentleman give to the country for not building the ships that are already authorized before asking for an additional authorization?

Mr. MOTT. The gentleman must surely have heard me answer that question twice. I do not see that that question is pertinent to this bill in any event. I do not see what it has to do with the bill.

Mr. SNELL. I think it is very pertinent, so far as I am individually concerned.

Mr. MOTT. Why does the gentleman think so?

Mr. SNELL. I am wondering what there is back of it. We have ships already authorized. There has been no definite move, so far as I can understand from the explanations that have been given on the floor, to start the construction of those ships.

Mr. MOTT. Does the gentleman believe the President wants this navy for the purpose of getting us into an aggressive war?

Mr. SNELL. I do not know what the President wants it for, but I am trying to find out.

Mr. MOTT. I have just told the gentleman what he wants it for. He wants it to protect the United States. That is what I want it for, and that is what the people of this country want it for. We want it as insurance against war, and I am convinced it will provide that insurance. [Applause.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, ladies and gentlemen, we had a good Navy in 1934 when Congress passed an act authorizing the expenditure of \$4,000,000,000 as the needs of the Navy might require. About \$1,500,000,000 of that sum has been spent. The act provided for the construction of 11 battleships, cruisers, and other naval craft. Only two of these battleships have been started.

In January 1938 the Navy Department requested, and Congress appropriated \$552,000,000 for the Navy for the fiscal year beginning July 1, 1938, and ending June 30, 1939. This sum is all they needed, so they said. That bill appropriated money for 2 more of the 11 battleships. The Navy would not be ready to begin the construction of these two battleships until sometime next year. No request has been made for an appropriation out of the four billion authorization to construct either one of the other seven battleships provided for in the 1934 act, and there is still available approximately two and a half billion of the four billion that was authorized, and Congress has since 1934 voted all the money that the Navy said it needed.

Now, with this big unexpended and unused authorization, the President about a week after we passed the \$552,000,000 appropriation bill in January—the biggest in peacetime in the history of our country—calls on us to pass the bill now before us for a supernavy, providing an increase of \$1,121,000,000.

No one could more strongly favor adequate national defense for our country on land, on the sea, in the air, and under the sea, than myself. We have a splendid Army and a splendid Navy, ably commanded. It is agreed by naval



experts that no nation could successfully attack and defeat our Navy in the Western Hemisphere. I am willing to vote all necessary money to provide a navy at all times able to defend our country and to meet the attack of the navy of any other country. This is likewise my feeling as to our air force, our Army, and our Marine Corps. I am unwilling, however, to vote one dollar for a navy, air corps, army, or marine corps for aggression, conquest, or to engage in any foreign war or be a cat's-paw to pull the chestnuts of England, France, China, or any other country out of the fire.

I am very much opposed to our country engaging in another foreign war. I favor strict adherence to our historic foreign policy of "friendship for all nations and entangling alliances with none."

Through false propaganda "to make the world safe for democracy" and "to keep us from being invaded by Germany" as we were then told, we departed from our safe and sane American policy and got into the World War. We were not neutral. We took sides. That war in the end will cost us a hundred billion dollars. It took the lives of hundreds of thousands of our young men, and crippled, maimed, and disabled hundreds of thousands of others, and made hundreds of thousands of widows and orphans, and we as a Nation are less free and there is less of democracy and more of dictatorships in the world than when we spent our first dollar and the first American boy gave his life.

The war lords of this and other countries, the shipbuilders and the munitions makers of this and other countries, with misrepresentations and false propaganda are stirring up fear and hate in the minds of the people. They are laying the groundwork to get us into another World War. The bill before us will not promote peace. It will in the end bring about another World War.

#### THIS HUGE SUM UNNECESSARY

The Secretary of War, Mr. Woodring, on yesterday, according to press reports, said:

The United States is better prepared than at any time in its history for whatever happens. There is small likelihood of the Nation becoming involved in any European situation arising from German possession of Austria.

Our National Guard is the best equipped it has ever been in its history. During the last 3 or 4 years we have enrolled and trained more than 1,000,000 young men in the C. C. C., at a cost of approximately \$350,000,000 a year. We were told by the administration that these young men are 80 to 85 percent equipped and trained for military service. Our Navy is second to none in the world in the waters of the Western Hemisphere. It could here meet and defeat the Navy of Great Britain or any other country. The combined navies of Italy, France, and Germany would have no show against the American Navy on this continent. The Japanese Navy has only about two-thirds the strength of our Navy, and if it should come to American waters, it would only be about as 1 to 4 compared with the American Navy. No Japanese naval authority would for a moment think of putting the Japanese fleet up against the American Fleet in the Western Hemisphere. The American Navy could defeat the combined navies of Italy, Germany, and Japan should they come to American waters and attack us.

Of course, we do not have a navy and could not in many years build a navy that would enable us to police and dominate all the navies of all the nations of the seven seas of the world. We want a navy that is ample to defend our possessions and the Western Hemisphere. This it can do under the program adopted in 1934. Our naval program, if carried out, is equal to that of Great Britain and if we should adopt this additional \$1,121,000,000 asked for by the President, we would lead the world in its mad race for naval armaments. We are the most favorably situated of any nation in the world. Great Britain must defend her possessions in the Atlantic, Pacific, and Indian Oceans and likewise in the Caribbean, Mediterranean, North Sea, and other seas in all continents.

Of the four billion authorized in 1934, there was appropriated the amount of \$1,443,643,208 for 141 ships to be built and are now being built. The 72 now under

construction will require an additional \$586,107,367 to complete them. When they are completed we will still have approximately two billion of the four billion still available for new and other construction and seven battleships authorized, but none of which have yet been started.

Now, with that record, why should we pass this bill calling for 26 more fighting ships?

Under the act of 1934 the Navy Department can build these ships as large as they desire. They can build the biggest battleships in the world. The chief witness for the Navy Department and a man who knows stated if we authorized any new ships under this bill we could not start on any of them in less than 2 years. It takes 4 years to build a battleship, and the best authority is that, running at full blast, both the Government and private navy yards, it would require at least 6 or 8 years to build the battleships that were authorized under the act of 1934, and therefore it would be at least 6 years before any battleship could be started under the bill before us. It can be seen at once that this additional authorization of \$1,121,000,000 is unnecessary.

#### DOMESTIC CONDITIONS HOLD JAPAN, GERMANY, AND ITALY

Japan is a small country with not as much productive land as the Philippine Islands. Her resources are limited. She has a powerful and well-armed enemy on her borders, Soviet Russia. Russia and China can and will take care of Japan. Japan is exhausting her resources in the present war and is trying to bring about a peace agreement with China. Russia is standing by armed to the teeth waiting until Japan has exhausted herself. Is there anyone foolish enough to believe that Japan will abandon her own country with a navy about two-thirds as large as that of the United States and travel thousands and thousands of miles to attack us? She knows that her navy that far from home would not be one-fourth as powerful or effective as our Navy. She knows that at the very moment she leaves her own land and attacks us she would be swallowed up by China and Russia. Why should we become hysterical and jittery over Japan?

The shipbuilders and munition makers try to alarm us over the recent occurrences between Germany and Austria. I am opposed to dictators whether in Russia, Japan, Italy, Germany, or any other place. I believe in a democracy. Germany has merely taken over a small devastated territory of 32,000 square miles, about three-fourths the size of Kentucky, with an impoverished population of 7,000,000 people. The union of Germany and the Germans of Austria was inevitable. We meddled in European affairs when we got into the World War and then after the war we helped to write the Versailles Treaty. Italy was then our ally and Germany was her enemy. In fixing up that treaty the allied governments dismembered the Austrian-Hungarian Empire and cut over several small countries including a little country made up almost entirely of Germans and gave it the name of Austria. This little country lies between Italy and Germany, and it was to be a buffer state to protect Italy from Germany. At that time, and ever since, these Austrian Germans desired to be a part of Germany. The Government of Austria has been controlled by a lot of dictators against the will of the majority of the Austrian people, through the power and influence of Mussolini. These dictators filled the jails with the working people and the common people of Austria. Hitler and Mussolini made up. Hitler is a German born in Austria. So the Germans of little Austria have united with the Germans of Germany. The Austrian Germans have exchanged their Austrian dictator for the German dictator, Hitler. World commentators told us that a million people met in the highway and along the streets of Vienna to welcome Hitler. The people cried and kissed each other for joy.

I am not commending the action of Hitler. This is a matter for the Austrian people themselves. Austria has no navy. Germany has a small navy. How could this action justify us in putting on the largest naval program of any country in the world? The Germans of Austria joining with the Germans of Germany, in my opinion, is no threat to the people of this country. It may be a threat to some other

countries in Europe. France, England, and Russia are sworn foes of Germany and Italy. These big nations far surpass Germany and Italy in naval and military resources and manpower. These three nations, together with Poland, Rumania, and Czechoslovakia, will be able to hold Germany and Italy. Who for a moment thinks that Germany or Italy will project a war against the United States in the face of her powerful and determined enemies, Russia, England, France, Rumania, Poland, and Czechoslovakia? We are in no danger unless we again forget our true American policy of neutrality and, armed with a big navy, undertake to police the seven seas of the world.

#### PRESIDENT VIOLATES NEUTRALITY ACT

We are urged to help create this super Navy under the theory that Japan, Italy, and Germany threaten the peace and security of this country.

Congress on May 1, 1937, passed the neutrality joint resolution, section 1 (a) of which provides:

Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the cause of, any such belligerent state."

Section 1 (c) also provides:

Whenever the President shall find that a state of civil strife exists in a foreign state and that such civil strife is of a magnitude or is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to such foreign state would threaten or endanger the peace of the United States, the President shall proclaim such fact and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported arms, ammunition, or implements of war from any place in the United States to such foreign state, or to any neutral state for transshipment to, or for the use of, such foreign state.

That resolution was rushed through Congress to prevent a small number of used planes being shipped from a New Jersey port to the Loyalists in Spain. The President invoked the Neutrality Act as to those few used planes going to Spain. For nearly a year a bitter war has been waged between China and Japan. Seven hundred thousand men, innocent women and children have been killed and an untold amount of property destroyed. Wars have been carried on between Italy and Ethiopia. Italy, Germany, and Russia have been taking a hand in the war in Spain. We claim that our peace and security is threatened by Japan, Italy, and Germany, yet the President fails and refuses to invoke the power granted to him under the Neutrality Act. Our country has been stripped of scrap iron. Two million tons have been shipped to Japan and other millions of tons have been shipped to Italy, Germany, Russia, and other countries. We have also shipped large quantities of powder, explosives, shells, and other war materials to Japan, Italy, Germany and other countries. If Japan, Italy, and Germany are threats to the peace and security of the United States, why does the President permit these armaments and war materials to be shipped to these countries in violation of the Neutrality Act? It would be better to stop the shipment of these war materials to these countries than to put this \$1,121,000,000 for a super-Navy on the back of this Nation. If the shipping of a few second-hand planes from this country to Spain threatened the peace and security of this country, how much more is our peace and security threatened by the millions and millions of dollars' worth of armaments, war materials, and war supplies shipped to Japan, Germany, and Italy.

Many of us know why the Neutrality Act is not invoked here. The reciprocal trade agreements caused such a great increase of imports from Japan and other countries as would create an unfavorable trade balance against the United States. So the President is permitting the Neutrality Act to be ignored in order to build up the exports from this country to foreign countries. We are fishing some more dollars as we did in the World War out of the blood and tears of the people of other countries.

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#### DANGEROUS PROVISIONS

It is very clear that the real purpose in bringing up this bill for an authorization of an additional \$1,121,000,000 is not the peace and security of this country. Not a ship provided under this bill could be started in less than 2 years, and it would require 4 years to build it. It can be seen at once that the passage of this bill would not help the unemployment situation, and it could not provide any ships if ships were needed now.

This bill, in my opinion, has two purposes. One is to talk about war and rumors of wars, and foreign policies to take the minds of the people off the panic we have in our country. The other is to give this administration the power to mix up in the affairs of foreign countries.

Section 9 provides "to protect our commerce and citizens abroad, to insure our national integrity, and to support our national policies." The President in his Chicago speech urged that this and other countries should quarantine nations like Japan; in other words, blockade them. Yes; we should get on the world's police force. This would mean war—a world war and a foreign war.

Our people are scattered everywhere throughout the world, and some of them are busy in stirring up strife. What citizens abroad will we protect and what commerce and what national policies? The Philippine Commissioner, McNutt, a friend to the President, said in a speech recently that we should give up the idea of getting out of the Philippine Islands, although Congress has so decreed, and the people of the Philippine Islands by a vote have approved our action. Commissioner McNutt says that we should stay in the Philippines so that we would be in a better position to take a hand in international affairs in the Far East.

The Standard Oil Co. desired to take three tankers of oil up the Yangtze Kiang River in China to be delivered to the Chinese Government, evidently to be used in the war between China and Japan. It was necessary for these oil tankers to pass right through the war zone in the war going on between China and Japan. The commander of our American gunboat *Panay* took upon himself the duty of conveying those three Standard Oil tankers up that river. The Japs sank the gunboat and the tankers. We were almost involved in another foreign war simply because a big concern engaged in world-wide commerce took the chance of that attack in order to make a few dollars of profit.

This bill provides "to support our national policies." Who is the present spokesman of our national policies? It is President Roosevelt. He proposed that we quarantine Japan and other nations. I am not overlooking the fact that Mr. Roosevelt was a strong advocate of our entry into the League of Nations. In fact, he was the nominee for Vice President on the Democratic ticket in 1920. Their platform urged our entry into the League of Nations, and President Roosevelt in many speeches urged that we take such action. His speech in Chicago in talking about quarantining other nations is in substance one of the provisions of the covenant of the League of Nations.

President Roosevelt is the Commander in Chief of the Navy. I cannot give to the present occupant of the White House—in fact, I would not give to any man in the White House—such dictatorial powers as to say when the American Navy should be used in our commerce or in behalf of our citizens abroad or in support of his policies. Under this bill the President, the captain or admiral of any American ship could, as did the commander of the *Panay* on the Yangtze Kiang River, involve us in another war.

#### DANGER HERE AND NOW—NOT IN ASIA AND EUROPE OR FUTURE

The great danger to your country and mine is not in Asia, Africa, and Europe. It is here in the United States. It is not on the seven seas of the world, but on dry land in our own country. Our great danger is not from without but from within. No great civilized nation has ever been destroyed from without. It first falls from within.

This administration is giving too much thought and attention to foreign affairs and too little attention to our home affairs. The Congress will spend weeks debating whether we will build more warships 2 years or 8 years hence, while



twelve to sixteen million unemployed walk the streets and highways of the Nation seeking work in vain—while the youth of the land parade the streets of the Nation's Capital and other cities demanding jobs and opportunity to work. We are spending our time talking about war and battleships instead of bread and jobs for the idle, hungry, and destitute of our own country. We are spending weeks talking about the reorganization bill giving the President dictatorial powers over the nearly 900,000 Government officers and workers.

I am not unmindful of the efforts that have been made in the last 3 or 4 years to regiment agriculture, labor, industry, and commerce in our own country. I am more interested in the form of government of the United States than I am in Austria, China, or any other country.

You say, "There you go, Mr. ROBSON, a Republican, criticizing the administration." I quote now the words of a speech made on March 15, 1938, by a man who has been one of the administration's most loyal, devoted, and active friends and supporters, Mr. John L. Lewis, C. I. O. leader and president of the United Mine Workers of America.

Our consumer-goods industries began to slow down in June 1937, and by October of the same year our heavy industries began to feel the icy hand of the depression. \* \* \*

In the months that have ensued, neither industry nor Government has come forth with constructive proposals designed to meet the problems of the depression.

The Federal Congress, lacking adequate or competent leadership, in continuous session for months past, has failed to devise or enact a single statute that would cause a glimmer of hope to penetrate the minds of millions of despairing Americans. \* \* \*

Meanwhile, the population suffers and a creeping paralysis progressively impairs its functions.

What is to be done? Reason calls for a change. More rational policies are indicated. America is menaced, not by a foreign foe that would storm its battlements, but by the more fearful enemy of domestic strife and savagery.

Mr. Lewis says that industries "feel the icy hand of the depression." He continues:

Government has come forth with no constructive proposals designed to meet the problems of the depression.

And he further says—

Congress has failed to devise or enact a single statute that would cause a glimmer of hope to penetrate the minds of millions of despairing Americans.

And further—

Meanwhile the population suffers and a creeping paralysis progressively impairs its functions.

He continues—

Reason calls for a change. More rational policies are indicated.

Last but not least he emphasizes:

America is menaced, not by a foreign foe that would storm its battlements, but by the more fearful enemy of domestic strife and savagery.

No one has made a more biting or constructive criticism of this administration than Mr. Lewis; neither has anyone pointed out more clearly that our country is not menaced by a foreign foe but by economic conditions. He says the Government has brought forth no constructive proposal designed to meet the problems of the depression; and here we are, spending weeks in the House and Senate talking about battleships that we may begin building 6 to 8 years from now.

President Roosevelt, in his prophetic speech at Pittsburgh on October 19, 1932, said:

Taxes are paid in the sweat of every man who labors, and excessive taxes result in idle factories, widespread unemployment, and hordes of hungry people looking for jobs in vain.

He further said if we continued to spend more than we took in, the end is the poorhouse.

I have before me the official statement of the United States Treasury of March 12, 1938. It shows our national debt to be \$37,814,477,017.69. This same statement shows our national debt on March 12, 1937, was \$34,753,487,389.40. We have increased the national debt in the last year more than \$3,060,000,000, and the House and Senate have been wrestling for weeks on how to find taxes to meet a part of the Government's expenses. Congress has already appropriated more than \$9,500,000,000 for the fiscal year ending June 30, 1938, and more will follow. That will mean a deficit of

perhaps \$3,000,000,000 for the present fiscal year. The appropriations for the next fiscal year will be greater. Many able Democratic Senators have said over the air and elsewhere that the deficit for the next fiscal year will be somewhere between three billion and five billion dollars.

Yet with this condition staring us in the face, the President asks us to vote an additional \$1,121,000,000 for a supernavy. The President has urged us to cut down our road-building program. He told the leaders of the youth congress the other day when they appealed to him for an appropriation to aid the youth of the land that we did not have the money. He opposes the pensions for the Spanish War veterans who need the regular aid and attendance of another person. He likewise opposes the bill granting pensions to the needy World War widows and orphans. Those measures only ask for a few million dollars. There are hundreds of thousands of disabled World War veterans and at least a million other World War veterans and their families in needy circumstances. We have nothing for them, but must have a supernavy.

These increased, unnecessary naval appropriations tell the people of the country that we are going to increase taxes and are going to increase deficits and debts. It discourages business investment and adds to our unemployment and economic distress.

Let the President and his advisers and the Congress devote their time to these domestic problems. Let us bring peace and security to our own country. Let us set our heads to solve this the greatest of all problems so far as our country is concerned—unemployment and the economic depression. As Mr. Lewis says, let us adopt "more rational policies" that may encourage agriculture, industry, and commerce and thereby bring peace and plenty, with assurances if our country is sound on the inside no one can break through from the outside. There can be no greater threat to this country than the millions of youths and hordes of idle men and women on the march throughout the Nation. Let us keep our feet on the ground and our heads cool and not join in the mad race for armaments. Let us not forget the lessons of 1917 and 1918.

I am opposed to this bill. It is unnecessary and it is dangerous. We now need bread and jobs in this country more than we need additional battleships and war machines.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. ROBSON of Kentucky. I yield to the gentleman from Michigan.

Mr. DONDERO. Did the gentleman see the statement of the Secretary of War that this is the best-prepared country in the world?

Mr. ROBSON of Kentucky. The Secretary of War said at Miami, "This Nation is better prepared than at any other time in its history for whatever happens." [Applause.]

Mr. MAAS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

#### OPPRESSION ABROAD—AT HOME

Mr. HOFFMAN. Mr. Chairman, from the debate on this naval bill it is evident that if the ships already provided for by the preceding bill, which authorized the expenditure of some \$4,000,000,000, are to be constructed we would not be able to enter upon their construction before 1947—9 years from this day.

Yet the bill is supposed to be founded upon an emergency, a great crisis, now confronting us as a nation. We have heard altogether too much in the last few years of emergencies and crises. Apparently, the domestic brand has been exhausted; we now look across the seas in an effort to find one to justify some pet plan.

This view is strengthened by the fact that the Navy Department, evidently realizing that the construction of these ships could not be commenced with our present facilities until 1947, after the bill was submitted to Congress and after hearings had been had, suggested that the bill contain a provision authorizing the acquirement of additional facilities.

The fact that the Navy Department realized that the ships could not be built in the immediate future, could not even

be commenced until 9 years had passed, and the fact that later it suggested that additional facilities would be needed, is proof sufficient that the present bill never originated in the Navy Department—rather, that it is another of those very convenient emergencies used to justify a desired course of action.

A great deal of indignation is being expressed throughout our country because of the conduct of Germany under Hitler's guidance. We hear talk and we read articles expressing in no uncertain terms disapproval of the destruction of Austria as an independent government. On that subject I make no comment.

I do, however, call the attention of the Members to the fact that before we as individuals or as representatives of our Government take exception to the action of any foreign nation or the people of any nation, we look well at our own domestic situation.

I will not enter upon any lengthy discussion at this time of what is happening in America, but I will cite one specific instance, typical of many, which shows that here in this land, which we were formerly pleased to call the land of the free, oppression, injustice, and deprivation of civil liberty exist by virtue of the Federal Government and its agencies.

As we all know, industrial trouble existed in the plants of Remington Rand, Inc. A case was brought by the National Labor Relations Board against Remington Rand, Inc., and various phases of the controversies have found their way in and out of Labor Board hearings and courtrooms.

On the merits of all of the phases of this extended litigation I express no opinion as between the position taken by the Board and that taken by the company. Certainly, I do not speak for or in behalf of the company. But note, if you will, how innocent working men and women have been caught in the controversy and how their rights are being ignored and disregarded by the methods employed by the N. L. R. B.

On or about May 26, 1936, certain employees in the Remington Rand plants, being dissatisfied, went on strike, and they remained on strike for many months. Some of them sought and obtained employment elsewhere; some later returned to their employment with the company.

In the meantime, approximately 4,000 men and women sought and obtained employment in the various plants of Remington Rand, accepting and taking the jobs of those who had gone on strike, of those who had sought and obtained employment in other plants and other cities.

These 4,000 men and women have continued to work for Remington Rand for almost 2 years. When the National Labor Relations Board sought the dissolution of the union which they had organized they intervened in the proceedings.

On March 13, 1937, the Labor Board made its order directing Remington Rand to offer a reinstatement to all persons who were on May 26, 1936, production and maintenance employees at seven of its plants who had not, on March 13, 1937, received regular and substantially equivalent employment elsewhere.

The order further required that such reinstatement should be made, if necessary, by dismissing those employed since May 26, 1936, and who were not employed on that date.

The United States Circuit Court of Appeals for the Second Circuit granted these employees, who faced dismissal because of the Board's order, the right to petition the Board for a hearing, and this these independent employees did, at considerable expense, filing their petition with the Board on Saturday, March 5, 1938.

Upon inquiry made of the Labor Board, I was advised that the Board, at an executive session, without the taking of testimony or the hearing of arguments, denied the petition of the employees, and this action was embodied in an order dated the 8th.

Note this appeal from these employees received in the mail today:

On behalf of the 3,000 members of our local independent union and 6,000 members in all Remington Rand plants, we respectfully demand your assistance in compelling the National Labor Relations Board to give us a square deal. The Board's order, as it now stands, if enforced, would penalize not the employer but the workers.

The Board's decision, which is now in the United States Circuit Court of Appeals, was based on biased, one-sided, distorted testimony. Our members were never asked or given the opportunity to testify. This fact was recognized by the court and 20 days allowed us in which to petition the Board. This we did at considerable expense. The Board turned us down flat. They are discriminating not only against the company but against the employee.

We have no quarrel with our fellow men. They chose to strike and quit their jobs. We chose to maintain our God-given "right to work."

We hold no brief for Remington Rand, Inc. We are not fighting their fight, but we are fighting for our fellow employees and for the jobs they hold.

Now, the Board, after almost 2 years' time, would throw many of us out on the streets and put back men who quit voluntarily. As citizens, voters, and taxpayers we earnestly and respectfully demand your help.

You, among other Members of the Senate and Congress, have studied and openly denounced this autocratic bureaucracy, the National Labor Relations Board.

Here is a specific example of their ruthless tactics. Any impartial investigation will prove that here in Ilion only 400 out of the 2,300 employees wanted a strike. The majority chose to work.

Please give us your wholehearted support and champion our rights to work or to strike as our conscience dictates. Thanking you in anticipation.

Enclosed is a copy of the petition from employees of Remington Rand, Inc., to the National Labor Relations Board.

The situation, especially in Middletown, Conn., and Syracuse, N. Y., is desperate.

An agreement was arrived at in the chambers of Judge Hand, in New York, whereby our attorney would be admitted into conference with attorneys for the National Labor Relations Board, Remington Rand, Inc., and the union. Today the attorney for the Board, Mr. Ingram, refused admission for our representative to be present.

If the Board is allowed to ride roughshod over 6,000 employees, there is a chance that the violence and disorder of 2 years ago might reoccur.

Please do all in your power to compel the Board to at least hear our petition. We have never had a chance to tell our side of this trouble.

Take notice, if you will, of how the National Labor Relations Board treated the petition of the employees for a hearing on the Board's order, which required approximately 4,000 of these workers—some 10,000 in all dependent upon them—to be discharged from their jobs.

DENIED WITHOUT A HEARING 3 DAYS AFTER IT WAS PRESENTED

Four thousand men and women, workers all, employed at wages and under circumstances that were satisfactory to them and to their employer, discharged by the order of a National Labor Relations Board made in a proceeding where the workers themselves had been denied their day in court, their opportunity to be heard.

Hitler's march into Austria and the imposition of his will upon the inhabitants of that country, his destruction of their Government, is no more arbitrary, dictatorial, than the action of this Board in decreeing that 4,000 men and women shall lose their right to work in order that others favored by the Board may take their jobs.

Notice that these workers filed their petition on March 5. The next day was Sunday, and on Tuesday this Board met and decreed that these men and women should no longer work in this plant.

What are they to do? Are they to be thrown upon the relief rolls or are they to be liquidated in true European fashion?

I am advised this morning by a representative of these workers that, although a representative of the Board agreed with their attorney in the chambers of Judge Hand to allow their representative to sit in on the hearings now being conducted in Middletown, Conn., discussing the reinstatement of strikers, that the Board absolutely ignores this agreement and ordered the representative's counsel out of the hearings.

Hitler arrests the Government officials of Austria and our people cry out in anger and in indignation. The National Labor Relations Board orders the economic execution of 4,000 American workers and the administration permits it to conduct its hearings at which those who are deprived of the right to work have no opportunity to be heard.

A big navy? A navy for national defense? Everyone agrees to that. What this country needs is the reestablishment of the workers' right to work here at home.

Police the world? Before we start policing foreign nations, let us set our own house in order.



Quarantine aggressor nations? Before we start on that task, why not quarantine those who are driving workers from the employment provided by businessmen? Quarantine the National Labor Relations Board, the La Follette committee, quarantine those who are levying tribute, collecting dues, and, in turn, making payments to the political organization of the Government in power.

The greatest blessing that could possibly come to the people of our Nation would be a realization of the extent of the persecution which the National Labor Relations Board and the Senate Civil Liberties Committee is now conducting, not only against business—big and little—but against all those who refuse to join the unions sponsored by these political lieutenants.

The salvation of the world is a laudable objective. The setting of our own house in order, the preservation of our own Government, and the liberties of its citizens is a more immediate and pressing task, which will require all of the energies and the ability of this administration.

Mr. VINSON of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Chairman, it is a new role for me to stand in the well of the House and advocate the expenditure of a lot of money for the Navy. Since I have been here, I have consistently voted against appropriations for the Army or the Navy, until the beginning of this year. I feel very keenly that the Congress has failed this year to do its duty toward the working classes, including the farmers of America, and they are the kind of constituents I have. I do not like the idea that we have failed to do anything of consequence for the common run of mankind in America, for that is our responsibility. Of course, our people have a right either to keep us here or to keep us at home in consequence of that failure. At the same time, I am conscious that if democracy is not preserved for the common people, there is no hope for them. If we cannot build them up under a democracy, they are gone, and if a dictator comes along, they are gone forever.

I cannot discuss this matter fully in 10 minutes, but I want to give you a few facts that seem to me significant.

Just before the Washington Conference of 1921, the United States was the greatest naval power of the world. In that conference, the United States, Great Britain, France, Italy, and Japan made an agreement upon the maximum naval strength which they were not to exceed. As to the United States, Great Britain, and Japan, the ratio agreed upon was 5-5-3 as to battleships, and by the London Treaty of 1930 smaller ships were added. The purpose of the agreement was to so balance the naval strength of the three nations that no one of the three powers could attack another without serious danger of defeat of such attacking power. Had the treaties, Washington and London, been lived up to, the uncertainty of victory or defeat practically meant insurance against war between the signatories.

These conferences were held for the purpose of cutting down expenditures for naval armament and the ratio of the number of ships each should be allowed to have. The United States being the greatest naval power at the time scrapped 19 dreadnoughts, 7 battleships then in the process of being built, and 4 battle cruisers. The total tonnage scrapped by the United States in order to make compliance on its part with the treaties amounted to 755,380 tons.

Great Britain destroyed 16 dreadnoughts and 6 battle cruisers, amounting to 447,750 tons.

Japan destroyed 12 dreadnoughts and 1 battleship that was being built, amounting to 355,730 tons.

The tonnage destroyed by the United States pursuant to said treaties is about three times the combatant tonnage that this bill provides for constructing.

The Washington and London Treaties expired December 31, 1936, and Japan refused to extend or renew them. While the treaties were in force all powers except the United States proceeded to bring their navies up to the maximum limits and to maintain that limit. For about 14 years after the Washington conference the United States practically quit building warships, and it was not until the enactment of

March 1934 that Congress authorized building warships again and demanded that sufficient ships be built to bring the Navy to treaty strength and to keep it there. My understanding is if we build all the ships authorized by the act of 1934 we will be thousands of tons short of treaty strength.

Since the expiration of the Washington and London Treaties the world has been free to do as it pleases in regard to building warships. Before the expiration of those treaties the signatories kept each other advised as to what ships were being built; now they are secretly constructing ships of whatever size they please, mounted by any number and size of guns, and they refuse to disclose what they are now doing or are planning to do. Where does this leave us? It leaves us absolutely in the dark, yet we are responsible for the greatest Government on earth and responsible for the protection of the people under this Government. As far as I am concerned, I am going to give them protection. [Applause.]

Secretary Hull sent a note to Japan asking what size ships and guns she was building. Japan answered that she would not tell, but added that she is very strong for self-defense, is not warlike, and advised us not to build a Navy because of her hatred of war and bloodshed, and that she would be glad to enter into another treaty with us. When Japan made this jest I feel certain that she knew no business person would consider it, after our former experience, but thought that perhaps there might be some Members of Congress who would fall for it. Some Members do want to try another peace conference or limitation agreement with Japan and other nations.

Do we need a navy? I have more confidence in the ability of the gentleman from California [Mr. Izac] to analyze and correctly estimate the situation existing in the Navy than I have in the ability of any other man in the House to do so, because he is a graduate of the Naval Academy and has given special study to the conditions confronting us at this time. His statement is found in the Appendix of the Record, page 822. His statement is as follows:

But I'll give you some figures that should be food for thought, because they spell reality. Here is the actual number of underage ships that could take their place in the battle line tonight—not a year ago, not next year, but tonight—and the ships on which might depend the security of the Western Hemisphere: Great Britain, 181; France, 169; Italy, 164; Japan, 157; and the United States, 88.

We are dealing with America now, not partisan politics. I do not care whether or not you like President Roosevelt and Secretary Hull, but this is a statement of fact. If you as an American citizen want to protect this country in case of war from being overrun by the bunch of maniacs who are in control in Europe, why do you not consider these facts? Why do you want to consider partisan politics and lambaste the President of the United States and say on the floor of the House you are inclined to believe that Secretary Hull told a lie when he stated that the United States had entered into no alliance with England or any other country and did not propose to do so. Now, let us forget partisanship and face the facts.

Think of 88 fighting ships for the United States as against the known 164 fighting ships for Italy, the known 157 fighting ships for Japan, and the unknown fighting ships for Germany, and then talk about waiting a few years to see what might happen. It may be they will let us alone. Admiral Leahy says we can hold our own, ship for ship, with any power. I am sure of that, for the American Navy seeks no fighting alliances, is willing to do her own fighting, but she wants us to give her something like an even break. It is unfair and beneath the dignity of a great nation to send 88 effective fighting ships, manned by red-blooded Americans, against a combined fleet of approximately 450 effective fighting ships. I use the term "combined fleet" because that is about the size of the combined fleets of Japan, Italy, and Germany. Under the military agreement of these three, to offend one of them is to invite the ill will and attack of the other two.

Within the space of a few years Japan has waged several wars of self-defense in China. Korea and Manchukuo have been taken from China, and now the last of that vast Em-

pire is under the iron heel of Japan. Italy, in her self-defense, subjugated the poor and defenseless Ethiopians. Italy and Germany have sponsored the Spanish rebellion, and radio announcers last night flashed the news that Spain is another victim of the murderous coalition. Within the week Austria, mother of the arts and sciences, abjectly surrendered to Hitler, who proclaimed himself the viceroy of God, divinely commissioned to lead the nations of the world from darkness to light. This last episode was immediately occasioned by the fact that Schuschnigg announced last Thursday that he would call a plebiscite of his people to let them vote on the Sunday following as to whether they preferred to remain Austrians or become subjects of Hitler. This was an insult to the viceroy, and he marched his legions to the boundary line of Austria and forthwith demanded unconditional surrender under threat of invasion within 3 hours unless Schuschnigg complied. Schuschnigg had no choice. Now Hitler is going to hold his plebiscite in his own peculiar way—the way of one who imagines himself anointed of the Lord. What a world!

I really wonder how many Members of Congress would take any stock in a treaty made with any member of the world's triumvirate of arch criminals. They are not respecters of treaties and contracts; they are devoid of any sense of human right; they are of the kind that send swift-flying planes in the nighttime over cities where helpless babies and old folks are sleeping and, without warning, rain down bombs upon them, then exchange congratulatory telegrams next morning on the accuracy of their marksmanship. Oh, what a world!

Today another news flash. Czechoslovakia is warned to embrace nazism if she hopes to escape invasion and probable destruction. Of course, no one can tell what may be in the demands of this maniac for tomorrow. Shall we complacently sit back and ask that he honor (?) this Nation by making a treaty with us? His is the type of morality that first proclaimed to the world that a solemn treaty is only a scrap of paper. Yet some respectable Members of Congress are willing to enter into another agreement with him. His respect for any nation is measured by the caliber of the guns and the effective range of the shells used by such nation. You talk about the size of the ships and say the composition of the Navy is not what it ought to be. You say our Navy will be top-heavy with battleships if this bill passes. Japan has them, Italy has them, and Germany has them.

Oceans give some protection to us, and I thank God for the oceans. It may be a controversial matter as to the proper composition of the United States Navy. It may be that our Navy will be top-heavy with battleships, but we are not informed as to what other countries are building. We do know that the battleship is the most effective single unit of fighting craft. It will require several years at best to build them up to treaty strength and, if between now and then, we learn that modern science demands that we substitute something more effective, we can stop building any more of them. The fact that we know other nations are using battleships makes it imperative that we also have battleships. Even though battleships are not regarded by some as the type of ship we need in the American Navy, we must have them in order to compete with their known effectiveness when used by other nations. I may illustrate this thought by an unauthentic story told of Robert Toombs. It was said that during the time of the Civil War, Toombs, being a most forceful orator and an intense southerner, while addressing a war meeting at Atlanta, urged the southern people to rally to the support of the Confederacy. He made the statement that he felt authorized in saying there could be no possible doubt as to the success of the Confederacy in that war, because knowing conditions as well as he knew them, it was his opinion that the Confederates could whip the damn Yankees with broomsticks. Several years after the war, Toombs was a guest speaker in Philadelphia and was introduced by Henry Ward Beecher. Beecher remembered the speech that Toombs had made at Atlanta, and as a part of the introduction, Beecher told the audience that Toombs was a very

learned man but was a poor prophet, and twitted Toombs by quoting that part of the speech wherein Toombs had made the statement that the Confederates had nothing to fear because they could whip the damn Yankees with broomsticks. When Toombs arose, he admitted the statement Beecher had quoted, but denied that he was necessarily a poor prophet. He said he really believed he was right when he made the statement, and that he thought the Confederates would have won the war as he prophesied, but that the damn Yankees would not fight with broomsticks.

Surely the wildest-eyed pacifist in America cannot work himself up to the point where he can envision any nation at war with us beaching its battleships and coming at us with broomsticks. Whether or not we favor battleships, their known effectiveness makes it necessary that we have them under existing conditions. We would certainly not be so foolish as to wait for war to come before preparing for it. If there should be among us any who now believe in the value of treaties, I wonder if there can be found among us one who would be so gullible as to believe, after an outbreak of war between this and some other country, that the other country would be willing to declare an armistice for a time long enough to enable us to prepare for the battle.

Some of our colleagues have gone to the extent of trying to prove by several admirals that the United States needs no greater navy than it now has for national defense. Doubtless Admirals Bristol, Howe, and others whose testimony was quoted on the floor during this debate, were correct in their viewpoint at the time they testified. Conditions 8 years ago are too far back to be of much evidential value in this day. Furthermore, the admirals testifying 8 years ago had not been advised that a military alliance had been recently made between Germany, Italy, and Japan, and for that reason, it matters not how strong may have been the argument nor how correct these admirals may have been 8 years ago when testifying as to the ability of the United States Navy to cope with any other one power, the fact remains that if we fight now we must not fight one but we must fight three nations at least.

Mr. Chairman, one thing has developed in this debate that has caused me to wonder more than ever before how America has managed to continue as a democracy. Until I came to Congress, I did not have the remotest idea that partisan politics would be carried to the dangerous extreme of jeopardizing the safety of this country in order to accomplish the defeat of another political party or of weakening the influence of the President of the United States before the people. The debate on this bill has been marked by violent assault on the President of the United States and the Secretary of State. Members opposed to this program have stated emphatically on the floor that they prefer to take newspaper statements and to rely upon their own suspicions rather than to take the expressed pronouncements of President Roosevelt and Secretary Hull in regard to the foreign policy of the United States. I do not see where there is any room for partisanship in the discussion of this bill—either we have a sufficient Navy to guarantee to us that security which the Government owes to the people of this Union, or we have not a navy of that strength. Both the President and the Secretary have repeatedly stated that we have no military alliance or understanding with England or any other foreign country. Yet it is charged by the bitter partisans that they do not speak the truth.

Strange to say, some of the most virulent of the opposition weave into their speeches the statement that they believe we ought to stop and make another treaty with Japan, and the burden of their argument is "Why do we not wait and confer?" Some of them have completely changed front by now, contending that China is not worth a war. Whereas a few months ago the administration was lambasted because we did not send more ships into the Whangpoo River. Now it is suggested by them that a prudent citizen does not lose caste by leaving Donny Brook Fair when trouble starts. A more pertinent question would be, Are you going to run away from your home when a rapist and a murderer is coming in at the front gate with the announced intention of



starting trouble? We have the first right to the ownership and enjoyment of the Government of the United States as a democracy. We are not disposed to run away and let some maniac take it away from us.

The passage of this bill does not mean that a man supporting it is in favor of war. I am not in favor of war. I signed the Ludlow resolution and voted for its consideration on the floor of the House. I would have voted for its adoption, and I believe it would have been of great value to America and to the world had it been adopted. It was not adopted. Mistakes may have been made by the President and Secretary Hull in conducting and forming our negotiations and dealings with foreign nations. I am sure that the Congress of the United States has not started to do its duty toward the great farming and laboring elements of our population. I believe that had we devoted ourselves assiduously to the task of bringing about better living conditions and better economics our domestic troubles would not seriously concern us, but I do not feel that I should take any chance with the survival of democracy and the continuance of the Government of the United States simply because the Congress has not done what I think it imperative that it should have done in the interests of the people I represent.

The object of this bill is to make it so certain that any nation or group of nations will meet disaster if they undertake to interfere with America or American ideals; that even though they feel they have a divine commission to lead the balance of the world, they will let America alone. I am convinced that the only way to bring about that feeling on the part of the divinely commissioned is to let them know that we are ready for them if and only if we are attacked by them. I believe I know this Congress well enough to say that there could hardly arise provocation sufficient to justify a declaration of war that would require the sending of our young men on a war of aggression. It is well-nigh ridiculous for any Member of Congress to talk about aggressive warfare, and I do not believe there is any reason at all for such expressions as that the passage of this bill means we are going into war. I am perfectly willing to trust the President of the United States and the Secretary of State to so guide this Nation that there will be no war. I believe them sincerely when they make the statement that they are doing that thing.

The argument made by some that we are going to spend so much money on useless battleships that we can never balance the Budget does not alarm me. I think we are as far from a balanced Budget as we are from a balanced economic plane upon which all of our people are entitled to live.

So far as I am personally concerned, the first major task of this Congress is to make sure that the Government of the United States shall be preserved in any event.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 7 minutes to the gentleman from Missouri [Mr. SHANNON].

Mr. SHANNON. Mr. Chairman, during the discussion of a naval appropriation bill in this House on March 3, 1913, an eminent statesman from Alabama, Oscar Underwood, stated his position in these words:

The gentleman from Illinois says he appeals to the American flag, to the American sentiment. My friends, the gentleman from Illinois may appeal to the sentiment of war, but I appeal to the sentiment of peace.

[Applause.]

I stand today right where Mr. Underwood stood in 1913, contributing my mite against war. And in my remarks I appeal to the sentiment of peace.

On January 21, 1938, the House of Representatives passed the Navy Department appropriation bill for 1939, containing the largest peacetime naval appropriation in the history of this country.

Under the Vinson-Trammell Act of 1934, a \$4,000,000,000 program of naval building was authorized, and that program today lags far behind. It was estimated by witnesses before the House Naval Affairs Committee that approximately 2 years more would be required for the completion of the program authorized under that act of 1934.

Why, then, the haste to put this measure on the books? Why not give the people an opportunity to study its provisions and determine whether it is a wise proposal?

Billions have been spent in educating our people; and I believe, with Jefferson, that whenever the masses are well informed they may safely be trusted to form a correct judgment, especially on a question directly involving the welfare of the family circle.

Within a few months the people will be privileged to elect a new Congress. No man in Congress today was elected on the platform that he was going to give the United States a supernavy. There were all kinds of issues in the last election, but a giant navy was not one of them. Why not postpone for a few months action on this bill and let it be an issue in the November elections? Congressional candidates will then have an opportunity to take the issue directly to the people, and the people, through their selection of representatives, will say what their sentiment is on the subject. The elected Members of the next Congress will thereby be in a position to so vote on the measure as to correctly reflect the wishes of those whom they represent.

This short delay would in no way retard the proposed program, in view of the fact it could not be commenced for some 2 years, anyway.

Have the people a right to feel uneasy on the subject of this country's foreign policy? I say yes. They have a right to feel uneasy so long as they are kept in ignorance of secret understandings or alliances with foreign powers.

#### WILSON AGAINST SECRET TREATIES

The late Woodrow Wilson learned too late that secret treaties are "the most dangerous instruments of international intrigue and disturbance." He tried to save America from future mistakes through the instrumentalities of secret agreements by insisting upon the incorporation, in the peace settlement following the World War, of point I of his 14 points, which provided that—

Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

That was a sound doctrine then, and it is a sound doctrine today. However, it has become increasingly obvious in recent months that secret international agreements are still in operation. In any event, charges to that effect have been openly made and, to my knowledge, have not been officially denied.

In a book, *Powerful America*, by Eugene J. Young, of the New York Times, there is brought to light another series of secret agreements involving this country. Mr. Young makes public a number of memoranda left by Adolph S. Ochs, late publisher of the New York Times, which reveal that the Washington Arms Conference of 1921, called by Harding, was inspired by England, and that secret agreements were entered into during that conference whereunder America and Britain divided police power on the seas—America to police the Pacific Ocean and England the Atlantic and European waters.

Mr. Young also gives a bit of interesting information concerning the reaction of the Japanese people to the settlements agreed to by their delegates at the Washington Conference. He says:

The Japanese delegates went home to be met with a riotous demonstration of patriots who believed they had betrayed their country. They became marked men, the targets of the nationalists, militarists, and navalists, who refused to accept the settlements as binding in the future and regarded them as arrangements to be upset as soon as Japan could make itself strong enough to defy Britain and America.

#### A LITTLE TREATY ON THE SIDE

Mr. Young states that on April 22, 1921, Mr. Ochs took breakfast with the then Prime Minister of England, Lloyd George; that during the meal Mr. Ochs received a note from Lord Lee of Fareham, then the First Lord of the British Admiralty, asking for an interview; that Ochs agreed to the interview; that in the ensuing conference of the two men, Lord Lee advanced the proposition that the United States concentrate its Navy in the Pacific Ocean while England policed and patrolled the Atlantic Ocean, Lord Lee proposing further that England would abandon its then

existing alliance with Japan and agree to naval equality with the United States.

In a memorandum giving an account of the meeting Mr. Ochs wrote:

He (Lord Lee) thereupon told me that he thought it would be a crime against civilization and humanity for the United States and Great Britain to become rivals in the building of warships; and then startled me by making the statement that, recognizing this fact, the English Government would wish to have it unofficially communicated to Washington that they were prepared to abandon their traditional policy of a two-power navy and enter into an agreement with the United States for equality.

He discussed the fear of the United States of a possible conflict with Japan. He thought the fear of such a conflict was a needless alarm, but as long as public opinion in the United States was that way, under such an arrangement as he proposed, the United States could, if it thought necessary, concentrate its Navy in the Pacific Ocean and the English Navy could be relied on for protection in the Atlantic Ocean.

Mr. Ochs's memorandum explained that Lord Lee was encouraged to speak freely and confidentially to him—

Because of the well-known attitude of the New York Times toward the cause of friendly relations between the United States and Great Britain; that the attitude of the New York Times had pleased all Englishmen greatly and was regarded as most helpful.

And, of course, the New York Times is still the champion of internationalism.

Then, Mr. Young continues, Mr. Ochs had Lord Lee's message delivered to Washington by Mr. Ernest Marshall, an English subject who was London correspondent of the New York Times. The American Secretary of the Navy, Edwin Denby, received the message in a sympathetic and approving spirit, and this was followed by the calling of the disarmament conference held in Washington in November 1921.

#### OUR "BRITISH AID" NAVY

Mr. Young concludes his account of the behind-the-scenes negotiations attending the disarmament conference by saying:

Other revelations on the secret negotiations attending the conference will come in time. Whatever these later revelations may be, however, the outcome of the conference itself shows clearly the success of the British initiative and the American response to it. These were the chief results of that gathering:

An agreement for equality of the British and American fleets was reached and the building race between these two nations stopped, as Lord Lee had suggested. Though no formal accord was announced, the main American fleet was soon afterward moved into the Pacific and we took upon ourselves the policing of that ocean and its littoral, while the British depleted their far eastern fleet and concentrated their strength in Atlantic and European waters.

If Mr. Young's recital is correct, have not the people a right to assume that there is danger that some foreign nation or nations are interested at this time in our building a super-navy, such as is proposed in the bill before us?

This, of course, gives rise to the question, Why the haste in acting on this measure? The only answer that occurs to me is that certain forces want to commit our Government to a definite policy of shipbuilding, knowing full well that, once the authorization is made, it is extremely unlikely that it will be revoked.

The question also presents itself, in the consideration of this bill, as to the relative advantages of battleships or aircraft. Pertaining to this phase of the subject, we read most startling news messages from Great Britain. The dispatches inform us that Great Britain is calling for 1,000,000 civilian volunteers—not to man her army, not to man her fleet, but to man her air-raid protection services.

Let me supplement this information by quoting from a man who was an eminent British commander during the World War, the late Brig. Gen. F. P. Crozier. In his amazing book, *The Men I Killed*, General Crozier said that after a lifetime of professional soldiering he had been brought, by painful ways, to the realization that all war is wrong and is senseless. He said:

They talk of defense when they know that the word is a travesty of the truth and that there is no such thing as defense. They know, as Mr. Baldwin has admitted, that "the bomber will always get through." They know, as Sir William Beveridge wrote recently in the *Times*, that: "In the last war families waited for bad news about their fighting men in the trenches; in a new war fighting men may wait for bad news about their families at home."

General Crozier also said this:

Capt. Liddell Hart, noted military writer, tells us with all sincerity in the columns of that weathercock of political views, the *Times* (London), that in all probability when war breaks out on the Continent, the cooperation of the English forces with the continental would have to be limited to long-range air bombing of back areas, from bases in this country (England), simply because a wise enemy would not permit the embarkation or disembarkation of the British expeditionary force on either side of the English Channel. This statement I believe.

Great Britain's call for volunteers for her air-raid protection services bears out the truth of General Crozier's predictions.

#### SAVE AMERICA FROM THE PROFITEERS

The United States of America knows that things are not right in the world and also feels that they are not right here. Peace-loving Americans cannot condone the activities of the profit seekers within her borders who are engaged in gathering and exporting instrumentalities of war for use in war zones. Our hands are not clean when we permit large quantities of materials convertible into implements of war to be shipped from this country into countries engaged in murderous pursuits.

A member of the House Naval Affairs Committee saw in the American Panama Canal Zone a whole shipload of junk, and he saw United States Government ships pull aside to permit the loading of this junk for shipment to Japan, where—God forbid!—it may be used to kill Chinese women and children.

If such shipments are permitted to continue, the profiteers should at least be required to plainly label each package sent to war zones with the admonition that the contents must under no circumstances be used to kill women and children.

Compare the policy which permits such exports to warring nations with George Washington's idea of neutrality. In the face of a popular upheaval against him, he caused to be invoked his Neutrality Act of 1794 in indicting and convicting violators of that act whose overt acts were in behalf of France and against England. Washington stood firm in his position that this country should take no part in the quarrels and wars of foreign countries.

A naturalized American citizen, testifying before the Naval Affairs Committee, said:

I felt that this country was the last and only real haven in the world where a man might pursue life, liberty, and happiness—in other words, a sanctuary from the disillusion, the bitterness, and the oppression of the Old World.

Let us hope that the affairs of this country will be so handled that it may continue to be a haven where our citizens might pursue life, liberty, and happiness without being constantly tortured with the fear of that horrible ordeal—war.

In opening my remarks I quoted from a great statesman. In closing I will quote from the supreme American statesman, Thomas Jefferson, whose teachings in government can always be relied on as sound.

In 1823 Jefferson wrote to President Monroe:

During the ascendancy of Bonaparte the word among the herd of kings was *saute qui peut*. Each shifted for himself and left his brethren to squander and do the same as they could. After the Battle of Waterloo and the military possession of France, they rallied and combined in common cause to maintain each other against any similar and future danger. And in this alliance Louis, now avowedly, and George, secretly but solidly, were of the contracting parties; and there can be no doubt that the allies are bound by treaty to aid England with their armies, should insurrection take place among her people. The coquetry she is now playing off between her people and her allies is perfectly understood by the latter, and accordingly gives no apprehensions to France, to whom it is all explained. The diplomatic correspondence she is now displaying, these double papers fabricated merely for exhibition, in which she makes herself talk of morals and principle, as if her qualms of conscience would not permit her to go all lengths with her holy allies, are all to gull her own people. It is a theatrical farce, in which the five powers are the actors, England the *Tartuffe*, and her people the dupes.

It will be recalled that the Holy Alliance referred to by Jefferson was formed by Russia, Austria, and Prussia in 1815 to regulate the affairs of Europe after the fall of Napoleon "by the principles of Christian charity." History relates



that the league was joined by all the European sovereigns except those of England and Turkey, and the Pope. Jefferson, however, asserted that George of England "secretly but solidly" was of the contracting parties. The secret alliance has long done duty as Great Britain's ace-in-the-hole.

In the present unsettled world conditions, we care not which nation portrays the wily Tartuffe, but let America see to it that she be not made the dupe. [Applause.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from New Hampshire [Mr. JENKS].

Mr. JENKS of New Hampshire. Mr. Chairman, I have listened with much interest to the arguments presented for and against this naval building bill, and I am not at all in sympathy with the contention of those who believe that this program is intended for aggressive purposes; rather, I believe that we must be practical and take into account the kind of a world in which we are living. Certainly world conditions, over which we have no control, are not to our liking, but, in my opinion, it behooves us to face the fact that we are living in a period of turmoil and aggression that only recently caused the Prime Minister of England to warn his countrymen of the necessity of "facing might with might."

So far as I am concerned, I would not send one man or one dollar into a foreign conflict, but at the same time I am willing to support a national-defense program of sufficient strength to protect and patrol both coasts of this entire hemisphere. There can be no doubt but that foreign influences are at work in South America now and the possibilities there are something that we, as a nation, cannot safely ignore. If a strong Navy is what it takes to back up our determination to maintain peace on this hemisphere, then, as I see it, we have no alternative in the matter. For that reason I am supporting this bill.

There are those who insist that preparation for war makes war, but, in my opinion, that contention is wholly refuted by the plight of China and more recently by what has happened in Austria during the course of the past week.

I am on the minority side of this House, but the safety of our country is not a partisan issue—it is a matter that concerns one and all alike. I am opposed to unnecessary and extravagant expenditures, and if I did not believe this plan for additional protection to be absolutely necessary, I would not support it.

I view with regret conditions in the Orient and in Europe but the affairs across the Atlantic and across the Pacific cannot be our problem. I am concerned only with the safety of our own hemisphere, which concern I believe is shared by every informed and right-thinking American. The effectiveness of our diplomatic negotiations is limited to the power behind them, and if we are to remain a world power and a nation to be reckoned with and respected we must have the equipment it requires to make ourselves heard in an aggressive and strife-torn world.

I am hopeful that ways and means will be found to bring about a disarmament conference but until that can be brought to pass we must endeavor to cope with the situation as it exists. Let peace in our own sphere be our objective and let us take the means at hand to maintain it. [Applause.]

Mr. BREWSTER. Mr. Chairman, I yield 7 minutes to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Chairman, after a careful study of both majority and minority reports, I have decided to vote against this naval appropriation bill.

In casting this negative vote, however, I desire to make my position clear. I want it distinctly understood that I am not a pacifist. I unalterably favor an entirely adequate national defense capable of meeting any exigencies that might arise insofar as national defense is actually concerned.

I am not in favor of armament that would promote the aspirations of any who desire to see the United States involved in any foreign war. Nor am I in favor of armament greater than is necessary for adequate national defense and which, because of its excessiveness, would promote and accelerate an armament race between the nations of the world, which could end only in financial exhaustion for all nations involved, including ourselves.

There is an important and fundamental point stressed in the minority views of the Naval Affairs Committee which has not been logically disposed of either in the majority report or in the debate on this important matter. This one point, in my opinion, makes unnecessary this stupendous armament expenditure during the present session of Congress.

The point is that under the Vinson-Trammell Act of 1934 a \$4,000,000,000 program of naval building was authorized. At no time since that act was passed has the Navy Department found it advisable to keep its construction up to that authorization. Today it lags far behind.

This condition of affairs makes it apparent to anyone who will but pause a moment to consider it, that if the Navy Department started right now to build up to its authorized strength, it could scarcely get started before the opening of Congress next January.

Therefore, to further delay appropriations for additional naval construction until that time could not and would not produce a moment's delay in the creation of an adequate national defense. And, in the meantime, world conditions may become so clarified as to render unnecessary a great part of the proposed expenditure.

We must not forget that since this naval appropriation bill was proposed, a vast change in world policy has occurred. When the present bill was proposed we were operating, insofar as Congress was concerned, under President Roosevelt's declaration in Chicago, October 5, 1937, that aggressor nations must be quarantined and his clearly implied belief that the United States would follow a policy parallel to that of Great Britain.

With the resignation of Anthony Eden, the British Foreign Secretary, and the adoption by the British Government of the Chamberlain policy of conciliation toward the dictatorships of Hitler and Mussolini, which in turn rendered necessary a softening of the British policy toward Japan, all of the fundamental world conditions which apparently were activating our foreign policy were changed. And they remain changed so far as this Nation is concerned.

Germany's absorption of Austria has not changed the situation in the least, insofar as the United States is concerned.

The proponents of this big-navy program have seized upon this change of conditions in Europe to argue that more than ever we need a greatly augmented navy, such as proposed in this bill. Their argument is not valid and their premise is not logical, because the fact still remains that under the appropriations authorized in the Vinson-Trammell Act of 1934 the Navy Department could begin building today and could not possibly by the next session of Congress get under way the number of craft authorized by that act.

The present Appropriations Act is being urged under a propaganda of war fear. It is not a relief measure nor is it claimed by proponents to be such. Propaganda of war fear is being used to obtain passage of this measure. It should not be considered.

To bear out this statement, permit me to quote a portion of a press dispatch from Miami, Fla., printed in this morning's newspapers, in which Secretary of War Woodring stated that the United States "is better prepared than at any time in history for whatever happens."

Mr. Woodring was further quoted as having said that "America will never engage in any but a defensive war," and added, "there is small likelihood of the United States becoming involved in any European situation arising out of Germany's possession of Austria."

The fact that Secretary Woodring is now in Florida, enjoying the balmy ocean breezes with Postmaster General Farley and other "princes of privilege," is ample evidence that he is not worried over the present conditions in Europe and that there is no reason for the rest of us to get excited.

There are Members of Congress, like myself, who are heartily in favor of an adequate national defense and who believe that not the slightest harm can result from giving this question longer study. There are many who believe that world conditions may be such by next January as to make such a naval policy, with its consequent burdens upon the already overburdened taxpayers, unnecessary.

If on the other hand conditions throughout the world are to develop with such rapidity as to make such a greatly augmented navy a necessity before the next Congress, it is perfectly obvious that this legislation could be of no help because the Navy Department, in such a situation, could proceed to its utmost efforts, to increase the size of the Navy under the Vinson-Trammell Act.

There are Members of Congress who believe the present act would operate to frighten other nations and to cause them to engage in a naval armament race with us. Whether or not this is true, it is impossible for me to discern where any harm can come from delaying enactment for a few months.

If it is a psychological reaction which is sought by the administration on other countries that might have some vague aggressive intentions toward us, that psychological effect has already been achieved by the almost unanimous declaration by Members of Congress that they are in favor of a national defense adequate to meet any possible national emergency.

It is perfectly clear to every nation that the United States has the money, the men, the capacity, and the determination to defend herself against any aggression by any nation or combination of nations.

There are those whose judgment is worthy of careful consideration who have maintained without successful contradiction that as we stand today it would be impossible for any combination of nations to successfully invade this country.

Therefore, in view of these facts and conditions, and under the conviction that to delay the enactment of this appropriation bill until the next congressional session could not possibly operate adversely to our national interests, I find myself compelled to cast a negative vote. [Applause.]

Mr. MAAS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I wish to use part of my time to make an uninterrupted statement in an effort to answer in an orderly way the questions that have been raised about this bill, and then I shall devote the rest of my time to answering direct questions of the Members from the floor.

I shall be frank and open about this discussion.

When the bill was first presented to the Naval Affairs Committee I was very apprehensive about it and had the same doubts and fears in my mind that have been expressed upon the floor. I was inclined to be hostile to the bill, for I saw no need for it and feared an ulterior purpose.

But as the committee went deeply and thoroughly into every phase of the subject my questions were answered.

To start with, I wanted to know why the sudden decision to substantially boost our Navy. I wanted to know why, if the matter were so urgent, the bill was not presented in the special session before the naval appropriation bill was acted upon. I wanted to know why the President was asking this 20-percent increase, when he had not even asked for the money to construct anywhere near all of the vessels already authorized under the Vinson-Trammell Act.

I wanted to know how our national security was endangered, and by whom. I asked whom we were to fight, and why. I wanted to know what our foreign policy was, and whether we were to police the world. I wanted to know if this big increase in the Navy was to be used to start quarantining Japan.

I wanted to know why we need a 5-5-3 ratio, why Japan was not entitled to parity with us. I wanted to know why more battleships were needed in the face of reports that airplanes had made battleships obsolete. So, during the hearings on the bill, I asked these questions. Let me tell you the answers.

If I do not cover all of these questions, or any others that trouble any of the Members of the House, I shall endeavor to do so in reply to direct questions when I conclude my statement.

It may be but a short day until we alone may have to preserve democracy for the future, by preserving the integrity of the United States. We are practically the only real democracy left in the world. England is a democracy, but the British Empire can hardly be said to be a democracy.

The same is true of France. And who knows tomorrow what the form of government may be or the international alliances of either England or France.

To remain free and independent, we must be prepared to rely solely upon ourselves to protect and preserve our democracy.

There is no surer way of losing democracy and being forced to accept dictatorship than by being unprepared to successfully and swiftly resist a war against our security.

Certainly losing such a war would mean the end of all the social progress we have painfully made.

But even to win a war, forced upon us by our apparent weakness, will mean sacrificing democracy for a complete mobilization of the Nation, its wealth, resources, and manpower under military necessity and control.

This bill proposes only a reasonable naval defense. An ideal one would be a navy of two complete fleets, one upon the Atlantic and one upon the Pacific. We are in both oceans, and have coasts to defend in both the Atlantic and Pacific. But this bill does not propose such a navy. It asks only that our accepted formula of naval defense be maintained. If the United States went to war today, we could put into the battle line fewer modern, underage combatant ships than any other naval power, except Germany.

The facts are that Japan has more actual underage ships than we have, and is only slightly under us in known underage tonnage. Here are the actual figures.

Limitations of naval armaments may be the best way to maintain peace and avoid war. If this is true, then, in the name of Heaven, pass this bill. The only way to get a naval-limitations conference is for us to show the world that to protect our security we will build ship for ship and gun for gun with any nation on earth. We can do it. When nations less able to bear the burdens of such a race see that we mean business, they will themselves ask for a conference. When they do they will be ready to offer substantial reductions or limitations. If we have authorized this expansion, which will still leave us slightly under a 5-5-3 ratio, we will be able to sit in a conference with a nearly equal number of ships. Other nations will be willing to talk terms. But if we ask for the conference and do so while our Navy is under size, what have we to offer to the naval powers of the world that will induce them to reduce or limit their navies? We would lose such a conference before it was ever held.

The one way to avoid a war, if it can be avoided, is for us to have a navy adequate to win any war anyone else starts against us. If a war cannot be avoided, then, in heaven's name, let us have a navy that can win the war for us.

It is treason to provide less than a navy capable of defending us successfully; the naval experts—and we must rely upon them for technical advice, as we do upon doctors for medical advice—warn us that our present Navy will not be able to defend us against the expanding navies of other nations.

An adequate navy may eliminate even the necessity of mobilizing the Army. If an enemy can be prevented from reaching our shores, the war is over.

The United States spends less of its tax dollar for defense purposes than any modern nation in the world. Judged by any standard, per capita cost, percentage of national income, or percentage of national wealth, we spend but a fraction of the expenditures of other nations for war preparation. Only 10 to 12 cents of our tax dollar goes for national defense. Other nations spend from 45 to 70 percent of their taxes for war preparation.

Let me calm the fears of those who fear a foreign policy of aggression upon our part. A navy is not the military instrument of aggression. The world need have no fear of our foreign policy until we start to mobilize a huge expeditionary army. We cannot invade nor occupy a country with a navy. Japan is not invading China with a navy but with an army.

This "peace at any price" attitude, so manifest now in this country, is doing incalculable harm. It does not represent the true nor fundamental attitude of Americans. But it fools others, leads to depredations against us that result in



forcing us into war, with the consequent terrible price in lives and money.

It is no patriotic service to keep us out of war by making it impossible to conduct a war of defense, for this means surrender and conquest for us.

Aggressor nations are on the march. Aggression feeds upon aggression, until it meets effective resistance. We must see that rampant aggression stops when it reaches this hemisphere. Only an adequate navy can assure that.

For a second best navy is usually one at the bottom of the ocean. To be second best in a battle is to be defeated.

Remember, we can be defeated and conquered without military conquest of continental United States.

A successful blockade of our ports, shutting us off from absolutely essential imports, can in a short time crush us.

Combined naval and naval air raids, without actual attack in great force, can so cripple our industrial sections, which are almost all in coastal areas, that further defense may be made impossible, and surrender made ultimately necessary.

The United States consumes 800,000 tons of manganese ore per year. During a war period we would probably consume 1,000,000 tons per year. Domestic production last year was approximately 40,000 tons. Cuba produced approximately 150,000 tons.

Military and naval operations that so threaten our industrial existence as to make our ultimate capitulation inevitable, such as closing all avenues of import to us, by blockading our ports, or the ports from which we import essential raw materials might easily force us to accept drastic terms to avoid complete collapse or certain military invasion.

One such possibility as a condition precedent to peace might very easily be the repeal of our immigration restrictions. Should this bar to orientals be removed the pressure of migration from heavily overpopulated oriental countries might easily in a generation effectively conquer our country, as American labor could not survive in direct competition with low-standard oriental labor. Soon the United States, for all practical purposes, would become a far-eastern colony.

No law is stronger than the ability to enforce it, even an immigration law.

War, as horrible as it is, should it ever be forced upon us, is better than military conquest or economic slavery.

The sacrifices would be heavy for one generation, but the benefits would accrue to many generations for centuries to come.

But, as George Washington so wisely said:

To be prepared for war is one of the most effectual means of preserving peace.

There is a way for us to have peace. That is to pledge to the peoples of the world that we will never acquire territory by aggression, and at the same time to serve notice upon the governments of the world, by providing ourselves with adequate defenses, that we will never tolerate invasion of the Americas nor of our possessions. This policy means peace, but it requires an adequate navy.

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

Mr. MAAS. Certainly.

Mr. TERRY. I notice in section 3 of the bill that authorization is given to bring the number of useful naval airplanes to a total of 3,000. I do not know whether by the use of the term "useful," the bill means projected planes or not. Does the gentleman know the number of planes the Navy has at the present time and also the number that is in the program for the Navy?

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman permit me to answer that?

Mr. MAAS. Certainly.

Mr. VINSON of Georgia. The Navy has at the present time 1,950 planes, and this bill provides for an additional 950.

Mr. TERRY. They have at present 1,950 planes?

Mr. VINSON of Georgia. They have contract authorization and in existence 1,950 planes and this bill calls for 950 more.

Mr. MAAS. Mr. Chairman, when the bill is being read under the 5-minute rule I shall offer an amendment to that section to bring the planes up to not less than 3,000, and not

place a top limit upon it at all. It was the desire of our committee that we should have not less than 3,000 active planes. It was not intended to put a top limit on planes at all.

Mr. BREWSTER. I am sure that the chairman of this committee does not mean to intimate that there is any limit on the number of airplanes at this time. This bill for the first time imposes a numerical limit upon the number of airplanes that the United States Navy can have.

Mr. MAAS. The question asked was how many we have now, not how many we could have.

Mr. VINSON of Georgia. Everyone knows that there is no limit upon the number of airplanes, so far as I am concerned.

Mr. BREWSTER. Then who wrote the bill? There is a limit in there now.

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

Mr. MAAS. Yes.

Mr. DONDERO. Can the gentleman inform the House how long it would be before these ships could be under construction if the bill were passed and made a law?

Mr. MAAS. Frankly the shipbuilding facilities will have to be augmented to build this program or even to carry out the present Vinson-Trammell Act in an orderly way. If we pass this bill it is expected that at least two battleships will be asked for in the coming fiscal year and that the plans will be started for those two ships and probably two destroyers immediately.

Mr. DONDERO. I understand the gentleman from New York [Mr. COLE] to make the statement that we could not start one of these battleships for at least 9 years.

Mr. MAAS. Oh, no; that is not correct.

Mr. COLE of New York. My statement was that we could not start any of these battleships until 1947 without greater facilities.

Mr. MAAS. The bill provides greater facilities.

Mr. DONDERO. One more question, if the gentleman will permit, What does the gentleman think of the statement made yesterday by the Secretary of War that America is better prepared now than she has been at any time in her history?

Mr. MAAS. That is not saying much; we have never been adequately prepared at any time.

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

Mr. MAAS. Yes; I yield for a question.

Mr. BREWSTER. If this bill is chiefly predicated on 43,000-ton battleships, why does the bill limit the three new battleships to 35,000 tons?

Mr. MAAS. The gentleman knows the answer as well as I do.

Mr. BREWSTER. No; I do not.

Mr. MAAS. At the present time the treaty limits us to 35,000-ton ships until or unless one of the countries serves notice that it will use the escalator clause. The pending bill provides that we shall continue the 35,000-ton ships so long as other nations do, but that we may build 43,000- or 45,000-ton ships if the escalator clause is invoked.

Mr. BREWSTER. Why should we continue the 35,000-ton ships when there is all this immediate fear of Japan? It is beyond me to understand.

Mr. MAAS. I will say frankly to the gentleman from Maine that I think these battleships when laid down will be laid down as 43,000-ton ships. That is my own opinion.

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

Mr. MAAS. I yield.

Mr. TOBEY. Assuming they were laid down as 45,000-ton ships, would the Panama Canal be wide enough to accommodate them?

Mr. MAAS. Yes.

Mr. TOBEY. There is no question about that?

Mr. MAAS. There is no question about it. A ship of even 55,000 tons could go through the Panama Canal.

Mr. TOBEY. As presently constructed?

Mr. MAAS. Yes.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. COLE of New York. This bill authorizes an increase of 20 percent in water vessels.

Mr. MAAS. Yes.

Mr. COLE of New York. And an increase of 50 percent in airplanes?

Mr. MAAS. The gentleman is correct.

Mr. COLE of New York. The Navy Department heretofore has said that 2,000 planes were sufficient with our present surface vessels. I wonder if the gentleman has any explanation for the disproportionate increase of aircraft over surface craft.

Mr. MAAS. Yes. When the Vinson-Trammell Act was passed the best formula among naval and aeronautical experts was that 2,000 airplanes would be the proper complement for the Navy of the treaty size; but there has been such a rapid development in aircraft, particularly in long-range patrol planes, that since it is not a static relationship it has changed. Tomorrow it may be 4,000 planes.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. COLE of New York. Admiral Cook, Chief of the Bureau of Aeronautics, before our committee not more than 3 weeks ago, testified that right now it was estimated that 2,000 planes were sufficient.

Mr. MAAS. Those are the planes for the ships, but the gentleman must remember that we are now developing a long-range patrol plane that is not ship based.

Mr. COLE of New York. These 900 planes, then, are not for the ships?

Mr. MAAS. Some are planes for the ships, some are training planes. Many of these are for spare planes and some of them at least will be the new long-range patrol planes.

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

Mr. MAAS. I yield.

Mr. BIGELOW. Did I understand the gentleman to say that if this bill passed there would probably be a request for an appropriation for two battleships?

Mr. MAAS. Yes.

Mr. BIGELOW. Could not that be done whether this bill passes or not?

Mr. MAAS. We could request two additional battleships as replacements; but these provided in the bill are in addition to existing ships, and are not replacements.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield further?

Mr. MAAS. I yield.

Mr. BREWSTER. How does the gentleman distinguish the category, and what does it matter under which guise we build the battleships? Because we do not decommission any or do not in any way make impossible of use our present battleships.

Mr. MAAS. If we were to lay down two additional battleships this year on the replacement program—and it could be done—we would have an illogical progression of construction in the following years. If you laid down the two provided in this bill, you can have an orderly progression of construction, two each year; and it is much cheaper to build two at a time than it is to build one at a time.

Now I want to make a few statements about the minority report. It is a very well-worded report, it is a very fine report except for the simple fact that every paragraph in it is wrong and every figure quoted is in error. [Laughter.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 10 additional minutes.

I am going to make an analysis of the minority report, section by section, for the RECORD. I shall refer to it now just enough to show you that I am not merely making a rhetorical statement. I shall take up the first two paragraphs and analyze them for you to support the statement I have made. No. 1 asks: "Why should Congress authorize three more \$75,000,000 battleships when the Navy is not ready to build three battleships that are already authorized?"

This very introduction to the minority report is wrong as only two are authorized, not three.

The next paragraph states:

In the next 5 years there is authorization to build nine battleships.

This statement is doubly incorrect. As a matter of fact there will be authorization in the next 5 years, but there is not now; and it will not be for 9, it will be for 8.

The report is replete with such errors. I think every figure in the report is in error.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. MAAS. Yes; I yield to one of the authors of the minority report.

Mr. COLE of New York. That is the purpose of my rising at this time. During the fiscal year 1939 we will have had seven battleships become over-age.

Mr. MAAS. No.

Mr. COLE of New York. Is it not true one battleship became over-age, so far as replacement purposes are concerned, in 1935, two in 1937, and four will become over-age in 1939?

Mr. MAAS. No.

Mr. COLE of New York. Making a total of seven.

Mr. MAAS. No. The gentleman is in error. Three in 1939.

Mr. COLE of New York. No.

Mr. MAAS. One is in the fiscal year, but not the calendar year.

Mr. Chairman, I am going to analyze for the RECORD the complete minority report.

I. Two battleships are provided for in 1939 appropriation bill. There are two additional battleships now authorized by Vinson-Trammell Act. Navy is ready to build all four.

II. What is meant "as large and powerful as the naval experts deem necessary to defend America?" The naval experts are now negotiating to obtain modifications of the treaty to permit building larger and more powerful ships which they deem necessary. Even if such negotiations result in decisions to build larger ships than 35,000 tons, further congressional authorization will be necessary, as the Vinson-Trammell Act limits the size of battleships to 35,000 tons and to 16-inch guns. Congress will have to change this before the Navy can start larger ships. (Note: The corrected figure of eight battleships in next 5 years besides the two now building—includes both the two provided for in the 1939 bill and the two already referred to in I above.)

IV. The figure of 4,000,000,000 is meaningless. The Vinson-Trammell Act is a continuing act and the cost is entirely dependent on how long it remains in effect. The Navy Department did not, of course, ask Congress for money to put it in effect all in 1 year. Its requests for replacement ships have been guided by the financial policy of the President and Congress.

V. During the life of the various naval treaties, 1922-36, there were no replacements but every signatory spent large sums to adapt their old battleships to modern conditions—conditions created by new means of attack, guns, torpedoes, bombs, whose development was not arrested by the treaties. To say that no old ship need be scrapped is equivalent to saying that a 1910—the date of design of our oldest battleships—model automobile could be overhauled and adapted to the conditions of modern automotive transport. So long as no other nation laid down new battleships the United States could also refrain from laying down new ships. This condition no longer existed after 1936. The United States did not lay down any new battleships until other nations had already done so. Now the United States cannot entrust its defense to battleships designed between 1910 and 1916, no matter how often they have been adapted or readapted to modern conditions, when other nations will soon possess battleships designed in 1938. Otherwise, as soon expect a trucking concern with 1910 trucks to compete successfully against a fleet of 1938 trucks.

VI. In explanation of the corrected figures, note the following:



1. Under-age destroyers Dec. 31, 1937, including 3 which will become over age in 1938.....	35
2. New destroyers under construction and not yet reported as completed.....	49
3. Proposed in 1939 appropriation bill.....	8
4. Number of 1,630-ton destroyers which could be laid down in 1939 under Vinson-Trammell Act, including 3 which become over age in 1938.....	30
	122
Deduct three destroyers included in both 1 and 4 above.....	3
Total destroyers built, building, and authorized.....	119

I-VII. In these paragraphs the report lays stress on the fact that additional battleships, destroyers, and submarines could have been built under the provisions of the Vinson-Trammell Act, but passes over in silence the fact that no cruisers, other than the two provided for in the 1939 appropriation bill, could be built without new legislation.

VIII. The 1939 appropriation bill, as passed by the House, carries a total of \$549,195,494 and for new construction \$138,063,150. The figures as reported by the Senate committee differ slightly.

IX. Only 74 ships have been laid down under the Vinson-Trammell bill. The figure of 141 appears to have been arrived at as follows:

Ships laid down since March 1934:	
Authorized by act of—	
Aug. 29, 1916 (war act).....	4
Feb. 13, 1929 (cruiser bill).....	7
June 16, 1933 (N. I. R. A.).....	32
Mar. 27, 1934 (Vinson-Trammell).....	74
July 30, 1937 (auxiliary bill).....	2
Total laid down under all authorizations.....	119

Ships provided for in 1939 appropriation bill as passed by the House but not yet laid down:	
Authorized by act of—	
Mar. 27, 1934 (Vinson-Trammell).....	18
July 30, 1937 (auxiliary bill).....	4
	22

Grand total laid down and proposed..... 141

The statement that additional ships "already authorized" will cost more than \$2,000,000,000 is either very much in error or is meaningless. If reference is made to the two battleships, 30 destroyers, and 9 submarines which are now authorized, in addition to the ships in the 1939 appropriation bill, the cost on present bases will be about \$456,000,000. If reference is made to all ships which will be authorized in future years by the Vinson-Trammell Act, the statement is meaningless, as pointed out above under IV.

It is difficult to check just what is meant by the statement that the 11 battleships will cost "in excess of \$1,000,000,000 at the present rate of increased cost." The report previously refers to the additional battleships which would be authorized by the Vinson-Trammell Act in the next 5 years. As pointed out above, there will be only eight such ships, including the two provided for in the 1939 bill. The six not provided for—the report includes the two 1939 battleships in the first paragraph of this section—would cost only \$423,000,000 for ships of the present size and at present prices. On the other hand, if the "11 battleships" refers to those which will be authorized by the Vinson-Trammell Act during the next 10 years—a basis not used elsewhere in the report—the cost at present price would be about \$775,000,000.

X-XII. There is some confusion in the report between the "Western Hemisphere" and "American waters." It should be noted that the Argentine, the small River Plate countries, and the southern and richest parts of Brazil are about as close to Europe as to the United States. Unless the Monroe Doctrine is to be ignored, the whole argument of these sections falls down.

XIX. Here again is confusion between the "continental isolation of the United States" and the "American continent." It is notable that in the entire report there is only one mention of the Monroe Doctrine (p. 12), where it is dismissed in one short paragraph in the discussion of the relative merits of battleships and aircraft; it is indicated that the recent flight of six Army planes to the Argentine casts doubt on the necessity of battleships to defend this historical American doctrine.

I. Page 7. The report at this and other points lays great stress on the fact that the Navy Department in its requests for appropriations in the 1939 bill did not ask for funds for additional battleships, and refers to this as "the defense plans of the Navy Department as independently formulated." This is, of course, entirely misleading; the requests for appropriations by the Navy are dictated and strictly limited by the financial and other policies of the President. This is the proper procedure both under the constitutional powers of the President and under the congressional enactment establishing the Bureau of the Budget. The naval building program submitted in any year is the President's program.

I want to impress upon the Members of the House the seriousness of this situation. May I say that so far as politics are concerned, particularly for the Members on my side of the aisle, no matter who might be President today this same bill word for word and dollar for dollar would be before this House. Be the President Republican or Democrat, this identical bill would be here just the same. If Mr. Hoover were in the White House today he would be the sponsor of this bill because it is absolutely essential to our security and to the maintenance of the independence of this country.

Mr. WOODRUFF. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Michigan.

Mr. WOODRUFF. I think the gentleman has made a very definite statement. I am one of the Members of the House who feel their responsibility. I would appreciate very much indeed if the gentleman would give the House the facts upon which he bases that statement.

Mr. MAAS. I will give the gentleman the facts.

Under a Republican administration at a time when the world was weary and sick of war, an international conference was called to limit naval armament, this conference being sponsored by the United States Government under a Republican President. The conference was held in the city of Washington. At that time we had built and building the most powerful Navy in the world. In a sincere desire for peace, we sacrificed voluntarily the most powerful Navy in the world and brought ourselves down to parity with England in an effort to bring about limitation of armament. We made one of the grandest sacrifices, although perhaps it was a mistake. But nevertheless it showed our intention. At that conference the greatest naval and diplomatic experts of the world sat. They arrived at a formula which was five ships for England, five ships for the United States, and three ships for Japan.

This actually gave Japan a considerably stronger relationship to our Navy than they had up to that time. We made a sacrifice and permitted the Japanese Navy to become stronger relatively in relation to our Navy than heretofore.

Mr. Chairman, the foundation for that formula was defense. Remember, the world was sick of war. They devised a formula at that time which they hoped would make war unnecessary and impossible. The naval experts agreed upon the navies that were necessary to protect each of the nations in their home waters. So that three ships for Japan, with a very much smaller coast line than ours, with naval bases or potential bases scattered all over the Pacific, were the equal in the Pacific of our five ships. We had no right to go so far in such an agreement, in my opinion. We matched every ship and every gun we had with those of the Japanese on the basis of 5 to 3. All we had the right to match were the ships in the Pacific Ocean, because we could not depend on the Panama Canal, but we made the sacrifice, as great as it was. Everyone conceded that Japan with a ratio of 3 to 5 was impregnable in Japan. Everybody agreed it was impossible for the United States to invade Japan and it was also impossible for England to invade Japan. That was a Republican doctrine, accepted by the Republican Party. That treaty was ratified and we destroyed part of our Navy to bring it down to the treaty.

Now, if this formula is a good foundation for defense and defense alone, when that relationship is upset, when Japan gets 4 to our 5 or 5 to our 5, it is no longer proper defense of this country. It is no longer mere defense for Japan. It becomes another question and the only answer must be

aggression. It must be overseas aggression because Japan needs no larger navy to complete her conquest of China. No nation, even Russia, is going to invade Japan unprovoked. It is a mistake to say that because we need three times the increase, as provided in this bill, to carry on an aggressive war against Japan, Japan therefore needs twice as big a navy as we do to invade the United States. That sounds like simple arithmetic, but it is not the fact.

Mr. WOODRUFF. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Michigan.

Mr. WOODRUFF. Is the gentleman trying to convince the Members of the Committee that Japan with a navy equal in strength to ours could come to this country and successfully use its navy in our waters?

Mr. MAAS. I am not trying to convince the gentleman of anything but the facts.

Mr. WOODRUFF. That does not answer the question.

Mr. MAAS. I will answer the gentleman's question. In the first place, the matter of ship for ship is not the relationship that must be considered in battle strength. There is also the question of bases and the range, of coast line to be defended. We are a power in both the Atlantic and Pacific, and we have coasts bordering both oceans that must be defended.

Mr. WOODRUFF. Will the gentleman yield further?

Mr. MAAS. I yield to the gentleman from Michigan.

Mr. WOODRUFF. I think the gentleman will agree that for many years practically every bit of our fighting strength, so far as the Navy is concerned, has been in the Pacific.

Mr. MAAS. That is not true. The gentleman is in error.

Mr. WOODRUFF. Oh, we have had some obsolete ships in the Atlantic, yes, but the great battle fleet has been in the Pacific for many years, as the gentleman well knows.

Mr. MAAS. I grant that; but the gentleman makes a mistake when he thinks the only way the United States can be conquered is by military conquest or invasion. There the gentleman falls into a common error. I do not believe any navy is going to attempt a direct frontal invasion of the United States. I do not believe any nation will be able to bring over hordes of troops in transports and land them on our shores, but the United States can be defeated and crushed without one foreign soldier setting foot on our shores. If our Navy is unable to defend our coast we can be blockaded. While we may be willing to sacrifice our exports, the United States could not live 6 months in time of peace even without essential imports. If our ports were closed I venture to say that in 2 weeks we would begin to feel the effect on the industries in this country and within 6 months we would be reduced to almost complete destitution.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 10 additional minutes.

Mr. BREWSTER, Mr. WOODRUFF, and Mr. TERRY rose.

Mr. MAAS. I yield to the gentleman from Maine.

Mr. BREWSTER. The gentleman is in entire disagreement with the evidence of Lieutenant Commander Talbot, who, in an article in the United States Naval Institute, states the Western Hemisphere could be absolutely self-sufficient.

Mr. MAAS. I am not saying the Western Hemisphere could not be absolutely self-sufficient.

Mr. BREWSTER. Will the gentleman answer that question first? Does the gentleman admit the Western Hemisphere can be self-sufficient?

Mr. MAAS. I do admit it could be self-sufficient; yes.

Mr. BREWSTER. Then will the gentleman answer this question? Is the gentleman in disagreement with Admiral Jones, who has been chairman of our Naval Board, that if Japan undertook to come across the Pacific her Navy would lose one-half its effectiveness?

Mr. MAAS. That would be true until and unless they took the Hawaiian Islands or Alaska and had a base over here from which to operate, or established a base in Mexico, which is a great possibility.

Mr. BREWSTER. The gentleman is a member of the Committee on Naval Affairs?

Mr. MAAS. The gentleman is correct.

Mr. BREWSTER. Does the gentleman mean to stand on this floor and say that, ship for ship and man for man, the American Navy is not the equal of the Japanese Navy?

Mr. MAAS. Ship for ship and man for man, the American Navy is the superior of any other navy on earth. [Applause.]

Mr. BREWSTER. With the Hawaiian base, why is the gentleman afraid to face Japan on an equality?

Mr. MAAS. Because what the gentleman calls equality is not equality; it is superiority for Japan.

Mr. BREWSTER. Does the gentleman say the Battle Fleet will ever be divided?

Mr. MAAS. I do not know. I do not run the Navy.

Mr. BREWSTER. What did Admiral Leahy say?

Mr. MAAS. He said he would not like to divide it.

Mr. BREWSTER. He said he would not divide the fleet and that he could conceive of no conditions that would warrant it. The gentleman would not anchor a battleship every 1,000 miles off our coast?

Mr. MAAS. No; the gentleman is correct.

Mr. BREWSTER. If the purpose of our Navy is defense, why did we accord Japan parity in submarines?

Mr. MAAS. Because submarines are presumably a local defense weapon.

Mr. BREWSTER. If we have such a long coast line to defend as compared with Japan, how can we afford to give Japan parity in the one coast defense weapon we have?

Mr. MAAS. We afforded Japan parity because a submarine is a coast-defense weapon, but when they want to upset the parity in battleships, that is for another purpose.

I want to state the facts right, because there has been much misinformation stated on this floor. I wish to discuss under-age tonnage and this is what counts, because you can no more compare a 1910 battleship with a 1938 battleship than you can compare a 1910 Ford with a 1938 Lincoln. We do not want to have to defend this country with a 1910 battleship. Let me impress upon you the fact that the United States has fewer under-age ships it could put into a battle line today than any naval power in the world except Germany.

May I read these figures of under-age vessels that could go into a battle line today. Great Britain, 188; France, 169; Italy, 166; Japan, 158; and the United States, 102. The only country having fewer such ships is Germany with 67.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

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

Mr. COLE of New York. The gentleman has emphasized the large number of over-age vessels this country now has. Is it not true there is right now authority of law to replace every single one of these vessels?

Mr. MAAS. No; that is not true at all. The law that makes them replaceable makes them replaceable in definite increments year by year. If over-age ships are not available, the authorization is not available, not until by law a ship becomes over age, which is 26 years.

Mr. COLE of New York. Is that the basis upon which the gentleman now says they are over age?

Mr. MAAS. The gentleman cannot say we are entitled to build 15 more battleships now.

Mr. COLE of New York. The gentleman mentioned the amount of tonnage that is over age, but I defy him to deny there is authority of law to replace every ton that is over age.

Mr. MAAS. There will be authority, but there is not now authority. The authority becomes automatic as ships become over age.

Mr. MOTT, Mr. DONDERO, and Mr. TERRY rose.

Mr. MAAS. I yield to a member of the committee, the gentleman from Oregon.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. MOTT. Considerable has been said here about our being able to meet Japan on equal terms. I know the gentleman is a military as well as a naval authority.

Mr. MAAS. I thank the gentleman.



Mr. MOTT. I believe his ability is recognized by everybody. May I ask the gentleman if it is not contrary to all military and naval policy to prepare one's self simply to meet the enemy on equal terms? This is not the way battles are won.

Mr. MAAS. No. You are absolutely correct. That is not good military strategy.

Mr. MOTT. I do not know whether or not the gentleman is of the same opinion I am, but it seems to me the principal objection that has been raised to this bill is not whether this large increase in the Navy is absolutely necessary, because I believe most people are willing to take the judgment of the members of the committee who have studied the question in regard to that; neither is it the initial cost we will have to incur. My impression is that the principal objection that has been raised to the bill is the fear that we will be led into an aggressive war with this big Navy.

Mr. MAAS. I would like to answer the gentleman.

Mr. MOTT. Before the gentleman answers, I want to ask this further question, which, I may say, is the burden of nine-tenths of the letters I receive from my district in opposition to the bill.

Mr. MAAS. Yes.

Mr. MOTT. I know that as a member of the committee the gentleman from Minnesota has listened carefully to all the testimony of every witness and has read all that testimony carefully and has studied it. We examined in that committee more than a dozen of the outstanding opponents of this bill and men who claim to entertain this opinion, and I want to ask the gentleman if, in his opinion, any testimony or evidence whatever was produced in the committee by these witnesses that would give members of the committee any reason to believe that the purpose of this Navy is to lead us into a war?

Mr. MAAS. I will answer the gentleman by stating that not only was there not one iota of evidence to lead them to believe that, but not the slightest foundation was laid for any of them to make such a charge.

Let us consider the facts. The testimony of the naval experts, and there was not one word in contravention of this testimony offered by anyone, was that it would require three times this proposed increase to even be in a position to carry on an aggressive war overseas.

Mr. SNELL and Mr. WOODRUFF rose.

Mr. MAAS. I yield first to the gentleman from New York.

Mr. SNELL. In line with what my friend from Oregon has had to say, does the gentleman think that any naval expert would ever go before a legislative committee of the Congress and advise additional naval equipment for the purpose of carrying on a foreign or aggressive war?

Mr. MAAS. I may say to the able minority leader that the naval experts when they come before our committee express no opinion as to what it is to be used for. Their job is to carry out the national policy as the President and the Congress determine it. We told them what we wanted them to do and they advised us what they would have to do it with.

Mr. SNELL. I suspect the gentleman is, perhaps, right, but I doubt if any naval expert would ever advise any such thing before a committee of Congress. Does the gentleman think he would?

Mr. MAAS. I asked them that question myself, and they said if it were determined to be the national policy that we were to carry on an aggressive war, they would come in and tell us what they needed, which would be three times what is carried in this bill.

Mr. SNELL. Now, will the gentleman answer another question, which I have asked several times and to which I have never received a satisfactory answer? If our Navy is so deficient at the present time, as a number of you gentlemen seem to think it is, why has not the Naval Affairs Committee of this House, that is responsible for the Navy, insisted on a more rapid building up of the Navy?

Mr. MAAS. In the first place, let me say to the gentleman that the Naval Affairs Committee of the House, in common with this administration, as well as previous Republican administrations, has hoped constantly that there would be

further limitations and that we would not have to build these ships that have been authorized. We have hoped all along that the other nations would not start a naval race, and we did not want to build more ships and sink them again. As to the rapidity with which the ships we have already authorized have been built, that is a matter in the control of the Appropriations Committee.

Mr. SNELL. This is a very important matter and I am quite serious about it, and I would like to ask the gentleman this further question: Have you made any demand on the Appropriations Committee for more money to carry out this program?

Mr. MAAS. I have every year that I have been a member of this committee.

Mr. SNELL. Has your committee?

Mr. MAAS. The committee, as a committee, has not. We have not any function of that sort.

Mr. SNELL. The Naval Affairs Committee is the one that makes up the program.

Mr. MAAS. And we have authorized the ships.

Mr. SNELL. If you will tell me why you do not hurry up the program already authorized before you authorize any further new program, you will give me some valuable information.

Mr. MAAS. I have tried to explain to the gentleman, in the first place, it has been the sincere hope that we would not have to build these additional ships, and then the reason a bill was not brought in during the special session so that it could be included in the regular appropriation bill was because the information upon which this bill is based, and the necessity for it, is based on facts that have come to light since the Budget was made up for this year. The Budget is prepared in the summer, while these facts came to light in the last few months of 1937.

Mr. SNELL. You have that bill over in another body; have you made any demand on that body in view of all the additional information you have?

Mr. MAAS. We have not passed this authorization yet, so we could not do it now. There is \$140,000,000 in the appropriation bill for construction.

Mr. SNELL. But why do you not ask for \$100,000,000 more to carry out what is authorized?

Mr. MAAS. Oh, that will be done. As soon as this bill is passed another \$100,000,000 will be asked, I expect and I hope.

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

Mr. MAAS. I yield.

Mr. TOBEY. In answer to the distinguished minority leader, the gentleman said that these facts were not available until a few months ago and that this whole bill is based upon those facts. What are the facts? Give us a categorical list of the facts.

Mr. MAAS. The facts are that the other nations of the world have begun to increase their naval strength beyond the limits of the 5-5-3 ratio.

Mr. TOBEY. Is that all?

Mr. MAAS. Is not that enough?

Mr. TOBEY. No; not in my judgment.

Mr. MAAS. If 5-5-3 was a proper foundation for the defense of this country and someone upsets that ratio, then we are derelict in our duty and we are failing to comply with our oath if we do not provide a sufficient Navy to meet that situation.

Mr. TOBEY. That was known before this bill was brought in.

Mr. MAAS. It was not known before this bill was brought in.

Mr. TOBEY. It was known before that, in my judgment.

Mr. MAAS. If you knew it, you were derelict in your duty in not informing the Government.

Mr. TOBEY. I am told on good authority it was.

Mr. MAAS. Why did not the gentleman advise the committee if he knew it?

Mr. DONDERO rose.

Mr. MAAS. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. DONDERO. Mr. Chairman, the gentleman made a statement that America could be crushed without having a single soldier landed on her shores. Why did not Japan employ that same principle in attacking China?

Mr. MAAS. Oh, that is a different situation. I did not say that any country could be crushed. I said the United States could be conquered without a military conquest. Does the gentleman realize, with our fleet in the Pacific and no navy in the Atlantic, naval raids from allies of Japan, if Japan were the country with which we were at war, could run to our northeastern coast and send their planes off their airplane carriers and destroy our only two airplane-engine manufacturing, and thereby crush further national defense in the air, for instance?

Mr. DONDERO. But would not Japan have to increase her navy 100 percent to do that under present conditions?

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. MAAS. I shall take 5 minutes more.

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

Mr. MAAS. Yes.

Mr. WOODRUFF. The gentleman stated a moment ago that ship for ship and man for man the American Navy was better than or as good as any navy in the world.

Mr. MAAS. That is correct.

Mr. WOODRUFF. And he has just made the statement that the testimony before his committee from the high ranking naval officials of this country was to the effect that we would need a navy three times the strength of that of Japan to carry on an aggressive war in Japanese waters.

Mr. MAAS. That is not correct. I said three times the present proposed increase.

Mr. WOODRUFF. How does the gentleman justify the statement that he made that Japan with a navy equal to ours can move just as far in reaching these waters as we would have to go if we were to reach Japanese waters to carry on a destructive war against us in these waters?

Mr. MAAS. Oh, the gentleman is mistaken in his facts. Unfortunately it is not just a matter of simple arithmetic as the gentleman thinks, because it is not just as far from Japan to the United States as from the United States to Japan from a military standpoint.

Mr. WOODRUFF. Oh, it is exactly.

Mr. MAAS. Oh, no. Our nearest naval base to Japan is 8,000 miles away and the nearest Japanese naval base to the territory of the United States, and I do not mean the Philippine Islands, is comparatively close, only a few hundred miles away, and if the Japanese were to take that undefended portion of the United States and establish a hostile naval base there the situation would be quite different.

Mr. WOODRUFF. I suppose the gentleman is referring to the Aleutian Islands?

Mr. MAAS. I am.

Mr. WOODRUFF. And just where would Japan establish a naval base and get away with it with our Navy in the Pacific?

Mr. MAAS. But if our Navy were protecting the Hawaiian Islands or the Panama Canal, it could not also be at the Aleutian Islands at the same time.

Mr. WOODRUFF. The gentleman knows that I was a member of the Naval Affairs Committee for 10 years.

Mr. MAAS. Yes.

Mr. WOODRUFF. I hope I was a worthy member of that committee, and had proper regard for the national defense of this country, and one of the things that I learned—and I take this information from practically every capable high-ranking naval official that appeared before that committee and testified to these things—was that as long as we hold the Hawaiian Islands, Japan will never move east of that line north to south, in force.

Mr. MAAS. But they have learned a lot since that testimony was given. Mr. Chairman, I want now to conclude my statement with another reason to the distinguished

minority leader and to other Members of the House, as to why we should pass this bill now in the interest of peace, and in the hope that we may have a further limitation, if limitation of armament is a successful means of maintaining peace.

Mr. WOODRUFF. Mr. Chairman, will the gentleman indulge me for one other question?

Mr. MAAS. No; I am sorry I cannot.

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

Mr. MAAS. No; I want to finish my statement.

Mr. MOTT. Will the gentleman yield then?

Mr. MAAS. If I get through in time. It is very unwise for the United States to initiate the call for a naval conference at this time. Our Navy today is not up to recognized strength of the accepted formula. We are below both England and Japan on a comparative basis at the present time. If we were to call a conference the burden of that conference would be upon us, and we would have to initiate a proposal to the conference. We have nothing to offer.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. MAAS. On the other hand, the best way in my opinion to get a naval conference is for the United States to immediately take steps to go ahead and build its Navy up to strength and convince the world that we mean business, and not merely on paper. [Applause.]

When the world realizes that we mean business and that here is one nation of the world that can outbuild them, if it has to be done, they will ask for the conference; and when they ask for it they will have to offer something. We learned our lesson. We offered in the 1922 conference, and we sank ships against blueprints. If we were now to go into a conference which we ourselves sponsored with a navy that is undersized, we would have to offer promises and sacrifices that would put us at a still greater disparity. If, however, the world knows we are going to build to win a naval race, if it be a naval race, they will ask for the conference. If it be a naval race, let us win it. [Applause.] No nation with a superior navy has ever been attacked. [Applause.]

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, I yield to the gentleman from New York [Mr. COLE].

Mr. COLE of New York. The gentleman's idea with reference to a disarmament conference is that we should build ships in order that we might later get together with other nations to scrap them?

Mr. MAAS. Oh, no; to get together with other nations to keep them from building more. They will come to us before these ships are built, or if they do not, then we had better get them built, and as soon as possible.

I want to repeat just this one thought, and I am going to close this time for good—I want to leave a warning: There is a way for the United States to have peace, and that is to assure the peoples of the world that we will never acquire a single foot of territory by aggression, but that we serve notice upon the rulers of the world and the governments of the world, that no hostile soldier shall ever step foot upon our shores. Then we shall have peace. It seems to me it is all resolved into this one principle, Mr. Chairman: It is better to have it and not need it, than to need it and not have it. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. IZAC].

Mr. IZAC. Mr. Chairman, I believe I can safely say that I agree with something everybody has said but do not agree with everything that anybody has said. In the first place, I believe everybody is more interested in what the President really means by this request for additional naval strength than in any other question with which we are faced today. Why do you suppose the President said:

I would like to have 20 percent more than the present authorization.



He said that simply because after the 5-5-3 ratio was a thing of the past he found that Japan and other nations were building beyond the 5-5-3 ratio; and even during the time the 5-5-3 ratio was in effect, these other nations were observing that ratio only in capital ships. In order to get them to agree to anything in 1930 we had to permit Japan a parity in submarines. From the time of the 1922 conference until the 1930 conference what happened in those lighter categories? We laid down 34 ships, Japan 112. We were the only Navy that was not building in those days. That is the reason we fell so far behind. As soon as this administration came into power they called another conference but could not get anywhere. Finally 1936 came along and we found that no one would continue the 5-5-3 ratio with us except England and France. That necessitated our inquiring of other navies what they planned to do. Let me tell you what they have been doing and then maybe from that we can judge what they plan to do. In that space of time we had built 89 ships, Japan had built 144. Even Italy had built 123. The President then saw that we were going to have to build to keep up with the race of the nations. I do not expect him to say that Japan's or England's or Germany's is the navy that we are going to fight, but I do expect him to gather all the information he can on all the navies of the world and never permit this Nation to fall behind a place somewhere near the leaders in this race.

I hate to see an armament race go on, but I see only one way of stopping it. The need of this Nation is only what is forced on it by other nations. Certainly if they would all sink their navies the only need we would have would be for a few Coast Guard cutters perhaps, nothing else; but as long as they build, as long as they have been building, and as they give promise of building in the future, we are going to require a Navy somewhere comparable with theirs. If we adopt the suggestions of the President—even if we build all of these ships that gentlemen say cannot be built, and Mr. Chairman, you can build all these ships; just lay out the money and see how fast ways are laid down on the Delaware River and in other parts of the country—I say if we go through with this program and complete it by 1942, even counting all of the ships of other navies we know about—and we do not know all of the ships that Germany, Italy, and Japan are building because they will not tell us any more, although they know what we are building—we shall have 227 ships under age that can go into the battle line, the British will have 284, and Japan will have 174, provided she does no more building.

Therefore why do we give this authorization to the President today? Simply because if Japan does build more, if Germany does build more, if Italy does build more, the President can say, "We need appropriations for additional ships." That is the only reason. I do not expect, except in case of emergency, to see the President send down a message to us requesting additional appropriations unless he knows other navies are building likewise. That is the only reason, the only justification for it. This authorization is only an increase of 20 percent over what we have at the present time.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. COLE of New York. Is not that figure 20 percent over what we might have at the present time?

Mr. IZAC. That is right; over what we might build up to, and since 1934 have been building up to as rapidly as seemed consistent; because you know it costs money to rehabilitate these shipyards which have been idle so long. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 3 minutes to the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, I am extremely sorry that at this late hour in the debate we should have stated by a member of the committee such a challenge as was uttered by the ranking minority member when he questioned every statement in the minority report. That is certainly a sweep-

ing indictment. I assume that he selected the two strongest illustrations he had. That is a fair assumption.

He took the first two statements regarding the number of battleships now authorized. No member of this committee needs to be dependent upon the word of anyone. By turning to page 2003 of the hearings before the Committee on Naval Affairs the Members will find the age of all our battleships. If they can carry out the simple process of addition of 23 years to the year there shown they will find the number of battleships now authorized. They will find that in the year 1939 there are seven ships which will become authorized for construction exactly as is stated in the minority report. The gentleman at the end sought to justify his very extreme statement on the distinction between a calendar year and a fiscal year. I submit that for so sweeping a challenge as he issued that is a rather feeble foundation.

So far as the statement of the minority that 9 battleships are now authorized to be built in the next 5 years is concerned, if we are strictly accurate, we will find it is not 9 nor 10 but 11, including the 2 now being built, rather than the 8 the gentleman mentioned.

If you will turn to page 16 of the majority report it will be found that there is authorized a navy for the United States, if we would now build it, of 1,268,000 tons of under-age ships as compared with the existing 733,000 tons for Japan—2-1, practically. If we cannot keep up with the Japanese in a naval race when we are supplying them with millions of tons of scrap iron with which to build naval vessels, we deserve whatever fate may befall us.

#### BATTLESHIPS VERSUS BLUEPRINTS

The difference in this House seems to be between those who believe in battleships and those who believe in blueprints. I cannot picture a foreign foe running away from a blueprint. Why not build the three battleships now authorized instead of indulging in the vain fancy of authorizing and blueprinting three more?

We cannot possibly commence or carry on the construction of more than six battleships this next year. Even the President and the gentlemen from Georgia and Minnesota propose no more than that. For that purpose no authorization is required. Next January we may know more than we do now and may be able to legislate authorizations more wisely. Meanwhile no time will have been lost.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. JOHNSON].

Mr. JOHNSON of Minnesota. Mr. Chairman, when a roll call comes on this naval bill every Member will vote his honest convictions and the vote will be cast with the defense of this Nation in mind. The Members of this House will be voting with the best interests of this Nation at heart. After all, it is the country we love and will defend. But the question in my mind is, Does this bill meet the crisis as we have been led to believe by press stories and speeches that such a crisis exists? In the last few days we have seen the swallowing of Austria by an international small-nation gormandizer. This international gormandizing act is only one of a series in Ethiopia and China accomplished by as many swaggering bullies who seem to take all the world for their province.

The second question that arises in our mind is, that, if this is a crisis in which movements are rapid and the portents of war are imminent, will the crisis be met from the standpoint of defense of our shores by building superbattleships which cannot be completed in the span of 5 years necessary for construction and fitting? Or will it rather be met by a great program of armaments for the coasts of our country mobile in nature which can be massed to repel any fleet should our own fleet be defeated? Should we not also have a great increase in the size of our air force which can be built speedily in the atmosphere of crisis and does not have to wait completion until 1942 and 1943? In other words, if there is a crisis should we not be meeting it in terms of "now" rather than a period half a decade later. These are the questions that are in the minds of the American people today as we vote on this super-Navy bill.

If the international saber rattlers mean to attack us will they wait until we can complete armaments as outlined in this bill or are we a little off the track? If we are to arm in terms of crisis should we not fortify the coasts and enlarge an air force which can help our Navy sink any approaching navy desiring to bomb our cities along our coasts preparatory to inland advance?

Remembering meanwhile we are now building already four new superbattleships, the gentlemen seeking to pass this bill infer that we have no national defense. They also infer that we are a big, fat, indolent, wealthy Uncle Sam who is fast asleep at the switch. These are not the facts. This is the Seventy-fifth Congress. By some it is called the diamond anniversary session of the Congresses since our Constitution was signed. But as far as national defense is concerned it can be called the golden Congress because without passing this supernal bill the Seventy-fifth Congress has already appropriated nearly two billion dollars for defense. Last year we appropriated \$526,000,000 for the Navy for the year 1938 and then appropriated \$427,000,000 for the Army. This year we are appropriating for 1939 the sum of \$556,000,000 for the Navy and \$427,000,000 for the Army. These are staggering sums but they go to the establishment that is already a going concern. This amounts to \$1,936,000,000 for the Army and Navy for the duration of the Seventy-fifth Congress. It is the greatest peacetime program in the history of the United States. And yet we are being led to believe that if we vote against this bill we are voting to disarm the United States.

On the other hand, the feeling is general that this supranavy means a change in our international policy. Not necessarily a change by the present President of the United States, because the superbattleships contemplated by the bill will not be completed until after his second term has expired. But these ships will be under the Commander in Chief or his successor, and that new President is unknown at the present time. That President through the completion of this program will be independent of Congress in a naval way. He will have the means of policing the world, for these great new ships will be clearly the accouterments of an aggressive policy. By the passage of this bill we will be strengthening the hand of some future Executive that he may do the naval aggressive acts in foreign waters which will force this country into war, and Congress will have nothing to say.

We must remember that this Congress has been considering favorably in its committees some strange delegations of powers to the Executive. For instance, there is a bill before us to give the President dictatorial powers over our people in case of war without further action by Congress. If this May-Sheppard-Hill bill is passed, the President becomes a dictator, and only he, under the terms of the bill, can suspend the powers after the war is over. Who knows that a future President would ever fully restore democratic rights? This bill was favorably reported for passage to the House of Representatives just the other day by the Committee on Military Affairs. By this great navy bill we are again giving the President, whoever he may be, too much independence from Congress. This is a great reason, in my mind, to look under the bed before voting for it.

I would not be speaking thus if we had not already authorized approximately \$2,000,000,000 in this Congress for war and defense. I am afraid that if we pass this bill we commit ourselves to an aggressive foreign policy of helping police the world that will surely entangle us in the next war. If our big battleships are cruising the seas of the world, they are a cinch to get into trouble.

Washington gave us some advice about avoiding foreign entanglements that ought to be hung over every bedpost in the country so that it would be the last thing we read at night and the first thing to strike our eye in the morning. If we keep away from foreign embroglios, we still stay out of war. But if we hang around the corner where the war is going on, we are apt more than not to get into the mess. I do not think any amount of foreign trade is worth a war. They who desire to trade abroad should do so at their own

risk and not ask that American blood be spent to protect their foreign holdings.

We had to go several thousand miles to get into the World War. We had to cross the Atlantic. The Atlantic is still there. And on the other side is the Pacific. The Creator gave us a natural defense of the Nation that no other nation in the world can buy. We only got into the last one because we had pursued a policy of profit instead of heeding the Father of his Country's sage advice.

We have a great domestic problem at home. Millions of our people are unemployed. The problem has staggered the country for a decade. If we do not conquer that problem our democracy will be far more jeopardized from internal attack than from external attack. We must not forget that our greatest duty as a nation is the welfare of all its citizens. Up to this time we have rather botched the job of taking care of our own. I admit they have been fed but that is all, and that, at the price of a staggering increase of the public debt. But there has been no solution of the problem and it yet faces the Nation. But during this war hysteria there has been no reference to this problem of our Nation. We appropriated another \$250,000,000 for relief and then turned away from the problem. With a tremendous relief load plus a staggering military load I wonder where we are headed for. I wonder if as the years pass we are not letting a national cancer devour us while we consume opiates to ease the pain without attempting to remove the cause of the malignancy.

I could go on for hours in the discussion of this problem. But I believe that my interrogatories have not been answered by the proponents of this bill and believe that it is not the approach to a crisis. I think that the answer to the defense problem is to manufacture the defense weapons of the Nation under the supervision and control of the Army and Navy engineers. I intend to offer an amendment to establish this nationalization at the proper time in the reading of the bill. I see a dangerous profiteering side to this bill and will seek to eliminate it. If we are to live in an armed world let us take the profits out of war and amend this bill to accomplish that purpose. Let us remove the profiteer from the picture before we surrender to his domination. We are truly at our national crossroads in this respect. Let us not put our children into the same kind of military machines that they have in Europe where they take the bread from babes and instead give them the goose step. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. FERGUSON].

#### THE MONROE DOCTRINE—A DOCTRINE OF SELF-PRESERVATION

Mr. FERGUSON. Mr. Chairman, world events in the last few weeks have made a material increase in our Navy necessary. Every American reads the newspapers, listens to the radio. We are in constant touch with events all over the world. The last few days we have followed breathlessly the events in Europe—Hitler's entry into Austria accompanied by German troops. The Japanese-Chinese War and the war in Spain hold our constant attention. Anthony Eden's resignation as Foreign Minister of England was a household topic of conversation. We are still separated from the world by the broad Atlantic and the Pacific, but we as a nation are vitally interested in world events. We follow them with the interest of the most rabid baseball fan following the sports column. We have our favorites in these world contests. Most of us are with the weaker nations.

We cannot follow this turbulent panorama in the world today without asking ourselves, How soon will some nation move in on North or South America? There was no warning when Hitler occupied Austria. There will be no warning when some nation moves in on some country in North or South America. Treaties, diplomacy, declaration of war are old-fashioned and out of date with dictator-led nations. Will we be ready to tell any nation that attempts to move in on the American Continent to move out? Will we be prepared to preserve the Monroe Doctrine, or will we have to "eat" it? There will be no warning, and a nation that will attempt to gain a foothold on the American Continent will



not move out because we send notes nor hesitate to move in because we send notes. The one guaranty of the sanctity of the American Continent is a navy large enough to enforce the Monroe Doctrine. When we are called on to enforce the Monroe Doctrine it will not be sufficient to be a "good neighbor" to South America. We will have to be a "strong neighbor," and as a "good, strong neighbor" we must have a strong navy. That is why I am supporting this bill today to increase our Navy 20 percent.

I have mentioned the Monroe Doctrine. The world situation that brought the Monroe Doctrine into existence was very similar to the world today. The dictators of Europe were grouped together in a "holy alliance." Czar Nicholas of Russia was at the height of his power. The Bourbons had been restored to France and Spain. The powerful monarchs hoped to restore Spain's colonies in South America and to crush democracies in the world. England had a capable foreign minister, Mr. Canning. The restoration of Spain's colonies meant a loss of English trade. So the English Foreign Minister proposed that America and England declare to the world that North and South America was forever closed to foreign powers establishing colonies. The United States had no navy, so President Monroe was tempted to join with England. Secretary of State Adams, however, realized the danger of such an alliance. If the Monroe Doctrine was jointly declared, it would have the effect of preventing the further expansion of the United States on this continent. So, without a navy, President Monroe promulgated his famous doctrine, forever closing the Americas to any foreign power.

The best interpretation of the Monroe Doctrine is that of Theodore S. Woolsey, who says:

The Monroe Doctrine is based upon the right of self defense. This is the first law of nations as of individuals.

Mr. Elihu Root, when he was a Member of the United States Senate, said of the Monroe Doctrine:

The doctrine is not international law, but it rests upon the right of self-protection. It is well understood that the exercise of the right of self-protection may and frequently does extend in its effect beyond the limits of the territorial jurisdiction of the state exercising it.

In other words, any foreign nation that becomes established in any country in the two American continents jeopardizes our national existence. The presence of an armed force, which might conceivably enter some nation on the North or South American Continent without resistance, means that to preserve our own Nation we must meet the presence of that force with force. This bill is necessary to provide a navy strong enough for such an emergency.

#### HOW DID THIS NATION REACH ITS PRESENT SIZE?

The Monroe Doctrine did not keep this country from expanding to its present size. The United States issued it alone and, therefore, could interpret it alone. It would have been embarrassing to be tied with England. At the time the Monroe Doctrine was issued the United States consisted, as you know, of a small territory, 13 States on the Atlantic seaboard. We realized that to fulfill our "manifest destiny," as it was called in the fifties, sooner or later we would occupy the territory between the two coasts. We had already purchased Louisiana and were constantly looking westward. Our history is full of martial phrases, "54-40 or fight," "manifest destiny," and others. Our citizens poured into Texas, rebelled against Mexico and created a State that was later annexed. The Nueces River was recognized by Mexico as the boundary. Texas claimed the Rio Grande. Between these two rivers the armed forces of the United States and Mexico clashed. Abraham Lincoln was later known as "Spot" Lincoln because he wanted to know the spot where American blood was shed, doubting an actual conflict. Nevertheless, in 1846, President Polk sent a message to Congress saying that a state of war existed between this country and Mexico. I read the debate in the United States Senate on the declaration of war. Congress was asked for an appropriation to accompany this declaration. I was amused to read what Senator Clayton had to say because the Congress proposed to vote \$10,000,000 as an appropriation. Ten

million dollars seems trivial to us today. Listen to Senator Clayton in 1846, "And yet did any man ever behold a more sweeping appropriation than this \$10,000,000 without a single specification." Congress took its duty very seriously in those days, of specifying how the money should be spent. "Manifest destiny," the slogan for western expansion, demanded our possession of California. President Polk wrote in his diary, "We must be in possession of California before the war is ended." He dispatched troops. We were in possession of California and when the Mexican War ended, the Treaty of Guadalupe Hidalgo ceded California and recognized our acquisition of Texas. And so we acquired by one means or another this Nation and used this Nation to a better advantage than the people who held it before. We were driven on by a great national spirit that might be compared with the spirit of the nations that are expanding today. Probably no nation was ever more set on acquiring territory than we were on acquiring Cuba. That nationalistic spirit is exemplified by the Ostend Manifesto in 1854. I want to refer to the correspondence between Pierre Soulé, the United States Minister to Spain who had been appointed to that position to secure the purchase of Cuba, and our Secretary of State, Mr. Marcy, on October 20, 1854:

UNITED STATES LEGATION TO SPAIN,  
London, October 20, 1854.

HON. WILLIAM L. MARCY,  
Secretary of State.

SIR: Herewith I have the honor to transmit to you a joint communication from Mr. Buchanan, Mr. Mason, and myself, embodying the result of our deliberations on the subject about which we have been desired to confer together.

The question of the acquisition of Cuba by us is gaining ground as it grows to be more seriously agitated and considered. Now is the moment for us to be done with it; for if we delay its solution, we will certainly repent that we let escape the fairest opportunity we could ever be furnished with of bringing it to a decisive test.

Neither England nor France would be likely to interfere with us. England could not bear to be suddenly shut out of our market and see her manufactures paralyzed, even by a temporary suspension of her intercourse with us.

And France, with the heavy task now on her hands, and when she so eagerly aspires to take her seat as the acknowledged chief of the European family, would have no inducement to assume the burden of another war, nor any motive to repine at seeing that we took in our keeping the destinies of the New World, as she will soon have those of the Old.

Respectfully yours,

PIERRE SOULÉ.

Note that phrase, "Neither England nor France would be likely to interfere with us." Japan thought the same thing when she acquired Manchukuo. Mussolini had the same idea when he took Ethiopia.

Following this correspondence came the famous Ostend Manifesto, which Pierre Soulé issued in conjunction with Mr. Buchanan and Mr. Mason, the Ministers to England and France:

AIX LA CHAPPELLE, October 18, 1854.

SIR: \* \* \*

Indeed, the Union can never enjoy repose, nor possess reliable security, as long as Cuba is not embraced within its boundaries. Considerations exist which render delay in the acquisition of this island exceedingly dangerous to the United States.

Self-preservation is the first law of Nature, with states as well as with individuals. All nations have, at different periods, acted upon this maxim. Although it has been made the pretext for committing flagrant injustice, yet the principle itself, though often abused, has always been recognized.

Yours very respectfully,

JAMES BUCHANAN.  
J. Y. MASON.  
PIERRE SOULÉ.

HON. WILLIAM L. MARCY,  
Secretary of State.

Notice the phrase, "Self-preservation is the first law of Nature, with states as well as with individuals." While, of course, the Ostend Manifesto was repudiated by the President and the State Department, and Cuba was never made a part of the Republic, the desire and intention existed. Our eventual war with Spain gave Cuba her freedom under our protection. We acquired the Philippines. National spirit ran high.

And then in 1903 this nationalistic spirit of ours brought about the Panama incident. It is a historical treat to read

the correspondence between the American consul in Panama and the Secretary of State preceding the Panamanian Revolution. The gist of the wires from the Secretary of State to the consul were, "Has the revolution occurred yet?" and for several days the answers "Not yet, but everything is set and we expect a revolution any day." When the revolution, which was financed by United States capital, occurred, the battleship *Nashville* was at Colon. Of course, the Panamanians had no troops to land. Colombia threatened to send troops and did send troops. In an effort to be neutral the Secretary of the Navy wired the battleship *Nashville*, "Prevent any armed force of either side from landing at Colon, Porto Bello, or vicinity." The revolution took place November 4, 1903. November 18, 1903, we signed a treaty authorizing us to construct the Panama Canal. This Nation could not live without the Panama Canal. Present world trade could not exist without the Panama Canal.

I went into this review of our history to paint a back drop as to how this Nation grew from 13 small States to the greatest nation in the world. I do not censure this Nation for acquiring the land that was necessary for her very existence. We took what we needed, and from the Thirteen Original States came the greatest nation in the world.

#### STORM SIGNALS—A GOOD NEIGHBOR IS A STRONG NEIGHBOR

What is the picture today? Japan is rearranging the Orient. Mussolini is rearranging Africa. Hitler is rearranging Europe. Consistently we hear reports from South America. Some of these reports we may discount as propaganda. We know that Mexico has a new law recently enacted by which she is empowered to appropriate property of foreigners. The law provides for payment of property acquired. Although \$6,600,000 worth of American-owned land has been appropriated, no payments have been made. All the American oil companies in Mexico have been ordered by the Mexican court to increase the salaries to their employees \$26,000,000 annually. The companies say they are unable to meet this increase. Undoubtedly the companies could not meet the increase, because failure to meet it means that the Mexican Government will appoint an intervenor, a receivership, so to speak, to operate the companies. Undoubtedly the oil companies would have met the pay increase rather than have their properties taken over by the Mexican Government. This is not propaganda. The Mexican Government demanded a show-down yesterday. The American-owned companies pleaded inability to meet the \$26,000,000 annual increase. The next few days will in all probability see every American-owned oil company in Mexico operated by the Mexican Government.

Why is this dangerous? you may say. Let Mexico develop her own resources. So far Mexico has been unable to do this. If American capital is driven from Mexico, it will in all probability be replaced by the capital of an unfriendly foreign nation. This would be dangerous. A constant stream of information comes from South America that Germany and Italy are selling arms and munitions on long-term credits, setting a foothold in South America. Japan is credited with seeking a harbor on the west coast of Mexico. Part of it is undoubtedly propaganda, but enough of it is true to give us warning as to what may happen.

We are going to be called on to enforce the Monroe Doctrine. We must go our way alone. The future of North and South America depends on the strength of our Navy.

We cannot ignore, in considering a bill for this greatly enlarged Navy, that only the last few months have demonstrated the inability of the English Fleet to leave European waters. Strong nations are dominating the world. We do not want to dominate South America. We want to be a "good neighbor," a "good, strong neighbor," and protect the American Continents. We must have a navy large enough to defend the Americas. We must have a navy large enough to enforce the Monroe Doctrine, because the Monroe Doctrine now, or when created, is nothing more than a doctrine of our own self-preservation, "the first law of nations, as of individuals."

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. McCLELLAN].

Mr. McCLELLAN. Mr. Chairman, the most profound duty and the highest obligation of the President of the United States, of the Secretary of State, and the Diplomatic Corps, and also of the Congress, is to promote and maintain peace. All other official responsibilities lie in a category of lesser importance. No other problem of government involves such tragic consequences. No catastrophe known to man has ever produced human misery and suffering, destruction and death in proportions comparable to the horrors of war. To escape the ghastly murder, wreckage, plunder, and devastation of war is not only the paramount aim and objective of the Chief Executive and the official personnel of this Nation, but it is the constant hope and daily prayer of millions of American fathers and mothers who, individually, collectively, and as a government, represent and constitute the highest and best in social and material attainments of the twentieth century civilization.

There is no controversy among the American people with respect to peace. Sentiment against war is more crystallized and stronger today possibly than ever before in the history of the Nation. We hate war. We despise and condemn those in a position of rule and authority who promote, compel, and prosecute wars of invasion and conquest. We regard as public enemies those in this country—few in number, we trust—who would or do disseminate false or distorted information and spread poisonous propaganda which is calculated to produce resentment, stir our passions, and build up sentiment for war. We desire to walk in the paths of righteous endeavor and peaceful progress. We seek not by aggression, invasion, or otherwise, to acquire the territory and possessions of other nations. We respect their boundaries and their right to adopt and administer a system of government suitable to their needs and in conformity to their will and judgment. We grant to them all freedom with respect to their laws, rules of conduct, policies, and principles of government within their own boundaries. So long as they accord to us the same privilege, our attitude toward all other nations will always remain friendly and peaceful.

Desire for peace and hatred for war, noble and commendable as they may be, are not bulwarks of strength within themselves sufficient to insure our national safety. If it were merely a matter of our hopes, wishes, and ambitions or if it were within our power to prevent it, this Government and the American people would so completely outlaw and so far and forever remove the menace of war that it would no longer constitute a blight and threat to civilization and an obstruction to the peace, prosperity, and happiness of the whole world.

Mr. Chairman, we as a nation cannot insure the safety of nor guarantee peace for all other countries. Our responsibility is not that great or extended. We will be foolish if we ever try it. We would be lifting a load too heavy for us to carry, and it would be an undertaking doomed from the beginning to end in failure and disaster.

Our own security is what we are now concerned about. World conditions which involve the greatest array of military weapons and armaments the world has ever known; the greatest number of trained standing armies and other trained personnel in reserve and ready to be mobilized; the abrogation by leading nations of existing treaties between them that were designed to promote peace; the numerous acts of invasion and conquest by fear and superior military force of larger and stronger governments over smaller and weaker defenseless countries that have transpired during the past 2 or 3 years; the continuous struggle and conflict for supremacy between autocratic powers and democracies; the spirit of conquest and expansion that has seized and now grips and dominates the dictators of Europe and their covetous desire to acquire and bring under their dominion additional lands possessing large quantities of raw materials and natural resources; together with the increased danger to our shores by reason of sweeping advancements and miraculous



scientific developments that have been made with respect to equipment and implements of aggressive warfare; these, with many other reasons based on indisputable facts that could be assigned, constitute a potential definite menace, if not an imminent dangerous threat, to our national security. So grave are world conditions that before this bill shall be finally enacted, a major war between foreign countries may be in progress.

In the light of these conditions and the increasing strong probability of a European war, in the consideration of the pending bill for naval expansion the question naturally arises, "If the war is to be in Europe, why should we, if this country is free from foreign entanglements and alliances, spend a billion dollars on an emergency naval construction program?" I think that is a fair question. It goes right to the heart of this controversy in which we are now engaged with respect to the pending bill. The answer we make, a correct answer based on facts, truth, and logic to sustain it, will determine whether this bill should be passed and how we should vote.

Mr. Chairman and my colleagues, I now give to you and the American people my answer to that question.

War, like fire, spreads and becomes uncontrollable. Therefore we of America, across the Atlantic, want to have the sense and good judgment this time to remain over here while they do their own fighting over there. Not only do we want to remain over here but we want to make sure the autocrats, dictators, and war lords of Europe stay in Europe to do their fighting. We want none of it in the Western Hemisphere. [Applause.]

But what we want and what we get may be just the difference between the peace we so much desire and the war that we so greatly despise. Being able to keep pace and prevent war depends in a large measure, and possibly altogether, on our ability for immediate and adequate defense. Begging for peace and protesting against and denouncing war afford us no vestige of security. We are compelled to employ more drastic means for protection. In the conduct of international affairs, with dictators and war lords drunk with power and hell-bent on wars of aggression and conquest, we cannot "say it with flowers." The only language they understand is that contained in the noise of the biggest guns, in the roaring motors of the swiftest airplanes, and in the imposing array displayed by the largest battleships.

So, my colleagues, as much as I dislike to, and I sorely regret the occasion and conditions that make it necessary, I am compelled to support this bill. I am afraid not to. We must be prepared to speak the only language they will listen to when our peace and safety are involved. I hope, Mr. Chairman, if we are ever to engage in another war, that we can force it to be fought by our Navy on the sea, and in the air over the sea, and thus save from bombardment our large cities and the deaths of thousands of our defenseless women and children.

The Monroe Doctrine must be maintained and enforced. We cannot keep war in Europe from spreading to this continent and involving us if we are so unprepared as to be unprotected. Sparks from any major war in Europe will fly in this direction. Our foreign commerce may immediately become a target for the submarines, airplanes, and warships of any belligerent that regards us as unsympathetic to their cause. The only possible way for us to escape from such exposure to attack would be to withdraw from participation in the commerce of the world which would mean isolation and in some respect desolation. The freedom of the seas will be an issue again in the next major war. We will have to face it squarely. We cannot avoid it. What we shall do or should do when that times comes, I shall not attempt to say now, but this I know, Mr. Chairman, if we do not have an adequate Navy, if we are not fully prepared for self-defense, we will not be requested, but will be told to vacate the seas and keep our ships in port. You and I know that would mean war.

If, however, we are prepared and our Navy and air force are sufficiently strong to command and compel respect, there will be fewer insults to our flag and less danger of attack at any point and from any source.

There are many lessons to be learned from the World War, but there are none so important or impressive to me as these two, namely, that we failed in that war to "make the world safe for democracy," and we should never undertake to do that again; and, next, we learned that unpreparedness invites war. We are no longer interested in trying to "make the world safe for democracy," but we are gravely concerned and determined to protect and preserve our own democracy. [Applause.]

Had we been adequately prepared in 1917 the Kaiser would have been less careless and more discreet in the use of submarines, and war with Germany might have been averted. Be that as it may, of this we are certain—had we been better prepared, thousands of American lives could have been saved and the conflict ended much quicker. It is better to spend this billion for prevention than to pay the unlimited and never-ending cost of war. I am convinced that the price of peace is adequate preparation to preserve it by compelling others by force, if necessary, to respect it.

Were I to follow my own inclination and judgment I would take off some of the ships this bill provides for and with the same expenditure increase the number of airplanes. After all, that is a matter of military judgment and I yield to the recommendations of those whose business and responsibility it is to know.

Mr. Chairman, I was reluctant to come to the conclusion that I have announced. I much preferred and sought a different decision. But there is no other alternative, except to incur a risk, the responsibility of which I am unwilling to assume or share with those who will vote against this measure. America is being driven to this course by compelling necessity. Momentous world events are transpiring with such rapidity as to alarm and disturb the peace of the world. Civilization trembles in fear and dread of the impending catastrophe. The map of Europe has recently changed overnight. Its face is being lifted by the force of autocratic power. We must save our face. World powers are mobilizing and squaring off for a death struggle. We want none of it. We intend to stay over here and we are equally determined to keep the war over there and away from our shores. Therefore I believe it the duty of this Government to build a navy through which our enemies cannot pass and an air fleet from which they cannot escape. With an abiding conviction that I perform my solemn duty and render a service to my country and the American people, I am going to vote for this bill, and I hope its passage will be sufficient warning to those who would dare attempt to violate our sovereignty or invade our shores. [Applause.]

Mr. CHURCH. Mr. Chairman, I make the point of order a quorum is not present.

The CHAIRMAN (Mr. O'NEAL of Kentucky). The Chair will count. [After counting.] One hundred and twenty Members are present, a quorum.

Mr. MAAS. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. BREWSTER. I will take the time.

Mr. MAAS. I did not yield to the gentleman from Maine. I yielded to the gentleman from Kansas.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield 1 minute to me?

Mr. LAMBERTSON. I yield 1 minute to the gentleman.

Mr. PHILLIPS. Mr. Chairman, I make the point of order the gentleman from Minnesota yielded to the gentleman from Kansas, who cannot yield to the gentleman from Maine.

The CHAIRMAN. The gentleman from Kansas was recognized and yielded to the gentleman from Maine for a question.

Mr. LAMBERTSON. I yield to the gentleman for a question.

Mr. PHILLIPS. State the question.

Mr. BREWSTER. All right, I will state the question. So far we have had a very peaceful time through all our hearings.

Mr. PHILLIPS. Mr. Chairman, a question is not being asked and I insist that a question be asked.

The regular order was demanded.

The CHAIRMAN. The gentleman from Maine will proceed in order.

Mr. BREWSTER. We have used up all but 10 minutes of our time on this side in opposition to this measure, and the chairman has 60 minutes remaining.

Mr. VINSON of Georgia. Oh, no.

Mr. BREWSTER. How many?

Mr. VINSON of Georgia. Fifty-two minutes.

Mr. BREWSTER. How much time remaining has the gentleman from Minnesota?

Mr. MAAS. One hour and 2 minutes.

Mr. BREWSTER. They have 2 hours left and we have 10 minutes. They now demand that we close. Are they so fearful of their case they will not permit us time to conclude? They violate every principle of decency and procedure.

Mr. PHILLIPS. Mr. Chairman, I demand the regular order.

Mr. BREWSTER. I decline to take any more time at the sufferance of either of the gentlemen, who cannot play the game on the square. They must be very fearful of their case. Do the gentlemen require 2 hours to close their case and erase the impression that has been made as to the vulnerability of this bill? Will 10 minutes near the close before possibly the full House on Thursday so completely wreck their case? That may be considered fair play in Georgia or Minnesota but it is not so considered in the State of Maine.

Mr. LAMBERTSON. Mr. Chairman, I have thought for the last 3 days I was going to be allotted 15 minutes, but now I have only 1 minute, so I guess I will not make a speech. [Laughter.] Seriously, I was going to propose that nothing would be lost if we postponed this program until January. I had four points I was going to emphasize, and I will state them:

First. Half the Members really do not know yet how they want to vote, although they have heard both sides of the matter discussed on the floor.

Second. The building of the 72 ships now under construction will be continued, occupying our full capacity.

Third. During the months before the next session we can have a chance to hold an economic or disarmament conference, or both.

Fourth. Above everything, we will have an election next November, which can be a referendum, and nothing will be lost if we postpone this program until then. [Applause.]

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. MAAS. Mr. Chairman, will the gentleman withhold that while I yield myself 1 minute?

Mr. VINSON of Georgia. No; not now.

Mr. HOBBS. Mr. Chairman, I regret exceedingly that some of the distinguished and able gentlemen of this body seem to have lost their tempers. I am sure nothing need be feared from anything that may be said by the opposition to this bill. On the other hand, nothing that may be said by the proponents of this bill need be feared by the opposition. The debate should be full and free. No other purpose is apparent.

In the brief time that has been allotted me I desire to do just two things, if I may. First, I wish to acknowledge out of the fullness of my heart and in the utmost sincerity, the debt of gratitude I feel I owe as an American citizen to the great Committee on Naval Affairs of the House and to the distinguished chairman of that committee for the work that has been done on this monumental piece of legislation they have brought in. This work has been done both by the majority and the minority in sentiment. The thanks of all are due to every member of the committee, and to every witness and adviser.

I commend to you for careful reading the opening speech made in this debate by the distinguished chairman of the

Naval Affairs Committee, the gentleman from Georgia [Mr. VINSON]. How anyone can read that statement carefully, thoughtfully, and dispassionately and not reach the conclusion that this legislation should be passed, I cannot see. There have been other excellent speeches.

It seems to me the issue is clear—dollars now or blood later.

In the second place, in answer to the distinguished gentleman from Maine [Mr. BREWSTER], when a few moments ago he asked the gentleman from Minnesota [Mr. MAAS] if he feared for us to meet Japan in battle on even terms, if I might be so bold, I would suggest that the distinguished gentleman has missed the whole point of this legislation and of this debate, and I mean this very kindly. I would say to the distinguished gentleman that the purpose of this legislation is to insure that we shall never have to meet Japan or any other nation in naval battle, on even terms, or otherwise. [Applause.] What we wish, and what this bill does, as I see it, is to provide us with an armament that will prevent war.

I cannot help thinking in this connection of a joke that is still current down in my home State, Alabama. When General Morgan, after 4 years of war, came home to Selma, and they twitted him by recalling remarks he made in speeches before the war that "we could whip the Yankees with pop guns," he said, "Yes; but the trouble was they wouldn't fight with those things." [Laughter.]

Now, Mr. Chairman, we cannot depend upon our friends across the water to fight us, if war should come, with weapons with which we can triumph. What we need to do now is wisely to authorize the expenditure of as little of the people's money as possible, to discharge our constitutional duty "to provide for the common defense," and "to provide and maintain a navy" which shall be adequate to cause our rights to be respected, to discourage attack upon us, and thereby to prevent the shedding of a drop of American blood. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield the gentleman from Alabama 2 additional minutes.

Mr. HOBBS. There are at least two or three men who are perfectly safe from any attack by me. One of them is Joe Louis—he is prepared to defend himself, and more, if necessary—and even though Jack Dempsey may be classed as a "has-been," I still have great respect for his prowess and "preparedness." He has nothing to fear from me. Similarly, if we prepare our Navy personnel skillfully to man our warships in water and air as we do by the splendid training which we give our boys at Annapolis and in the service, and then give them adequate equipment, the respect which I have physically for these men who know their business in self-defense will be felt by other nations for ours and for our ability to defend ourselves and our children and our children's children.

The issue, gentlemen, is wise expenditure of dollars now, to save the blood of your sons and their sons. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I simply want to explain to the House the situation that exists in regard to the distribution of time. The gentleman from Maine has made some statements about being unfair and not playing the game with him.

The Rules Committee allotted me 6 hours on this bill. I voluntarily gave the gentleman from Maine [Mr. BREWSTER] the privilege of submitting to me requests for allocation of 3 of those hours. As a matter of fact, I have permitted him to consume over three of those hours already. He has had more than one-half of my time to use in opposition. In addition to this, I have given at least 20 minutes gratuitously to those in opposition to this bill. So I do not think he has been unfairly treated at all.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. VINSON of Georgia. And I may state to the gentleman from Minnesota that with respect to the 6 hours that



the Rules Committee gave me, I have given 3 hours to the opposition and they have used all of it except 2 minutes.

Mr. BREWSTER. Will the gentlemen both add that they have now reserved another 30 or 40 minutes with which to close and propose to choke me into using the last 10 minutes now?

Mr. VINSON of Georgia. I have made no request that the gentleman use his time.

Mr. BREWSTER. The gentleman asked me to use it and said he would not allow us to have any time tomorrow when he proposes to close.

Mr. MAAS. Mr. Chairman, there has been no desire or intention to choke off anybody. We have been very liberal. We let you consume 3 out of the 5 weeks of hearings on the bill, and we have given you over one-half of the time on the floor here. As a matter of fact, the gentleman agreed to furnish me with a complete list of the proposed speakers and he has not done so yet.

Mr. BREWSTER. And the wisdom of my refusal is well illustrated by the way both of you gentlemen have assigned the parties who are in opposition.

Mr. MAAS. The gentleman judges others by himself.  
[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. BATES].

#### NAVY CONSTRUCTION BILL CAREFULLY CONSIDERED

Mr. BATES. Mr. Chairman, in supporting this bill today I do so after the most careful thought and consideration. The Committee on Naval Affairs, of which I have the honor to be a member, sat for 26 days listening to the evidence, pro and con, on this very important bill. There was an opportunity given to everyone desiring to be heard, so that there could be no charge made that haste was being unnecessarily taken; and I want at this point to compliment the chairman of the committee for the fairness that he showed during the entire proceedings of the committee and the efficiency with which he presided over the meetings.

#### WASHINGTON DISARMAMENT CONFERENCE—1922

The real question involved in this bill is whether or not the authority that is asked is necessary for our national defense and whether or not we should maintain the 5-5-3 ratio that was established as the result of the Washington Conference held in 1922 and presided over by the Honorable Charles Evans Hughes, now Chief Justice of the United States Supreme Court.

This conference resulted in one of the greatest contributions ever made to the cause of peace in modern history. The best naval talent of the powers who sat in an advisory capacity to the members of that conference agreed in their report that it was essential to our national safety, and to the safety of the other signatories, that a 5-5-3 ratio should be adopted. This ratio was determined because it was felt that by so doing sufficient defense would be established in the form of naval armaments to protect all countries concerned from aggressions.

The real result of that conference, however, was that an agreement was entered into that placed a limit on the total tonnage of battleships and aircraft carriers of the signatories of the treaty. The tonnage of each battleship was limited to 35,000 tons, and no further aircraft carrier was to exceed 27,000 tons.

This provision did not apply to aircraft carriers already built or then under construction. The agreement carried a further provision that no other single ship except capital ships—battleships and aircraft carriers—shall have a tonnage in excess of 10,000 tons, nor carry a gun in excess of 8-inch caliber. Unfortunately, no agreement was reached as to the total tonnage of the vessels of the lower classification—such as cruisers, destroyers, and submarines. The result was that while each ship in the lower classification was limited to 10,000 tons, there was no limit, however, as to the number of such ships or the total tonnage that could be built. Subsequently, some of the nations embarked on a program of building many cruisers, destroyers, and submarines.

#### GENEVA CONFERENCE—1927

This increased building program by other nations resulted in the calling of the Geneva Conference by President Coolidge in 1927. He realized that unless this increased program of cruisers and destroyers entered into by those other nations was stopped, this country in order to maintain the 5-5-3 ratio would find it necessary to embark on a similar program. This conference was called for the purpose of placing a limit on the building of the ships of this lower classification, similar to the agreement made in the Washington Treaty, which limited the tonnage only of battleships and aircraft carriers.

The conferees of the Geneva Conference apparently could not agree as to this additional limit and the conference broke up on August 4, 1927, without results. Thereafter, Congress passed an authorization bill which was signed by President Coolidge on February 13, 1929, which provided for the construction of 15 cruisers, no single ship to exceed 10,000 tons. Appropriations were soon made for five of these ships. There was a provision in this bill, however, that the keels of five of these ships should be laid each year.

#### LONDON CONFERENCE—1930

In October of the same year, the British Government, with whose officials our representatives could not get into agreement at the Geneva Conference, apparently became uneasy because of that authorization bill relating to the building of cruisers.

They sent an invitation to the signatories of the Washington Treaty to meet in a conference in London for the purpose of discussing further the question of limitation of armaments. This conference met on January 21, 1930, and completed its work on April 22, 1930. The results of this conference justified its calling, and an agreement was entered into which extended the limitation of the Washington conference so as to include cruisers, destroyers, and submarines, and which were not limited by the Washington Treaty. Under this so-called London treaty the 5-5-3 ratio applying to all types of ships was still retained.

#### SECOND LONDON CONFERENCE—1936

That agreement was maintained until 1936, when another conference was held in London for the purpose of discussing further the extension of the previous agreements. Japan withdrew from this conference when her request for parity was rejected. Great Britain and France and the United States then agreed among themselves to extend the provisions of their former treaty.

This agreement, however, contained an escape clause which permitted any of the signatories to withdraw from the agreement if they felt that they were placed in jeopardy by external or other conditions. They could do this merely by notifying the members of the agreement that they were to take advantage of the escape clause.

Great Britain, under the escape clause, has now embarked upon a large program of rearmament. Japan, since December 31, 1936, has not been bound by any form of naval limitation, and would not even enter into an agreement to exchange information regarding her naval program, as is now being exchanged between the United States, the British Commonwealth of Nations, and France. The only information available in regard to what Japan is now doing is contained only in unofficial records. According to a dispatch from a Paris newspaper, the French naval authorities are quoted as saying that Japan is building a 46,000-ton battleship at the present time. The United States has no battleship that exceeds 35,000 tons. Italy, which helped to frame the treaty of 1936, is also withholding information regarding her naval construction.

It is well known that Germany, Italy, and Japan have entered into an anticommunistic protocol, and under this protocol each signatory must report to the others, all activities, not only of the comintern, but also to communicate construction and defense measures to one another. The complete break-down of the international agreement as to the limitation of armaments and the development of a powerful armament block cannot be questioned.

## HUGHES APPROVES 5-5-3 RATIO

The bill that we have before us today authorizes the construction of sufficient naval armaments, which, when completed, will not bring us quite up to the 5-5-3 ratio agreed to at the Washington Conference, and that is the real issue in this bill. This ratio was agreed to after a very careful study was made of all the facts pertinent to the needs of our national defense by the naval talent of the naval powers of the world.

Hon. Charles Evans Hughes, who was then Secretary of State, said in October 1922:

This Government has taken the lead in securing the reduction of naval armaments, but the Navy that we retain, under the agreement, should be maintained with sufficient personnel and pride in the service. It is essential that we should maintain the relative naval strength of the United States. That in my judgment is the way to peace and security.

That principle of ratio was further ratified at the London Conference in 1930.

The members of the Naval Affairs Committee have given great thought and study to this proposed legislation. It is their firm conviction that in the interests of self-preservation this bill ought to be enacted into law. It is not a bill designed to build a supernavy or to invade a foreign nation.

President Roosevelt says it is necessary. Secretary Cordell Hull concurs in that statement, and Admiral Leahy, who is Chief of Naval Operations, further states that, in his opinion, it is necessary for the proper protection of the shores of this country. He states also that a Navy for aggression would require three times the amount of ships that are being asked for in this bill. It is clear to us, therefore, that this bill is for defensive purposes alone; and Admiral Leahy further states that with this increase of 20 percent, as proposed in this bill, the Navy would still not be large enough to protect both coasts at the same time.

WITH THIS BILL NAVY WOULD BE 75 PERCENT SIZE OF 1922

We have heard something said about the supernavy we are building. Let us examine the facts in this respect. At

the time of the Washington Conference in 1922, the authorized strength of the American Navy then built, and building, was 1,979,890 tons, or nearly 2,000,000 tons. The present authorized strength, under the Vinson-Trammell Act, is 1,262,068 tons. This bill will add 255,412 tons, or, make a 20 percent increase which will give us a complete authorized strength of about 1,517,480 tons, which is 462,410 tons less than the authorized strength of 1922, or in other words, the navy with this bill will be only 75 percent as large as the navy of that date.

There would be no need of this additional tonnage if the other nations of the world had not embarked on a naval expansion program. It is in the interests of self-defense, and that alone, that this bill should be approved. We must keep in mind that we have built no battleships in this country since 1923. Some of these ships are now over age and are being replaced.

In the determination of the 5-5-3 ratio in 1922, the authorities must have given great consideration to the extent of the defense coast lines of the principal naval powers of the world. In that respect, let me call to the attention of the Members of the House the relative defense coast lines that must be defended among those naval powers:

	Miles
United States.....	3,800
Great Britain.....	1,800
Japan.....	1,440
France.....	1,100
Italy.....	1,380
Germany.....	720

Therefore, as these other nations are expanding their naval armaments, it is necessary that we do likewise in order to maintain the ratio that was stated to be necessary in the interests of our national defense.

## RELATIVE STRENGTH OF NAVIES OF UNITED STATES, GREAT BRITAIN, AND JAPAN

I herewith submit figures to show the relative strength of the navies of the United States, Great Britain, and Japan:

Relative strength of navies of United States, Great Britain, and Japan

(1) Types	(2) Treaty limits			(3) Naval strength Feb. 16, 1938			(4) Replacement vessels building, appropriated for, authorized, or projected			(5) Additional vessels reported projected (includes information from unofficial sources)			(6) Increase proposed in the bill H. R. 9218	(7) Resulting totals			(8) Resulting ratios		
	United States	Great Britain	Japan	United States	Great Britain	Japan	United States	Great Britain	Japan	United States	Great Britain	Japan	United States	United States	Great Britain	Japan	United States	Great Britain	Japan
Capital ships:																			
Number.....	15	15	9	15	15	10	4	5	?	0	5	4	3	18	20	14			
Ratio.....	5	5	3														9	10	7
Tons.....	525,000	525,000	315,000	464,300	474,750	301,400	140,000	175,000	?	0	175,000	140,000	105,000	630,000	700,000	465,000			
Aircraft carriers:																			
Number.....				3	6	5	3	3	1	0	2	4	2	5	8	9			
Ratio.....																	8	8	7
Tons.....	135,000	135,000	81,000	80,500	115,350	78,420	45,000	45,000	15,000	0	30,000	60,000	30,000	165,000	165,000	138,420			
Cruisers (A):																			
Number.....	18	15	12	17	15	12	1	0	0	0	0	0	9	18	15	12			
Ratio.....	6	5	4														6	5	4
Tons.....	180,000	146,800	108,400	161,200	144,220	107,800	10,000	0	0	0	0	0		180,000	146,800	108,400			
Cruisers (B):																			
Number.....				10	25	14	13	17	2	0	8	7		22	33	21			
Ratio.....																	8	9	5
Tons.....	143,500	192,200	100,450	70,500	175,830	83,495	130,000	170,000	20,000	0	80,000	70,000	68,754	232,524	265,830	153,495			
Destroyers:																			
Number.....				35	88	76	57	41	9	0	25	43	23	80	113	119			
Ratio.....																	2.5	3	3
Tons.....	150,000	150,000	105,500	53,080	118,654	102,933								38,000	228,000	267,000			
Submarines:																			
Number.....	(1)	(1)	(1)	22	39	41	22	18	3	0	12	8	9	31	51	49			
Ratio.....	(1)	(1)	(1)														3	5	5
Tons.....	52,700	52,700	52,700	32,580	47,319	59,512								13,658	81,956	136,200			
Totals:																			
Tons.....	1,186,200	1,201,700	763,050	862,160	1,076,123	733,560							255,412	1,517,480	1,680,830	1,264,515			
Ratio.....	3	3	2											5	5+	4	5	5+	4

<sup>1</sup> Equality.

Source: U. S. Navy Department, Office of Judge Advocate General.



This table shows the nature of additional ships that can be constructed under the provisions of this bill. Another column denotes the authorized total strength of the Navy, if this bill becomes the law, with the relative strength of the other powers. The last column shows the relative ratio that would exist when this proposed program would be completed. This information I have received only this morning from the Navy Department, Office of the Judge Advocate General, who has made a complete and exhaustive study of all such information, some of which, of course, is unofficial because of the unwillingness of certain of the powers to let it be known what they are doing. It is clear from these facts that if this bill is enacted into law, we will still be under the 5-5-3 ratio.

Everyone will agree that our armaments should be adequate, the question being, What is adequate? Until recently this question had its temporary quantitative answer in the naval armaments limitation treaty, in which the principal naval powers agreed on equitable ratios of naval strength. Unfortunately, as I have shown, these treaties are no longer in effect, and the nations of the world are busy augmenting their naval strength without restraint in accordance with individual tastes, and beyond former treaty limitations. The United States, however, is still circumscribed in its legal naval strength by the self-imposed limitations of the Vinson-Trammell Act, which still limits our naval construction in accordance with treaties that are no longer binding on other nations.

#### AUTHORIZATION NECESSARY AS PEACE AND SAFETY STEP

The bill now before us proposes to provide elasticity by raising the self-imposed limitation by 20 percent. It appropriates no money for ships or aircraft, but simply authorizes construction, within its limits, of such vessels and aircraft for which the Congress may hereafter decide to make necessary appropriations. It simply recognizes the fact that the limits we had placed on our naval construction under treaties that have expired are inadequate to meet the existing situation. Unless we decide to abandon our traditional policy of avoiding entangling alliances—and I feel sure we do not want to do that—it is essential that we authorize naval construction commensurate with the construction contemplated and already in progress in other countries. Such authorization will permit executive authority to plan a more orderly program over a period of years. Without this authorization, no program can be laid out.

In such a situation as we find ourselves today, I deem it the just duty of every patriotic American citizen to avoid the possibility of erring on the wrong side. The overwhelming desire of the United States is for peace, as all the world knows; and so long as the United States has the ready power to implement its desire, that desire will be accorded respect by even the most belligerent people; but once let the potency of that power become questionable, the peaceful desire of the United States will be accorded the contempt that the strong disturber has always shown for the complacent and the weak.

I believe it to be the duty of this Congress to take such steps as may be necessary toward national preparedness to help the United States to protect its independence of action, keep its form of government intact, guard its shores from aggression, and assure the peace and safety of its citizens. [Applause.]

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

Mr. BATES. Yes.

Mr. MAGNUSON. The gentleman read some ratio figures as between Japan and the United States and Great Britain.

Mr. BATES. I read figures of the comparable strength of the Japanese, United States, and the British Navies when this bill shall have been enacted into law.

Mr. MAGNUSON. I wonder if the gentleman would not point out to the House that these figures are the known national strength, but they have not told us what they are building now.

Mr. BATES. These figures are from the Navy Department and do show what construction work is now being carried on by the three nations concerned. The reports pertaining to Japan, however, are from unofficial sources, inasmuch as that country will not divulge what she is doing on naval armament.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. BATES. Yes.

Mr. COLE of New York. Did I understand the gentleman to say that including the three battleships authorized in this measure we would have a total of 18 ships?

Mr. BATES. Yes; 18 ships under age. The gentleman knows, of course, that having a treaty to conform to, we intend to conform to it; and, after all, under the 1922 treaty a battleship became over age after 20 years. In the 1930 conference in London that age limit was increased to 26 years, but these figures that I have submitted all pertain to under-age craft.

Mr. COLE of New York. Is there anything in the treaty that requires us to scrap our ships when they become over age?

Mr. BATES. Under the treaty limitations of the Washington Conference, and also the London Conference there was a limitation, only on under-age ships. If we want to maintain a lot of junk as a first line of defense, we can do so; but these figures that I have submitted all pertain to under-age craft.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. MAAS. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania.

Mr. FADDIS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FADDIS. Mr. Chairman, many years ago Von Verdy du Vernois, who was the leading authority on military affairs of his time, wrote:

Every innovation, as soon as it proves of actual value, gains, at least at the start, an importance far beyond its intrinsic worth.

Although the truth of this statement has been consistently established throughout military history, every army in every age has produced its share of enthusiastic young visionaries who have insisted upon disregarding it. The endorsement of a few professional soldiers too often arouses, among those who are also interested in military matters, a tendency to overrate the value of any innovation. The more spectacular the arm in question, the more the danger of its being overrated. Those trained in the ways of war find that these arguments are difficult to combat, because it is always difficult and often impossible to bring the facts concerning the matter before the public.

Those who advocate these new agencies of war claim that they are different from former innovations and maintain they are so different that they cannot be compared with former ones, which were once hailed with similar enthusiasm. As a matter of fact, the airplane is by no means as revolutionary as have been many others.

Within the last 30 years there existed the school of thought which maintained that because of the development of long-range quick-firing artillery, the infantry would cease to exist, as wars would be fought by armies of artillery which would never see each other. Artillery has developed beyond the hopes of its most optimistic supporters, but the infantry still remains. Since the infantry is the only branch of the service which can take and hold ground, the mission of the infantry is the mission of all of the other arms of the service, which arms exist solely to further the mission of the infantry.

Undoubtedly planes, as well as other mechanization, favor the offensive application of mobility, striking power, and surprise. But it should be borne in mind that, as a usual thing, the enemy will also possess these means and will utilize them for counter defensive moves. Even in Ethiopia, where the Italians were highly mechanized and the Ethiopians not at all, the impossibility of tanks and planes occupying and holding the ground gained was universally recognized. Had the Italians not recognized this, they would have occupied the key positions with their planes and tanks without bringing up their infantry. They realized, however, that such a move would be disastrous. They knew it was necessary to protect the advance of these auxiliaries step by step or they would, so to speak, get them out on a limb, where they would starve for want of food, fuel, and ammunition. They knew the importance of protecting their own lines of communication, as well as the importance of severing those of the enemy. If there ever were or ever will be an opportunity to operate mechanization to the fullest extent of its ability, it was in Ethiopia, where the forces of mechanization were so predominantly on one side.

Will these overardent airplane enthusiasts be willing to compare its effectiveness with that of the submarine? It was freely prophesied that the development of the submarine would spell the end of great battle fleets. Instead the battleship has grown larger, stronger, and more numerous, but the naval strength of every nation is still measured by ships of the line and not in terms of submarines.

Think of the sensation the advent of the ironclad *Merrimac* created by its attack on the wooden ships of war in Hampton Roads. Its onslaughts were irresistible for a day. Panic prevailed throughout the Union forces as visions of the blockade of the Confederate ports being broken arose. The next day the *Monitor* appeared on the scene and as a result the *Merrimac* retired to its berth to fight no more.

The most of us can remember the consternation among the Allies when the Germans used gas at Ypres on April 22, 1915. But the use of gas had no definite bearing upon the general result, as within a few days a defense was being used against it.

The spear, sling, bow and arrow, crossbow, armor, elephants, chariots, cavalry, rifle, cannon, fortifications, armor plate, machine guns, instruments to calculate ranges and provide for indirect fire, gas, and tanks were all innovations, as important for their time as is the airplane at present. Each of them in turn captured the imaginative mind and produced numerous self-appointed experts, who maintained that their advent had completely revolutionized methods of warfare. Any nation which gave to any of them undue importance in relation to national defense has passed from the picture.

It is true, of course, that all of these mechanical advances did produce some changes, but all of the changes produced were of the nature of defense, either by mechanical means or by changes in the disposition of units. Throughout all of the years the infantry has remained the mainstay of the ground troops and the battleship the backbone of the Navy. The mission of these two components has always been the basis of any plan of battle, and the furtherance of their mission has always been the mission of the auxiliary components.

Those experienced in the practical handling of armament have always borne in mind the axiom: "For every action there is an equal and contrary reaction." In other words, for every offense there is a defense. The layman sees only the theoretical and spectacular side; only the offense based upon demonstrations, not under battle conditions; only the destructive possibilities and none of their limitations in actual application. The fact that any arm, either of offense or defense, must be capable of self-sustentation, capable of striking rapidly and repeatedly, capable of driving its blows home and steadily and surely pressing whatever advantage may be gained, is lost sight of. The professional sees both

sides and includes in his calculations such factors as difficulties of maintenance and supply, the ranging possibilities, adaptability to conditions of weather, terrain and visibility, the human factors involved in operation as well as defense against them both counteroffensive and protection by armor, concealment or movement, also to what extent the effectiveness of the defensive weapons used to combat them is keeping pace with the development of the innovation of the time. They realize that a weapon may be very effective when used for scouting, reconnaissance, or observation, harassing interdiction, or demolition, where it will not be subject to concentrated fire and where speed and surprise are important factors, but would be almost valueless where it is subjected to heavy fire and not capable of prolonged effort because of its inability to sustain itself. They know full well that of all the means of self-protection, fire power is the most effective.

Let us consider, in the face of actual facts, how a bomb dropped from an airplane will effect a battleship or heavy cruiser. To begin with, an airplane bomb is a projectile, but a weak one at best, since it is dropped from a height and not fired from a gun. Having only the impetus of gravity and none of that of the propelling charge of a projectile fired from a gun, it cannot attain the velocity necessary to effect penetration. Therefore, an airplane bomb must depend for its effectiveness upon carrying a high explosive charge. This charge must explode against the heavily armored decks. The vulnerable sections of battleships are protected and a projectile, in order to reach them, must be able to penetrate them and then by means of a delayed-action fuse to explode. Only projectiles fired from guns, because of their thick walls, weight, and high velocity, are able to accomplish this. To illustrate this, every one familiar with shotguns knows that it is possible to shoot a paper wad from a shotgun through an inch of oak. The same result cannot be obtained by dropping this same paper wad from any height whatever. The wad will only flatten on the board.

The most recent naval engagement of any consequence was the battle of Jutland, May 31 and June 1, 1916. In this battle the German battleship *König* was struck by 15 heavy projectiles. In spite of the fact that she was badly penetrated and partly submerged she continued in action throughout the engagement and returned to her home port following the engagement.

The German battle cruiser *Seydlitz* was struck by 27 projectiles and in addition was torpedoed on the starboard side. Half of her crew was killed, yet she continued to fight and returned to her home port. Both of these ships were in service again in less than 3 months' time.

Now, to compare their punishment with that which might have been inflicted by aero bombs. An aero bomb weighs from 25 pounds to 2,000 pounds. The projectiles which struck these ships weighed from 700 pounds to 2,000 pounds—and remember, in addition had the power of penetration and the consequent destructive delayed-action possibilities. Remember, also, that the explosive area of aero bombs are, because of their range, confined to the decks or to explosion in the waters alongside.

The average weight of these shells was 1,325 pounds, a total of 28½ tons, or the equivalent to 28 hits from 1-ton aerial bombs. If we would allow planes dropping these bombs an accuracy of 25 percent, which is exceedingly generous, this same number of hits would require the dropping of 114 tons of bombs. To carry this tonnage would require 114 heavy bombers carrying 1 ton of bombs each for each ship in a hostile fleet. Remember that these ships were neither sunk or put out of action by hits from projectiles having greater destructive power than these bombs could have. If we would calculate the number of battleships in an engagement as 10, then we see that 1,140 bombers would be necessary to partially cripple these 10 battleships. That is more than three times as many as three modern airplane carriers can carry.



Now, can we for one minute imagine that a fleet is going to remain idle, wallowing in the waves, while these bombers are swooping down upon them. These ships will have mounted upon their decks antiaircraft weapons ranging from machine guns to 5-inch guns. The battleship is not within range of the bomb until the plane is above the battleship. This is not true of the plane. They are within range from any quarter and are subject to the cross-fire from several ships. Then, too, they are subject to attack in the air by the friendly planes. Bombers are cumbersome, slow-flying aircraft and are particularly vulnerable to attack by the agile little scout planes.

The destructiveness of the airplane depends upon the load it can carry and the frequency with which it can reload. It has no magazine and is not capable of delivering its fire by salvos, as is a battleship. When it reloads it must return to the carrier to do so. This takes time and adds to the exhaustion of its personnel and mechanism. When it is calculated down to a reality the volume of fire capable of being launched by the planes from three of our largest carriers is about equal to one salvo from 15 battleships. The destructiveness of this fire is much less and it has no possibilities of being sustained for any length of time. Sustained action, not sporadic dashes, is the force which wins battles.

In connection with the cruising range of airplanes, it must be remembered that, as far as being capable of carrying a load for combat purposes, the ability of an airplane is far below that of any other means of transportation. The cruising range of an airplane is dependent upon the load of fuel which it can carry. When its full capacity is curtailed to enable it to carry bombs, its cruising range is decreased accordingly; therefore, the longer its cruising range, the less effective is its destructive possibilities at the point of contact. The China Clippers which are the most efficient weight-carrying, long-distance planes, in addition to their 3 tons of passengers and mail, have a cruising range of less than 1,500 miles, because they can carry fuel for less than 3,000 miles, and a speed of 130 miles per hour. Replace this load by three 1-ton aerial bombs and compare its effectiveness to that of a battleship. Calculated upon the basis of fire power, it would require 160 such planes as the China Clippers to replace one battleship. The cost of these 160 planes would be \$40,000,000, as compared to \$75,000,000 for a battleship. It would then require at least three plane carriers, costing \$90,000,000, to carry them. We would then have a total of planes and carriers of \$130,000,000 as against \$75,000,000 for a battleship. Then, the carrier cannot be left undefended or the enemy planes will destroy it. These carriers, because of their construction, lack of armor, and necessary lack of guns, are particularly vulnerable to aerial attack. Where, now, is the argument for economy? Let it be remembered also that when a plane is hit by a projectile it is gone to the ocean floor. It has no such chance of returning to the carrier as a battleship has of returning to port. Also remember, because of its infinitely more delicate mechanism, the life of a plane is only about one-fifth that of a battleship at the best. Let us not be deceived that in replacing battleships with planes we would be receiving something for nothing.

There is, of course, a useful place for airplanes in naval combat. They are for the same purpose as are cruisers, destroyers, and submarines. All of these auxiliaries are the interference in this football game for the man with the ball—the battleship. Since they are the units with longest range and highest speed, they will be utilized first and the most often; and for that reason will be the first expended. May the day never arrive when the Air Corps of either the Army or the Navy faces the necessity of making good the promises and expectations of their over-enthusiastic supporters.

The weather is a factor which cannot be controlled. The sea may become so rough that battleships and cruisers cannot catapult or recover their planes and plane carriers cannot operate. Fog, rain, or clouds may destroy visibility.

The muggy weather prevailing during the battle of Jutland prevented the use of airplanes for reconnaissance and the result was a surprise meeting engagement. A pilot must be able to see his target before he can hit it, as an air bomb cannot be employed in indirect fire. Without visibility they are useless. Certainly, winter with its resultant ice, will seriously hamper both the operation of airplanes and their discharge or recovery from the mother ships.

It is generally believed that the speed and maneuverability of airplanes have increased to a point where they are invulnerable to fire from ground weapons. This is not true, as antiaircraft weapons and the technique of their operation has advanced just as rapidly. During the World War five airplanes were brought down by hostile planes for every plane brought down by ground fire. It is now reported from the result of operations in Spain that these figures are reversed. Aviation has proved to be a powerful offensive weapon against congested motor columns on both sides, but it has only contributed to the general success as one of the combined arms. Although the few Spanish cruisers have been repeatedly bombed by Franco's planes, none of them have been sunk—but each of them have brought down several planes.

Because of the weight involved the protection of airplanes by armor is impossible. Their mechanical appliances are so delicate and so concentrated that small projectiles can easily disable them. Their fuel tanks are particularly vulnerable to incendiary bullets. Their own fire power is of little protection to them against fire from ground units. Their concealment is zero, even at night, if within striking distance. Data concerning their operations in Spain and China show that they are being successfully combated from the ground.

There is one place where our system of naval defense is very vulnerable from airplane attack—the Panama Canal. Because of its making possible the movements of our fleet from one ocean to another in less time than if it should go around South America it lulls us into believing that our Navy, for practical purposes, is twice as large as it is. I believe that this is a weak assumption and one for which we may some day suffer severely. I believe that because of their fixed location the locks and dams would be easy targets for aerial bombs and that some day because of this fact we may be robbed of our Navy in the defense of one or the other of our coasts.

The combat value of airplanes in the next war will be mainly in the air. Airplanes will attack airplanes in an endeavor to prevent those of the enemy from accomplishing their missions of observation and reconnaissance. The slow-moving cumbersome bomber will be a mark for the smaller, swifter, and more agile fighting plane. Individual deeds of heroism will be performed in spectacular dog fights in the air—but the issue will be decided by those components capable of self sustentation, striking repeated dogged blows, able to close with the enemy and thus seize and hold the advantage gained. In no other way can the hostile will to wage combat be crushed and the war brought to a successful conclusion. This is an axiom of warfare, as old as warfare itself, which those entrusted with the maintenance and operation of our various components of national defense know full well.

These professionals are not old fogies, as they are often accused of being, but men highly trained in the technique of their profession, open-minded and subject to conviction. They are charged with the national defense of the Nation and to them the various arms are but the tools of their profession. They know their needs and their tools as no layman can know them. To charge them with being partial or prejudiced against any certain arm is to impeach their ability, professional knowledge, and their patriotism. If at times they are not free to disclose all the information at their command, it must be remembered that certain vital facts involved must be kept secret for the safety of the Nation and they hold this knowledge in trust for the Nation, not for

their own personal benefit. If they demand the acid test of actual battle conditions to demonstrate the effectiveness of innovations, that fact certainly recommends them as men who are sound and practical thinkers, not theorists. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. DISNEY].

Mr. MAAS. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. DISNEY].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 6 minutes.

Mr. DISNEY. Mr. Chairman, as in 1914, when Mars hurled his thunderbolts of war, and a peace-loving world stood aghast at the consequences, now the peoples of the earth gasp at the fearful possibilities of the immediate future. Forward-looking men ask each other the half-prophetic question: "What will the harvest be?" Men's hearts quail within them at the thought of another holocaust of war.

In the middle of our national life, a great peace-loving American who had been compelled to resort to force to settle a civil conflict, wondered whether government by the people, of the people, and for the people might not perish from the earth. Now, the world-wide issue is whether democracy, the rule of the people, by the people, and for the people is in immediate danger of perishing from the earth. Self-satisfied complaisance and isolation might be a temporary answer, but since modern civilization has made every worldling our neighbor, the time will come, and may be here now, when the issue must be settled. In the past it has often been determined by force of arms.

No people ever achieved and maintained democracy without fighting for it. English-speaking opinion has been a great exponent of democracy in the world, and that democracy has been achieved not only in the channels of free moral thinking and in domestic and international diplomacy, but on such historic fields as Runnymede, Waterloo, and Gettysburg.

In all the history of mankind, Britain and America have best typified democracy. If that democracy is to be maintained, it must be maintained at all costs, even at all necessities. In the long history of English-speaking development, each time the test has been met in the chancelleries of civil diplomacy, and on both domestic and foreign fields. Conceivably, the test may arise again in the immediate future.

There is no physical reason or excuse for the British Empire. Democratic thinking has made her what she is. The solidarity of British opinion has made possible the fact that the sun never sets on the British flag, and the slogan that Great Britain goes to the far ends of the earth to aid and protect the lowliest British subject against aggression. But England has always "expected every man to do his duty."

For centuries Britain has maintained world respect, and been a great force for democracy in the world, by maintaining her reputation as a maritime power. For centuries the British fleet has made certain the power of England. Secure in that respect, English public opinion has ripened into a world-wide democracy, different from, but comparable to our own. But for her fleet, there would be no British Empire and the far-flung English Jack would be a myth, and the British Isles would be the puppet states of some power-mad continental European dictator.

I repeat, a great navy has maintained Great Britain, and made possible the British Empire, and made her a force for freedom and liberty throughout the world, and for centuries past.

The rule of force is rampant in the world. The cruel invasion of Ethiopia was without excuse or justification. It came because England was temporarily unprepared to call a halt, and the doctrine of dictatorship was bloated into egotism. The audacious taking over of Austria by Hitler was by the dictatorship of physical force. The rule of force alone justifies Japan's unwarranted invasion of China. The

rule of force is behind the current cruel inquisitions in Russia. Diplomacy has been compelled to yield to force.

Reason, charity, and brotherly love, while of course they still remain in the hearts and minds of the average man, seem to have no place in the thinking of the rulers of nations under the doctrine of dictatorship as against democracy.

Since mankind first began to prescribe rules of conduct for itself en masse, the common law of man implies the necessary force to vindicate the law, to control the mob, and to defeat the whims, caprices, and viciousness of dictators. International law carries the same implication—that it shall be enforced, either by physical force or by the rule of reason.

There is no international tribunal with authority to enforce its edicts. The dream of Woodrow Wilson to date has failed, but we may take consolation in that "truth crushed to earth shall rise again."

There has grown up a sentiment in America, largely on account of our impatience with foreign nations in their failure to pay the war debts, to the effect that the entrance of this nation into the World War was unjustified. Even his partisans have fallen into the erroneous habit of apologizing for the great apostle of peace, Woodrow Wilson. Let me remind you that now, in the spring of 1938, if the Central Powers had won the World War—which they would have done without our entrance—Germany would now be in charge of the British Isles and that great democracy, the British Empire, would have passed into history. Visualize Hitler, or someone of his ilk, in saber-rattling charge of world affairs in Europe, with no Great Britain. Men in America would be calling upon each other to know what to do. Imagine a German fleet sailing the seven seas, with the British Empire in its charge and a military madman as is now invading Austria and Czechoslovakia, at the helm of state. No, America was right. Her part in the World War was simply another step in the cause of democracy, which America typifies.

Why have England and France, our sister democracies, been hesitant? Because they have been currently unprepared. Except for France's indecision and England's unpreparedness, Mussolini's invasion of Ethiopia would never have transpired, to the destruction of a free nation among the Ethiopians. Japan would have hesitated in an undeclared war on China, and the brazen audacity in Spain, where Italian soldiers fight on an alien field, would have been stayed.

Except for that unpreparedness Hitler would never have invaded Austria in the face of a plebiscite proposed to determine the free and untrammelled will of the Austrian nation.

In my opinion America's surest way to avoid entangling alliances is the maintenance of the Monroe Doctrine. When the rule of force attempts to assert itself in the Western Hemisphere that intangible policy, the Monroe Doctrine, that denies the entrance of European national greed in the Western Hemisphere, stands as a bulwark to the liberty of the people of all the western world. Without the ability and the courage to meet force with force, the Monroe Doctrine could easily become an iridescent dream, laid aside and abandoned by a nation not virile enough to face realities. While democracy primarily rests in the spiritual thinking of the people, it must be maintained by force, if force be necessary. If restraint be not practiced by those nations who are under the spell of dictatorship, it must be imposed upon them.

Under the Monroe Doctrine the shore line of South America is the shore line of the United States, to be defended at all hazards against European aggression. The Monroe Doctrine is the individual American's pride, for which he will lay aside all personal considerations. If it takes the extension of force to achieve this objective, then let such means be employed.

Even the opponents of this measure admit that we must have an adequate navy. What constitutes an adequate navy is not a question of opinion but of realities, based upon present-day conditions and the purposes of the enemies of



democracy. The Navy that could have defended the Monroe Doctrine a hundred years ago would be scoffed at now.

Respect for law is based upon enforcement of the law. When there is power to enforce the law, observance of the law follows. Temporizing destroys national and individual opinion. When there is force in the Western Hemisphere sufficient to make the Monroe Doctrine a stern reality, its violation will not even be attempted. Should America become supine, that would invite its violation.

It has been said in this debate that the South American countries ought to help. The answer is that the Monroe Doctrine has never been a call upon South America. No; in world opinion it is a stern warning to all European aggression—a defiance to absolutism in all its horrid forms.

Dictatorship is the rule of brute force, and democracy is the expression of the sovereign will of the people, where individual rights flourish and individual liberties are safe and secure. So democracy is worth having. Democracy is worth fighting for. Democracy is worth the preparation it takes to save her. Democracy is the highest expression of good. Reason, charity, and brotherly love are democracy's handmaidens. So if it takes fleets, let us have fleets; if armies are necessary, let us have armies, hoping that their use may never be necessary but that their presence may be democracy's assurance. [Applause.]

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. STACK].

Mr. STACK. Mr. Chairman, ladies and gentlemen of the Committee, I am going to support the legislation proposed in H. R. 9218. After listening to the entire testimony, pro and con, in the Naval Committee hearings, I was and am convinced that the authorization asked for in this bill is purely and solely for defense purposes and that in order to adequately protect our shores and uphold the Monroe Doctrine we need such a Navy.

Candidly let me tell you that I was a "doubting Thomas" when the hearings first began. Two questions concerning the proposed bill had to be answered for me; that is, Was this authorization needed and what was the Navy's policy. The testimony of experts, such as Admiral William D. Leahy, Chief of Naval Operations; Rear Admiral Arthur B. Cook, Chief of the Bureau of Aeronautics; and Mr. Glenn L. Martin, as to the needs of the Navy cleared up my doubts. I placed a lot of confidence in these gentlemen's opinions because I felt that their business, their training, and their Americanism were worthy of my confidence and respect, and I felt they always had the interest of our country uppermost in their minds and judgments. The second question was completely answered for me by each and every member of our committee when we substituted to the original bill the following section:

It is declared to be the fundamental naval policy of the United States to maintain a navy in sufficient strength to guarantee our national security, not for aggression, but to guard the continental United States by affording naval protection to the coast line, in both oceans at one and the same time; to protect the Panama Canal, Alaska, Hawaii, and our insular possessions; to protect our commerce and citizens abroad, to insure our national integrity, and to support our national policies.

It is further declared to be the policy of the United States that an adequate naval defense means not only the protection of the Canal Zone, Alaska, Hawaii, and our insular possessions, but also a defense that will keep any potential enemy many hundred miles away from our continental limits. In other words, it was shown to me, at least, that we had not and were not now contemplating any alliance with any other country for the purpose of policing the world, and that the authorization asked for in this bill is purely one for defense and not of aggression. [Applause.]

As a World War veteran, who felt the enemy shell over there, I know what the lack of preparedness cost us in human lives and I do not want my country and your country to be unprepared when your sons and my sons, in an emergency may have to defend the country, as you and I did when the country needed us.

I am for this bill because of the human equation, that all things being equal, if we are well prepared and stay in our own backyard none of the war-mad countries will be willing to fight it out with us. [Applause.]

Mr. Chairman, ladies and gentlemen of the Committee, I am also interested in other legislation which in my humble judgment is needed because of this bill or a necessary complement to this bill.

First, I want to see the recommendation of the War Department concerning a deeper channel in the Delaware River authorized by Congress and money appropriated for it immediately. This will be an absolute necessity for carrying out the program called for in H. R. 9218 if, as is likely, battleships will be increased in size to over 41,000 tons, because such vessels could not be floated down the present seaway.

Second, the average age of World War veterans today is 45 years.

In the Philadelphia area of the Veterans' Administration, which comprises Delaware, Maryland, eastern Pennsylvania, and New Jersey, we have facilities in the naval hospital in Philadelphia to take care of only 550 war veterans who need hospitalization. At this moment we have on the waiting list 400 human wrecks of all wars and with the necessary increase in the personnel of the Navy, that this bill of necessity will bring about the facilities that we now have for veterans in the Naval Hospital will be denied the Veterans' Administration, because the Navy will need the beds to take care of its own increased Navy personnel.

Today I introduced a bill to authorize the construction of a United States veterans' hospital in the city of Philadelphia, Pa., and I hope you ladies and gentlemen of the Committee will support this bill, because of its absolute necessity and because of the debt we owe our sick and disabled buddies of all wars.

Recently I read an article in one of our metropolitan newspapers concerning the recruiting of a larger army and navy in the British Isles, and was shocked to see therein the difficulty England was running up against in trying to recruit her manpower. Statistics, I think, showed that over 90 percent of those who applied for enlistment, both in the Army and Navy, were underweight because of undernourishment due to the fact that their fathers were unemployed or, if employed, were working for sweatshop and starvation wages. The same condition confronts us here in the United States unless a fair minimum-wage and maximum-hour bill is enacted into law this session. Such a bill, H. R. 9628, has been introduced and sponsored by the American Federation of Labor, who, in my humble judgment, are experts in that type of legislation, just the same as Admiral Leahy, Rear Admiral Cook, and Mr. Martin are experts in legislation concerning national defense.

You and I here in the House, the Representatives of the one-third of our population who are ill-housed, ill-clad, and ill-fed can, will, and must do something for those 40,000,000 Americans. You and I can pass this legislation in this session, and when we do pass it do not forget that we will have to protect our own wage earner from competition from the cheap-wage earner of Europe and Asia, by providing adequate tariff protection.

Right here in the Capitol today the Committee on Reciprocal Tariffs is now holding hearings with Great Britain on tariff agreements. Let us see to it that our British friends do not put anything over on us. This is our country, the workers in it are all nephews and nieces of Uncle Sam and, as far as I am concerned, I want the American wage earners to get their pound of flesh with all the blood when we make any tariff agreements with our British cousins. [Applause.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. WHITE].

Mr. WHITE of Ohio. Mr. Chairman, there are Members on both sides of this discussion for whom I have the most wholesome respect. I believe the sincerity of their convictions is beyond question. When it comes to my own beliefs I can say they have been formed with deliberation, because

I am in disagreement with the foreign policy that has been followed by the administration.

It seems to me that when the President declared Japan to be the aggressor in the far eastern crisis, he tossed the Neutrality Act out of the window and took the first step on the road to enforced action; that he took a hand in the poker game of foreign diplomacy and intrigue. To my way of thinking, we should abide by the neutrality law or take it off the statute books. I have wondered why we should not make its provisions mandatory. If we learned anything out of the World War it should have been to mind our own business and keep this Nation out of foreign entanglements.

With this background of thought, there has been a very marked question in my mind as to what my position should be with relation to the pending Navy bill. With this feeling I would naturally have no small amount of hesitancy in supporting a program of naval enlargement which might be misused even though I have always believed in adequate national defense as a means of preserving peace. Two factors have brought about the decision I have reached.

The first of these revolves around the question whether or not this naval program may be used for aggression. As one who disagrees with the foreign policy now in effect, many of my fears have involved that point. I think the foreign policy the United States has been following might easily involve us in trouble. Recent events seem to indicate that this policy has been eased somewhat in the course of the last few weeks. I hope this means we are getting back in the role of a neutral; the role of a nation that is going to look after its own affairs and keep out of European troubles.

On the question of whether or not this naval building program is likely to be used for aggression, it seems to me we have no means to determine the matter, except through the assurances of the President or of responsible Members of this House, who have time and time again during the course of the debate assured us that they can guarantee it would be purely a weapon of defense and would not in any way, shape, or form be used as an aggressive measure. I feel that I have no choice but to accept these assurances. I do not know of any other way of finding the answer to the question; therefore, I have to accept the assurances that have been given to us that the naval building program will be used purely for defensive purposes.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WHITE of Ohio. Mr. Chairman, I accept these assurances, as I stated, as my guarantee on this particular point.

Along with these assurances there is one other vital thing that has determined my stand in this matter, and I refer to the menacing developments in Europe during the past week. Those developments have determined the decision for me. They are filled with dangers which I hope can be avoided. Those conditions do not permit us to take chances. They have led me to the belief that I must support this bill, for the full program if necessary, although I would prefer a smaller amount.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. WHITE of Ohio. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I was interested in the gentleman's statement that he had been given assurances by Members of the House that the Navy proposed by this bill would not be used for aggressive purposes. The gentleman does not mean to tell this House that any Member thereof can give assurances to anyone as to what the Navy will be used for?

Mr. WHITE of Ohio. The chairman of the committee has repeatedly stated he can assure the Members of the House it will not be for anything but defense. The chairman of the Committee on Naval Affairs has been in consultation with those officials who would control policy, and therefore he ought to be sufficiently enlightened on that matter to be able to give the assurances he has voiced.

Mr. BATES. Will the gentleman yield?

Mr. WHITE of Ohio. I yield to the gentleman from Massachusetts.

Mr. BATES. The gentleman, of course, realizes this is not an appropriation?

Mr. WHITE of Ohio. Yes. That is exactly right.

Mr. BATES. It is nothing but an authorization bill.

Mr. WHITE of Ohio. Yes. Not a piece of this defense equipment can be constructed until Congress appropriates the money to do the job. This legislation merely outlines the construction plan in event the appropriations follow.

Mr. BATES. Furthermore, the Navy cannot be used for aggressive action or purposes unless this Congress authorizes it?

Mr. WHITE of Ohio. I think that is very largely true, but the President is Commander in Chief of our military forces and assurances of his policy have been needed to forestall the trouble we hope to avoid.

[Here the gavel fell.]

Mr. CHURCH. Mr. Chairman, it is now 4 o'clock. I am obliged to raise the question that a quorum is not present.

Mr. VINSON of Georgia. Will the gentleman withhold that and permit me to use 10 minutes of my time?

Mr. CHURCH. Yes; if the gentleman on this side does not want to yield more time.

Mr. VINSON of Georgia. I may say to the gentleman that as soon as I use 10 minutes I will move that the Committee rise.

Mr. CHURCH. Mr. Chairman, I withhold the point of order for the present.

Mr. VINSON of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Chairman, I wish I had more than 5 minutes to present to you a few points for your consideration. First of all, I take the liberty of calling your attention to this headline in today's newspaper:

Major Fey, who was Dollfus' aide, kills himself and family. Austrian anti-Nazis today turned to suicide as the only escape from their enemies.

Maj. Emil Fey, 52, former Minister of Public Security and Vice Chancellor, killed his wife and their 19-year-old son.

Why? Simply because he believed everything was gone, that his country had been conquered, and no liberty was left to anybody.

I wonder if you know about the trip of the German Zepelin up through New England during the 1936 political campaign then waging in this country? Do you know that ship flew over every single munitions-making plant on its way up through New England from the New York line, and circled over those plants again and again so you could almost reach up and touch it, and, no doubt, with telephoto lenses on their cameras, clicking very effectively, recording everything viewed below for future reference if needed? Do you wonder that we from the seacoast want an adequate navy, world conditions being as they are today?

I hold in my hand a document I wish you would read. It is entitled "German Submarine Activities on the Atlantic Coast of the United States and Canada." This is an official publication of our Navy Department. I call your attention particularly to page 54, wherein it is stated that German submarines actually dropped shells on Cape Cod during the war and that thousands of eyewitnesses viewed with amazement an attack of a German U-boat on an American tug off the coast of Massachusetts.

All I can do in the few minutes I have at my disposal is give you the mosaic of the picture. I do not have time to fill in the plastic and paint it. I will simply confine myself to some of the remarks that have been made regarding this bill.

First, if we build the ships authorized in this bill, it will do no more than give us a 5-3 ratio with Japan.

Two or three Members have spoken of the beautiful dream, which I wish might come true, of sinking all the battleships, a shirt-sleeve defense, if you please. A shirt-sleeve defense, unfortunately, according to history, has been more often a shirt-tail route. Where is the shirt-sleeve defense going to



be made? We do not want to have to defend our homes in Connecticut. You people from Oregon, California, and the west coast generally must decide if you believe in a policy of onshore defense, where your wives and children are in danger, or a policy of offshore defense, where our towns cannot be bombed and our cities cannot be destroyed by long-range gunfire and by bombs dropped from planes brought to our shores by aircraft carriers. Do you believe in offshore defense or do you believe in a defense right in your own homes, where your wives and children will be involved.

May I now turn my attention to the remarks other gentlemen have made? With reference to the so-called Kniffin defense line, I respect the gentleman's views and wish his idea were practical, but it is not. It throws a serious strategic impediment in the way of the operation of the Navy; it withdraws all American troops immediately from China, and this might seriously harm us diplomatically at this time; and last, but not least, it restates the Monroe Doctrine. Without a restatement of the Monroe Doctrine the passage of the Kniffin amendment would be very dangerous to the United States of America because it might then be assumed by other nations of the world, including South America, that we had abandoned the Monroe Doctrine. On the other hand, a restatement of the Monroe Doctrine might be serious to us now in its effect on our international policy. The Monroe Doctrine has always been hated by South America as a cloak, so it has been alleged, for "Yankee imperialism," for land grabbing in Central and South America on the part of the United States—for an extension, ever southward, of territorial United States of America. More recently the President has built up the so-called good neighbor policy in South America to the point where it now, fortunately, overshadows the Monroe Doctrine as a national policy. Therefore, a restatement of the Monroe Doctrine now might be disastrous to us in all of our Central American and South American relationships, and might now lose us friends in this hemisphere, which friends we sadly need at this juncture in world affairs. At any rate, you must agree that these arguments must be considered and that they raise serious questions of doubt as to the wisdom of the Kniffin defense line policy. A homely philosophy which works well in other places in life might, it seems to me, be applied here, "When in doubt, do not do it."

A disarmament conference is a good idea if we can have the conference, but what nation will keep its word? Then, let us have a navy large enough so we may have something to trade with. Let us not trade from inferiority but from superiority.

The gentleman from West Virginia [Mr. RANDOLPH] the other day mentioned the headlines in the British press about a million men being called out for defense against aircraft. Do you want to call out people for such defense, or do you want to have us strong enough so the fight is kept away from our shores?

In closing allow me to present a few comparative coast-line figures of the United States and Japan, indicating our need for a greater navy for defense than Japan should need:

Approximate lengths of coast lines (miles)	
United States of America:	
Atlantic coast.....	2,660
Pacific coast.....	1,200
	3,860
Puerto Rico.....	360
Alaska.....	3,880
Hawaii.....	1,500
	5,740
Total.....	9,600
Mexico:	
West coast.....	2,010
East coast.....	900
	2,910
Central America:	
South America:	
West coast.....	1,830
East coast.....	4,800
	7,100
	11,900
	15,640
Grand total.....	25,240

#### Approximate lengths of coast lines (miles)—Continued

RECAPITULATION	
United States coast lines.....	3,880
Possessions of the United States, coast lines.....	5,740
Mexico, Central America, and South America coast lines (to be considered because of our Monroe Doctrine policy).....	15,640
Total.....	25,240

Above mileage figures are approximately straight-line coast totals. They do not include harbors, small bays, inlets, etc.

Japan coast lines (miles)	
Japan proper.....	2,640
Japan proper plus Kuril Islands.....	3,270
Japan proper plus Kuril, Taiwan, and Nansai Islands.....	4,190

In this connection, I call the attention of the Members of the House to the speech made today by our colleague, Hon. GEORGE J. BATES, of Massachusetts, who has presented a table very plainly showing that after this authorized Navy has been built and after the contemplated British and Japanese Navies have been built, we will be in a somewhat worse ratio than 5-4 to Japan, despite the fact that it has been clearly pointed out that we stand in jeopardy of an attack by Japan if our naval ratio is less than United States 5 to Japan 3.

I also wish to call your attention to the testimony before the Naval Affairs Committee by the celebrated airplane builder, Mr. Glenn Martin, of Baltimore, wherein he stated that he is for this bill as also for adequate air defense, because, in his opinion, naval and air defense supplement each other. Mr. Martin also testified that he would not grant naval parity with us to Japan. We know that Japan will not agree to a naval conference with us, looking toward the limitation of naval armament, unless in advance we agree to grant that nation naval parity with the United States.

It also should be emphasized that testimony before the Naval Affairs Committee shows that there are only two important manufacturers of airplane engines in the whole United States, one in Hartford, Conn., and one in Paterson, N. J., and that these, presumably, would be the first object of attack by an enemy on our eastern seaboard in case of hostilities. Further testimony gave evidence to the fact that were these two airplane manufacturing plants to be destroyed, we would be paralyzed for a long time to come in the building of our air defense. It was also testified before the Naval Affairs Committee that the New England coast would probably be an early object of enemy attack, too, because of the great concentration of manufacturing plants in that area, these plants capable of making munitions and other ordnance in time of war.

I ask the opposition, do you want to leave us so exposed to hostile attack? Or at least do you wish us to adopt a policy so doubtful that it may leave us exposed to hostile attack right on our own shores and in our own homes? Do you want people wearing gas masks to protect themselves anywhere in America? Do you want them wearing gas masks to protect themselves along the coast of Maine? Do you want American citizens, including women and children, struck down in their homes in actual defense of American soil?

As an advocate of peace and opposing aggression in any way, shape, or form, permit me to voice the hope that we will adopt a strong policy of offshore, not onshore, defense, and that this defense will keep war away from our homes and from the free land of America.

Let us pass this naval authorization bill. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY of Pennsylvania. Mr. Chairman, in this business of legislation we seem to be possessed of the unhappy faculty of tangling ourselves into almost inextricable difficulties. It has come to be something of a habit. That circumstance keeps the House membership more or less at sea. That of itself would not be so bad, but the effect on our constituencies, the resultant uncertainty, uneasiness, and disturbance among the people as to what we might do next is most assuredly not helpful to the country.

For instance, let us take this bill. The people and this Congress had been all set in the idea of peace. Every last person, at least on the surface, was an advocate of the cause of peace. We considered neutrality legislation, and the only

difference of opinion on the subject in this House and throughout the Nation was of the method which would be most effective and most practicable. President Roosevelt made a speech at Buffalo and in ringing tones declared his hatred of war. All approved; all acclaimed; all applauded when he said, "I hate war."

It was not so very long after that we heard what was considered to be a very different kind of thinking. At Chicago the President projected us into the international picture of a new proposal to quarantine certain parts of the earth's surface. Exactly what he had in mind is not so easy to determine, but we know the effect on the public thought. There was immediate popular uneasiness and alarm, a clamor for explanation of aims and purposes.

At that time the Ludlow peace referendum resolution was resting innocuously on the Speaker's table. Congress reconvened in the middle of November of 1937. Came the *Panay* incident. What an uproar!

Notwithstanding that our nationals had been asked long before to evacuate the troubled zone in China, the *Panay* sinking shook the vaults of heaven. The United States Government immediately protested. Japan immediately promised full investigation, payment of reparations, and nonrecurrence. All that any government or Nation could do Japan did. But the drums of war had started to roll and beat. Every metropolitan newspaper screamed in 3-inch headlines in every edition from sunrise to sunset and into the darkness of the night, and from mountaintop and valley. Every radio newscaster, not for days, not for once, but for weeks on weeks, at every newscasting period rent the air about the international crisis erupting out of the *Panay* sinking. Moving pictures, most likely faked for the purpose, were hurled into the propaganda offensive. Our ears were hammered with such disgusting frequency that one wished only that he might be deaf, and blind as well. No surcease of alarm was allowed even for a brief interval. Every act or imaginary circumstance was enlarged upon, developed, intensified beyond all rhyme or reason.

Letters started flowing into congressional offices. The people at home became anxious and worried. The first question put to one on trips back to the district, and the last, were "Are we going to get into war?" When so questioned I had this invariable reply, "Not with my assent."

Sufficient signers brought the Ludlow resolution to the floor. The pressure to defeat it became terrific. Some who have shown no more respect for a Congressman's views than for the wag of a dog's tail, suddenly developed a high regard for constitutional government, and the integrity, intelligence, and capacity of the Members of this House. But, probably, the less said about that the better.

Then came the vote to consider the Ludlow peace resolution. By a change of 11 votes in this House and the motion to consider would have been carried. But its failure to carry, as it turned out, was relatively unimportant.

The vital point is that the vote in favor of considering that resolution at once killed the *Panay* incident completely and entirely. The headlines disappeared, the newscasters quit casting, the motion pictures stopped moving. The *Panay* incident was over—sunk, dead. It did not die a-lin-gering. It died instantly, without even time for a death-bed repentance. It took the membership of this House to sink the sinking of the *Panay*. A most commendable and most thorough job was done.

Now comes this second Navy bill, this billion dollar-plus Navy expansion bill. One cannot help wondering for just what purpose. Some Members appear to want to take over the ordering of the life upon this globe. Others seem to want to wish the whole load of the Western Hemisphere on the shoulders of our people. Certainly some are protracting their anxieties and fears into the next century. They want in 1938 to prepare for some imaginary circumstance drawn from the realm of excitable hallucinations that might confront us in the year 2050.

The self-righteous attitude of some people, the all-knowing, all-wise, all-holy assumption of virtue and greatness on our part as opposed to all others, is not merely unfounded, but

comic. Hitler and Germany this; Mussolini and Italy that; Emperor Hirohito and Japan something other; General Franco and Spain something else again. I am not so sure that the way some talk about other leading countries of the world is not a disgrace to whatever degree of civilization we profess to have attained. It is not necessary that one should be in agreement with the policies of any of these countries, but if the high officials and members of the great legislative bodies of other nations talked about the United States as they are talked about, we would begin to wonder not only about their common decency, but also about their sanity.

Other nations have their own internal and external problems. Great as our difficulties are, certainly theirs are greater. Our own efforts to better our own conditions, since the turn of the century, are not so very much to brag about. Internal economic distresses evolved Mussolini. Similar troubles, and Germany copied Italy. Japan in self-defense against Russianism, coupled with her economic conditions, seems to be driven to try to save herself. The one abomination in the matter of world government today is the intrigue and murderous destructionism of Russian internationalism. An ideology insidiously propagated in our own country today, to our great detriment and possible dissolution.

I believe in adequate defense, at the time, for the requirements, whatever they may be, with a reasonable look into the future. I do not believe in projecting our defense mechanism into the twenty-fifth century. I am inclined to think that this expansion plan could be cut in half, at this time, without losing a single item of our needs. If that were done, one's vote in favor of it would in a measure follow the rational processes of practical thinking. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HARLAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 9218) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, had come to no resolution thereon.

#### EXTENSION OF REMARKS

Mr. MILLS and Mr. LUDLOW asked and were given permission to revise and extend their own remarks in the RECORD.

Mr. KNIFFIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short resolution.

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

There was no objection.

Mr. CITRON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including two speeches I recently made.

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

There was no objection.

Mr. BATES. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in committee and include therein a table I have received from the Navy Department.

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

There was no objection.

Mr. BACON. Mr. Speaker, in this morning's paper Miss Dorothy Thompson has an interesting analysis of the present international situation in Europe, and I ask unanimous consent to extend my remarks in the RECORD by including this article.

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

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an answer that a constituent of mine made to an editorial in the Boston Herald.



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

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a resolution adopted by the barbers union of the State of Oklahoma.

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

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, Mr. GRAY of Indiana was granted leave of absence for 3 days, on account of illness.

#### ADJOURNMENT

Mr. VINSON of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Thursday, March 17, 1938, at 12 o'clock noon.

### COMMITTEE HEARINGS

#### COMMITTEE ON BANKING AND CURRENCY

There will be a meeting of the Committee on Banking and Currency of the House at 10:30 a. m., Thursday, March 17, 1938, to resume hearings on H. R. 7230.

#### COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a hearing before Subcommittee No. 1 of the Committee on the Post Office and Post Roads at 10:30 a. m., Tuesday, March 22, 1938, on bills in behalf of post-office substitutes. Room 213, House Office Building.

There will be a hearing before Subcommittee No. 1 of the Committee on the Post Office and Post Roads at 10 a. m., Wednesday, April 6, 1938, on bills in behalf of custodial employees in the Postal Service. Room 213, House Office Building.

#### COMMITTEE ON PATENTS

The subcommittee to consider H. R. 9041, on trade-marks, will hold hearings in the caucus room of the House Office Building at 10:15 a. m. each morning of March 17 and 18, 1938, Chairman LANHAM presiding.

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Committee on Interstate and Foreign Commerce will resume hearings on S. 69, train-limit bill, on March 17, 1938. Rebuttal witnesses.

There will be a meeting of Mr. MALONEY's subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, April 5, 1938. Business to be considered: Continuation of hearing on S. 1261—through routes.

There will be a meeting of Mr. BULWINKLE's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 5, 1938. Business to be considered: Hearings on H. R. 8738 and H. R. 9073—to extend services of Inland Waterways Corporation to Pensacola, Fla., and the Cape Fear River, respectively.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, April 12, 1938. Business to be considered: Hearing on H. R. 9047—control of venereal diseases, and other kindred bills.

#### COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Merchant Marine and Fisheries Committee will hold hearings at 10 a. m. in room 219, House Office Building, on the following bills on the dates indicated:

Thursday, March 17, 1938:

H. R. 9577. To amend section 402 of the Merchant Marine Act, 1936, to further provide for the settlement of ocean-mail contract claims.

Wednesday, March 23, 1938:

S. 992. To make electricians licensed officers after an examination.

Thursday, March 24, 1938:

H. R. 6745. To require a uniform manning scale for merchant vessels and an 8-hour day for all seamen.

H. R. 8774. To amend the Seamen Act of March 4, 1915, as amended and extended, with respect to its application to tug towing vessel firemen, linemen, and oilers.

H. R. 9588. To provide for an 8-hour day on tugs on the Great Lakes.

Wednesday, March 30, 1938:

H. R. 8840. To amend section 6 of the act approved May 27, 1936 (49 Stat. L. 1380).

S. 1273. To adopt regulations for preventing collisions at sea.

Tuesday, April 5, 1938:

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 for Promoting Safety of Life at Sea, 1929; and for other purposes.

Tuesday, April 12, 1938:

H. R. 6797. To provide for the establishment, operation, and maintenance of one or more fish-cultural stations in each of the States of Oregon, Washington, and Idaho.

H. R. 8956. To provide for the conservation of the fishery resources of the Columbia River; establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho; and for the conduct of necessary investigations, surveys, stream improvements, and stocking operations for these purposes.

S. 2307. To provide for the conservation of the fishery resources of the Columbia River; establishment, operation, and maintenance of one or more stations in Oregon, Washington, and Idaho; and for the conduct of necessary investigations, surveys, and stream improvements and stocking operations for these purposes.

Thursday, April 14, 1938:

H. R. 8533. To amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 edition, title 46, sec. 316).

Tuesday, April 19, 1938:

H. R. 5629. To exempt motorboats less than 21 feet in length not carrying passengers for hire from the act of June 9, 1910, regulating the equipment of motorboats.

H. R. 7089. To require examinations for issuance of motorboat operators' license.

H. R. 8839. To amend laws for preventing collisions of vessels, to regulate equipment of motorboats on the navigable waters of the United States, to regulate inspection and manning of certain motorboats which are not used exclusively for pleasure and those which are not engaged exclusively in the fisheries on inland waters of the United States, and for other purposes.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1134. A letter from the Secretary of the Interior transmitting a resolution passed on February 10 by the Municipal Council of St. Thomas and St. John, Virgin Islands; to the Committee on Insular Affairs.

1135. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1938, submitting a report, together with accompanying papers and illustrations, on further investigation of Denison Reservoir, Tex., with a view to flood control and development of hydroelectric power, authorized by the Flood Control Act approved June 22, 1936 (H. Doc. No. 541); to the Committee on Flood Control and ordered to be printed, with four illustrations.

1136. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 24, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of Mystic River, Mass., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 4, 1937 (H. Doc. No. 542); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

1137. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army,

dated February 24, 1938, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Unalaska (Iliuliuk) Harbor, Alaska, authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 543); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

1138. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 4, 1938, submitting a report, together with accompanying papers and illustrations, on examinations of, and review of reports on Willamette River and tributaries, Oregon, authorized by the Flood Control Act approved June 22, 1936, act of Congress approved June 13, 1934, River and Harbor Act approved August 30, 1935, and requested by resolution of the Committee on Commerce of the United States Senate, adopted September 27, 1933 (H. Doc. No. 544); to the Committee on Flood Control and ordered to be printed, with five illustrations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LANHAM: Committee on Public Buildings and Grounds. S. 2339. An act to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630), as amended; without amendment (Rept. No. 1952). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. House Joint Resolution 613. Joint resolution to provide for the temporary operation by the United States of certain steamships, and for other purposes; with amendment (Rept. No. 1956). Referred to the Committee of the Whole House on the state of the Union.

Mr. DIMOND: Committee on Merchant Marine and Fisheries. H. R. 8982. A bill to amend Public Law No. 282, Seventy-fifth Congress, relative to the fisheries of Alaska; without amendment (Rept. No. 1957). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 8982. A bill to permit the issuance of certain certificates under the shipping laws by inspectors of hulls, inspectors of boilers, and designated assistant inspectors; without amendment (Rept. No. 1958). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MASON: Committee on Immigration and Naturalization. H. R. 8898. A bill for the relief of Quirino G. Polanco; without amendment (Rept. No. 1951). Referred to the Committee of the Whole House.

Mr. GILDEA: Committee on Immigration and Naturalization. H. R. 5059. A bill for the relief of John Bodrog; without amendment (Rept. No. 1953). Referred to the Committee of the Whole House.

Mr. GILDEA: Committee on Immigration and Naturalization. H. R. 6820. A bill for the relief of Elizabeth Vresh (Yalga Vres), her son Frederick Vresh, and her daughter Sylvia Vresh Bronowitz; without amendment (Rept. No. 1954). Referred to the Committee of the Whole House.

Mr. GILDEA: Committee on Immigration and Naturalization. H. R. 8275. A bill for the relief of Stanley Kolitzoff and Marie Kolitzoff; without amendment (Rept. No. 1955). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GAMBRILL of Maryland: A bill (H. R. 9893) to constitute the master-at-arms force and the guards (watchmen) force at the United States Naval Academy the "United

States Naval Academy Police," to fix their compensation, and for other purposes; to the Committee on Naval Affairs.

By Mr. HOBBS: A bill (H. R. 9894) to amend section 2 of the act entitled "An act relative to the naturalization and citizenship of married women," approved September 22, 1922, as amended; to the Committee on Immigration and Naturalization.

By Mr. GAMBRILL of Maryland: A bill (H. R. 9895) to constitute the watchmen in the National Zoological Park the National Zoological Park Police, and for other purposes; to the Committee on the District of Columbia.

By Mr. LEMKE: A bill (H. R. 9896) to relieve the existing national economic emergency by postalizing transportation rates; to provide for the coordination, equalization, and reduction of transportation fares and charges for the purpose of inducing the increased use and employment of railroad facilities; to provide emergency relief with respect to such coordination, equalization, and reduction of transportation fares and charges; to provide for the incorporation of the Railroad Postalized Fare Guaranty Corporation in order to allot and apportion just and equitable indemnification to the railroad carriers; to provide an appropriation for extraordinary expenses incurred by reason of such emergency; to provide for the orderly application of such emergency relief; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STACK: A bill (H. R. 9897) to authorize the construction of a United States Veterans' Administration hospital in the city of Philadelphia, Pa.; to the Committee on World War Veterans' Legislation.

By Mr. LEA: A bill (H. R. 9898) to prohibit the use of communication facilities for criminal purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WARREN: A bill (H. R. 9899) to amend the Agricultural Adjustment Act, as amended, by including peanuts as a commodity to which orders under such act are applicable; to the Committee on Agriculture.

By Mr. BLAND: Resolution (H. Res. 443) for the consideration of House Joint Resolution 613; to the Committee on Rules.

By Mr. McFARLANE: Resolution (H. Res. 444) to employ certain persons; to the Committee on Accounts.

By Mr. BELL: Joint resolution (H. J. Res. 621) authorizing the issuance of a special stamp commemorating the one hundredth anniversary of the settlement of Saxon pilgrims in the West and establishment there of first Lutheran Church; to the Committee on the Post Office and Post Roads.

By Mr. McLAUGHLIN: Joint resolution (H. J. Res. 622) authorizing the President of the United States of America to proclaim October 11, 1938, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to consider their resolution dated February 21, 1938, with reference to Home Owners' Loan Corporation; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to consider their resolution, for action to promote interstate cooperation, in respect to the removal of industrial establishments from one State to another; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to consider their resolution to have the name of the company manufacturing shoes in foreign countries stamped on the outer soles thereof; to the Committee on Ways and Means.



## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLLINS: A bill (H. R. 9900) for the relief of J. D. Austin; to the Committee on Claims.

By Mr. CUMMINGS: A bill (H. R. 9901) for the relief of Mr. and Mrs. John C. Johnson; to the Committee on Claims.

By Mr. McGRANERY: A bill (H. R. 9902) granting a pension to Esther Bingham; to the Committee on Invalid Pensions.

By Mr. PACE: A bill (H. R. 9903) to extend the time within which Hattie V. Crews may reinstitute suit on the war-risk insurance contract of Arthur Allen Crews (T-788243) under section 19 of the World War Veterans' Act, 1924, as amended; to the Committee on Claims.

By Mr. TEIGAN: A bill (H. R. 9904) for the relief of Grace Campbell; to the Committee on Claims.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4459. By Mr. CLASON: Memorial of the General Court of Massachusetts, favoring legislation by Congress requiring all shoes imported from foreign countries to have the name of the country of manufacture stamped on the outer soles thereof; to the Committee on Ways and Means.

4460. Also, memorial of the General Court of Massachusetts, favoring legislation and action of Congress to promote interstate cooperation, in respect to the removal of industrial establishments from one State to another; to the Committee on Interstate and Foreign Commerce.

4461. By Mr. CURLEY: Petition of the New York County Lawyers' Association, New York City, recommending disapproval of House bills 9046 and 9049, amending section 112 of the Revenue Act of 1936 in relation to the allowance of losses to a bank which was reorganized after January 1, 1933, at the time when its assets were placed in trust for liquidation of its liabilities and without awaiting the final liquidation of the assets; to the Committee on Ways and Means.

4462. Also, petition of the New York County Lawyers' Association, urging disapproval of House Joint Resolution 527, which would change the basis upon which embargoes under neutrality legislation would come into effect; to the Committee on the Judiciary.

4463. By Mr. BOYLAN of New York: Resolution unanimously adopted at the sixth annual meeting of the Association of Towns, Albany, N. Y., opposing the Parsons bill (H. R. 8327) or any other legislation that would permit the waters of the Great Lakes to be diverted and thus materially affect the natural flow into the Niagara River, the Falls, and the St. Lawrence River; to the Committee on Rivers and Harbors.

4464. By Mr. CLUETT: Resolution of the Association of Towns of the State of New York, opposing House bill 8327, or any other act or legislation that would permit the waters of the Great Lakes to be diverted and thus materially affect the natural flow thereof into the Niagara River, the Falls, and the St. Lawrence River; to the Committee on Rivers and Harbors.

4465. By Mr. FORAND: Petition of the General Welfare Association of Rhode Island, Inc., signed by Leicester R. F. Watts, president, and others, urging the enactment into law of House bill 4199, the General Welfare Act; to the Committee on Ways and Means.

4466. Also, petition of the executive committee of the General Welfare Club of Rhode Island, No. 1, signed by Francis W. Post, chairman, and others, urging the enactment into law of House bill 4199, the General Welfare Act; to the Committee on Ways and Means.

4467. By Mr. LUTHER A. JOHNSON: Petition of Steve Collins, J. J. Rogers, Joe Tom Hinson, and Grady A. French, all of Mart, and A. A. Allison, of Corsicana, State of Texas, favoring amendment of the Wagner-Peyser Act, in order for the United States Employment Service to be in a position to request adequate appropriations to enable it to supervise

State employment offices, and to operate the Veterans' Placement Service and the Farm Placement Service; to the Committee on Labor.

4468. By Mr. LAMNECK: Resolution of Jack C. Meyer, secretary-treasurer, the Ohio Bottlers' Association, Columbus, Ohio, urging the repeal of the undistributed-profits and surplus-profits tax; to the Committee on Ways and Means.

4469. By Mr. LEWIS of Maryland: Petition of Rev. H. M. Strickland and 57 others of the Pentecostal Assembly of God, Cumberland, Md., favoring a direct vote of the people before entering or engaging in a foreign war; to the Committee on the Judiciary.

4470. By Mr. LUCE: Memorial of the General Court of Massachusetts, favoring legislation that will promote interstate cooperation in respect to removal of industrial establishments from one State to another; to the Committee on Interstate and Foreign Commerce.

4471. Also, memorial of the General Court of Massachusetts, favoring legislation to require all shoes imported to have name of country of origin stamped thereon; to the Committee on Ways and Means.

4472. By Mrs. NORTON: Petition of members of the Veterans of Foreign Wars, Panama City, Republic of Panama, protesting against employment of aliens on Panama Canal and Panama Railroad while they, American citizens and veterans, are unable to secure employment; to the Committee on Labor.

4473. By Mr. O'NEILL of New Jersey: Petition of the House of Assembly, State of New Jersey, requesting Congress to favorably consider legislation to reduce the interest rate on mortgages held by the Home Owners' Loan Corporation from 5 percent to 3 or 3½ percent and to extend the amortization period for said mortgages from 15 years to 20 or 25 years; to the Committee on Banking and Currency.

4474. Also, petition of the House of Assembly, State of New Jersey, protesting against any lowering of tariff on textile goods in the reciprocal trade agreement between the United States and the United Kingdom; to the Committee on Ways and Means.

4475. Also, petition of the New Jersey Industrial Traffic League, requesting that there be established a mediation tribunal analogous to that now in use by the railroads in complement to other amendments to the Merchant Marine Act of 1936; to the Committee on Merchant Marine and Fisheries.

4476. Also, petition of the Orange Storage Warehouses, East Orange, N. J., to amend the Social Security Act; to the Committee on Ways and Means.

4477. By Mr. PFEIFER: Petition of the Dykes Lumber Co., New York City, concerning the Borah-O'Mahoney Federal licensing bill; to the Committee on the Judiciary.

4478. Also, petition of the Long Island Surf Fishing Club, Inc., Long Island City, N. Y., concerning the Cummings bill, known as the National Firearms Act; to the Committee on Interstate and Foreign Commerce.

4479. Also, petition of the Babcock & Wilcox Co., New York City, concerning the compulsory licensing bill (H. R. 9259); to the Committee on Patents.

4480. By Mr. THOMASON of Texas: Petition of the El Paso County Farm Bureau, urging equitable proration of expense of sterilizing cotton; to the Committee on Agriculture.

4481. By the SPEAKER: Petition of the Regular Veterans' Association, Department of Tennessee, petitioning consideration of their resolution with reference to increased pay for the enlisted men of the Regular Establishment; to the Committee on Military Affairs.

4482. Also, petition of the Regular Veterans' Association, Department of New Hampshire, with reference to House bills 8782 and 8948, concerning pensions; to the Committee on Military Affairs.

4483. Also, petition of the Regular Veterans' Association, Department of California, Los Angeles, Calif., with reference to House bills 8782 and 8948, concerning pensions; to the Committee on Military Affairs.