United States to consider their Senate File No. 1106, Resolution No. 23, with reference to the Frazier-Lemke plan for Federal refinancing of farm mortgages; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARTER:

H. R. 6055. A bill for the relief of John T. Phifer; to the Committee on Military Affairs.

By Mr. FADDIS:

H. R. 6056. A bill for the relief of Antal or Anthony or Tony Zaicek or Zaiczek; to the Committee on Immigration and Naturalization.

H. R. 6057. A bill granting an increase of pension to Jennie Mae Parkinson Dunkle; to the Committee on Pensions.

By Mr. JOHNSON of Indiana:

H. R. 6058. A bill granting an increase of pension to Regina Matilda King; to the Committee on Invalid Pensions.

By Mr. JOHN L. McMILLAN:

H. R. 6059. A bill granting a pension to Samuel W. Mabrey; to the Committee on Invalid Pensions.

By Mr. SABATH:

H. R. 6060. A bill for the relief of John P. Hart; to the Committee on Claims.

By Mr. SHEPPARD:

H. R. 6061. A bill for the relief of Hazel Thomas; to the Committee on Claims.

By Mr. SOMERS of New York:

H. R. 6062. A bill for the relief of Jose O. Enslew; to the Committee on Claims.

By Mr. WALTER:

H. R. 6063. A bill for the relief of Franklin C. Richardson; to the Committee on Military Affairs.

PETITIONS, ETC.

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

2749. By Mr. ANDERSON of California: Resolution, signed by R. McAllister, president, and Albert H. Randall, secretary, San Mateo Central Labor Council, of San Mateo County, Calif., opposing building construction under the Works Progress Administration program; to the Committee on Banking and Currency.

2750. By Mr. BROOKS: Petition of Police Jury Association of Louisiana, opposing any change in the present activities or set-up of the National Youth Administration; to the Committee on Education.

2751. By Mr. CHIPERFIELD: Petition of the secretary of the State of Illinois and 24 other citizens, urging the elimination of color and racial tests from the immigration and naturalization laws; to the Committee on Immigration and Naturalization.

2752. By Mr. HINSHAW: Petition containing the signatures of 30,000 residents of Los Angeles County, Calif., asking that the Congress enact legislation to end traffic in war materials with Japan; to the Committee on Foreign Affairs.

2753. By Mr. MARTIN J. KENNEDY: Petition of Local Union, No. 149, Sheet Metal Workers' International Association, Bronx, N. Y., urging support of House bill 4862; to the Committee on Interstate and Foreign Commerce.

2754. Also, petition of Lodge No. 496, International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America, Huron, S. Dak., urging support of House bill 4862; to the Committee on Interstate and Foreign Commerce.

2755. Also, petition of Mile Square City Lodge, No. 1134, International Association of Machinists, Hoboken, N. J., urging support of House bill 4862; to the Committee on Interstate and Foreign Commerce.

2756. By Mr. KRAMER: Resolution of the Assembly and Senate of the State of California, relative to providing for Kern River flood control; to the Committee on Flood Control.

2757. Also, resolution of the Assembly and the Senate of the State of California, relative to the continuation of the Works Progress Administration Federal art project; to the Committee on Appropriations.

2758. Also, resolution of the Assembly and Senate of the State of California, relative to Federal aid to State or Territorial veterans' homes; to the Committee on Appropriations.

2759. By Mr. MERRITT: Resolution of the Elevator Constructors' Local 35 of Albany, N. Y., endorsing the Starnes bill (H. R. 4576) in its entirety because the construction industry is still dependent upon Federal aid and without their support there will be many unemployed in this field in the Nation; to the Committee on Appropriations.

2760. By Mr. MOTT: House Joint Memorial No. 3 of the House of Representatives of the State of Oregon, asserting the principle of State ownership and control of both navigable and nonnavigable waters of the State, subject only to such control by the United States as may be necessary in the actual preservation of the navigability of navigable streams and requesting the Representatives in Congress from the State of Oregon to oppose any action upon the part of the Federal Government tending to deprive this State of such rights; to the Committee on Rivers and Harbors.

2761. By Mr. PFEIFER: Petition of the Mystic Steamship Co., Boston, Mass., opposing the Wheeler-Truman bill (S. 2009) and the Lea bill (H. R. 4862); to the Committee on Interstate and Foreign Commerce.

2762. By Mr. SANDAGER: Memorial of the Alpha-Rho Chapter of the Tau Kappa Epsilon Fraternity of Rhode Island State College, Kingston, R. I., favoring and urging the adoption of the proposed amendment known as House bill 143, by which college fraternities and sororities are to be exempted from the provisions of the Social Security Act, especially appertaining to student employees of fraternities and sororities; to the Committee on Ways and Means.

2763. By Mr. SCHAEFER of Illinois: Petition of Estelle Turner and other members of clubs affiliated with Illinois Federation of Women's Clubs, Twenty-second District, urging Congress to enact more rigid neutrality laws to further guarantee preservation of peace; to the Committee on Foreign Affairs.

2764. By Mr. SCHIFFLER: Petition of Marion County (W. Va.) Industrial Union Council, Fairmont, W. Va., urging immediate action to be taken for the relief of the coal miners of West Virginia; to the Committee on Labor.

2765. By Mr. SHAFER of Michigan: Resolution of Michigan Laundryowners Association, endorsing certain amendments to the Social Security Act; to the Committee on Ways and Means.

2766. By the SPEAKER: Petition of the Civic Study Club, by Mrs. R. A. Cornell, Dearborn, Mich., petitioning consideration of their resolution with reference to our American form of government; to the Committee on Foreign Affairs.

SENATE

MONDAY, MAY 1, 1939

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou desire of nations, by whom of old the prophets spake, for whom our fathers longed, and to whom they ever prayed for guidance: Grant unto us such prudence, sagacity, and moderation as characterized the life of the Father of his Country, and may we also have courage that never falters, patience that never wearies, an overruling judgment, truth that disdains all artifice, and magnanimity without alloy.

May we know no glory but our country's good, as again we pledge, at this altar of devotion, integrity of character and firmness of purpose in the fulfillment of this high and holy calling as servants of the Republic. Make us, there-

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fore, willing to be what we were meant to be, by losing ourselves in Thy being, and by finding our joy and peace in the doing of Thy will. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 27, 1939, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

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

CALL OF THE ROLL

Mr. MINTON. 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	Donahey	King	Reed
Andrews	Downey	La Follette	Russell
Ashurst	Ellender	Lodge	Schwartz
Austin	Frazier	Logan	Schwellenbach
Bailey	George	Lucas	Sheppard
Bankhead	Gerry	Lundeen	Slattery
Barkley	Gibson	McCarran	Smith
Bilbo	Gillette	McKellar	Taft
Bone	Glass	McNary	Thomas, Okla.
Borah	Green	Maloney	Thomas, Utah
Brown	Guffey	Mead	Tobey
Bulow	Gurney	Miller	Townsend
Burke	Hale	Minton	Truman
Byrd	Harrison	Murray	Tydings
Byrnes	Hatch	Neely	Vandenberg
Capper	Hayden	Norris	Wagner
Caraway	Hill	Nye	Walsh
Chavez	Holman	O'Mahoney	Wheeler
Clark, Idaho	Holt	Overton	White
Clark, Mo.	Hughes	Pepper	Wiley
Connally	Johnson, Calif.	Pittman	
Danaher	Johnson, Colo.	Radcliffe	

Mr. MINTON. I announce that the Senator from Indiana [Mr. VAN NUYS] is detained from the Senate because of illness.

The Senator from Iowa [Mr. HERRING], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Oklahoma [Mr. LEE], and the Senator from Tennessee [Mr. STEWART] are detained on important public business.

The Senator from New Jersey [Mr. SMATHERS] is unavoidably detained.

Mr. AUSTIN. I announce that the Senator from Pennsylvania [Mr. DAVIS] is necessarily absent.

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

MESSAGE FROM THE HOUSE DURING ADJOURNMENT—ENROLLED BILL SIGNED

Under authority of the order of the 27th ultimo,

On April 28, 1939, the following message was received by the Secretary from the House of Representatives: That the Speaker had affixed his signature to the enrolled bill (H. R. 5219) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes, and it was signed by the Vice President.

RELATIONSHIP BETWEEN THE AMERICAN REPUBLICS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of State, transmitting draft of a proposed amendment to authorize the creation of advisory committees which may prove essential to the fulfillment of the purposes of the legislation recommended by the President of the United States to authorize cooperation with the other American republics in accordance with certain international undertakings of the Government of the United States, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

DEATH OF POPE PIUS XI—EXPRESSION OF APPRECIATION OF THE HOLY SEE

The VICE PRESIDENT laid before the Senate a letter from the Chief of Protocol, Department of State, transmitting copy of a despatch from the American Ambassador at Rome, forwarding a communication received from the Papal Nuncio expressing the appreciation of the Holy See for the Senate's message of sympathy upon the death of Pope Pius XI, which, with the accompanying papers, was ordered to lie on the table, and a translation of the communication from the Apostolic Nuncio to Ambassador Phillips was ordered to be printed in the RECORD, as follows:

[Translation]

APOSTOLIC NUNCIATURE OF ITALY,
Rome, April 5, 1939.

To His Excellency Mr. WILLIAM PHILLIPS,
Ambassador of the United States of America, Rome.

EXCELLENCY: In my respectful note of March 14 last I informed your excellency that I had transmitted to the Most Eminent Cardinal Luigi Maglione, secretary of state of His Holiness, the text of the resolution of condolence voted by the American Senate on the occasion of the death of the Holy Father Pius XI.

I can now communicate to Your Excellency that the spontaneous participation of the high American body in the mourning of the Catholic Church was noted with particular appreciation by the Holy See, which is profoundly grateful for such a significant expression of devoted homage to the great Pontiff, universally mourned.

I have had the honor of being entrusted by the Holy See to request Your Excellency, who so worthily represents the noble American Nation in Italy, to communicate to your Government the profound gratitude of the Holy See.

I avail myself of this opportunity to express to Your Excellency the assurances of my high esteem and consideration.

F. BORGONGINI DUCA,
Apostolic Nuncio.

BULLETIN OF THE TREASURY DEPARTMENT

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the sale of the monthly document prepared by the Treasury Department entitled "Bulletin of the Treasury Department," which, with the accompanying papers, was referred to the Committee on Banking and Currency.

RATIFICATION BY CONNECTICUT OF BILL OF RIGHTS AMENDMENTS TO THE CONSTITUTION

The VICE PRESIDENT laid before the Senate the following joint resolution of the General Assembly of the State of Connecticut, which was ordered to lie on the table:

Resolution ratifying articles of the amendments 1 to 10, inclusive, of the Constitution of the United States of America

Resolved by the General Assembly of the State of Connecticut, That articles 1 to 10, inclusive, of the amendments to the Constitution of the United States of America be, and the same are hereby, ratified by the General Assembly of the State of Connecticut; and

Resolved, That certified copies of the foregoing resolution be forwarded by the Governor of the State of Connecticut to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States.

EXPRESSION OF APPRECIATION TO SENATORS KING AND TYDINGS—SUGAR QUOTAS AND HAWAII

Mr. TYDINGS presented the following concurrent resolution of the Legislature of the Territory of Hawaii, which was ordered to lie on the table:

Concurrent resolution

Whereas there is every indication that the House of Representatives of the Congress of the United States of America is unwilling to consider favorably the Ellender bill, which, if passed, would be detrimental to Hawaii's chief industry; and

Whereas opposition by the administration in Washington to legislation on the subject of the production of sugar which would be harmful to home industry is becoming increasingly pronounced, so that there is reason to believe that no such harmful legislation will be enacted during the present session of the Congress of the United States; and

Whereas not only has our Delegate in Congress worked unceasingly to protect the best interests of Hawaii, but has enlisted the support of others, among whom are Senator W. H. KING and Senator MILLARD TYDINGS; and

Whereas, as always, Senator KING and Senator TYDINGS have come to the aid of Hawaii; and

Whereas the efforts of these gentlemen have resulted in great good to our people: Now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the Territory of Hawaii (the senate concurring), That we do hereby give expression of our appreciation of the friendship of Senators KING and TYDINGS, manifested in their consistently effective efforts in the interests of Hawaii; and be it further

Resolved, That certified copies of this concurrent resolution be forwarded to the Delegate in Congress from Hawaii and to the Honorable W. H. KING and to the Honorable MILLARD TYDINGS.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of South Carolina, which was referred to the Committee on Military Affairs:

Concurrent resolution relating to the return of a Confederate cannon

Whereas there is located at Madison Barracks, N. Y., a Regular Army post, a cannon used by the Confederate Army and cast in Columbia, S. C., in 1862 at Congaree Iron Works: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the United States Senators and Congressmen from South Carolina be, and they are hereby, requested to make proper application to the War Department or such authorities as may be necessary to have said cannon returned to this State; and be it further

Resolved, That a copy of this resolution be sent to the Honorable ELLISON D. SMITH and the Honorable JAMES F. BYRNES, Senators in Washington.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of Michigan, which was referred to the Committee on Agriculture and Forestry:

House Concurrent Resolution 27

Concurrent resolution respectfully memorializing the Congress of the United States, the President of the United States, and the Secretary of Agriculture to grant immediate remedy and adjustment, by correlating the estimate of consumption to actual needs, based upon the actual consumption of 1938 and the extraordinarily large carry-over inventory of sugar as of January 1, 1939, and that the Sugar Act be amended to provide a larger share of the American sugar market for the American farmer

Whereas the fact that in the continental United States we produce less than 30 percent of the sugar we consume, and sugar is practically the only nonsurplus agricultural product of the United States; and every acre of land utilized in the production of sugar, either from beets or cane, invariably takes such acreage out of the production of some surplus agricultural product such as cotton, rice, wheat, corn, beans, etc.; and

Whereas the production of sugar on our continental farms, especially the production of sugar from sugar beets, is conducive to the employment of labor on a large scale at profitable wages or rates, and the increased employment of labor on a larger scale in the production of sugar in the continental United States would be a great stimulus to prosperity and the general welfare of such sugar-producing areas, and the United States as a whole. The increased prosperity of the sugar-producing farmer would enable him to purchase much needed agricultural machinery, tractors, trucks, etc., and would reflect directly in increased employment in industry producing such agricultural machinery; and

Whereas we believe it is the inherent fundamental economic right of the American farmer to produce nonsurplus agricultural products, such as sugar, up to the limit of his ability, without restriction, and such production should be protected in our United States market so that sugar will sell at a price comparable or equivalent to the index value of all foods. Foreign sugars should not be permitted to enter the United States market in excess of the amount which, when added to our production of sugar, the total will equal our consumption, so that both the interest of producers and consumers of sugar in the continental United States will be adequately protected, and the production of sugar in the continental United States fostered on a basis of common defense and general welfare, so that regardless of peace or war the citizens of the United States will be protected in their supply of such an essential food as sugar; and

Whereas we believe that the Sugar Act of 1937 was a step in the right direction, but with the removal of restrictions on United States production of sugar, coupled with a proper administration of the act, the sugar industry of the United States can go forward on a sane, sound basis for the best interests of the United States as a whole; and

Whereas excessive sugar consumption estimates out of all proportion to the actual consumption have been made since the adoption of the act, thereby permitting increased importation of foreign sugars, which has depressed prices in the sugar market to its all-time low. There is now available upward of 600,000 tons of cane sugar out of the 1938 quotas, which sugars are mainly the product of foreign countries, and a consumption estimate for 1939 by the Secretary of Agriculture, Hon. Henry A. Wallace, of 6,755,000 tons permits the importation of 3,000,000 tons of foreign sugar to further glut and complicate our American sugar market. It is estimated that on December 31, 1939, the end of the current year for sugar quotas, there will be upward of 800,000 tons of foreign sugars available, over and above our current needs, which sugars are all eligible to be marketed in the continental United States. This in view of the fact that in 1938 a kindly providence, on a limited acreage, saw fit to give us one-quarter million tons of beet sugar and 150,000 tons of Louisiana and Florida cane sugar over and above our Government marketing allotments for 1939, and this practically 400,000 tons of sugar produced by American farmers in 1938 constitutes a further surplus of sugar. Also, the recommendation of the United States Department of Agriculture is that certain districts, some of them in Michigan, shall not be permitted to market in 1939 a single pound of sugar produced in 1939. This situation, if not remedied in the near future, will destroy the sugar industry of the United States. The enforced carry-over to 1940 of practically 400,000 tons of continental beet and cane sugar produced in 1938 will have the immediate effect of eliminating the opportunity for 64,000,000 hours of labor directly utilized in the sugar industry, and possibly several times that number indirectly employed. Unless immediate adjustment is made on the recommended sugar-marketing allotments at least one and possibly more Michigan sugar plants, it appears, will be unable to operate this year, thus throwing more American laborers out of work and depriving more American farmers from marketing beets and producing sugar, which is our only nonsurplus agricultural product, at a profit: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Legislature of Michigan hereby memorialize the Congress of the United States, the President of the United States, and the Secretary of Agriculture to grant immediate remedy and adjustment by correlating the estimate of consumption to actual needs, based upon the actual consumption of 1938 and the extraordinarily large carry-over inventory of sugar as of January 1, 1939, and that the Sugar Act be amended to provide a larger share of the American sugar market for the American farmer; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and to all Senators and Congressmen from Michigan.

The VICE PRESIDENT also laid before the Senate the following resolution of the Legislature of Nebraska, which was referred to the Committee on Interstate Commerce:

Legislative Resolution 25

Whereas it is the sense of this legislature that the granting of equal transit privileges as between localities where mills and other processors are located or where grain is stored, cleaned, or otherwise handled, is essential to prevent discrimination and prejudice in the transportation of grain and grain products and the successful conduct of the grain and milling business; and

Whereas it is the belief of the legislature that the Interstate Commerce Act should include in section 3 a specific inhibition against discrimination or prejudice by reason of inequality in the granting of transit privileges as among such localities: Now, therefore, be it

Resolved, That the Congress of the United States is respectfully requested to amend subdivision (1) of section 3 of the Interstate Commerce Act, as amended February 28, 1920, March 4, 1927, August 9, 1935, and August 12, 1935, by striking the period, inserting a semicolon, and adding the following language:

"The granting of transit privileges to any locality, port, port district, gateway, or transit point, upon any route over which through rates have been or shall be established, and the denial of like transit privileges to any other locality, port, port district, gateway, or transit point upon said route under the same through rate, shall be deemed to be an undue and unreasonable prejudice and disadvantage to the locality, port, port district, gateway, or transit point denied such privilege."

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the Territory of Hawaii, which was referred to the Committee on Agriculture and Forestry:

Be it resolved by the House of Representatives of the Twentieth Legislature of the Territory of Hawaii (the senate concurring), That the Congress of the United States be, and it is hereby, requested to amend the Bankhead-Jones Farm Tenant Act so as to make possible the benefits of such act being applicable to holders of homesteads in the Territory of Hawaii; and be it further

Resolved, That copies of this concurrent resolution be forwarded to the Secretary of the Interior of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the Delegate in Congress from Hawaii.

The VICE PRESIDENT also laid before the Senate the following resolution of the Senate of the Territory of Hawaii, which was referred to the Committee on the Judiciary:

Senate Resolution 52

Whereas it has come to the attention of the people of Hawaii, through the press of the Territory and otherwise, that the term of office of the Honorable James Leslie Coke as chief justice of the Supreme Court of Hawaii has expired; and

Whereas the Honorable James Leslie Coke has become a native son of Hawaii by adoption and by his brilliant career as a senator from the third senatorial district from the year 1913 to the year 1915, and by his enviable record as an eminent and distinguished jurist from the year 1916 to the present date; and

Whereas the Honorable James Leslie Coke has always been a loyal citizen of the Territory of Hawaii and a steadfast defender of the constitutional rights of all of the people; and

Whereas the social, political, and economical progress of any American community is dependent in no small measure on the efficiency of the judiciary; and

Whereas, for the best interest of all the people of the Territory of Hawaii, it is most desirable and urgent that the Honorable James Leslie Coke be reappointed to the office of chief justice: Now, therefore, be it

Resolved by the Senate of the Territory of Hawaii, That we do by this means beg the President of the United States, the Senate of the Congress of the United States, and the Attorney General of the United States to seriously consider the reappointment of the Honorable James Leslie Coke; and be it further

Resolved, That we do by this means extend to the Honorable James Leslie Coke our sincerest and heartiest congratulations and aloha upon the completion of his very successful and enviable term as chief justice, and do also by this means acknowledge his efforts in behalf of justice; and be it further

Resolved, That a certified copy of this resolution be transmitted to the President of the United States, the Senate of the Congress of the United States, the Attorney General of the United States, and to Hawaii's great chief justice, the Honorable James Leslie Coke.

The VICE PRESIDENT also laid before the Senate the following resolution of the Senate of the Territory of Hawaii, which was referred to the Committee on Territories and Insular Affairs:

Senate Resolution 58

Memorializing the Congress of the United States of America to amend the Hawaiian organic act to provide for reapportionment of the Senate and House of Representatives of the Legislature of the Territory of Hawaii and to create districts from which such senators and representatives shall be elected

Whereas section 55 of the Hawaiian organic act reads, in part, as follows:

"The legislature, at its first regular session after the census enumeration shall be ascertained, and from time to time thereafter, shall reapportion the membership in the senate and house of representatives among the senatorial and representative districts on the basis of the population in each of said districts who are citizens of the Territory"; and

Whereas no succeeding Legislature of the Territory of Hawaii has been enabled to reapportion the membership of the senate and house on the aforesaid basis because the Federal decennial censuses have failed to enumerate the numbers of citizens domiciled in each of the six representative districts listed in section 38 of said Hawaiian organic act; and

Whereas the report of the joint committee on Hawaii rendered to the Congress on February 15, 1938, made certain recommendations to the Legislature of said Territory regarding reapportionment of the membership of said legislature: Now, therefore, in accordance with said recommendations, be it

Resolved by the Senate of the Territory of Hawaii of the Twentieth Regular Session of the Legislature of the Territory of Hawaii, That the Congress of the United States of America be, and it hereby is, respectfully requested and urged to amend the Hawaiian organic act by enacting a bill containing in substance the following words and figures:

"An act to amend the Hawaiian organic act so as to provide for reapportionment of the membership of the House of Representatives of the Legislature of the Territory of Hawaii, and to create districts from which said representatives shall be elected, and to provide for reapportionment within each county of the membership of the senate of said legislature

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

"SECTION 1. Sections 32, 33, 35, 38, and 39 of the Hawaiian organic act are hereby amended to read, respectively, as follows:

" 'SEC. 32. Senatorial districts: That for the purpose of representation in the senate, until otherwise provided by law, the Territory is divided into the following representative districts, namely:

" 'First district: The first and second representative districts.

" 'Second district: The third and fourth representative districts.

" 'Third district: The fifth representative district.

" 'Fourth district: The sixth representative district.

" 'Fifth district: The seventh and eighth representative districts.

" 'Sixth district: The ninth and tenth representative districts.

" 'Seventh district: The eleventh and twelfth representative districts.

" 'Eighth district: The thirteenth and fourteenth representative districts.

" 'SEC. 33. Apportionment of senators: That the electors in the said districts shall be entitled to elect senators as follows: In the first district, two; in the second district, two; in the third district, one; in the fourth district, two; in the fifth district, two; in the sixth district, two; in the seventh district, two; in the eighth district, two.

" 'SEC. 35. Number of representatives: That the house of representatives shall be composed of 42 members, elected every second year.

" 'SEC. 38. Representative districts: That for the purpose of representation in the House of Representatives, until otherwise provided by law, the Territory is divided in to 14 representative districts, each comprising the geographical areas included in the the following voting precincts of the then existing representative districts of the Territory which were established and used at the general elections of 1938 for the Territory, as set forth in proclamations of the Governor of the Territory dated August 2, 1938, as follows:

" 'First district: The first to the twelfth precincts, inclusive, of the present first representative district.

" 'Second district: The thirteenth to the nineteenth precincts, inclusive, of the present first representative district.

" 'Third district: The twentieth to the twenty-ninth precincts, inclusive, of the present first representative district, and the first and second precincts of the present second representative district.

" 'Fourth district: The third to the fifteenth precincts, inclusive, of the present second representative district.

" 'Fifth district: The first to the sixth, inclusive; the eleventh and the twenty-ninth to the thirty-fourth, inclusive, precincts of the present third representative district.

" 'Sixth district: The seventh to the tenth, inclusive, and the twelfth to the twenty-eighth, inclusive, precincts of the present third representative district.

" 'Seventh district: The first to the fifth, inclusive, the twenty-eighth to the thirty-first, inclusive, and the thirty-third precincts of the present fourth representative district.

" 'Eighth district: The sixth to the tenth, inclusive, and the twelfth, thirteenth, fourteenth, seventeenth, and thirty-fourth precincts of the present fourth representative district.

" 'Ninth district: The eleventh, fifteenth, sixteenth, eighteenth to the twenty-fourth, inclusive, and the thirty-second precincts of the present fourth representative district.

" 'Tenth district: The twenty-fifth, twenty-sixth, and twenty-seventh precincts of the present fourth representative district; the twenty-first to the twenty-fifth, inclusive, the twenty-seventh and twenty-eighth precincts of the present fifth representative district.

" 'Eleventh district: The twelfth to the twentieth, inclusive, and the twenty-sixth precincts of the present fifth representative district.

" 'Twelfth district: The first to the eleventh, inclusive, and the twenty-ninth precincts of the present fifth representative district.

" 'Thirteenth district: The first to the fourth, inclusive, and the eighth to the eleventh, inclusive, precincts of the present sixth representative district.

" 'Fourteenth district: The fifth, sixth, and seventh precincts of the present sixth representative district.

" 'SEC. 39. Apportionment of representatives. That the electors in the said districts shall be entitled to elect representatives as follows: In the first district, two; in the second district, two; in the third district, two; in the fourth district, two; in the fifth district, two; in the sixth district, four; in the seventh district, four; in the eighth district, four; in the ninth district, four; in the tenth district four; in the eleventh district, four; in the twelfth district, four; in the thirteenth district, two; in the fourteenth district, two.'

"SEC. 2. Section 55 of said Hawaiian organic act is hereby further amended by substituting for that portion thereof reading:

" 'The legislature, at its first regular session after the census enumeration shall be ascertained, and from time to time thereafter, shall reapportion the membership in the senate and house of representatives among the senatorial and representatives districts on the basis of the population in each of said districts who are citizens of the Territory;' the following:

" 'The legislature, not later than July 1, 1941, and every 10 years thereafter, shall reapportion the membership in the house of representatives among the representative districts on the basis of the total number of registered voters who actually voted at the last preceding general election for the office of Delegate to Congress from Hawaii;'.

"SEC. 3. Section 65 of said Hawaiian organic act is hereby amended to read as follows:

" 'SEC. 65. That the legislature of the Territory may from time to time establish and alter the boundaries of representative districts and of the voting precincts in both senatorial and representative districts, and may apportion the representatives to be elected from such representative districts.'

"SEC. 4. The persons holding office as senators from the existing senatorial districts on the effective date of this act shall continue to hold their respective offices until the expiration of their respective terms. At the general elections for the Territory to be held in the year 1940, and every 2 years thereafter, one senator shall be elected in each senatorial district except in the third, in which district one senator shall be elected every 4 years commencing with the general election in the year 1942. During the regular session of the legislature of the Territory in the year 1941, the senate shall determine to which of the reapportioned senatorial districts each of the senators whose term will not expire until the succeeding general election shall be assigned, in order that there shall be two senators for each such reapportioned district except the third.

"SEC. 5. This act shall take effect from and after the date of its approval."

Resolved, That duly certified copies of this resolution shall, upon its approval, be forwarded to the Secretary of the Interior and the Presiding Officer of each of the two Houses of the Congress of the United States of America; to the Honorable WILLIAM H. KING, Senator from Utah and chairman of the Joint Committee on Hawaii; and to the Delegate to Congress from the Territory of Hawaii.

The VICE PRESIDENT also laid before the Senate resolutions adopted by the convention of the Texas Cotton Gin-

ners' Association at Dallas, Tex., favoring the adoption of the domestic allotment plan pertaining to cotton, and also the enactment of other legislation to aid the cotton farmer, which were referred to the Committee on Agriculture and Forestry.

He also laid before the Senate a resolution of the Empire Typographical Conference of New York, protesting against amendment of the National Labor Relations Act at the present session of Congress, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution of the Civic Study Club of Detroit, Mich., protesting against the United States becoming involved in foreign entanglements of any nature, and pledging support to the American form of government, which was referred to the Committee on Foreign Relations.

He also laid before the Senate the petition of the Jewish Peoples Committee, signed by E. Schwartzman, national secretary, New York, N. Y., praying for the enactment of Senate Joint Resolution 64 and House Joint Resolution 168, authorizing the admission to the United States of 10,000 refugee children each year, in 1939 and 1940, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a petition of sundry citizens of Birmingham, Ala., praying for the enactment of the so-called Wagner-Van Nuys-Capper antilynching bill, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution of the Hawaiian Civic Club, of Honolulu, T. H., favoring the reappointment of Hon. James Leslie Coke, to be Chief Justice of the Supreme Court of Hawaii, which was referred to the Committee on the Judiciary.

Mr. WALSH presented a resolution adopted at a rally and mass meeting held in the Old South Meeting House, Boston, Mass., favoring a policy of nonparticipation in Japanese aggression in China, which was referred to the Committee on Foreign Relations.

Mr. MEAD presented a resolution of the Mayor and City Council of Newburgh, N. Y., favoring extension of the W. P. A. rules to permit deserving taxpayers to be registered and employed on W. P. A. projects, which was referred to the Special Committee to Investigate Unemployment and Relief.

Mr. CAPPER presented a petition of officers and members of Townsend Club No. 1, of Downs, Kans., praying for the enactment of general-welfare and old-age assistance legislation embodying the provisions of the so-called Townsend plan for national recovery, which was referred to the Committee on Finance.

He also presented a petition of members of Evergreen Camp No. 3157, Royal Neighbors of America, of Kiowa, Kans., praying for the enactment of legislation to exempt fraternal societies from the tax provisions of the Social Security Act, which was referred to the Committee on Finance.

Mr. JOHNSON of California presented the following joint resolution of the Legislature of California, which was referred to the Committee on Claims:

Assembly Joint Resolution 28

Relative to memorializing Congress to enact proposed legislation directing the allowance and payment of travel and other expenses to certain soldiers of the Spanish-American War in the Philippine Islands

Whereas certain members of the Regular Army of the United States, who enlisted therein for the duration of the War with Spain, were honorably discharged from such enlistment while serving in the Philippines and were unable to secure transportation therefrom to the continental limits of the United States by Government transport for a period of approximately 3 months thereafter; and

Whereas the cost of such transportation by private carrier was prohibitive to men of limited funds such as newly discharged veterans; and

Whereas the cost of lodging and subsistence in the Philippines pending such governmental transportation, necessitated a financial outlay which such veterans could not have been expected to bear, but did bear; and

Whereas the expression by such veterans of their patriotism as manifested by such enlistment, could fittingly be met by a similar expression of thankfulness on the part of the people of the United States by authorizing the War Department, upon application to it by such former members of the Regular Army of the United States, under such regulations as the Secretary of War shall prescribe, to allow and pay their actual necessary expenses, if any, for lodging and subsistence in the Philippines for the period, not exceeding 3 months, during which they awaited transportation by Government transport and, in addition, for the distance from Manila, P. I., to San Francisco, Calif., the travel pay and commutation of subsistence formerly allowed under sections 1 to 90, Revised Statutes of the United States, to soldiers of the Regular Army honorably discharged which comprises all enlisted men, less any sum or sums of money actually paid by the Government to such persons respectively, at the time of such discharge or subsequent thereto by way of travel pay or allowances for transportation and subsistence between said places; and

Whereas a House Resolution No. 2197 has been introduced in the Seventy-sixth Congress, first session, so providing: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States is hereby respectfully urged to enact such legislation; and be it further

Resolved, That the chief clerk of the assembly is hereby requested to transmit copies of this resolution to the Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that such Senators and Representatives from California are hereby respectfully urged to support such legislation.

Mr. JOHNSON of California also presented the following joint resolution of the Legislature of California, which was referred to the Committee on Commerce:

Assembly Joint Resolution 18

Relative to memorializing the President and Congress to provide for Kern River flood control

Whereas floods on the Kern River from time to time constitute a serious menace, causing erosion, damage to homes and farms, destruction of farm crops, and the necessity of maintaining expensive constructions and levees to protect the city of Bakersfield; and

Whereas the construction of dams for storage and to control the waters of the river would create a supply of stored waters which could be used to irrigate a large acreage of very fertile land in Kern County; and

Whereas the present system of storage in the open valley results in a high percentage of evaporation of the waters so stored which are thereby lost for use for purposes of irrigation; and

Whereas construction of storage reservoirs and hydroelectric power plants in connection therewith would furnish power during the growing season, which power would lower the cost of pumping in those districts where pumping is done, and at the same time would eventually pay the entire cost of all the storage dams, reservoirs, and power plants in connection therewith; and

Whereas the construction of such storage reservoirs and hydroelectric power plants is of such an extensive and intricate nature as to require handling as a Federal project: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and Congress of the United States be memorialized to include the construction of dams and hydroelectric power plants in connection therewith on the Kern River as one of the Federal construction projects and that Federal moneys be appropriated in sums sufficient to complete the construction of the dams and other works in connection therewith at the earliest possible moment; and be it further

Resolved, That the chief clerk of the assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, to each Senator or Member of the House of Representatives from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully requested to urge such action.

Mr. JOHNSON of California also presented the following joint resolution of the Legislature of California, which was referred to the Committee on Interstate Commerce:

Assembly Joint Resolution 36

Relative to construction of railway connecting link along northern California coast

Whereas the vitally important stretch of the Pacific coast from Eureka, Calif., north through the rich, productive, but utterly defenseless area of California and Oregon to Marshfield, Oreg., sometimes called "the last frontier," is unserved by any coast-line railway and forms a hiatus in the otherwise continuous coast-line rail route for the Pacific coast; and

Whereas the connecting of these two points by a coast-line railway would, from an economic standpoint, be justified in that—

1. It would afford adequate service for the natural passenger and freight traffic flow between Washington, Oregon, and California cities;

2. It would permit the development of millions of acres of virgin territory for homes, business opportunities, agriculture, lumbering, and mining activities; and

3. It would afford adequate facilities for the marketing of extensive natural lumber and mineral resources of a territory nearly as large as the State of Oregon; and

Whereas the existing state of world affairs has required the Government of the United States to take measures designed to provide adequate means to defend the Nation; and

Whereas the defense of the California coast is of utmost importance and the exigencies of natural defense of the Pacific coast and, of necessity, the United States requires that there be an unbroken rail route paralleling and adjacent to the coast line as essential in order to assure—

1. Rapid troop, supply, and material movements to point of threatened invasion;

2. The maintenance of the only practical and, in most cases, possible means for transportation of artillery, munitions, and other heavy military tonnage;

3. The only practical means of transport of all classes of supplies to army, corps, and divisional railheads;

4. Defeat of attempts by enemy forces to effect landings, cut inland communication lines, and reduce coast-defense fortifications;

5. Availability for troop and supply transportation all the transcontinental railway lines to the Pacific coast, two-thirds of which approach through the Columbia River Basin; and

6. Access to the vast supplies of essential timber and mineral wealth of the area for wartime need; and

Whereas the construction of such connecting link is actively desired by the coastal cities and counties of this State from San Francisco north and by the Governors of the Pacific Coast States and other important substantial public leaders of such States: Now, therefore, be it

Resolved by the Assembly and Senate on the State of California jointly, That the President and Congress of the United States be memorialized to allocate, from funds available and which may become available for national defense, for the purpose of assisting in the construction of, or of constructing, such a railroad project, such moneys as shall be necessary to assure the initiation and completion thereof; and be it further

Resolved, That the chief clerk of the assembly be instructed to transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and to each Member of the House of Representatives from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully requested to urge such action.

Mr. JOHNSON of California also presented the following joint resolution of the Legislature of California, which was referred to the Committee on the Library:

Assembly Joint Resolution 19 relative to memorializing the President and the Congress of the United States to continue the Works Progress Administration Federal art project

Whereas the Works Progress Administration Federal art project has been in existence over a period of 3 years, providing employment for workers of all arts crafts; and

Whereas the number employed on the Federal art project has tended to relieve, to a certain extent, long periods of unemployment for a great number of artists of all the arts; and

Whereas the Federal art project has given to many workers in the fine arts and crafts a chance to rehabilitate themselves for future employment in this industrial world; and

Whereas private enterprise is now unable to absorb musicians, actors, painters, and workers of other art crafts because of technological development and mechanical devices which reproduce and supplant the necessity for their personal presence; and

Whereas art of all phases in itself is a necessity for upright, honest, sincere, wholesome, and enjoyable living: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California hereby respectfully urges, requests, and memorializes the President and the Congress of the United States to pass such legislation as will make it imperative that the Works Progress Administration Federal art project be continued in its present form; and be it further

Resolved, That the chief clerk of the assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California in the Congress of the United States.

Mr. JOHNSON of California also presented the following joint resolution of the Legislature of California, which was referred to the Committee on Military Affairs:

Assembly Joint Resolution 20, relative to Federal aid to State or Territorial veterans' homes

Whereas there exists in the State of California one of the outstanding State homes of the Nation for the care of disabled veterans, who are disabled by age, disease, or otherwise and by reason of such disability are incapable of earning a living; and

Whereas the per-capita cost for maintaining such veterans has greatly increased due to advancing age and physical disabilities; and

Whereas the State of California is deluged with veterans who came from other States who become disabled and by reason of their becoming legal residents, must be cared for in California; and

Whereas the $120 per year per capita Federal aid represents a very small part of the total cost of maintaining a veteran in the California State facility: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and the Congress of the United States are respectfully urged to enact legislation that will result in increasing the Federal aid: *Provided,* That any State shall not be paid a sum exceeding one-half the per-capita cost of maintaining a veteran; and be it further

Resolved, That the chief clerk of the assembly of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House, and to the Senators and Representatives of the State of California in Congress.

ADVERTISING OF ALCOHOLIC BEVERAGES BY RADIO—PETITIONS

Mr. BORAH. Mr. President, I ask permission to present sundry and numerous petitions; and I should like to read a portion of one of the petitions, in order that it may be understood and properly designated:

To the Members of the Senate and House of Representatives of the Congress of the United States:

We, the undersigned citizens of Nampa of the county of Canyon of the State of Idaho, do respectfully petition you to help promote the general welfare of the people of the United States by securing the passage of legislation which will stop, so far as is possible by Federal law, the great advertising campaign for the sale of alcoholic beverages now going on by press and radio.

The States cannot adequately regulate or prohibit the advertising of liquor so long as Congress permits such advertising through the medium of interstate commerce. Therefore, we must earnestly urge your assistance in securing this proposed legislation in order that State regulations and laws upon the subject may thereby be made more adequate and effective and that radio advertising of alcoholic beverages may be stopped entirely.

I presume the petitions should lie on the table.

The VICE PRESIDENT. The Senator is correct, as the bill in question was reported from the Committee on Interstate Commerce during the last adjournment under authority of the order of the Senate of the 27th ultimo.

Mr. BORAH. And the Senate will observe that this is another form of stream pollution, the subject dealt with by the unfinished business.

The VICE PRESIDENT. The petitions presented by the Senator from Idaho will be received and lie on the table.

REPORTS OF COMMITTEES FILED DURING ADJOURNMENT

Under authority of the order of the 27th ultimo,

On April 28, 1939:

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (H. R. 3221) to authorize the Secretary of War to provide for the sale of aviation supplies and services to aircraft operated by foreign military and air attachés accredited to the United States, and for other purposes, reported it without amendment and submitted a report (No. 337) thereon.

Mr. JOHNSON of Colorado, from the Committee on Interstate Commerce, to which was referred the bill (S. 517) to amend the Communications Act of 1934 to prohibit the advertising of alcoholic beverages by radio, reported it with amendments and submitted a report (No. 338) thereon.

Mr. GURNEY, as a member of the Committee on Interstate Commerce, submitted minority views on the foregoing bill (S. 517), which are printed as a part of Report No. 338.

REPORTS OF COMMITTEES

Mr. McCARRAN, from the Committee on the Judiciary, to which was referred the bill (S. 198) to provide that records certified by the Court of Claims to the Supreme Court, in response to writs of certiorari, may include material portions of the evidence, and for other purposes, reported it without amendment and submitted a report (No. 339) thereon.

Mr. SCHWARTZ, from the Committee on Military Affairs, to which was referred the bill (S. 682) relative to the military record of Charles C. Rascoe, deceased, reported it without amendment and submitted a report (No. 340) thereon.

Mr. BULOW, from the Committee on Civil Service, to which was referred the bill (S. 1904) relating to age requirements for persons in the classified civil service, reported it with amendments and submitted a report (No. 341) thereon.

He also, from the same committee, to which was referred the bill (S. 1730) to amend the civil-service law to permit

certain employees of the legislative branch of the Government to be transferred to positions under the competitive classified civil service, reported it with an amendment and submitted a report (No. 343) thereon.

Mr. WHEELER, from the Committee on Interstate Commerce, to which was referred the bill (S. 1307) authorizing the Secretary of War to grant a revocable license to the Union Pacific Railroad Co. to maintain certain railroad trackage on the Fort Leavenworth Military Reservation, reported it with an amendment and submitted a report (No. 342) thereon.

Mr. CONNALLY, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 2244) to authorize the Secretary of the Treasury to accept real estate devised to the United States by the late Lizzie Beck, of Mena, Ark., and for other purposes, reported it without amendment.

Mr. AUSTIN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 62) to reinter the bodies of Mary McDonough Johnson Daughtery and Sarah Phillips McCardle Whitesides near the body of former President Andrew Johnson, reported it without amendment and submitted a report (No. 344) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1683. A bill to amend the act of June 7, 1935 (49 Stat. 332), and for other purposes (Rept. No. 345);

S. 2222. A bill to provide for a Deputy Chief of Staff, and for other purposes (Rept. No. 346); and

S. 2223. A bill to authorize the acquisition of additional lands for military purposes (Rept. No. 347).

Mr. MEAD, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 3812) granting postal employees credit for Saturday in annual and sick leave law, thereby conforming to the 40-hour workweek or 5-day-week law, reported it with amendments and submitted a report (No. 348) thereon.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 3230) to amend the statutes providing punishment for transmitting threatening communications, reported it with amendments and submitted a report (No. 349) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 3231. A bill to authorize the mailing of pistols, revolvers, and other firearms capable of being concealed on the person, to officers of the Coast Guard (Rept. No. 350);

H. R. 3811. A bill to provide for the appraisal of the pneumatic mail tube systems in New York and Boston (Rept. No. 351);

H. R. 4771. A bill limiting working hours of pneumatic-tube system employees to 8 in 10 hours a day (Rept. No. 352);

H. R. 4772. A bill to provide time credits for substitutes in the pneumatic-tube service (Rept. No. 353);

H. R. 4785. A bill to provide a differential in pay for night work to pneumatic tube system employees in the Postal Service (Rept. No. 354); and

H. R. 4786. A bill to extend the provisions of the 40-hour law to pneumatic tube system employees in the Postal Service (Rept. No. 355).

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. AUSTIN:

S. 2268. A bill for the relief of Roxie Richardson; to the Committee on Claims.

By Mr. McKELLAR:

S. 2269. A bill for the relief of Davis-Mize & Co., Inc.; to the Committee on Claims.

By Mr. SMITH:

S. 2270. A bill to authorize the Secretary of Agriculture to purchase refuge lands within the State of South Carolina for the perpetuation of the eastern wild turkey and to provide pureblood brood stock for restocking within its native range, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. LOGAN:

S. 2271. A bill for the relief of Barnet Warren; to the Committee on Claims.

By Mr. SCHWELLENBACH:

S. 2272. A bill for the relief of Alvic A. Gould; to the Committee on Claims.

S. 2273. A bill to authorize the Secretary of the Navy to accept on behalf of the United States certain land in the city of Seattle, King County, Wash., with improvements thereon; to the Committee on Naval Affairs.

By Mr. LA FOLLETTE (for himself and Mr. GILLETTE):

S. 2274. A bill authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa; to the Committee on Commerce.

By Mr. BROWN:

S. 2275. A bill for the relief of Floyd M. Dunscomb; and

S. 2276. A bill for the relief of the R. G. Schreck Lumber Co.; to the Committee on Claims.

S. 2277. A bill for the relief of Nicholas Contopoulos; and

S. 2278. A bill for the admission to citizenship of aliens who came into this country prior to February 5, 1917; to the Committee on Immigration.

S. 2279. A bill to provide for the acquisition by the United States of the Grosse Ile Airport; to the Committee on Naval Affairs.

S. 2280. A bill granting a pension to Nora J. Buchanan; and

S. 2281. A bill granting a pension to Viola J. Buchanan; to the Committee on Pensions.

By Mr. NYE:

S. 2282. A bill to grant permission to school districts to tax certain land used for migratory-bird sanctuaries, and for other purposes; to the Committee on Finance.

By Mr. WALSH:

S. 2283. A bill to authorize major overhauls for certain naval vessels, and for other purposes; and

S. 2284. A bill to amend the act of May 4, 1898 (30 Stat. 369), so as to authorize the President to appoint 100 acting assistant surgeons for temporary service; to the Committee on Naval Affairs.

By Mr. THOMAS of Oklahoma:

S. 2285. A bill granting a pension to Rufus Sadler (with accompanying papers); to the Committee on Pensions.

By Mr. CHAVEZ:

S. 2286. A bill to amend section 10, as amended, of the act of June 28, 1934, known as the Taylor Grazing Act, with respect to the use of moneys paid to the several States under the provisions of such act; to the Committee on Public Lands and Surveys.

By Mr. PEPPER:

S. 2287. A bill for the relief of H. A. Dixon; to the Committee on Claims.

By Mr. GURNEY:

S. 2288. A bill for the relief of John H. Balmat, Jr.; to the Committee on Military Affairs.

By Mr. ANDREWS:

S. 2289. A bill for the relief of the Leesburg Welding & Garage Co.; to the Committee on Claims.

S. 2290. A bill for the relief of the estate of Lewis Washington; to the Committee on Finance.

S. 2291. A bill to provide for the erection of a library building in Lake Worth, Fla., as a monument to the memory of the late Maj. Gen. William Jenkins Worth; to the Committee on the Library.

By Mr. SHEPPARD:

S. 2292. A bill relating to loans by the Reconstruction Finance Corporation to churches and religious corporations; to the Committee on Banking and Currency.

S. 2293. A bill for the relief of Thomas E. Wheeler; to the Committee on Claims.

S. 2294. A bill to provide for the protection and the conservation of equities or rights accruing to the Government because of railroad land grants; to the Committee on Interstate Commerce.

S. 2295. A bill authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919; and

S. 2296. A bill to amend section 5, act of April 3, 1939 (Public, No. 18, 76th Cong.), so as to restrict application thereof to personnel who are paid out of War Department appropriations; to the Committee on Military Affairs.

S. 2297. A bill to correct the naval record of John Edward Anderson (with accompanying papers); to the Committee on Naval Affairs.

By Mr. JOHNSON of California:

S. J. Res. 124. Joint resolution authorizing the President to invite foreign countries to participate in the San Diego-Cabrillo Quadricentennial Celebration to be held in 1942; to the Committee on Foreign Relations.

By Mr. LODGE:

S. J. Res. 125. Joint resolution proposing an amendment to the Constitution of the United States relating to old-age assistance; to the Committee on the Judiciary.

CHANGE OF REFERENCE

On motion by Mr. SHEPPARD the Committee on Finance was discharged from the further consideration of the bill (S. 2227) for the relief of John B. Jones, and it was referred to the Committee on Military Affairs.

AMENDMENTS TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL—CONTROL OF OUTBREAKS OF INSECT PESTS AND PLANT DISEASES

Mr. MURRAY (for himself, Mr. LEE, Mrs. CARAWAY, Mr. THOMAS of Oklahoma, Mr. DOWNEY, Mr. SHIPSTEAD, Mr. MCNARY, Mr. CAPPER, Mr. CLARK of Idaho, Mr. REED, Mr. FRAZIER, Mr. NYE, Mr. SCHWARTZ, Mr. JOHNSON of Colorado, Mr. LA FOLLETTE, Mr. GILLETTE, Mr. NORRIS, and Mr. WILEY) submitted amendments intended to be proposed by them, jointly, to House bill 5269, the Agricultural Department appropriation bill, 1940, which were referred to the Committee on Appropriations, and ordered to be printed, as follows:

On page 59, between lines 11 and 12, to insert the following:

"Control of incipient and emergency outbreaks of insect pests and plant diseases: For an additional amount, fiscal year 1939, to be immediately available and to remain available until December 31, 1939, for carrying out the purposes and provisions of, and for expenditures authorized under, the joint resolution entitled 'Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs,' approved April 6, 1937, as amended, $2,417,000."

On page 59, line 13, to strike out "$4,967,401" and insert in lieu thereof "$7,384,401.

LABOR DAY ADDRESS BY SENATOR MINTON

[Mr. MINTON asked and obtained leave to have printed in the RECORD an address delivered by him at the Labor Day ceremonies held in Boonville, Ind., September 5, 1938, which appears in the Appendix.]

RADIO ADDRESS BY SENATOR GREEN AT PROVIDENCE, R. I.

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a radio address delivered by Senator GREEN on April 21, 1939, which appears in the Appendix.]

VICE PRESIDENT GARNER—ARTICLE FROM COUNTRY GENTLEMAN

[Mr. SHEPPARD asked and obtained leave to have printed in the RECORD an article relative to the Vice President of the United States, published in Country Gentleman for May 1939, which appears in the Appendix.]

THERE'LL BE NO WAR—EDITORIAL FROM WASHINGTON DAILY NEWS

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an editorial from the Washington Daily News of Wednesday, April 12, 1939, entitled "There'll Be No War," which appears in the Appendix.]

APPROPRIATIONS FOR THE TREASURY AND POST OFFICE DEPARTMENTS—CONFERENCE REPORT

Mr. GLASS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4492) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1940, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 8, 11, 12, 14, 28, 29, 32, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 6, 7, 10, 17, 19, 22, 24, 27, and 30, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$146,660"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert $400,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$136,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$477,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$24,790,550"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$570,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$388,500"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$579,260"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$92,500"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,975,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,725,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$455,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,450,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 34 and 36.

CARTER GLASS,
KENNETH MCKELLAR,
PAT MCCARRAN,
JOSIAH W. BAILEY,
Managers on the part of the Senate.

LOUIS LUDLOW,
EMMET O'NEAL,
GEORGE W. JOHNSON,
GEORGE H. MAHON,
JOHN TABER,
CLARENCE J. MCLEOD,
Managers on the part of the House.

The report was agreed to.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4492, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,
April 27, 1939.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 34 to the bill (H. R. 4492) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1940, and for other purposes, and concur therein with an amendment as follows:

In line 2 of said Senate engrossed amendment strike out "one-half" and insert "three-fourths"; and

That the House recede from its disagreement to the amendment of the Senate numbered 36 to said bill, and concur therein with an amendment as follows:

In lieu of the matter inserted by said amendment insert:

"SEC. 6. On and after July 1, 1939, no executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, mail concerning the sale of Government securities, and all forms and blanks necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment or such transmission is required by law. For each quarter, beginning with the quarter commencing July 1, 1939, the head of each independent establishment and executive department (other than the Post Office Department) shall submit to the Postmaster General, within 30 days after the close of the quarter, a statement of the weight of the mail matter by classes of mail that the independent establishment or department has transmitted free of postage during such quarter, and he shall also certify to the Postmaster General at the end of each such quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins or of lists of public documents which are offered for sale by the Superintendent of Documents: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries."

Mr. KING. Mr. President, I should like to ask the Senator from Virginia whether any material changes were made.

Mr. GLASS. In a word, one of the amendments of the House relates to the purchase of cotton twine, and alters the amendment presented on the floor of the Senate by the Senator from Georgia [Mr. GEORGE]. The Senator from Georgia agreed to the alteration made by the House. The other amendment relates to the penalty mail provision, which was inserted in the Senate upon motion of the Senator from Wyoming [Mr. O'MAHONEY]. The Senator from Wyoming has agreed to the alteration.

I move that the Senate concur in the House amendments to the amendments of the Senate numbered 34 and 36.

The motion was agreed to.

CALLING OF CALENDAR DISPENSED WITH

The VICE PRESIDENT. Routine morning business having been concluded, the calendar under rule VIII is in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the calling of the calendar be dispensed with.

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

FLORIDA SHIP CANAL

Mr. VANDENBERG. Mr. President, in connection with the calendar, I should like to address an inquiry to the able majority leader [Mr. BARKLEY]. One of the new bills that is now upon the calendar is order No. 349, which relates to the Florida ship canal. The bill comes to the Senate from the Committee on Commerce without recommendation, thank God. I should like to inquire if it is the intention to take this bill up during the course of the present week?

Mr. BARKLEY. I will say to the Senator that I cannot answer his question now, because I have not conferred with the author of the bill and the chairman of the committee about it. I will say that, so far as I am concerned, it would be entirely agreeable to do so, because we are a little slack in business this week, anyway. But I will be glad to advise the Senator later in the day.

Mr. VANDENBERG. It is perfectly agreeable to me to go ahead with it so long as I know 1 day in advance what is to be done.

Mr. BARKLEY. I will see that the Senator has that information.

Mr. VANDENBERG. I thank the Senator from Kentucky.

STREAM-POLLUTION CONTROL

Mr. BARKLEY. I ask unanimous consent that the Senate resume the consideration of the unfinished business, which is the stream-pollution control bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (S. 685) to create a Division of Water Pollution Control in the United States Public Health Service, and for other purposes.

Mr. HOLMAN. Mr. President, in the debate on Senate bill 685, which has to do with an attempt to prevent or regulate the pollution of the navigable streams of our country, I rise to speak in favor of the amendment in the nature of a substitute offered by the Senator from Missouri [Mr. CLARK].

The matter of stream pollution was an issue in the recent election in Oregon, and I had the honor of being president of the Oregon Stream Purification League. Just as in the Senate, so there, during the discussion of various proposals, the voices raised in protest against any remedial legislation were so numerous that a spectator might believe public opinion was against any progressive measures aimed at the purification of our streams.

It has always appeared strange to me that many of those who are individually clean and favorable to sanitation are favorable to a continuance of filthy and insanitary conditions when the subject is considered as a social question. The point I want to make at the moment is that when this question is put to the people themselves, as it was put to the people in Oregon, we find that there is overwhelming public support for sanitation, cleanliness, and the preservation of natural values.

At the general election in Oregon on November 8, 1939, the voters of Oregon overwhelmingly approved a bill for water purification and prevention of stream pollution. We had no campaign funds. I myself individually carried the financial responsibility of the campaign, and nobody has ever accused me of being careless of my money. Approximately 77 percent, or a ratio of over 3 to 1, of the persons voting registered their approval of the bill, and I am convinced that the same percentage of the people of the Nation would do the same thing if they had an opportunity to vote upon the principle of sanitation and cleanliness and the restoration of the natural conditions of our streams.

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

Mr. HOLMAN. Yes, sir.

Mr. McCARRAN. At the outset of the Senator's remarks I understood him to say that this was a bill for the prevention of pollution of navigable streams. Does the Senator understand that the bill is confined to navigable streams?

Mr. HOLMAN. Navigable in the broad sense and character, out to the *n*th degree, so far as the law will stretch. That will cover the waters of the country.

Mr. McCARRAN. Does not the Senator understand that the bill relates to all streams that may be interstate?

Mr. HOLMAN. I understand that, yes; but in our section of the country we call a navigable stream one that will float a shinglebolt. Does the Senator know what a shinglebolt is? It is something about as large as a piece of unsplit stove wood.

Mr. McCARRAN. Let me say to the Senator that that definition is not acceptable to the War Department.

Mr. HOLMAN. My understanding of the bill is, as I say, that it covers streams in the broadest sense, whatever the interpretation of that term may be. So far as I am concerned, I would go clear back to the springs.

Does the Senator wish to ask me any further questions?

Mr. McCARRAN. I wish the Senator from Oregon to understand that I did not interrupt him save and except to protect the record as he goes along, because in this bill we are not dealing with navigable streams. We are dealing with streams within the confines of a law as the Federal Government may apply the law. There may be some question as to whether the Federal Government may apply the law to an intrastate stream entirely within a State; but it may apply the law, whether it be the Clark amendment or the original bill, to an interstate stream. So when the Senator used the words "navigable stream" he aroused my interest, because the Senator knows that many streams in the West are interstate, but are not necessarily, nor indeed possibly, navigable.

Mr. HOLMAN. Mr. President, I am very grateful to the distinguished Senator from Nevada for elucidating that idea and amplifying my remark, and making clear to all present the great extent of spread in the meaning of the bill.

I have been advised by reliable authority that the Army engineers are ready to proceed pursuant to the provisions of the Clark bill, Senate bill 1691, under which we would be taking an effective step toward the accomplishment of stream purification. I am not opposed to the bill of the Senator from Kentucky [Mr. BARKLEY]; but I favor the amendment of the Senator from Missouri [Mr. CLARK], because it goes further into the subject, and would be more effective in accomplishing the regulation of the apparently unregulated contamination of our streams, and would ultimately effectuate a degree of purification that is vital to the public health, and preservative of fish life and the restoration of material and recreational values in our streams.

Mr. BARKLEY obtained the floor.

Mr. CLARK of Missouri. Mr. President, will the Senator from Kentucky yield to me for the purpose of offering two perfecting amendments to my amendment in the nature of a substitute?

Mr. BARKLEY. Yes.

Mr. CLARK of Missouri. I desire to modify my amendment in two particulars by two amendments, which I send to the desk.

Mr. McCARRAN. Mr. President, may I ask a question of the author of the original bill, with the attention of the Senator from Missouri? Are we not driving at the same point by both of these measures, the original bill and the substitute? In other words, the original bill proposes to put the control of this matter in one hand, and the substitute proposes to put it in—if I may use a homely expression—a broader spread of authority. Am I correct in that statement?

Mr. BARKLEY. In a sense the Senator is correct. Both bills—the original bill and the substitute—aim at the same thing, and that is to clean up the pollution in our streams. The main differences between the two bills are these: The substitute proposes to put this work under the Army engineers, while the original bill puts it in the Public Health Service. The substitute also empowers the Federal Government to bring injunction suits against cities, towns, and individuals in order to abate what is called a nuisance in the event that they are notified to do so by the Chief of Engineers, or the board set up under him, and fail to do so. Those are the main differences between the two bills.

Mr. McCARRAN. Mr. President, in elaboration of my question let me say that I am interested in that which I think the Federal Government may without serious objection accomplish, namely, interstate activity for the elimination of pollution. In other words, I think a question might be raised as to an intrastate stream; but, in my judgment, in the case of an interstate stream the Government may always step in to clear up the stream. I am interested in such a body of water, whether it be a navigable stream or a nonnavigable stream, because in any event the water is used by humanity.

What I have in mind is that there should be a central authority to carry out the provisions of the bill. The authority itself may bring into its general scope all the other agencies of the Government. So, with that in mind, I had hoped that the author of the bill—and I commend the author of the bill and I commend the policy of the bill—might get together with the author of the substitute, so that we might go ahead with this worthy project.

Mr. BARKLEY. Unfortunately, there is an irreconcilable difference between the two bills. I shall explain the difference a little later, when I address the Senate in opposition to the substitute offered by the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, if the Senator from Kentucky will permit me, I think he and I will agree on the statement that the only irreconcilable difference between our bills is in the matter of enforcement. My bill contains an ultimately drastic enforcement provision. The bill of the Senator from Kentucky does not. I do not think the question of agency is of such tremendous importance.

Mr. BARKLEY. Mr. President, I will say to the Senator from Nevada that the bill I introduced originally, which is the bill now being considered, contemplates cooperation between the Federal Government and the States. It takes into consideration not only navigable streams but tributaries to navigable streams from which polluting substance may find its way into navigable streams. I do not think that the authority of the Federal Government in dealing with a sanitary health matter of this sort is necessarily limited to the portions of streams which may be navigable.

Mr. CLARK of Missouri. I agree with that statement.

Mr. BARKLEY. It can and does deal with tributaries which may pollute navigable streams, although there may be no discharge into the navigable part of the stream itself which would pollute the water.

Mr. McCARRAN. May I interrupt the Senator?

Mr. BARKLEY. Certainly.

Mr. McCARRAN. The reason for my question grew out of a remark of the able Senator from Oregon. I did not want the RECORD to show that we were dealing entirely with navigable streams.

Mr. BARKLEY. That is true; the bill does not.

Mr. CLARK of Missouri. If the Senator from Kentucky will permit me to interrupt him just a moment on that point—and I do not wish to interfere with the statement of the Senator from Kentucky—it is my thought in connection with this matter that since the Government of the United States has recognized, for instance, in the case of flood control, that there is a responsibility on the Government as to tributary streams, because from them water may flow into the main stems of the various rivers which will bring about a flood situation, since we have assumed, as to navigable streams, to compel the removal of obstructions which may interfere with navigation, it seems to me perfectly clear that Congress has the same right and jurisdiction, either by way of appropriations or by regulations, not only as to the main stems of the navigable streams but as to any streams which may empty into navigable streams and contribute to a condition deleterious to the public health.

Mr. McCARRAN. Let me use an expression which no doubt accords with the view of the Senator from Missouri, that the Federal Government may take over and control a stream system.

Mr. CLARK of Missouri. That is exactly my idea.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. BARKLEY. I yield.

Mr. NORRIS. I should like to ask the Senator from Missouri a question which is raised in my mind by reason of the question propounded by the Senator from Nevada. Is there, after all, any limit to the jurisdiction of the Federal Government in the matter of controlling pollution, although the pollution may occur in a stream which is entirely intrastate, if that stream empties into an interstate stream? In other words, would the Federal Government be debarred from taking action with regard to the pollution of an entirely intrastate stream, assuming that the water of such stream, as is true in the case of practically all streams, eventually flows into an interstate stream?

Mr. CLARK of Missouri. Let me say to the Senator from Nebraska that so far as I am concerned I have not the faintest doubt on earth of the jurisdiction of Congress in the matter.

Mr. NORRIS. Covering every stream?

Mr. CLARK of Missouri. Yes; as a matter of protecting the public health.

Mr. NORRIS. I think the Senator is correct about that, because pollution of a stream which itself rises and empties within a State may be the means of polluting an interstate stream. If we had no jurisdiction over such a stream we could not accomplish the end sought by the bill.

Mr. BARKLEY. There is no difference of opinion on that subject.

Mr. CLARK of Missouri. I may say to the Senator from Nebraska that that question does not enter into the differences between those supporting the original bill of the Senator from Kentucky and those supporting my substitute, because I think all concerned are agreed upon that proposition.

Mr. NORRIS. If we are agreed on that, then I should like to know from the Senator from Missouri or the Senator from Kentucky their idea of just what the difference is between these two measures.

Mr. BARKLEY. I expect to explain the difference.

Mr. CLARK of Missouri. The Senator from Kentucky is going to explain the difference, and after he concludes I may have some slight explanation to make.

Mr. McCARRAN. Mr. President, I should like to ask the Senator from Nebraska a question.

Mr. BARKLEY. I yield to the Senator to ask the Senator from Nebraska a question. But I should like to ask the Senator from Missouri whether he wants his amendments to his amendment read.

Mr. CLARK of Missouri. I should like to have my amendments read for the information of the Senate, because in some degree they tend to modify the effect of my substitute as originally proposed.

Mr. McCARRAN. I wish to ask a question of the Senator from Nebraska. I think the Senator from Nebraska realizes that if a stream is entirely intrastate there might be a question as to the right of the Federal Government to take jurisdiction over it. Does the Senator acquiesce in that statement?

Mr. NORRIS. There might be a question, though I do not see just what it could be so far as pollution is concerned. If the Federal Government, in attempting to control pollution on interstate streams, cannot control the tributaries, regardless of whether they are interstate or intrastate, then the right to control interstate streams is entirely nullified.

Mr. McCARRAN. The Senator fails to distinguish between a stream which, by reason of its contacts, becomes an interstate system, and a stream which is entirely intrastate.

Mr. NORRIS. By an intrastate stream does the Senator mean a stream which rises and ends in a State?

Mr. McCARRAN. That is the meaning.

Mr. NORRIS. I should say Congress would not have jurisdiction if there is such a stream.

Mr. McCARRAN. I wanted to have that clear. I hope a law on the subject of stream pollution will be enacted in some form, and I should like to have in the law some expression so that there may be Federal jurisdiction to clean up all streams where human life is at all affected.

The PRESIDING OFFICER (Mr. LODGE in the chair). The clerk will state the amendments by which the Senator from Missouri modifies his substitute.

The LEGISLATIVE CLERK. On page 6, after line 15, it is proposed to modify the original amendment by adding the following subsection:

(c) Where compliance with standards of purity fixed by Chief of Engineers be impossible or impracticable before effective date of this act because no adequate method of disposal or treatment of polluting material is presently known, the Chief of Engineers may grant an extension of time, not exceeding 5 years from such effective date, to permit such industry to perfect and provide adequate means of disposal or treatment of such polluting material. The burden of proving necessity for such extension shall be upon the industry seeking it, and no extension shall be granted except after public hearing and a finding by the Chief of Engineers of necessity.

The amendment is further modified on page 9, line 7, by amending section 12 so that it will read as follows:

All provisions of this act applicable to States shall also be applicable to the District of Columbia, and shall take effect 3 years after the passage of this act, except for additional or new sources of pollution, in which case the provisions of the act shall become immediately effective.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute, as modified.

Mr. BARKLEY obtained the floor.

Mr. MALONEY. Mr. President, I do not know whether I am entirely in order, but I have an amendment to the bill which has been accepted by the Senator from Kentucky, and I should like to have the amendment accepted by the Senator from Missouri, the author of the proposed substitute. If it is in order, I ask that the amendment be read.

The PRESIDING OFFICER. It is in order to have the amendment stated. The clerk will read the amendment.

The CHIEF CLERK. In the original bill, on page 3, line 18, after "Sec. 3", it is proposed to insert "(a)"; and on page 3, after line 25, it is proposed to insert the following new subsection:

(b) The Division, upon the request of any municipality, shall make a periodic test of the water at any bathing beach within the limits of such municipality, and shall make a report to such municipality as promptly as possible with respect to the existence of water pollution at such bathing beach and shall make definite recommendations for the correction and elimination of any deleterious conditions which are found to exist.

Mr. CLARK of Missouri. Mr. President, I shall be very glad to accept the amendment to the substitute.

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

Mr. BARKLEY. I yield.

Mr. KING. If I understand the full scope of the amendment, it seems to me that it is too broad. To illustrate what I mean, there is in my State a lake formed by streams from the mountains. It has no outlet except into Salt Lake, and Salt Lake has no outlet. So it cannot be said that the lake falls into the class of interstate waters.

I should be unwilling to have the Federal Government given authority to demand of the City Council of Provo City, which is upon the lake, that they adopt plans prescribed by Federal authority for the purification of the water.

Mr. MALONEY. Mr. President, I am sure the Senator did not understand the amendment. The amendment merely provides that in an instance where a municipality requests the authority set up to examine the water, the examination may be made by this Federal agency.

Mr. BARKLEY. And that the report be made to the city. There is no authority to be given to the Federal Government to do anything about it.

Mr. KING. I should be opposed to it, myself, because it is merely another entering wedge to have the municipalities and the people turn over to the Federal Government obligations which rest upon them.

Mr. MALONEY. I am sorry, but the Senator entirely misunderstands the amendment. The amendment does not turn anything over to the Federal Government. The amendment, if the Senator will hear me a moment——

Mr. KING. I shall be glad to listen to what the Senator has to say.

Mr. MALONEY. The amendment provides that a local agency, a municipality, may ask the Federal agency proposed to be set up under the so-called Barkley bill to inspect or examine the waters within the municipality and report back to the municipality a proper method of correcting any conditions which may exist.

Mr. KING. If the Senator will pardon me, the point I make is that there is a duty resting upon the municipality——

Mr. MALONEY. Not at all.

Mr. KING. There is a duty now resting upon it, an obligation to supply suitable water for culinary purposes, and to prevent the waters supplying the municipality from being foul, if that would affect the health of the people.

That is not a duty resting upon the Federal Government with respect to purely intrastate streams. It seems to me that the Federal Government is now being asked to look after matters which belong exclusively to the States and to municipalities within the States with respect to streams that are wholly and purely intrastate. I know that the bill makes it optional—that the Federal Government is not compelled to enter upon the tasks.

Mr. MALONEY. Mr. President, that is not the intention, and I am certain that it is not so. It merely asks the Federal Government to make an analysis when there is some fear of danger. It does not propose to do anything more.

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

Mr. BARKLEY. I yield.

Mr. HOLMAN. In support of the amendment offered by the Senator from Connecticut, I wish to state that I was

advised by the health officer of the State of Oregon that many people who had journeyed to the seaside, to our ocean beaches, had, after returning to their homes, become ill with typhoid or kindred ailments, sometimes with fatal results. This, in his own opinion, was the result of infections incident to bathing in the ocean waters at places where I, myself, have observed the outflow of the streams coming back with the tide and in some places making a very noisome and dangerous condition. I presume the same insanitary and dangerous conditions are to be found in other parts of our country.

I may add further, because I believe many Senators may not realize the extent of the contamination of our streams and ocean waters at some bathing beaches, and the danger to health and the destruction of game life incident to these conditions, that a group of us took a number of perfectly healthy fish from our fish hatcheries, but them in wire cages, and submerged the cages in the waters of the Willamette River at Portland. We have there no such population as there is in the eastern part of the United States. We are much nearer virgin country. Yet in three different places in that river where such experiments were made every fish was dead in 7 minutes, due to the fact they could not live in the contaminated water of the Willamette River at those points.

I thank the Senator from Kentucky for yielding.

Mr. BARKLEY. Mr. President, so far as the amendment offered by the Senator from Connecticut is concerned, which I accepted on Thursday as part of the bill which I have introduced and which has been accepted, with modification, by the Senator from Missouri, I imagine that no city authority in charge of any pool would request the Division of Stream Pollution to make a survey of it unless the city itself were incapable of doing so adequately.

The Public Health Service, in this particular instance, cooperating with the State health departments of all the States, has facilities for the investigation of matters of this kind that are not possessed by the cities and towns and municipalities.

In the case of the cities envisioned by the Senator from Connecticut, if a city requested the Division to survey its waters, that, of course, would be done by the Division, at its expense, I presume, and then the results would be reported back to the city which made the request, and then if the city did not see fit to correct the situation there scarcely would be any harm done, and the amendment confers on the Federal Government no power to do anything about it.

Mr. President, I wish briefly to comment on the amendment in the nature of a substitute offered by the Senator from Missouri, which I hope will not be adopted. In the first place, all those who have studied the conditions brought about by stream pollution in this country have recognized the fact, as I stated on Thursday last, that most of the stream pollution has come about by an accumulation of conditions over which no one in particular has had any control. It did not come about by design. No one has deliberately set out to poison the waters of any stream from which the people derive their drinking water; but the rapid development of our industrial sections, and also the rapid growth of our municipalities, many of them with not sufficient revenues to enable them to carry on stream purification or water purification activities, have resulted in an accumulation of conditions which are now endangering the health and the lives of people in many sections of the United States.

Mr. President, a gradual approach to the question of stream purification has been advocated by all who are interested in the matter, with the exception of one organization, for which I have the greatest respect, and which has been in fact the motive power behind the substitute offered by the Senator from Missouri, or the bill which he introduced, and a similar bill which was introduced in the last Congress by the Senator from Connecticut [Mr. LONERGAN]. That organization is the Izaak Walton League. The Izaak Walton League is a conservation organization interested in the preservation of fish life and animal life, and various sorts of recreation and sports activities in which the members engage. It is a worthy organization with an entirely laudable and worthy motive. But all those in the Government and outside of it, with the one exception, I think, and perhaps one or two others, have advocated a gradual approach to the question of stream purification.

I certainly have no desire to work any injustice on any manufacturing plant or on any city in the effort to bring about the purification of our streams, and those of us who have been working for years on the type of legislation represented in the bill which I have introduced and which was unanimously reported from the Committee on Commerce, have felt that in the beginning the law ought to be limited to cooperation among the States and cooperation between the Federal Government and the States, with such help as the Federal Government may give voluntarily to the States, and the cities, and the counties, and to private industries, to enable them to bring about the stream purification which I have felt, as those who sponsor the bill I have introduced have felt, ought not to be made drastically compulsory at the beginning.

The Senator from Missouri has now modified his substitute by postponing the operation of compulsory features of the substitute for 3 years. While, of course, that does modify to some extent the substitute which he has offered, I do not believe it is wise at the beginning to put into the proposed law any compulsory provisions under which the Government of the United States may go into the Federal courts through the district attorneys, and bring injunction suits against corporations, or persons, or organizations, or counties, or municipalities, to compel them to install appliances designed to purify the waters that are being consumed by the people. That, together with the agency which is to have jurisdiction, constitutes the difference between the Clark substitute and the original bill.

Mr. President, I have great respect for the Army engineers. I have been their defender and their friend all my life. I live on the Ohio River. All my life I have lived on the Ohio and Mississippi Rivers. I have been constantly in touch with the Army engineers in their great work of canalizing the Ohio River, and in their work of protecting the people in the Mississippi Valley from the recurring floods that do such great damage to the people in those valleys. But this is a sanitary measure, not primarily a civil engineering measure. It is a health measure, and the Public Health Service now is and has been for years cooperating with the health departments of all the States of the Union in order to bring about better health conditions and sanitation. The Public Health Service is already cooperating in the matter of investigation of insanitary waters, and is equipped through its health engineers and its sanitary engineers to continue the cooperation. The bill which I have introduced and which is on the calendar and under consideration, requires the Surgeon General of the United States Public Health Service and the Division of Stream Pollution which is proposed to be set up in the Public Health Service to cooperate with the Chief of Engineers of the United States Army in working out the plans of the Public Health Service. It provides for recommendations and surveys, and for cooperation between the Federal Government and the States, counties, cities, and private industries in trying to clean up this situation.

The Senator from Missouri on Thursday last referred rather ironically, or sarcastically, or humorously to the fact that the President had by his recent consolidation order put the Public Health Service and the Social Security Board and other welfare agencies in one group. He envisioned Mr. Altmeyer, who is the head of the Social Security Board, cleaning up the streams of the country, as compared with the Chief of the Engineer Corps of the Army. The President has consolidated certain welfare agencies, and I think very properly so; but he has not abolished the Public Health Service. He has only consolidated it with other welfare agencies. It will still remain the Public Health Service. It will still have a Surgeon General; and instead of being a Bureau in the Treasury Department, it will be a division in the new agency, which is

called Federal Security Agency. It might have been called Federal Welfare Agency.

So, with all due respect to the facility of my friend for humorous discussion, I think that objection really ought not to be taken seriously.

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

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. I would not have the Senator or anybody else understand anything I said on last Thursday as being a reflection on the head of the Social Security Board. I have great respect for his opinions, information, and recommendations on any subject about which he knows. I did say that it seemed to me very much preferable to put the matter of the control of stream pollution in the hands of an organization which has particular knowledge of all the streams in the United States, and has an organization already set up in all parts of the United States dealing with the problems of the streams, rather than to transfer such authority to even so eminent a man as Dr. Altmeyer, or even so useful a bureau as the Social Security Board.

Mr. BARKLEY. The Public Health Service will still be the Public Health Service, at the head of which will be the Surgeon General of the United States. That Service is now cooperating and for years has been making surveys in cooperation with every State health department in the United States for the purpose of improving the health and sanitation of our country. It is no reflection upon the Corps of Engineers to say that whenever devices are put in navigable streams which might be calculated to interfere with navigation it may be necessary, and doubtless will be necessary, for some technical engineer to be consulted. The bill I have introduced compels the Public Health Service to consult and cooperate with the Chief of Engineers, and that means anybody under him. Primarily, the problem is one of sanitation. Up little streams which are tributary to navigable rivers, it may be necessary for private industries and municipalities to install plants of one sort or another to purify the waste that goes into the streams which finally run into navigable rivers.

However, as I stated a moment ago, the bill does not deal merely with navigable rivers. The problem is not one of navigation. It is a matter of protecting the life and health of the people of the United States all over the country from the effects of stream pollution, whether the stream be a creek in the county where I live or whether it be the Father of Waters, which drains 31 States of the Union. In view of the fact that already the machinery is in motion between the Public Health Service of the United States and the public-health departments of all the States dealing with the question, it strikes me that the most appropriate place for the location of the Division of Stream Pollution is in the Public Health Service, and not in the Corps of Engineers of the Army.

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

Mr. BARKLEY. I yield.

Mr. McCARRAN. Dealing with the last few expressions of the able Senator from Kentucky, I am interested in having the law become operative on interstate streams regardless of whether those interstate streams are navigable or otherwise. A stream, even though it may not be navigable, may affect public health and human life. I have in mind such streams. I should like to see the bill so effective that in the view of the author either of the original bill or of the substitute, whichever may be adopted, it would apply to interstate streams, whether navigable or otherwise.

Mr. BARKLEY. I will say to the Senator that I entirely agree with the idea he has expressed. That idea has been embodied in the bill. There is in the bill no distinction between streams which are interstate and those which are intrastate. The fact of the matter is that the Federal Government's power over rivers does not depend upon whether or not they are interstate. So far as navigation alone is concerned, if they are navigable, under the power of Congress to regulate commerce Congress has the power to provide for navigation and to protect navigation in navigable rivers all over the United States, whether or not such streams be boundaries between States.

Mr. McCARRAN. I realize that the Senator is entirely correct in that statement; but if I may be specific, I have in mind a stream which rises in Lake Tahoe, in California, flows across the State line, and sinks in the central part of the State of Nevada. It is an interstate stream. It is not navigable, but it should come under the terms and provisions of the bill.

Mr. BARKLEY. I will say to the Senator that undoubtedly it does.

As to the other question, the question of the power of the Federal Government in the initial law to bring about the institution of injunction suits to compel the abatement of what is called a nuisance, it may be that some day we ought to go to that length. I should be in favor of doing so if the voluntary method provided in the bill should not succeed. However, Mr. President, there are hundreds of companies and individuals in the country who, without intentionally violating any State or National law, but because of the nature of their business, have emptied into streams, big and little, matter which results in pollution. I have in mind certain cities in the country where the disposal of refuse from a concentrated area of population has brought about stream pollution. I do not wish to name them, because I have no desire to advertise the disadvantages of any community from the health standpoint. There are many communities, incorporated towns, cities, and even counties where such conditions exist. The people of those communities have suddenly awakened to a condition which exists, which they did not know existed until a survey was made by the State health authorities or by the Public Health Service of the United States, and in some cases both of them working together.

The bill which I am sponsoring authorizes cooperation between the Federal Government and the States, cities, and counties. It provides for loans and grants-in-aid to communities which are eligible. All communities are made eligible if they are discharging into the streams deleterious matter calculated to poison and pollute the waters.

The bill also provides for loans and aids to private industries which desire to clear up the streams; industries which have no desire to endanger life or health, but which may not now be financially able to incur the expense of doing the necessary thing to bring about a correction of the stream-polluting wastage, or of the conditions which exist.

The bill provides for aid to such communities. It authorizes and consents to the making of compacts among States in order that they may locally clear up the conditions which exist.

It has seemed to me, and it now seems to me, that before we clothe the Federal Government with the power to bring suit and obtain an injunction, against a city, a corporation, or an individual whose industry, without his knowledge, or without any premeditation on his part, may have brought about the conditions of which I speak, the towns, counties, and industries ought to be given a chance, under a cooperative measure, to work out their own local problems.

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

Mr. BARKLEY. I yield.

Mr. DANAHER. Does not the Senator understand that today a State has the power to abate a nuisance within its own jurisdiction?

Mr. BARKLEY. It has the legal power.

Mr. DANAHER. There is no question about that in the Senator's mind; is there?

Mr. BARKLEY. Of course the power conferred upon the State depends somewhat upon its own particular constitution and laws. However, I think, by and large, the States have the power to abate nuisances which may endanger the life and health of the people.

Mr. DANAHER. I agree with the Senator. Granting that that is the law, and I agree that it is, let me follow up that statement by asking the Senator if he will take a few minutes in his interesting discussion to explain upon what

possible basis the United States Government could undertake to make loans in advance, before a polluter even builds a factory, in order that thereafter he may not pollute the waters. Why may we not expect that the State, which has the power to suppress that form of public nuisance, will do so, particularly if it is a signatory to a compact?

Mr. BARKLEY. The Senator's question opens up a very wide field for speculation and discussion. Undoubtedly a State, under its constitution and under its laws, has the power to build highways. However, for 25 years we have been granting aid to the States in the building of highways, because highways are a public necessity, and we wanted to hold out to the States an inducement to build highways. We have required the States to match, dollar for dollar, all the money put into such highways by the Government of the United States. I was a Member of Congress when that law was debated. There were arguments against it on the ground that it was the duty of the local authorities to build highways, and that Uncle Sam had no duty to perform in providing public highways, either for pleasure or as a matter of necessity.

But for nearly a quarter of a century Congress has been annually appropriating money for that purpose. So also Congress has been appropriating money nearly every year to be expended by the Public Health Service in cooperation with the health officers of all the States in bringing about rural sanitation. Undoubtedly the States had the power to do that under their laws and were doing it; but just as the Federal Government has regarded highways as a national problem; just as it has regarded floods as a national problem and so declared in the laws which have been enacted; just as it has regarded the agricultural element of our population and their prosperity as a national problem; just as we have regarded the regulation of practices in connection with sale of securities as a national problem, we have no less regarded the health and happiness and lives of our people, as a whole, as a national problem. We are making a beginning here to try to solve what is a national problem by helping the States, by helping the cities, and by helping their industries, when they themselves are unable to do it, to work out locally their salvation by appropriating money to loan them and to grant them, and this bill provides that in no case shall the Federal Government contribute more than 33⅓ percent of the cost of any local project.

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

Mr. BARKLEY. I yield to the Senator from Wisconsin.

Mr. WILEY. The last statement of the Senator partially answered the question I had in mind, that in no instance shall the Federal Government contribute over 33⅓ percent. I am wondering, however, if the bill provides any kind of a check so that one State shall not get all the money or a number of States shall not get all the money to the exclusion of others? Is there any provision of that kind in the bill?

Mr. BARKLEY. In the bill which I have introduced it is all, of course, ultimately under the control of the Secretary of the Treasury. The surveys are made—and, of course, the local community will have a fairly good idea of the type of project necessary in order to accomplish its purpose—and the recommendations come up through the Division of Stream Pollution, through the Budget Bureau, and through the Secretary of the Treasury. I imagine it will be impossible for the Congress to lay down an ironclad rule distributing the money according to population and other elements that are included in the highway appropriations and may be included in some formula that will be required hereafter for allotments in the matter of relief appropriations.

Mr. WILEY. I appreciate that; but what I am wondering about is whether or not it will not present another opportunity for a "pork barrel" of some kind to be used in a political way?

Mr. BARKLEY. I do not think so, I will say to the Senator, because the bill lays stress upon cooperation not only among the States that may enter into compacts but cooperation between the States and the Federal Government. There is no formula laid down, and I do not think there ought to be a formula laid down in the bill, because we cannot do all this at once; it will take years. As our population grows and our industries develop and concentrate on the highways, where they have access to their raw materials and egress for their finished products, it will take years to work out such a perfect condition that we may feel that ultimately we will have been able to protect the lives and health of our people and incidentally all other life that dwells in the water, for this bill requires that aquatic life of all sorts be taken into consideration in determining the feasibility of a project.

Mr. LUCAS. Mr. President——

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

Mr. LUCAS. As I stated in the debate last Thursday, I am very much interested in this stream-pollution control bill because all my life has been spent in the Illinois Valley, and I have had occasion to observe the effects of stream pollution in the Illinois River. I should like the Senate to know that at one time for 100 miles from the head of the Illinois River south there was not a single living organism of plant or fish life, as attested by the biological experts of the State of Illinois. That pollution was caused primarily by industries located in the city of Chicago; but, to the everlasting credit of those large industries, after realizing what was going on with respect to the pollution of the Illinois River, they constructed large sewerage and disposal plants at a cost of millions upon millions of dollars. Those plants have just recently been finished after years of labor and the expenditure, as I have said, of vast sums of money.

If the amendment of the Senator from Missouri should be adopted, it seems to me that it would work a distinct hardship upon some communities along the Illinois River. These communities are just as much interested in the purification of the Illinois River as are any other communities that have constructed disposal and sewage plants up to this point; but they may be in financial trouble. They may not be ready to move forward because of lack of adequate funds. Their objectives are the same but obtaining them is impossible. If this bill is enacted by the Congress, it will do something more than purify for health and sanitation. With just a little aid from the Federal Government, and a little cooperation upon our part, and with a continuance of the program of education for the purification of the streams for sanitary purposes, I am confident that ultimately, for example, the Illinois River will regain the place it once had back in the eighties and nineties, when it was the greatest fish-producing stream in the United States except the Columbia River in the Northwest. As the result of the pollution of that river, practically all fish life was destroyed at one time, and those who depended upon the river to obtain their living through commercial fishing were practically eliminated. As a result many of those people are today on relief. The passage of the so-called Barkley bill would be a long step in the right direction to bring back the tremendous fishing industry which once was ours in the Illinois River and aid in establishing again the rights of individuals to make a living from the catching and marketing of fish.

I am happy to say, as the result of what has been done by the city of Chicago and other cities along the river in the establishment and construction of sewage-disposal plants, that our fish life is gradually coming back and the commercial fisherman is gradually gaining a foothold again, as well as the fisherman who indulges in fishing for the purposes of recreation and pleasure.

I am in sympathy to a certain extent with the amendment of the Senator from Missouri; but what he proposes should not be done at this particular time.

Mr. President, I thank the Senator from Kentucky for permitting me to make this observation as an important incident to the primary object to the bill.

Mr. BARKLEY. I thank the Senator from Illinois for his very illuminating contribution to the discussion.

There has been some objection made to the provision that authorizes grants-in-aid and loans. The provision to loan money or even to grant it out of the Treasury is not for the

purpose of aiding some corporation or saving it expense; it is not for the purpose of substituting Federal money for local, county, city, or State money; but it is for the purpose of aiding both public corporations and private corporations to do this work in the interest of public health where they themselves cannot do it alone.

Mr. CLARK of Missouri. That is provided for in both measures.

Mr. BARKLEY. It is provided for in both measures, and there is no controversy over that feature, but there has been objection raised. The Senator from Connecticut [Mr. DANAHER] suggested a while ago a question that, I think, implied, at least, an objection. This is a measure in behalf of the public; it is a measure to preserve and protect the health and lives of our people and as well to protect and conserve the aquatic life within the streams, as pointed out by the Senator from Illinois [LUCAS].

If it were a bill simply to loan Government money in order to help some private industry or even some city to protect itself against higher taxes or in order that a corporation might declare greater dividends, I would not be in favor of it. But the theory upon which that provision is based is that it is in the public interest. It is a very modest sum, and it will be, of course, determined by the Congress itself from year to year how much money will be appropriated, and that will depend altogether on the number of communities that make application for loans and grants-in-aid.

I agree with the Senator from Illinois that it would be unfair, that it would be a hardship now to impose compulsion when we are just beginning the program and when these conditions have grown up without any violation of law anywhere by anybody. They have grown up like Topsy. Now that we realize the conditions, we certainly ought try voluntary cooperation among the States and with the Federal Government before we authorize the United States district attorneys to go into the Federal courts and bring suit against a city or a county or an industry because of its inability, financially or otherwise, to bring about, without Federal help, a correction of the conditions which are the subject of this proposed legislation.

Mr. NORRIS. Mr. President——

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

Mr. NORRIS. Has the Senator made any estimate, or have any of the experts made any estimate, that will give us any idea as to the demands that will probably be made upon the Federal Treasury for loans and grants?

Mr. BARKLEY. I do not think so, Mr. President. The President of the United States recently designated the National Resources Board to make an investigation and survey of the whole pollution situation all over the United States. The estimate is that the ultimate cost of all these projects in the future, over a period of years, may be as much as $2,000,000,000; but, of course, that is over a long period of years. It cannot all be done, I should say, within a period of 10 years, perhaps not in 20 years; but if, over that period, all of the activities were engaged in that would be necessary to purify all the streams in the whole United States, and keep them purified, it would take about $2,000,000,000.

Mr. NORRIS. Faced with the offer of the Federal Government to make loans and grants, and faced also with the fact that ultimately the various communities will have to change the present conditions and make this expenditure, is there danger that they will come in with a rush, and that all of them will want the money at once?

Mr. BARKLEY. I doubt that, because under the bill the communities have to put up at least two-thirds of the cost themselves. Some communities probably are waiting now to get whatever aid the bill provides, because they themselves have not the money to do the work, and under their constitutional limitations they cannot raise it. Under their borrowing limitations some of them have already reached the peak of what they may borrow.

Mr. NORRIS. This loan and grant provision applies to private individuals and corporations just as it does to municipalities.

Mr. BARKLEY. That is true; yes; it does. That is on the theory, as I mentioned a while ago, that the thing to be done is in the interest of the public, and that without this help it would be impossible to do it.

Mr. DANAHER. Mr. President——

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

Mr. BARKLEY. I yield to the Senator.

Mr. DANAHER. In answer to the question of the Senator from Nebraska, I desire to say that the Engineering News Record for February 23, 1939, contains the statement that the additional annual cost of treating mining and industrial wastes, while not known accurately, will entail operating charges which will exceed $225,000,000. That is the additional annual cost, and it has reference to private industries only.

Mr. BARKLEY. Of course, it is not contemplated that the Federal Government will put up any such sum as that because it can put up only a third of the total cost, and it will put up only what Congress appropriates for that purpose from year to year.

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

Mr. BARKLEY. I yield to the Senator from Oregon.

Mr. HOLMAN. I simply want to state for the RECORD, in support of the general idea of regulating and preventing further stream pollution, that the salmon fishermen on the lower Columbia River have described the scenes and the condition of their nets in such a way that if they were generally known I doubt if many persons would care to consume fish that have to go through the polluted streams of our country. Even on a great river such as the Columbia—one of the largest on the continent and in a new territory—conditions are such that the fishermen actually become sick when they draw in their nets.

I am convinced that the Federal Government must be the agency which will eventually bring about a reform in this matter. In our State we found that many of the smaller municipalities waited to see what Portland, the metropolis, would do. Portland, in turn, would say, "Let the up-river towns and cities and communities and mills and factories act first. Why should we, on the lower reaches of the river, take the initial steps in this matter if those above do not first clean up their part of the river?" So it is a continual "buck passing" proposition; and unless the agency of the National Government is invoked and becomes effective, I fear there will be no reform in this matter in our day.

When I reflect on this subject and view our country, I often think of the verse:

> Though every prospect pleases,
> And only man is vile.

Mr. BARKLEY. Mr. President, just one other word:

The Senator from Missouri put into the RECORD last week a letter from the Secretary of War urging that the Corps of Engineers would be the proper agency to perform this service. I can understand that. The Secretary of War has the Corps of Engineers under his Department, and naturally is loyal to it, and I do not blame him.

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

Mr. BARKLEY. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I should like to say to the Senator from Kentucky that the reason why I put that letter into the RECORD was not that I did not fully realize the fact just stated by the Senator from Kentucky. Every head of a department naturally desires to have the administration of any additional agency or anything else put under his department, just as the head of the Social Security Board will now wish to have this activity put under the Public Health Service. I put the letter into the RECORD for the reason that the letter arrived after the conclusion of the hearings; and inasmuch as a man by the name of Wolman had appeared at the hearings representing an extraofficial and extralegal activity and said that he was authorized to state that the Bureau of the Budget was opposed to the bill which I introduced, I thought it was worth while to put into the RECORD the fact that the Secretary of War was authorized to say

that the Bureau of the Budget was also opposed to the bill of the Senator from Kentucky. I put the letter into the RECORD for the purpose of showing that so far as the Bureau of the Budget is concerned, the Senator from Kentucky and I are on the same footing.

Mr. BARKLEY. What I was about to say is that I have here a letter from the Secretary of the Treasury, which was put into the hearing, in which he urges that the Bureau of the Public Health Service is the proper agency to administer this proposed law. Of course, at that time the Public Health Service was in the Treasury Department, and I suppose we might check these two Cabinet loyalties against each other.

Mr. CLARK of Missouri. If the Senator will yield, since the Public Health Service has been transferred from the Treasury Department to Dr. Altmeyer, in the Social Security Board, I suggest that the fair thing to do would be to ask the Secretary of the Treasury now whether he has had a chance to revise his opinion.

Mr. BARKLEY. I do not think it is sufficiently important to go to that trouble.

Mr. CLARK of Missouri. Neither do I.

Mr. BARKLEY. In the first place, I do not know whether or not Dr. Altmeyer is going to be the head of this new agency. He has not been appointed, and nobody has said that he will be appointed. I do not know whether or not he will be. There is no use in naming Dr. Altmeyer, even if he is named as the head of this agency, for he will probably know as much about stream pollution as will the Secretary of the Treasury, in whose Department the Bureau of the Public Health Service has been for a hundred years; and both of them together will know as much about it as will the Secretary of War, in whose Department the Corps of Engineers is located.

Mr. CLARK of Missouri. The Senator's bill still puts heavy responsibilities on the Secretary of the Treasury in the matter of determination. I do not think that provision has been changed in the Senator's bill.

Mr. BARKLEY. That was not because the Bureau of the Public Health Service was in the Treasury Department but because the Secretary of the Treasury must pass upon these requests for allotments, since the money comes out of his Department.

Mr. CLARK of Missouri. All money comes out of the Treasury Department.

Mr. BARKLEY. That would be entirely logical, no matter where this activity is put.

Mr. CLARK of Missouri. Mr. President, it would be no more logical than to provide that the Secretary of the Treasury should have the determination of every appropriation. Even the Bureau of the Budget is no longer in the Treasury Department.

Mr. BARKLEY. I understand that; but the Secretary of the Treasury was put in the bill in this connection not because the Public Health Service was in that Department but because it was necessary, just as the Secretary of the Treasury is also concerned in the administration of the law creating the R. F. C. The Secretary of the Treasury has to perform certain duties with respect to turning over money to the R. F. C. for the purpose of administering that law.

Mr. President, I wish to include in my remarks the letter from the Secretary of the Treasury, found on pages 84, 85, 86, and down to the top of page 87 of the hearings on the pending bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

Hon. JOSIAH W. BAILEY,
Chairman, Committee on Commerce,
United States Senate.

MY DEAR MR. CHAIRMAN: Further reference is made to your letter of March 4, 1939, requesting a report on S. 1691, a bill to prevent the pollution of the navigable waters of the United States, and for other purposes.

This bill is the same in principle as bills S. 3958 of the Seventy-fourth Congress and S. 13 of the Seventy-fifth Congress, except that S. 1691 would establish a Division of Water Pollution Control in the Corps of Engineers of the United States Army, whereas S. 3958 and S. 13 proposed to make the National Resources Committee the agency responsible for the administration of the act. In addition, S. 1691 would establish an advisory committee composed of the Surgeon General of the United States Public Health Service, the Chief of the United States Biological Survey, the Commissioner of Fisheries, and the Chief of the United States Forest Service.

The Treasury Department on February 26, 1936, submitted to the Senate Committee on Commerce a report on S. 3958 which is printed on pages 98–99 of the published hearings on that bill. The Treasury Department likewise submitted a report to the Senate Committee on Commerce on S. 13 under date of March 9, 1937. Both of these reports by the Treasury Department recommended against the enactment of legislation having regulatory features for the reasons which are again stated in subsequent paragraphs of this letter.

Before outlining the views of this Department with particular respect to S. 1691, it is desired to invite the attention of your committee to certain developments in connection with proposed water pollution control legislation during the past several years, which would tend to indicate that the Public Health Service should be considered as the logical agency for administering Federal functions in water-pollution control in addition to the functions which the Public Health Service now has under the provisions of section 1 of the act of August 14, 1912 (37 Stat. 309, U. S. C., title 42, sec 7), and section 3 of the act of February 15, 1893 (27 Stat. 450, U. S. C., title 42, sec. 92). These developments are as follows:

1. On August 27, 1937, the President, when approving the river and harbor bill, issued the following statement:

"In signing the so-called river and harbor bill, I note that provision is made for a pollution survey of the Ohio River by the War Department. Obviously a survey of this nature falls properly under the jurisdiction of the Public Health Service. I am, however, asking the Secretary of War and the Secretary of the Treasury to join in the appointment of a committee of three to conduct this survey—an Army engineer, a representative of the Public Health Service, and a non-Government expert on pollution problems."

2. The Seventy-fifth Congress passed a bill, H. R. 2711, providing for the creation of a Division of Water Pollution Control in the Public Health Service, and for other purposes, which did not receive the approval of the President, because it conflicted with the concept of the Budget system. In his memorandum of disapproval, dated June 25, 1938, the President made the following statement:

"I appreciate the importance of the results sought to be accomplished by the legislation, and I fully approve the establishment of a Division of Water Pollution Control in the Public Health Service."

3. The Senate Committee on Commerce in Report No. 1199, Seventy-fifth Congress, first session, on bill H. R. 2711, providing for the creation of a Division of Water Pollution Control in the Public Health Service, made the following statement:

"Your committee decided, as the public health is the main object to be considered in connection with this legislation, that the Bureau of Public Health Service is the logical division in which to place the administration of this legislation. This Bureau has been making studies and investigations of this subject for 30 or more years, the records of which are in its files. Also, there is in each State a health agency, and the majority of these agencies have a division of sanitation which is more or less familiar with pollution problems."

4. The President in his message of February 15, 1939, to the Congress, transmitting a report on Water Pollution in the United States (H. Doc. No. 155, 76th Cong., 1st sess.), stated as follows:

"It is my opinion that pending further experimentation with interstate and State-enforcement activities, Federal participation in pollution abatement should take the general form of establishing a central technical agency to promote and coordinate education, research, and enforcement. On the basis of recent experience, it should be supplemented by a system of Federal grants-in-aid and loans organized with due regard for the integrated use and control of water resources and for a balanced Federal program for public works of all types. The time is overdue for the Federal Government to take vigorous leadership along these lines."

5. In the report on Water Pollution in the United States (H. Doc. No. 155, 76th Cong., 1st sess.), prepared at the request of the President by a special advisory committee composed of representative experts from the Departments of War, Treasury, Interior, Agriculture, and Commerce, and from private and State agencies, it is stated that the committee believes that no basic changes in Federal law with reference to Federal regulation of pollution should be made at this time. The committee recommends that legislation based on certain principles be considered as a means for continuing and expanding the rapid progress in pollution abatement which recently has been made. Among these principles are the following:

"An appropriate Federal agency (presumably the United States Public Health Service) should be authorized to study water pollution and its abatement; to stimulate State, municipal, and private studies; to cooperate with States in securing needed State legislation and interstate action; to study the activities and administrative procedures of local and State agencies responsible for pollution abatement; to review and appraise pollution-abatement work for which Federal aid is requested; and to report its findings to the President."

The statement continues:

"The Treasury Department considers the Public Health Service to be the proper and logical agency for exercising the Federal func-

tions in water-pollution control to the extent that the Congress may deem it appropriate to authorize at this time. With this in mind, the views of the Treasury Department on S. 1691 are as follows:

"The proposed legislation would direct the Division of Water Pollution Control in the Army Engineer Corps to cooperate with agencies of the several States authorized or designated by State law to deal with water pollution with a view to (1) coordinating the State activities relating to the prevention and abatement of water pollution, (2) encouraging the enactment of uniform State laws relating to water pollution, (3) encouraging compacts between the several States for the prevention and abatement of water pollution, and (4) making studies, surveys, and experiments to determine the need for, and to devise methods for carrying out preventive and corrective measures relating to water pollution in the several States. The division would be authorized to make available to State agencies the results of studies, surveys, and experiments conducted by it and by other public and private agencies, to collect and disseminate information, to make loans or grants, or both, to States and political subdivisions, and to make loans to persons or corporations for the construction, enlargement, or improvement of sewage-disposal plants and plants for the treatment of trade wastes. The division would be directed to classify the navigable waters of the continental United States into sanitary water districts and to fix standards of purity in each district for the navigable waters. There would be a board in each district, which would include representatives of the several State agencies concerned, the duties of which board would be to prevent the pollution of waters within the district by voluntary methods insofar as practicable, to investigate the desirability of making loans or grants in such district, to recommend the making of such loans or grants and to institute proceedings for the prevention and abatement of water pollution.

"The legislation proposed would declare the discharge or deposit, directly or indirectly, of any waste (with certain exceptions) of other substance into any of the navigable waters of the United States, in violation of regulations promulgated by the division, if such waste or other substance is or may be injurious to human health or any form of life, or impairs the utility of such waters for navigation purposes, to be against the public policy of the United States and to be a public and common nuisance. An action to prevent or abate any such nuisance could be brought in the name of the United States by any United States attorney, and it would be the duty of such attorney to bring such an action when requested to do so by the division or the sanitary water district board."

The Treasury Department is fully cognizant of the magnitude and urgency of the water-pollution problem in the United States, of the importance of this problem in its relation to the various uses of water and in relation to public health, and of the inability of States and local authorities to control the pollution of interstate waters without cooperation and assistance from a central coordinating agency. This office would be in sympathy with any legally sound or practical program for abating present and preventing future pollution of the waters of the United States, where such pollution is injurious to the public health and impairs the legitimate use of water, and when the application of preventive and remedial measures is economically justifiable. Furthermore, it is the view of this Department that any special legislation on this subject should provide for more active cooperation with State authorities by the Federal Government; but it is believed that enforcement of actual control measures should be reserved to the States.

Assuming that so broad an extension of Federal jurisdiction as is proposed in S. 1691 would be constitutional, this Department feels, nevertheless, that such legislation would be unwise. It is believed that, if regulations under the proposed act were to attempt to deal with pollution of water in local communities throughout the Nation, strong resentment would be aroused. The Treasury Department in dealing with public-health matters, through the Public Health Service, has endeavored to avoid federalization of public-health administration within the States and has directed its efforts toward improvement of health conditions in this country chiefly by encouraging and assisting State and local authorities in the development of their own laws, regulations, and facilities for protection of the public health. This policy has brought about the establishment of a cordial relationship between the Federal Government and the States which has made it possible for the Public Health Service to contribute in large measure to protection of the health of the citizens throughout the Nation. It would be unfortunate if this relationship should be impaired.

The Treasury Department favors the features of the bill which provide for interstate compacts, financial assistance to States and local communities, and assistance from the Federal Government in studies of stream-pollution problems. As before stated, it believes, however, that the Public Health Service would be most logically the agency of choice for carrying out such functions so far as the Federal Government might be concerned.

The Department has been advised by the Bureau of the Budget that S. 1691 in its present form would not be in accord with the program of the President.

Very truly yours,

——— ———,
Secretary of the Treasury.

Mr. BARKLEY. Mr. President, I have here a list. I desire to say that so far as the opinion of these two Cabinet officers is concerned, there is a higher authority even than they—the President of the United States, who appointed this Commission and asked it to make a survey, and who, at this session of Congress, sent their report here recommending legislation of this type, not exactly in terms as provided in my bill, but recommending the voluntary method of undertaking to approach the subject. With his approval he sent the report here, and advocated legislation of the type included in the bill which I have introduced, and which is now under consideration.

I have here a list of organizations all over the United States, including practically all the State health departments, which have endorsed the so-called Barkley bill. I shall not read them all, but the list contains the name of the health department of practically every State in the Union.

Mr. CLARK of Missouri. Mr. President, will the Senator yield on that point?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. Of course, the Senator must be familiar with the fact that the health department of practically every State in the Union is the recipient of funds which are being doled out to it partly in the discretion of the head of the Public Health Service. The Chief of the Public Health Service, a very excellent man, a very able Surgeon General, has not only claimed but has exercised a good deal of discretion in the administration of the various health services in the particular States, to the extent that in some cases he has written letters to the Governors of the States telling them whom or what sort of men they should appoint as the heads of the public-health services, under the threat of withholding Federal funds. So when the Surgeon General of the Public Health Service produces letters from the chiefs of the State health services, to whom he is doling out funds day after day and week after week and month after month, it is not very much more impressive than if he were to produce letters from the Assistant Surgeon General, and various bureau chiefs of the Public Health Service.

Mr. BARKLEY. I think it is a pretty serious indictment of these men, who are appointed as the heads of the health services in the various States, to state that they are endorsing the pending bill because the Public Health Service of the United States is doling out money to them. I do not think there is any evidence, certainly there is none in the hearings, that the Surgeon General of the Public Health Service has sent out letters threatening the State health authorities because of their attitude on this bill. I do not think the Senator could have meant that.

Mr. CLARK of Missouri. I meant exactly what I said. The Surgeon General of the Public Health Service holds meetings in Washington from time to time of the heads of the health services of the various States. He held one last week. They come here at public expense and get together and hold meetings on various matters of public importance. When the Surgeon General of the Public Health Service actually controls the allocation of Federal funds to the States, it is perfectly obvious that he will have a great deal of influence, and, being on friendly terms with these officials, can naturally procure letters from them.

Mr. BARKLEY. I think the conferences of the public-health authorities of the States held from time to time are commendable.

Mr. CLARK of Missouri. I did not say they were not commendable, but I say that the relationship between the Public Health Service and these State officials makes it inevitable that they would favor that agency against such an agency as the Corps of Army Engineers, with whom they have no particular contact.

Mr. BARKLEY. The American Public Health Association certainly is not receiving any doles from the Public Health Service. The American Society of Civil Engineers is not the object of any dole from the Public Health Service, or from anyone else. The American Water Works Association is not. The Camp Fire Club of America is not receiving any help from the Public Health Service. The Chamber of Commerce of the United States is not receiving any help from the Public Health Service, or, so far as I know, from the Federal Government. The board of health of the city of Cincinnati is

not, so far as I know, receiving any assistance from the Public Health Service. The chamber of commerce of the city of Cincinnati is not receiving any help from the Public Health Service. I might include the Conference of State Sanitary Engineers, the Construction League of the United States, the Dayton Business and Civic Association, of Dayton, Ohio, and many others. While I shall not read the whole list, I shall ask that I be permitted to insert the list in the RECORD. There are 71, some of which are public-health authorities, some of which are commercial organizations, chambers of commerce, civic organizations of all sorts, which have gone on record endorsing the type of legislation provided in the bill now under consideration.

I do not wish to take any further time, but I sincerely trust that the amendment in the nature of a substitute offered by the Senator from Missouri will not be agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky that the list he has presented be inserted in the RECORD?

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

EXPRESSIONS OF APPROVAL OF BARKLEY-VINSON TYPE OF FEDERAL STREAM-POLLUTION LEGISLATION

1. Alabama Department of Health (1937 hearings, House of Representatives, p. 170, March 10, 1937).
2. American Association for the Advancement of Science (Science, vol. 81, No. 2092, p. 111; 18,000 members, 725,000 affiliated).
3. American Public Health Association (A. P. H. A. Yearbook, 1937–38, February 1928, p. 35; 5,300 members).
4. American Society of Civil Engineers (Civil Engineering, March 1936, p. 211; 15,500 members).
5. American Water Works Association (Journal A. W. W. A., February 1937, p. 35; 3,000 members).
6. Arizona State Department of Health, March 12, 1937 (1937 hearings, House of Representatives, p. 171).
7. Arkansas State Board of Health, March 13, 1937 (1937 hearings, House of Representatives, p. 171).
8. Brewers' Association of Greater Cincinnati, September 12, 1935 (1936 hearings, House of Representatives, p. 16).
9. Camp Fire Club of America, March 18, 1937 (1937 hearings, House of Representatives, p. 303).
10. Chamber of Commerce of the United States (1936 hearings, Senate, p. 430; 1936 hearings, House of Representatives, p. 57; 700,000 members).
11. Cincinnati (Ohio) Board of Health, October 27, 1934 (1936 hearings, Senate, p. 433).
12. Cincinnati Chamber of Commerce (committee on stream pollution).
13. Colorado Division of Public Health, March 10, 1937 (1937 hearings, House of Representatives, pp. 171–172).
14. Conference of State and Provincial Health Authorities of North America (1937 hearings, House of Representatives, p. 179).
15. Conference of State and Territorial Health Officers, April 7–8, 1937 (1937 hearings, House of Representatives, p. 288).
15–A. Conference of State sanitary engineers.
16. Construction League of the United States (1937 hearings, House of Representatives, p. 70).
17. Dayton Business and Civic Association (1937 hearings, House of Representatives, p. 119).
18. Delaware State Board of Health (1937 hearings, House of Representatives, p. 172).
19. District of Columbia Health Department, March 20, 1937 (1937 hearings, House of Representatives, p. 173).
20. Evansville (Ind.) Chamber of Commerce (1937 hearings, House of Representatives, p. 120).
21. Florida section, A. P. H. A. (1937 hearings, House of Representatives, p. 173).
22. General Health Council of Allegheny County, Pa. (1937 hearings, House of Representatives, p. 114).
23. Great Lakes Board of Engineers (1937 hearings, House of Representatives, p. 203).
24. Great Miami Valley Taxpayers Association, March 11, 1937 (1937 hearings, House of Representatives, p. 115).
25. Greenup (Ky.) Chamber of Commerce (1937 hearings, House of Representatives, p. 302).
26. Health Officers (municipal) Association.
27. Idaho Department of Public Welfare (1937 hearings, House of Representatives, p. 174).
28. Indiana State Board of Health, March 16, 1937 (1937 hearings, House of Representatives, p. 175).
29. Interstate Commission on Delaware River Basin (their news letter, January 1938). One hundred and seventy-five registered members.
30. Jefferson County (Ky.) fiscal court (1937 hearings, House of Representatives, p. 177).
31. Kansas State Board of Health (1937 hearings, House of Representatives, p. 176).
32. Louisiana State Department of Health (1937 hearings, House of Representatives, p. 177).
33. Louisville (Ky.) Board of Trade (1936 hearings, Senate, p. 473).
34. Ludlow (Ky.) Business Men's Association (1937 hearings, House of Representatives, p. 115).
35. Maryland State Department of Health (1937 hearings, House of Representatives, p. 178).
36. Mason County (Ky.) Health Department, March 12, 1937 (1937 hearings, House of Representatives, p. 177).
37. Massachusetts Department of Public Health (1937 hearings, House of Representatives, p. 178).
38. Master Brewers Association of America, October 7, 1935 (1936 hearings, House of Representatives, p. 17).
39. Minnesota Department of Health (1937 hearings, House of Representatives, p. 178).
40. Missouri State Board of Health (1937 hearings, House of Representatives, p. 181).
41. New England State health officers (1936 hearings, Senate, p. 273).
42. New England Water Works Association (1936 hearings, Senate, p. 273). Eight hundred members.
43. Newport (Ky.) Chamber of Commerce (1937, hearings, House of Representatives, p. 120).
44. New York State Board of Health (1937 hearings, House of Representatives, p. 182).
45. New York State Sewage Works Association (Sewage Works Journal, March 1937, p. 304). Three hundred and seventy members.
46. Norfolk, Va., Association of Commerce (1937 hearings, House of Representatives, p. 302).
47. Ohio Chamber of Commerce (1937 hearings, House of Representatives, p. 113; 1936 Hearings, Senate, p. 431).
47–A. Ohio Conference on Sewage Treatment (Eleventh Annual Report, p. 9. Ninety-nine members).
48. Ohio State Medical Association (1937 hearings, House of Representatives, p. 119. Six thousand members).
49. Ohio Valley Conference of Food, Drug, and Health Officials (1936 hearings, Senate, p. 434).
50. Ohio Valley Improvement Association, March 11, 1937 (1937 hearings, House of Representatives, p. 116).
51. Ohio Valley Regional Planning Commission.
51–A. Ohio Valley Water Sanitation Conference, January 17, 1938. Proceedings, second conference of delegates appointed to draft an Ohio River Valley water sanitation compact.
52. Oklahoma Department of Public Health, March 12, 1937 (1937 hearings, House of Representatives, p. 183).
53. Public Health Federation, March 5, 1937, Cincinnati, Ohio (1937 hearings, House of Representatives, p. 117).
54. Sanitary engineering division, American Society of Civil Engineers, minutes of meeting, January 20, 1938.
55. South Dakota State Board of Health (1937 hearings, House of Representatives, p. 184).
56. Southwestern Ohio Sportsman's Club (1937 hearings, p. 208).
57. Tennessee Department of Public Health (1937 hearings, p. 185).
58. Texas State Board of Health (1937 hearings, p. 185).
59. Texas State Legislature (House Journal, May 21, 1937).
60. Texas Water and Sewage Conference (Water Works Engineering, March 17, 1937, p. 355. Seventy-five members).
61. Upper Mississippi River Board of Engineers (1937 Hearings, p. 203).
62. West Virginia State Board of Health, March 11, 1937 (1937 hearings, p. 187).
63. Wisconsin State Committee on Water Pollution (March 12, 1937 (1937 hearings, p. 188).
64. Thirty-fourth Annual Conference State and Territorial Health Officers with the Public Health Service, April 13–14, 1936 (excerpts from Transactions, pp. 178–179).
65. State Water Commission of Connecticut (hearings before Committee on Rivers and Harbors, March 17, 18, 19, 24, 1937, p. 301).
66. American Institute of Park Executives (resolution mentioned in letter of April 20, 1939).
67. American Park Society (resolution mentioned in letter of April 20, 1939).
68. Youngstown, Ohio, Chamber of Commerce (brief, March 28, 1939).
69. Interstate Sanitation Commission, New York and New Jersey (testimony of J. Spence Smith, Commerce Committee hearing March 22, 1939).
70. Michigan Stream Control Commission (Report to Michigan Legislature, March 15, 1939).
71. Great Lakes and Upper Mississippi River drainage basin sanitation agreement (New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri) (resolution of March 1, 1939).

Mr. KING. Mr. President, I wish to ask the Senator from Kentucky one question for information. Does the reorganization order which has been sent to the Congress by the President take from the Surgeon General or from the Public Health Service the status which it now occupies or which they occupy, so that the Surgeon General and the Public Health Service would be superseded in all of the activities they now perform by Mr. Altmeyer's organization?

Mr. BARKLEY. No. The President's order merely transfers the Public Health Service out of the Treasury into the new group, but it does not affect its functions. It does not dissipate it, it does not disorganize it. It is just lifted up

and taken into this new organization, without interference with its functions or duties. Of course, there will be an over-all head, in the person of an administrator of the new Federal Security Agency, as I believe it is to be called, and in a sense I suppose it might be considered that his duties as the head of the old group would be somewhat analogous to the duties of the Secretary of the Treasury with respect to this particular bureau when it was in the Treasury. But there is no disintegration at all of the functions and duties of the Public Health Service.

Mr. KING. That is what I desired to know, because there is considerable confidence in the Surgeon General, and many believe that it would be unwise to disorganize the public-health organization.

Mr. BARKLEY. I agree with the Senator entirely. In my opinion the Public Health Service is one of the outstanding agencies of the Federal Government, and has rendered conspicuous service in every field it has attempted to occupy.

Mr. CLARK of Missouri. Mr. President, I should like to join in that opinion of the Public Health Service, because I very strongly entertain that opinion. Of nearly all the activities of the Public Health Service I have been a very great admirer, and am very glad to cooperate in all those activities.

Mr. TAFT. Mr. President, I should like to say a few words in support of the bill of the Senator from Kentucky, in opposition to the amendment offered by the Senator from Missouri. As I see the matter, there are two main points involved. One is whether the administration is to be given to the Army engineers or to the Public Health Service.

I began to take an interest in this matter nearly 4 years ago at the place where the idea of the bill, no doubt, originated, namely, the city of Cincinnati. We consulted with the Army engineers and with officers of the Public Health Service. We discussed for some time the question as to which should have jurisdiction over the activity, and I am certain that the Army engineers with whom I talked had no particular desire for this jurisdiction. Only after long consideration did we decide that we should place it in the Public Health Service, because, in the first place, sanitary engineering is a special and technical study, and the Army engineers are not trained in that particular study. The Army engineers are now making a survey, which was referred to on Thursday, but I understand that no single Army engineer is actually detailed to any active work in the survey. On the other hand, the Public Health Service has a great many sanitary engineers, and they are peculiarly fitted to consider the problems which arise in this connection.

The Public Health engineers have had a long and very friendly relationship with the health departments of the various States. The State health officials have been doing excellent work. The pending bill, no matter in what form it may be passed, will be no more than a supplemental measure. A large number of sewage-disposal plants have been built. Nearly all the States have laws on the subject. Constant and steady work has been done in closing abandoned mines. I do not know how many thousands have already been closed. We do not want to do anything except to supplement the work that is being done and give some direction and assistance. For that purpose all the public-health services with whom I have conferred are extremely anxious that this matter be in the hands of the Public Health Service rather than in the hands of the Army engineers, who are not schooled in these problems, and who have no direct experience in building the kind of plants needed.

Everyone agrees that the Public Health Service is an exceedingly competent body. The difference between the bill of the Senator from Kentucky and the substitute is that the substitute offered by the Senator from Missouri contains a provision under which the flowing of sewage into any navigable stream, and possibly into waters above any navigable stream, may be enjoined. Such an injunction process seems to me impossible. For instance, consider the city of Cincinnati. It would cost the city of Cincinnati approximately $20,000,000 to build a proper sewage disposal plant. It would be necessary to build an intercepter sewer 20 miles long along the Ohio River, and a very considerable number of additional plants. Of course, the difficulty is that even if that were done, it would not affect the city of Cincinnati particularly. Today in spite of having a fine filtration plant our water is polluted. Our filtration plant has almost reached its capacity to purify the water of the river polluted by cities and plants up the river above Cincinnati, many of them in the State of Kentucky. In addition, there are two large cities immediately opposite Cincinnati in the State of Kentucky.

Mr. President, whenever it is urged that we in Cincinnati build a sewage disposal plant, and spend $20,000,000 to build it, there is immediate opposition on the ground that while that would be all very well, yet we ourselves would not derive any good from building it, and that it is the people below, in other States, who are interested in our building a sewage disposal plant.

Under the proposed substitute a Federal court may be asked to issue an injunction saying, "You must stop pouring sewage into the river," but how is such an injunction to be enforced? Would the city officials of Cincinnati be put in jail? It cannot be done. Incidentally, since it cannot be done in a large number of places, since it is admitted that it is going to take 20 years at least to eliminate all the serious pollution from the rivers, who is going to decide against whom an injunction suit shall be brought, and against whom such a suit shall not be brought?

The amendment of the Senator from Missouri places in someone the arbitrary power to single out a particular city or plant and seek to obtain an injunction against it. In other words, the Congress is not passing a law which makes no discrimination, but under the amendment it gives to some administrative officer the power to discriminate against one State and against one locality. So, I feel very strongly that we should not pass a bill which provides for that injunctive process and places in the hands of an administrative officer the power of deciding against whom to proceed.

It seems to me that if we want to carry out this plan we have to do it on a cooperative basis, we have to plan gradually; we have to encourage people to construct the plants necessary to eliminate pollution.

I do not see why there should be any fear of a "grab bag," because, as I have said, if it will cost us in Cincinnati $20,000,000 to build a sewage disposal plant, we are not going to spend $15,000,000 simply because by doing that we might get $5,000,000 from the Federal Government. The cost to the locality would be so great that I see no danger whatsoever that it would undertake the expense unless the building of the disposal plant were absolutely necessary. The providing of Federal money is merely an encouragement to the city to build such a plant, instead of using the money for some other construction which will benefit us much more than the elimination of sewage below Cincinnati by the construction of a sewage-disposal plant.

Mr. CLARK of Missouri. Mr. President, it is quite evident from the remarks of the Senator from Ohio that he has never read the substitute amendment, because his own speech answers itself. He speaks of the necessity of the city of Cincinnati being relieved of its present condition, and then states in the same breath that Cincinnati is not willing to take the responsibility and do the things necessary to contribute its part to the elimination of the condition about which he complains.

The purpose of the proposed substitute is not to allow any administrative official to play favorites, to make selections between municipalities, or sections, or cities, or corporations, or States. The purpose is to lay down a rule according to principles set forth in the measure itself, which declares it to be a violation of public policy to permit either a municipality, or an individual, or a corporation to contaminate the waters of streams of the United States. This measure

lays down in section 9 various theories upon which this public policy is set up. Section 9 provides:

SEC. 9. Pursuant to the powers of the United States to regulate interstate commerce and navigation; to extend, change, and amend the admiralty and maritime law; to give due effect to the migratory bird treaties; and to protect the fisheries, including the anadromous fish, Congress hereby declares the discharge or deposit, directly or indirectly, of any waste, except the normal discharge of sewage from toilets of boats or from the galley sink drains or the normal amount of oil that may be discharged from the exhaust pipe of a motorboat, or other substance, whether in a solid, gaseous, or liquid state, into any of the navigable waters of the United States, in violation of regulations promulgated by the Division, if such waste or other substance is or may be injurious to human health or to any form of life, including aquatic life, or to migratory birds as defined in the Migratory Bird Treaty of August 16, 1916, and , 1937, or impairs in any manner the utility of such waters for navigation purposes, to be against the public policy of the United States and to be a public and common nuisance.

Mr. President, the Senator from Ohio says that Cincinnati cannot be expected to refrain from dumping its raw sewage into the Ohio River simply because it will be a benefit to municipalities in the States lower down the river. Cities on the Ohio River above Cincinnati undoubtedly may take the same position.

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

Mr. CLARK of Missouri. I yield to the Senator from Ohio.

Mr. TAFT. What would the Senator do? Would he bring an injunction suit against the city of Cincinnati if his measure were enacted into law? How would he carry it out?

Mr. CLARK of Missouri. Does the Senator have any doubt that the United States Government can maintain an injunction suit against the city of Cincinnati?

Mr. TAFT. How would the order of the injunction be enforced? The city of Cincinnati has a debt limit. It has no possibility of borrowing $20,000,000. There are a thousand sewers running into the river today. How, by injunction, could the city of Cincinnati be made to do anything, and what would happen if the city should not obey the injunction?

Mr. CLARK of Missouri. If the Senator from Ohio takes the position that the city of Cincinnati would disobey the injunctive process of a court of competent jurisdiction in a proceeding such as was brought against the city of Chicago in the case of the Chicago Drainage Canal, that is a matter which will have to be threshed out in the courts. I personally do not have any doubt that the authority of the United States Government over navigable streams can be maintained by injunctive process.

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

Mr. CLARK of Missouri. Let me finish my answer to the argument made a moment ago by the Senator from Ohio, and then I shall yield.

The Senator from Ohio said the city of Cincinnati cannot be expected to spend the money necessary to enable it to refrain from dumping the raw sewage into the Ohio River simply because it will benefit the municipalities of the States lower down. The municipalities of the States higher up will undoubtedly take the same position.

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

Mr. CLARK of Missouri. I yield.

Mr. TAFT. I did not say that. I said the incentive not to do it is very strong, and I do not see how the doing of it can be forced. Therefore I am in favor of offering all cities—of which Cincinnati is only an example; Pittsburgh is larger and worse from the standpoint of pollution below the city—some assistance in the matter of sewage disposal, but not to proceed by an injunction process which cannot be enforced by any means of which I know.

Mr. CLARK of Missouri. I am offering assistance to the cities, and it is provided for in the substitute amendment I have offered. But I say that there is no sense or justification in the United States Government spending its money, and then in the final analysis having no control whatever over the situation, and no means whatever of enforcing the public policy declared by the law. In other words, Mr. President, suppose the city of Cincinnati spent the $20,000,000 that is necessary—and I mention that amount merely because it was an illustration used by the Senator from Ohio—to install an efficient sewage disposal system; suppose the city of Pittsburgh also put in an efficient sewage disposal system, and then suppose a number of other towns and cities on the Ohio River refused to install such a system. The city of Cincinnati and the city of Pittsburgh, after all their expenditures, would remain in just as bad a position as they had previously been.

Suppose, for instance, that the city of Chicago discontinued its dumping of pollution into the Illinois River, which flows into the Mississippi River, and then that my own city of St. Louis refused to do anything about the situation there, and persisted in dumping raw sewage and deleterious products from our manufacturing plants into the Mississippi River, there is nothing on earth in the bill of the Senator from Kentucky to prevent us from doing it. Or suppose the city of Chicago, the city of St. Louis, the city of Kansas City, the city of St. Paul, and the city of Minneapolis were willing to cooperate and put in efficient methods to prevent the pollution of the streams, and Paducah, the city of the Senator from Kentucky, and Cincinnati, the city of the Senator from Ohio, and various other cities up and down the Ohio River, or the Missouri River, or the upper Mississippi River persisted in dumping pollution into the streams, there would be nothing on earth in the bill of the Senator from Kentucky to prevent them from doing it. So we would have spent our money, we would have assumed an obligation as a Federal Government, without any method on earth of insuring any results whatever.

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

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. In the first place, I suggest to the Senator that there is no city which is deliberately dumping waste matter into the streams and polluting them. That is a condition which has grown up, for which they have not been able to find a remedy.

Mr. CLARK of Missouri. I agree with the Senator from Kentucky. That is why I have included a saving clause in the proposed substitute to permit a postponement of the operation of the act.

Mr. BARKLEY. Suppose the Federal Government, through the district attorney's office, brings a lawsuit to enjoin the city of Paducah, or the city of Cincinnati, or the city of St. Louis, or any other city; that injunction is not only to prevent them from doing something, but it is an effort to compel them to do something else. Suppose there is a limitation of debt, as there is in many cities; as there is in my own city, and, as the Senator from Ohio [Mr. TAFT] says there is in his city. The amount which the city may borrow is limited. Suppose the constitution limits the amount of taxes which may be levied, and the chief of engineers notifies the city that it must abate a nuisance within a certain time. It does not do so, and the chief of engineers notifies the district attorney, who brings a lawsuit and obtains an injunction. The injunction cannot raise the money. The Federal Government cannot raise the money. The only authority in the city which can raise the money is the city council, or the board of commissioners, whichever it may be. If they cannot do it under the law, what is going to happen? Shall we bring the municipal authorities into court and punish them for violating an injunction, when the law of their own State and their own city prohibits them from levying the necessary taxes, or incurring the necessary indebtedness? How shall we enforce the law?

Mr. CLARK of Missouri. An injunction would not affirmatively direct the municipal authorities to do anything. It would direct them to cease polluting the streams.

Mr. BARKLEY. That means that it would direct them to abate the nuisance; and in order to abate the nuisance they would have to spend hundreds of thousands or even millions of dollars in order to install new plants. If they should not do so, and thereby should not abate the nuisance, they would be guilty of violating the injunction, and could be cited for contempt of court, for violating an injunction which it would be impossible for them to obey.

Mr. CLARK of Missouri. Suppose some city had built an obstruction in the Mississippi River at some point, has the Senator any doubt that the United States Government could go into court and obtain an injunction compelling the city to remove the obstruction?

Mr. BARKLEY. In the first place, the city has no authority to build an obstruction without the consent of Congress, either through legislation or through the Chief of Engineers.

Mr. CLARK of Missouri. Does the Senator contend that after Congress makes it unlawful to discharge sewage or chemical byproducts, or anything else, into a stream, a city has authority to do so?

Mr. BARKLEY. If any city or individual citizen of the United States should, without the consent of Congress, build in a navigable river something which obstructed navigation, of course the city or individual could be compelled to remove it, or be punished. The consent of Congress is usually given in legislation, or it is given in general terms through the Chief of Engineers.

Mr. CLARK of Missouri. The two situations are precisely the same.

Mr. BARKLEY. Not at all. In the case of stream pollution, conditions have existed for years. They have grown up without any violation of law. No violation of law exists in any such situation. The question is quite different.

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

Mr. CLARK of Missouri. I yield.

Mr. TAFT. I do not agree with the statement that if the dumping of sewage is eliminated in only one place the money is thrown away. It is not.

Mr. CLARK of Missouri. I agree with that statement.

Mr. TAFT. The pollution of the rivers of the country can never be controlled to the extent that the people can safely drink the water from those rivers. We never shall get to the point where there will be no danger of typhoid fever. However, every time a large pollution of a river is eliminated, the pressure on the purifying plants is relieved, and we come closer and closer to a condition under which fish can live. We bring about an improvement. We do not throw away the money in any event.

Mr. CLARK of Missouri. Of course, that is true; but it is only a matter of degree. If the pollution which Chicago puts into the Mississippi River, let us say, is removed, and St. Louis, Kansas City, Cincinnati, Pittsburgh, Minneapolis, and St. Paul continue to pollute the river, of course, it would be erroneous to say that elimination of the sewage from Chicago is entirely a waste of money. However, such improvement would be only a minor palliative unless general cooperation on that river were obtained. Therefore, Mr. President, I hope it never will be necessary to use the stringent enforcement provisions of the substitute. I believe the inclusion of the provision in the proposed substitute would provide a tremendous incentive for municipalities, industrial concerns, mining corporations, and individuals all over the country to cooperate in compliance with the law. However, I also believe that the inclusion of a club, or some residuary power in the controlling authority, is necessary to bring about that condition, and to eliminate the small number of what are called "chiselers" who do not desire to conform to the law.

I heard the testimony of Colonel Lee, of the Corps of Engineers, before the Committee on Commerce. He has had perhaps more successful experience than anyone else in any branch of the Government service in eradicating conditions of the sort described. He testified that, with regard to the Delaware River, the Schuylkill River, and later with regard to the Willamette River, he had found most municipalities and industrial concerns willing to cooperate; but he said that the fact that he was able to call the attention of those who were reluctant to cooperate to the provisions of the Rivers and Harbors Act of 1889 and the provisions of the Oil Pollution Act of 1914—both of which were, in the operation which he was conducting, very shadowy authority for taking offenders into court—had brought about cooperation in many instances in which it would otherwise have been impossible to bring it about.

Therefore, Mr. President, I say that if the Federal Government is to assume control of the subject as a Federal responsibility, and if we are to spend the money, we ought to have authority somewhere to compel those who do not wish to cooperate with the great majority of the people who are willing to cooperate to come in and do their part.

Mr. President, I desire to call attention to one or two other features of the proposed substitute.

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

The PRESIDING OFFICER (Mr. TOBEY in the chair). Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. CLARK of Missouri. I yield.

Mr. NORRIS. Do both the original bill and the proposed substitute contain provisions under which the Government can force compliance?

Mr. CLARK of Missouri. No.

Mr. NORRIS. That statement applies only to the substitute amendment?

Mr. CLARK of Missouri. It applies only to the substitute amendment. I will say to the Senator from Nebraska that the point he mentions is the only essential difference between the two measures. There are one or two minor differences which I intend to point out in just a moment.

Mr. President, I desire to call attention to the fact that under the provisions of the substitute amendment a district board is set up in each sanitary district which is to be established by the division having to do with watersheds. The board is to contain representatives of various State and local agencies. The substitute provides for—

> At least one representative from State health departments or other State agencies charged with control of pollution, State fish and game agencies, State departments of agriculture and State departments of labor embraced within the district, and one representative of industry and one representative of municipalities on the board.

The substitute further provides that—

> Wherever any two or more States have heretofore or may hereafter enter into any compact for the prevention or abatement of stream pollution and providing an agency to enforce the provisions of the compact, said agency shall be designated the district board of that particular watershed.

I understand that such action has already been taken in one instance. Where several States in the same watershed have entered into an interstate compact and set up an interstate board in that watershed or that district for the control of the situation, the interstate board appointed by the various States, subject to the general provisions of the Federal division, are to constitute the district board.

The substitute provides further:

> (b) It shall be the duty of each district board:
> 1. To prevent by voluntary methods insofar as practicable the pollution of waters within the district;
> 2. To investigate the desirability of making loans or grants in such districts for the construction of sewage-disposal plants and works for the treatment of trade and municipal wastes and to recommend the making of such loans or grants to the division; and
> 3. To institute proceedings for the prevention and abatement of water pollution in such district: *Provided*—

I think this is a very important proviso—

> *Provided*, That where a duly constituted State agency or interstate compact with authority to enforce the provisions of this act is in existence, that action by the district board will be taken only after such existing authorities have been given an opportunity to act and, after due notice, have failed to do so.

So, Mr. President, in the substitute there is every incentive for cooperation between the Federal Government and the States, municipalities, and private agencies. The substitute contains every such incentive which is contained in the original bill, with some additional machinery set up in the substitute to insure cooperation by the inclusion of representatives of various State and local authorities on the district board.

Let me say further, Mr. President, that while I prefer the Corps of Engineers of the United States Army as the administrative authority, because of their experience, I do not regard that point as an essential difference between the two measures. I should gladly take the Public Health Service

as the administrative agency if the Public Health Service had not declared itself to be not in sympathy with the provisions of the substitute with regard to enforcement.

Mr. President, the essential difference between the two measures is in the enforcement provision contained in the substitute, which is not contained in the original bill. In my opinion it would be better for no bill at all to pass than for a bill to pass bearing the semblance of authority to clean up the situation, with no actual authority to do so. It would be better to wait until the situation can be further canvassed, and a bill can be passed containing sufficient authority in the Federal agency set up to bring about the desired reforms, than to have a bill passed which would hold out a hope which could not be realized under its terms.

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

Mr. CLARK of Missouri. I yield to the Senator from Arkansas.

Mr. MILLER. What was the modification the Senator proposed to his amendment in the nature of a substitute which was offered and stated this morning? I should like to ask a question about it.

Mr. CLARK of Missouri. It was to postpone the enforcement provisions for 3 years.

Mr. MILLER. That is, as to new construction?

Mr. CLARK of Missouri. As to anything except new pollution. As to any existing pollution it would postpone the operation of the enforcement section for 3 years.

Mr. MILLER. That is, the injunction section would be postponed 3 years in its application to existing pollution?

Mr. CLARK of Missouri. That is correct. The other amendment or modification provides that if, as happens to be in some cases possible, there is no method known at the present time of disposing of mine waste or some other commercial byproduct, the operation shall be postponed, in the discretion of the Chief of Engineers, for 5 additional years.

Mr. MILLER. There is another provision in the proposed substitute which provides for grants not to exceed 50 percent of the cost, is there not?

Mr. CLARK of Missouri. That is correct.

Mr. MILLER. As I understand, in the original bill grants are not to exceed one-third. Is that correct?

Mr. BARKLEY. Mr. President, yes; that is true. The grants cannot exceed one-third, or 33⅓ percent.

Mr. MILLER. That is under the original bill, while under the substitute they may not exceed 50 percent?

Mr. CLARK of Missouri. I will say to the Senator from Arkansas that there is no particular dispute on that point, because I will accept a limitation of one-third or any other limitation that may be agreed upon, for I do not regard the specific percentage to be contributed under the loan-grant system to be the material element in difference, and I would be very glad, indeed, to agree to any reasonable limitation as to the amount of the Federal contribution.

Mr. MILLER. I do not agree with the Senator. In the event his amendment in the nature of a substitute should be adopted, I think that 50-percent grants should be permitted, because the Senator has in mind making an effective antipollution measure.

Mr. CLARK of Missouri. That is correct, and that is the reason for raising the limitation, but I do not regard that as the essential point of difference between the bill and the proposed substitute.

Mr. MILLER. From my standpoint, I think it is a point of difference.

Mr. BARKLEY. Mr. President, under the original bill the 33⅓-percent limitation applies only to grants; it does not take into consideration the amount that may be loaned either to a corporation or to a municipality; so the two together might equal 50 percent.

Mr. WHITE. Mr. President, I wish to say a very brief word about this proposed legislation. In the first instance, I must confess that I have paid very little attention to the testimony taken at the present session of the Congress. I did, however, give considerable study to the problem when it was before the Senate in the last Congress, and I served on the committee of conference between the two Houses on the measure which was then passed.

Mr. President, if the amendment in the nature of a substitute offered by the Senator from Missouri [Mr. CLARK] should be adopted, I would still vote for the bill, for I want to see some legislation enacted on the subject at this time; but it is my deliberate judgment that the so-called Clark substitute is not the wise course for us now to take. I feel that the enactment of the Barkley bill would be a forward step which would make for the accomplishment of desirable results in the future.

The essential difference—and I agree with the Senator from Missouri in this respect—or the difference which seems to me to be essential between the bill and the substitute is in the inclusion in the Clark substitute of what I call the punitive provisions, provisions for use of the injunctive process. Those provisions are not in the Barkley bill. The Barkley bill provides for a definite scheme of cooperative effort between the Federal Government and the several States and municipalities in an endeavor to bring about a betterment of conditions.

I think, Mr. President, we all realize that something must be done to eradicate stream pollution. We cannot allow the conditions of past years to continue. Those conditions have destroyed fish life; they have caused infinite harm to bird life, and have brought a threat to the health of our people. I sometimes think however, that, while we accept all that to be true, we do not appreciate the complexity and gravity of the problem which is presented.

Something has been said here this morning about the cost of the correction of the evils of stream pollution. I remember that in the hearings during the last Congress some estimates were submitted of the cost of taking care of the municipal sewage of the country. The figures were that in towns of over 2,500 population in the United States there is an aggregate population of something over 68,000,000, and the estimated cost of disposal of municipal sewage ran from $5 per capita to $100 per capita. It was calculated that, taking an average of only $25 per capita, the cost of the disposition of what is called municipal sewage would amount to more than $1,750,000,000. There were no estimates, so far as my knowledge goes, of the cost of disposing of or avoiding industrial waste, which constitutes almost as great an evil as municipal sewage. It is impossible to estimate the cost of caring for industrial waste, because we do not know how to care for industrial waste of many kinds. The pulp and paper manufacturers in my State tell me that the pulp and paper industry has spent more than $2,000,000 in research in an endeavor to find a way to keep from the streams industrial waste that flows from pulp and paper plants; but they further tell me that up to this time the chemical research of the country has found no way to keep from our streams and to render innocuous the liquid waste which comes from these particular industrial plants. So, at the moment, if the injunctive process is made possible, such plants scattered along the streams of my State must either move from their present sites or must cease to operate as they have operated in the past and as only they know how to operate.

Waste does not enter the streams alone from what we call industrial plants. It comes from agricultural sources as well as from the mills that line the banks of the streams of the eastern seaboard. I listened last night to the Senator from Wisconsin [Mr. LA FOLLETTE] speak on the cheese and dairy industry of his State. One of the sources of pollution in many of the States is the milk and the sugar and the fat which come from the butter and cheese factories scattered all over the United States. Waste comes from canneries; waste enters our streams from the beet-sugar plants; it comes from the breweries; it comes from a great many sources that ordinarily we do not regard as industrial plants, as we commonly use that term, but it is waste of agricultural origin.

As I have thought about the situation it seems to me that we ought to take the initial step proposed by the Senator from Kentucky. We ought first to undertake the cooperative effort he proposes to solve the problem and to find the means

of eliminating wastage. Then we ought to take those steps which are available to us to make effective the known methods.

I myself rather shrink from writing into the law the provision of the substitute offered by the Senator from Missouri which makes it a public nuisance to pour into a stream something that a board here in Washington says is or may be deleterious, and to subject a person to penalties because of violation of such an intangible and indefinite provision, something so difficult of understanding.

Personally, I am quite content to make the beginning proposed by the Senator from Kentucky. I think, after a short experience under the terms of his bill, we may know whether or not we are making progress, and if it appears to our satisfaction that cooperative methods involving research and endeavor by all concerned to eliminate this wastage are not effective, then it will be the time to write into the law the teeth, the punitive provisions, which are proposed by the Senator from Missouri; but in the first instance I much prefer the approach suggested by the bill pending before the Senate.

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

Mr. WHITE. I yield.

Mr. NORRIS. I am very much impressed by what the Senator from Maine says, because I know he possesses much more knowledge on this subject than do I; but regardless of the knowledge we possess, we all, I think, are equally interested in this proposed legislation. I think it is very important. I dislike to delay, if I can avoid delaying, anything that affects directly the health of the people generally and of the aquatic life in the streams. I confess that I was very much impressed by the provision in the so-called Clark substitute which the Senator from Maine has called the punitive provision. The Senator's remarks have caused me to doubt the wisdom of that provision.

When we find an evil which is admitted to exist generally over the country, which affects the public health, and one which has come about gradually, innocently I will say—in the beginning, anyway—and we undertake to remove it or prevent it by a law that has nothing punitive in it, is there not great doubt as to the effectiveness of the law? And if we provide in the law for some punitive measure, even thought we do not expect always to enforce such a provision, will it not be a great incentive to municipalities, corporations, or individuals who are polluting streams to go further and do more toward complying with the law than they would do if they knew there was no way to punish them for evasion of the law? After all, is it not a sort of a policeman around the corner?

Mr. WHITE. The Senator's question is a difficult one for me to answer, even to my own satisfaction. There is, of course, great force in what he says. It may be that if we rely on these cooperative efforts we shall accomplish little or nothing. It may be that immediately we should accomplish more by the punitive methods, as I call them, incorporated in the Clark substitute; but although the Barkley bill does not have punitive provisions, it at least has persuasive provisions in the authority to the Federal Government to make contributions to the cost of working out the elimination of waste. Personally, I think that authority will be tremendously helpful. I think it will stimulate research. I think it will stimulate desire. I think it will be a warning to those who are guilty of stream pollution that they must, with greater diligence than in the past, give their thought and their efforts to the elimination of waste.

I always come back to my belief that if this course of action does not prove successful, if it does not meet our reasonable expectations, then we may apply punitive provisions, and perhaps even more drastic provisions than those contained in the Clark substitute.

That is the way the matter rests in my mind. Whether or not I am right about it is still a matter of some question to me; but I believe that is the wise approach. I should like to see this beginning made, and I should like to see it made under the proposals of the Barkley bill.

Mr. CLARK of Missouri. 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	Donahey	King	Reed
Andrews	Downey	La Follette	Reynolds
Ashurst	Ellender	Lodge	Russell
Austin	Frazier	Logan	Schwartz
Bailey	George	Lucas	Schwellenbach
Bankhead	Gerry	Lundeen	Sheppard
Barkley	Gibson	McCarran	Slattery
Bilbo	Gillette	McKellar	Smith
Bone	Glass	McNary	Taft
Borah	Green	Maloney	Thomas, Okla.
Brown	Guffey	Mead	Thomas, Utah
Bulow	Gurney	Miller	Tobey
Burke	Hale	Minton	Townsend
Byrd	Harrison	Murray	Truman
Byrnes	Hatch	Neely	Tydings
Capper	Hayden	Norris	Vandenberg
Caraway	Hill	Nye	Wagner
Chavez	Holman	O'Mahoney	Walsh
Clark, Idaho	Holt	Overton	Wheeler
Clark, Mo.	Hughes	Pepper	White
Connally	Johnson, Calif.	Pittman	Wiley
Danaher	Johnson, Colo.	Radcliffe	

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

The question is on the amendment in the nature of a substitute, as modified, proposed by the Senator from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. I ask for a division.

On a division, the amendment in the nature of a substitute as modified was rejected.

Mr. DANAHER. Mr. President, I send an amendment to the desk, and I ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. In section 6, on page 5, line 5, after the words "to be", it is proposed to strike out the remainder of the section and to insert in lieu thereof the following:

The perpetrator of a common nuisance against whom proceedings for the abatement of such nuisance shall be brought in the name of the United States of America by the United States attorney for the district in which such nuisance shall exist and the courts of the United States shall have jurisdiction to hear and determine such actions and to make appropriate orders for the abatement of any such nuisance.

Mr. DANAHER. Mr. President, while I spoke a few days ago in opposition to the grants-in-aid and loans provision of the pending bill, and the Senate rejected the amendment which I then offered, I feel that the debate this morning has elicited one other line of approach which ought very properly to be considered.

Section 6 of the bill contains a provision for aid to any person who is now discharging or who is building works which will discharge polluted matter into the tributaries of streams and into our navigable waters. We provide for grants-in-aid to manufacturers, or industrialists of whatever character, disregarding entirely the worth-while, reputable industrialist who has spent millions of dollars to equip his plant, and perhaps millions of dollars in the industry generally, to eliminate waste.

It seems that the "chiseler," a term I heard one of the Senators apply to this other type, before he builds a mill at all can say that he wants a loan or grant-in-aid to eliminate pollution. I submit that if anyone is polluting or is about to pollute water within a State, the State should properly compel the offender to conform to the intendment of the bill, and if the State does not do so, then the Federal Government ought to have power to act.

Insofar as municipalities are concerned, the amendment would not be needed, for I believe that there is adequate jurisdiction in the courts at the present time to entertain actions against municipalities. It can be done. For instance, as stated by the Senator from Ohio, action can be taken by the State of Ohio against the city of Cincinnati. It can be taken by the State of Kentucky against the State of Pennsylvania. Such an action was brought in the United States Supreme Court by the State of New York against the State of New

Jersey, and out of it there came an order for the construction of an intercepting sewer. So, it is not necessary to have this type of enforcement provision with reference to municipalities. But it is certainly needed with reference to individuals, and I believe that section 6 as written would extend a principle which the Senate should not approve, for once we grant that this is a Federal function at all, if we go further and grant that there is a need, there is no reason why we should stop at contributing one-third of the cost of eliminating future pollution. Once we have established the principle of Federal contribution we cannot stop at a third; we have to go all the way. So, it seems to me that the very principle to which I am calling attention is the principle involved in section 6 of the bill. As drawn, it permits Federal grants-in-aid to manufacturers and industrialists who from now on intend to pollute our streams and our waters in violation of the purpose sought to be achieved.

It seems to me that if we strike from section 6 the language which begins on line 5, page 5, after the words "to be", to the end of the section, and insert in lieu thereof a declaration that pollution shall constitute a common nuisance, and that the United States district courts shall have power to enforce compliance with the law, we will have taken a long step toward reaching the individual polluter, and bringing the principle in line with what is sought by the Senator from Missouri, and at the same time save the salutary and worthy features of the bill as offered by the Senator from Kentucky.

I respectfully ask that the Senator from Kentucky discuss that point if he will.

Mr. BARKLEY. Mr. President, sections 5 and 6 of the bill are the two sections which provide for loans and grants-in-aid. Section 5 provides that any municipality or other public body which is discharging untreated or inadequately treated sewage or waste into the navigable streams or streams contributary thereto is eligible for the loans and grants.

Section 6 makes the same provision with respect to private corporations or persons or industries. It proceeds in almost the same language, and makes them eligible for the loans and grants-in-aid, as I stated a few days ago and reiterated today, on the theory that these grants-in-aid and loans will help private industries to clean up conditions in the public interest.

The Senator's amendment would make them ineligible for loans or grants, and make them guilty as perpetrators of a common nuisance. They could not apply for help, under the Senator's amendment, even though, with a little help, they were willing to go ahead and work out their local situations. The Senator's amendment would withdraw even the eligibility the bill would grant them for this assistance, which we all want to give, if the public is to be protected. Instead of making them eligible for loans and grants, it would make them eligible for prosecution and the issuance of injunctions against them as perpetrators of common nuisances. They could not even ask for help. Under the Senator's amendment, they would be made guilty if they were discharging prohibited sewage into the waters. In my judgment, that would destroy the effect of the provisions of the bill. The bill undertakes to extend assistance to concerns which are polluting waters, whether innocently or not. I think all of them are innocent; that is, they started in the construction and operation of their plants without any intention of polluting the water, but it has turned out that some of them are guilty of discharging into the streams matter which pollutes the water.

Many of them are not themselves able, out of their own funds, without credit or without assistance, to correct the evils which have come about. The Senator would make them guilty as perpetrators of a common nuisance immediately, regardless of their intention, regardless of the situation, and would withdraw from them any help which would enable them to clear up the situation themselves, but it would be necessary immediately to proceed against them as perpetrators of a common nuisance.

Mr. DANAHER. Mr. President, I asked the distinguished Senator from Kentucky an hour or so ago whether or not, if an individual were a water polluter, an action to abate the nuisance would lie in the State court, to which naturally his answer was in the affirmative. The law does today permit and admit of the State taking action to protect the individual State against pollution of waters. Now to permit a man who contemplates the building of a mill, or a factory, or an industry, involving the discharge of waste of some sort, to gain an advantage, a contribution of one-third, if you will, or an amount up to a one-third, in order to keep him from polluting water, when he knows he is going to pollute it, seems to me the extension of a principle far beyond anything we have ever undertaken.

Mr. BARKLEY. The Federal Government does not have to enact a law in order to empower a State to sue for an injunction if it has any cause of action against the perpetrator of a common nuisance. A State could do that without any law passed by the Congress. The Senator's amendment would withdraw any assistance from the perpetrator, and make him subject to an injunction by the United States of America, without offering him any help, which he may need, as most of them do need it in order that they may clear up the situation, and install the necessary plants to purify the water.

I think it is really not necessary to apply the injunctive process, even in the case of private industry. If we could lend private industries some assistance, if we could cooperate with them, I think it would be found that they all want to clean up their own situations, because it is not of any benefit to the reputation of a private industry to have it known that it is polluting the water of the community. It does not do it any good for the whole community to become afraid of it and suspicious of it. If we offer help, which the Senator would withdraw, it seems to me we at least take the first step we ought to take in attempting to protect the public.

I would certainly regret to see an amendment adopted which would withdraw the help proposed, and make the parties ineligible for assistance, but immediately make them subject to injunction brought by the United States in order to abate what the Senator calls a nuisance.

Mr. DANAHER. Mr. President, if there be need for the proposed legislation at all it exists on the ground that streams are being polluted, and that contributing causes are the industrialists who are contemplated by section 6 of the bill. If the need exists, it is because the water is being polluted. If it is being polluted, the pollution ought to be stopped. If it is not going to be stopped by the State governments, all the amendment would do would be to give the United States attorney in the district in which the pollution was occurring the power to seek to have the nuisance abated.

If the Federal Government is to extend this particular function in the particular direction involved, it seems to me that in order to cure the evil contemplated we ought to stop it at once. There is no other way out of it.

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

Mr. DANAHER. I yield.

Mr. NORRIS. I have not seen the amendment, and only heard it read at the desk. I should like to ask the Senator whether his amendment would apply to a manufacturing establishment, for instance, which is now polluting a stream, or would it apply only to subsequent or newly established manufacturing establishments contemplated, about to be built, or which were to be built after the law was passed?

Mr. DANAHER. Mr. President, in answer to the question propounded by the senior Senator from Nebraska, I will say that I adopted the very language appearing in line 1, which contemplates not only present pollution but also future pollution. Consequently, while this discussion was going on, for the purpose of bringing the matter to a head, I adopted the very language in the bill as drawn, subject to the phraseology necessary to meet the situation. So to answer the Senator's question specifically, the amendment would apply not only to future pollution, but to existing pollution, and, since we understand that any such action would be brought in a court of equity, we simply say that the court shall by appropriate order deal with the situation. The appropriate order obviously, Mr. President, could

be dated ahead and therefore, in the event that pollution had not been removed by a given day certain, say 2 years or whatever would be reasonable, then the injunction could become permanent.

In such circumstances it seems to me we could very properly rely upon and depend upon the language appearing in line 1 of section 6.

Mr. NORRIS. Mr. President, I should now like to ask the Senator from Kentucky a question about the bill. Is there anything now in the bill which, after it is passed, would prevent a man or a corporation from building an establishment which would pollute a stream?

Mr. BARKLEY. No; there is nothing in the way of compulsory prohibition.

Mr. NORRIS. I wish to ask the Senator if he does not feel that there ought to be something of that kind in the bill? Let us assume, for instance, that the bill were passed today and it became a law, and there was no possibility of an injunction restraining me from doing what I contemplate doing, and I start tomorrow to build some kind of a manufacturing plant which it is conceded will pollute a stream. I do this after the bill is passed. It was argued when the so-called Clark amendment was being considered that we ought not to put it in the law now, but should wait a while. Proceeding on that theory, after I had, in the face of this law, built an establishment which was polluting a given stream, would it be right for me to apply for and get a gift or a loan to correct the error I made in the face of the law? Or if we find later on, as the Senator from Maine very well suggested, that we must put more teeth into the law, and provide for injunction, or for some similar process to bring about a cessation of the pollution of streams, and if such process could have been invoked against me when I polluted the stream in the face of the law, does not the Senator think there ought to be some provision in the bill now with respect to just such a situation? That was one of the reasons I was impelled to vote for the Clark amendment. It seems to me there ought to be something in the bill to meet the contingency when, after the bill is passed, a business is commenced by an individual or a corporation which in its operation pollutes a stream.

Mr. BARKLEY. I will say to the Senator from Nebraska that of course a difficulty arises there because we cannot always tell in advance whether the operations of a particular plant which is under construction or is about to be built will result in stream pollution. The provision of section 6, which is the subject of the amendment offered by the Senator—and he has properly construed it to mean that it applies to present as well as future pollution—provides:

SEC. 6. Any person discharging, or building works which will discharge, untreated or inadequately treated sewage or waste in character or quality sufficient to be deleterious to the navigable waters of the United States or streams tributary thereto is hereby declared to be eligible to Federal aid—

And so forth. His amendment strikes out all the remainder of the section, and simply declares such persons to be the perpetrators of a common nuisance, so there is no difference between us as to the interpretation of his amendment.

Section 6 now provides that when a plant is already in existence, or is under construction, or is being built, which would result in the discharge of deleterious material into any stream, the person operating the plant, or who is constructing it, assuming that he does not have sufficient financial backing or ability to install in the new plant the necessary machinery to prevent the disposal of the wastage into a stream that would result finally in the pollution of the water, may apply for loans and grants.

Of course, in determining whether any person contemplating the building of such a plant would be entitled to the loan or the grant, the Division of Stream Pollution, its report coming on up through the Surgeon General to the Secretary of the Treasury finally, would be required to pass on the question in advance whether the operation of the new plant or its construction would be calculated to bring about the discharge of wastage into the stream so as to pollute it. It might be that that could not be determined at the time of the construction, and if it could not be determined, I imagine that the application for the loan would be turned down.

Let us assume that neither application for a loan nor a grant is made at the time construction is begun. If a provision is placed in the measure that before the construction of a plant, or during its construction, the injunctive process would be applicable so as to stop the construction or further operation, it might in many cases bring about the cessation of work on plants which ultimately would not pollute the stream. So it is difficult in advance to draw that line.

Of course, there are certain types of plants which it might be safe to assume in advance would pollute streams. It might be safe to say that with respect to an oil refinery, or certain types of coal mines; but there are innumerable kinds of manufacturing operations that might or might not pollute a stream, depending on what would happen after they begin operations. If the Government could in advance enjoin the construction or the completion of a plant under construction on the mere guess that when in operation it would pollute a stream, it seems to me that that would be giving the injunctive process a latitude that would not be wise.

Mr. NORRIS. I should like to say to the Senator that I hardly believe he is correct when he says that we would not know until the establishment was built and operations started, whether or not it would pollute a stream. It seems to me that at the very beginning we would know whether it would or would not. But even though the Senator is correct in that contention, the Government or anyone else who applied for an injunction on the ground that the business, whatever it might be, would pollute a stream, would be faced immediately with the necessity of proving that it would pollute a stream, and if that could not be proved the injunction would not be granted.

Mr. BARKLEY. That is why we have put industries on the same basis with municipalities, States, and counties in obtaining financial assistance.

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

Mr. BARKLEY. I yield.

Mr. TAFT. It seems to me the amendment suggests that whenever anyone discharges any waste into a river it is a common nuisance. I do not see why it is a common nuisance. Suppose a sewer was built a hundred years ago in Cincinnati, and has been discharging into the Ohio River for 100 years, being connected with a dozen houses. The city has not even touched the sewer. I do not agree that it can be assumed that that is any common nuisance. The common nuisance arises from the fact that thousands of additional sewers have been added, that hundreds of additional plants have come to the city. I seriously doubt that it can be assumed that there can be any right to enjoin any particular sewer, or any particular city because it does not stop the operation of a particular sewer. I disagree with the basis of the Senator's analogy.

Mr. BARKLEY. Of course, if the State has the authority to enjoin a nuisance, which we have concluded that it has——

Mr. TAFT. It may pass a law to prohibit such a thing, yes.

Mr. BARKLEY. It may pass a law to prohibit such a thing and declare it a nuisance and enjoin it; but in the absence of legislation by the State dealing with its local situations, it seems to me that at least in taking this first step we ought not to project the Federal Government in ahead of the State in order that the Federal Government may bring an injunction suit when the State is not authorized under its law to bring such a suit.

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

Mr. BARKLEY. I yield.

Mr. DANAHER. Of course, the Senator will recall that the whole theory of operation is on an interstate compact basis, and if our interstate compact basis is not going to provide for interstate agreement looking for legislation within the States which in turn will abate pollution, then we are wasting a great deal of time here.

Mr. BARKLEY. The Senator is mistaken in saying that this whole matter depends upon compacts among the States. It does not. That is one of the features. Congress intends to give its consent to compacts that have been entered into among the States.

However, regardless of compacts, the bill attempts to hold out the cooperative effort of the Federal Government in dealing with the matter. In the compacts among the States there may be set up, subject to the consent of Congress, the necessary machinery not only to abate the pollution of water but even to put a stop to it by some sort of process, assuming that Congress can give its consent in advance or would give its consent after the compact is entered into. Certanly it does not seem to me to be necessary at this juncture of our legislative procedure to provide, according to the Senator's amendment, that instead of these individuals and corporations being eligible for help they shall be eligible for prosecution, without the hope of any help from the Federal Government.

Mr. KING. Mr. President, there are some provisions of this bill with which I am not in accord, although the reputed purpose of the same would incline me and others to give it hearty support. If the amendment offered by the Senator from Connecticut [Mr. DANAHER] should be adopted, I would have no hesitancy in voting against the bill.

The Senator from Kentucky [Mr. BARKLEY], it is evident, has given considerable attention to this measure, and the same may be said of those who have been instrumental in formulating it and in presenting it to the Senate. Nevertheless it possesses infirmities, and largely rests upon the theory that the Federal Government must take over additional functions, some of which may be considered to be beyond the authority of the Government.

I do not wish it to be understood, in the few observations which I shall make, that I purpose to introduce political questions into the consideration of the bill. However, I feel warranted in stating that support is given to it by both Republicans and Democrats. The bill undoubtedly does increase the authority of the Federal Government and enlarges its functions beyond those which in the past it has assumed. The contention was made for many years by our Republican brethren, following the philosophy of Hamilton, that there should be a strong central government, and it was contended by Democrats that such philosophy encroached upon the States and deprived them of authority which they possessed.

It is thought by some that some Democrats are accepting Hamilton's philosophy and joining in movements which make for an increase in the authority of the Federal Government.

It is apparent that there is a growing disregard of the rights of States and of individuals. It is obvious that the Federal Government is extending its activities beyond boundaries fixed in the Constitution. Many Americans fail to recognize that we have a dual form of government; that the Federal Government's authority is only that delegated to it by the States, and that the Constitution surrounds it with limitations which are, in effect, prohibitions. As indicated, however, we are departing from the faith of the fathers, and both Republicans and Democrats are joining in weakening the States, so that it may be said the Federal Government is merging into a powerful national government. Many Democrats and some of my Republican brethren support measures and policies that, in my judgment, may not be defended, if we accept the view that the States are supreme in all matters which were reserved by them, and that the Federal Government may perform only those duties which, under the Constitution, it is given the power to perform.

The amendment presupposes that the States are not competent to handle their internal affairs; that they are not sufficiently interested in the welfare of their citizens to result in the discharge of duties and obligations which it is their duty to discharge.

Mr. President, I believe that the States are competent to deal with their own domestic and internal affairs, and that the movements which are so apparent, tending to augment the power of the Federal Government at the expense of the States, will, if continued, result in changing our form of government. Throughout the world there are contests between democracy and aggressive and powerful central governments. Many persons are influenced by the gaudy trappings of military power, and support policies which tend to destroy democracy, local self-government, and individualism, and to magnify the authority of the general government. They forget that liberty is often lost by inertia, or by acquiescence in the gradual usurpations of political and economic authority. In my opinion there is a dangerous expansion of Federal Government which will result in the weakening of the States and reducing them to shadowy forms.

We have perverted the interstate-commerce provision of the Constitution as well as the so-called general-welfare clause. I think that some recent decisions of the Supreme Court of the United States give some support to this statement. Certain it is that Congress is reaching out to increase the authority of the National Government. Laws are enacted which would have been condemned by the courts and by the people only a few years ago, but which now, without any change in the Constitution of the United States, or without, in my opinion, justification by reason of any economic or political developments, encounter but slight opposition, and, in some instances, receive the benediction of the judiciary. If the Constitution is not fractured by some of the enactments by Congress, it certainly is stretched and wrenched, resulting in distortion and the creation of disequilibrium in our political institutions and in our form of government. It is rather common to hear the expression nowadays that the Constitution has been changed without amendment; changed by construction, by legislation, and judicial interpretation. There is a growing sentiment that there are no fundamental principles of government; that constitutions must yield to economic or political pressure and to idealogical forms and developments, no matter how they may undermine and subvert immutable principles. Change is the order of the day. Iconoclasts are active in religious as well as in political fields.

I recur to my former suggestion that people in many parts of the world are captivated by the display of political and governmental authority and yield their independence, indeed their conscience, to meet changes made and demanded by forces sinister and destructive.

I am still a believer in the rights of individuals, and that the preservation of this Republic as it was given to us by the fathers is indispensable to the enjoyment of the highest degree of liberty. We hear but little these days about State rights and State-rights Democrats. I still believe that the Federal Government is one of limited authority, and that if the States are absorbed by a powerful National Government, not only will the Republic as such be destroyed but the liberties of the people will be lost.

I believe that the maintenance of democratic institutions and the principles upon which the Republic was founded depend upon the maintenance of the States in all of their constitutional authority and power. They, and not the Federal Government, are the source of the Federal Government's authority. They created the Federal Government. And it has no power, as I have indicated, except that which the States conferred upon it.

Undoubtedly that was the view of Jefferson, the founder of the Democratic Party. And may I add that the immortal Lincoln entertained the same political views as to the rights of the people, and the authority of the States, and the limitations upon the Federal Government as those entertained by Jefferson. Senators will recall that Lincoln upon a number of occasions spoke in generous—indeed, eulogistic—terms of Jefferson, and stated in substance that his political philosophy was that which he obtained from Thomas Jefferson. But it seems now that both political parties have abandoned, in part at least, the principles of Jefferson and Lincoln. Their policies tend to weaken the States, to undermine their authority, and, indeed, to make of them vanishing shadows.

The amendment offered by my friend from Connecticut, I cannot help but feel, tends to support the views which I am

so imperfectly expressing, namely, to increase the authority of the Federal Government and to strengthen the movement which seeks to devitalize the States and to devolve upon the Federal Government duties and responsibilities which belong exclusively to them.

I am opposed to increasing the authority of the Federal Government. I am opposed to the view, which seems to be growing in strength, that a powerful government is more important than democracy, and that if the people and States are touched with the hand of a representative of the National Government, our imperfections will be overcome and happiness and prosperity will be the inheritance of all.

Mr. AUSTIN. Mr. President, I cannot remain silent after listening to the eloquent address of the Senator from Utah [Mr. KING]. It behooves me to do something which I did not intend to do, and that is briefly to discuss the amendment.

I must say generally that I concur in the fundamental principles which are so ably presented from time to time by the learned Senator from Utah. Those principles have made the United States of America the leader of thought and of economic development, and the promoter of science, art, higher education, and religion. Those principles have made our people the smartest people on earth. In my opinion, our working men and women are the best-conditioned working people on earth, and live under the highest standards of life. All these things are founded upon the principles to which the Senator from Utah has today referred. From time to time I think I have given evidence of the fact that nearly every vote I have cast in the Senate is materially affected by a desire firmly to adhere to those fundamental principles.

Mr. President, in promoting the type of legislation before us I think we are not departing from our fundamental principles. Moreover, I think we must be realistic about the degree of sanction which we place behind a public-health regulation. Governments, both State and National, have been concerned with the public health for many years; in fact, throughout the life of the States and of the Nation. When we embark upon the policy of increasing the degree of regimentation and control that shall be exercised in the interest of the public health, we are nearly always confronted by the balancing up of costs and hazards, in money and in principle.

It seems to me we have one of such questions before us very vividly presented by the amendment. The States, the factory, the farmer, the riparian landowner, the fisherman, the summer resident, and all who are interested in the shining waters have taken part, in greater or lesser degree, in the effort toward purification of our streams and lakes. However, as we go along we must have the cooperation of all in order to make progress with the purification of our waters. We cannot expect one segment of the society called the public to assume all the burden of purifying our waters in the interest of public health. To put it crudely, Could we ask the factory owners on our shining rivers in the State of Vermont to assume all the burden of purification of those streams? We should do that if we should adopt such an amendment as the one before us.

The amendment would make of every little factory owner who turns his mill waste into a stream to a degree sufficient to come within the terms of the bill such an offender that he could be put in jail for continuing the practice. He would be forced to divert the waste at his own cost, with such aid as he could obtain from the Government.

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

Mr. AUSTIN. I yield.

Mr. BARKLEY. If the amendment were adopted, such an offender could obtain no help from the Government because the amendment eliminates altogether his eligibility for loans or grants and makes him subject to proceedings at once.

Mr. AUSTIN. The amendment is much worse than I thought it was. I thought the amendment merely put in the law the sanction of punishment for continuing the practice, but still tendered to the offender the possibility of going to his Government and obtaining a grant of any amount below 33⅓ percent of the cost of diversion. However, if the effect of the amendment is as I now understand it to be, certainly it would put upon the offender the entire burden of relieving the stream of that part of the pollution for which he and perhaps his forebears for a hundred years have been responsible.

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

Mr. AUSTIN. I yield to the Senator from Connecticut.

Mr. DANAHER. In the interest of accuracy of phraseology, may I ask whether the Senator means that the amendment is worse than he thought it was, or whether it goes further than he originally thought?

Mr. AUSTIN. I do not know exactly what the question means. I will say that the way I interpret the question, the amendment means just what I have said. If the amendment cuts off any right whatever that the private manufacturer might have had under the bill as originally drawn, and makes him an offender under the law for continuing practices which he and his forebears have followed perhaps for centuries, then I say that the entire cost of what society should bear is dumped on him and his associates along the stream.

So, we have this simple problem: Does it appeal to us, as reasonable men, that we should, all of a sudden, load down the mill owners on the small streams who throughout the life of the State have maintained the only source of support for little villages, averaging perhaps 20 families, up and down the streams with a burden that means, without doubt in over 50 percent of the cases, that they must shut down and turn men and women out of employment and afford them no possible way of gaining a livelihood? Shall we do that; and if we should do it what would we accomplish? Would we purify the streams along which we spread such desolation? I think not. As I know country life as a small-town boy, I know that a law that is so unreasonable as that cannot be enforced. We would absolutely stultify the objective of society which has been moving along in the direction of stream purification as well as could reasonably be expected.

The question was asked, "If we do not put a sanction into this bill expressly and directly, what will there be to cause men to make the appeal to do the work that is aimed at"? Let me suggest that, without any such law at all, various representatives of society have been at work trying to clean up the streams, with the result, so far as my State is concerned, that a high percentage of the little lakes lying between the mountains of Vermont are now unpolluted, all by virtue of the activity and the idealism of the people who reside on those lakes. I met last year representatives of the Associated Industries of Vermont at an annual meeting where this subject was discussed. There is an earnest desire to work toward this ideal and to arrive at it as early as possible; but I know perfectly well if we, the Congress of the United States, fail to cooperate on our part but, on the contrary, impose such an obstacle in their way as this amendment would create, that we would stop right away the things that are going on in a legislative way today. Legislation is being enacted within the State itself. The sanction we already find in the bill is in these words:

> Such loans and grants-in-aid shall be made upon such terms and conditions as the President upon the recommendation of the Secretary of the Treasury may prescribe, subject to the following limitations: (1) Grants-in-aid or loans shall be made only upon the certification of the State health authority having jurisdiction and upon approval and recommendation of the Surgeon General.

Mr. President, you will find in my State, and I imagine in every other State in the Union, progress already achieved in the way of State statutes which are suitable and which are exclusive in their right and in their jurisdiction over the domestic business of regulating manufacture and production on little streams, notwithstanding the fact that perhaps they may be tributaries to some great river. The sanction which I have just read is a natural one; it rests in the hearts and the intelligence and the patriotism of the people; and it will be effective if we do not destroy it by undertaking to come forward with the big Government at Washington idea, which our people are resenting more and more every day it gains momentum. If we do not come

forward with that big stick, we will continue to have cooperation; we will have the sanction of the public-health authorities of the several States in laying down conditions upon which the applications will be founded, and gradually, in the proper way, build up a system of cooperation between the Federal Government and the separate States for the purification of our lakes and rivers.

I hope the pending amendment and every other amendment that has for its objective force from Washington to compel the doing of something by someone inside my State and every other State in the Union, and every amendment, even if it aims at public health, that has to do with Federal Government control of manufacturing and production inside my State and other States will be defeated.

Mr. DANAHER obtained the floor.

Mr. ADAMS. Mr. President, I should like to make an inquiry of the Senator from Connecticut.

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

Mr. DANAHER. I yield for that purpose.

Mr. ADAMS. In the State of Colorado we are interested in the development of our mineral resources. We go into the upper reaches of streams, where ore is taken out and crushed, and the dross is frequently washed down in the shape of tailings. We are compelled to let it flow into our streams. I am wondering whether or not that situation comes within the Senator's amendment. The waste from such mines is unquestionably detrimental to fish. The stream is made "milky" for a time, but the sediment gradually settles, and it is not unhealthy to any extent. Our communities tolerate it because they are anxious to have the minerals developed.

As I caught the amendment, it seems to be immediate, it seems to be mandatory; that is, that if there is a certain condition the United States district attorney must move in. There may be a mine which is 20, 30, or 50 miles really from a habitation some of the tailings of which would be washed into a stream. Under these conditions, I am wondering if, under the Senator's amendment, if the United States Attorney would be compelled to go in immediately and stop the mining process which is the cause of the stream pollution?

Mr. DANAHER. Mr. President, in answer to the question propounded by the Senator from Colorado I would say that I used the word "shall" in the amendment as drawn within the definition of the Supreme Court itself in a similar instance to mean "may." So far as the jurisdiction of the United States district attorney to institute a proceeding is concerned, it would authorize the United States attorney to bring suit. But no matter as to that, to come back if I may to the general subject, let us first take up the position of the Senator from Utah [Mr. KING.]

On Thursday afternoon I spoke in favor of striking out the grants-in-aid provision entirely. I am in sympathy with the objective of abating and preventing the pollution of our streams. I am in favor of interstate compacts and local State legislation to remove pollution within the States. I merely wish to eliminate the business of having the United States Government contribute a third of the cost to the States and individuals and municipalities, which may pollute the streams on the one hand, and then come in and say to the Government of the United States, "Give us a third of the cost of removing the pollution we have caused." But my amendments were defeated. They would have protected the Senator from Utah in his maintenance of the effulgence of the doctrines of the Democratic Party, if we choose to bring that into the situation, and would do no violence to the notion of the Senator from Vermont [Mr. AUSTIN], who says that he resents "the big Government" interposing, but wants its money, if you choose, at least to the extent of a third of the cost of removing the sources of pollution from the rivers and shining streams of Vermont.

Oh, Mr. President, the amendment comes down to this: If we have pollution, then we should eliminate it. It seems to me that the only alternative to a voluntary, carefully thought-out plan of eliminating stream pollution, which would have permitted under the bill as it stood as I had proposed to amend it last Thursday is, as now provided, that the pollution is such that we must bring the United States Government in and we must "encourage" the polluters to get rid of their pollution.

Mr. President, we are even going to assist the man who has yet to build an industrial plant. We are going to give him a third of the cost of removing the pollution that will follow from the plant when he has one. That is what we are doing under section 6.

It seems to me that if we ought to eliminate pollution, the thing to do is to start to eliminate it, and in order to make it possible, if the State itself, within its own sphere, which has the police power to do it, does not abate the source of pollution, then the Government, which provides a third of the money, ought permissively, at least, to have the right to go in and abate the sources of the pollution that have engaged us in this legislation.

With those thoughts and those general observations I answer the Senator from Colorado, and, of course, pay my respects to my distinguished associates who have given us their views.

I hope the amendment will prevail.

Mr. BARKLEY. Mr. President, I do not want to take any further time, except on the point made by the Senator from Colorado.

If the Senator from Connecticut will let me have the amendment for a moment, the language of the bill provides that—

> Any person discharging, or building works which will discharge, untreated or inadequately treated sewage or waste * * * is hereby declared to be eligible to Federal aid.

The Senator from Connecticut proposes to strike out all after the words "to be," and to amend the language so as to read:

> Any person discharging, or building works which will discharge, untreated or inadequately treated sewage or waste * * * is hereby declared to be the perpetrator of a common nuisance—

Instead of being eligible for a loan, and a suit to abate the nuisance—

> shall be brought in the name of the United States by the United States attorney for the district in which such nuisance shall exist.

It may be that under some interpretations of the word "shall" it will be regarded as equivalent to "may"; but it strikes me that that is a mandatory instruction to the district attorney in any such district to bring a suit against the person who is declared by the amendment to be the perpetrator of a common nuisance. Instead of holding out aid to the man or corporation, instead of cooperating with him, instead of permitting him to come to the Government and say, "I want to clean up the situation, but I have not quite enough money to do it; I have two-thirds of it, and I should like to have the Government help me out on the other third," the amendment says, "We will not help you to get rid of the pollution, but we will prosecute you at once, bring suit against you, haul you into court, and punish you under the authority of the United States."

It seems to me there cannot be any doubt about the interpretation of the language.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER].

The amendment was rejected.

Mr. BARKLEY. Mr. President, by oversight there was omitted a section making the provisions of the bill applicable to the District of Columbia and the Territories. I wish to add a new section to the bill, to be designated as section 14, and then to change the number of the present section 14 to 15. The new section is to read as follows:

> All provisions of this act applicable to the States shall also be applicable to the District of Columbia and the Territories.

I offer that amendment.

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

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

Mr. BARKLEY. I yield to the Senator from Utah.

Mr. KING. Has the Senator any information from Governor Winship, or the Interior Department, or the responsible authorities in Puerto Rico, or the responsible authorities in Alaska or the Virgin Islands or Hawaii, to the effect that they would favor this amendment?

Mr. BARKLEY. Yes; I will say that I have offered the amendment at the suggestion not only of those gentlemen but of the Senator from Maryland [Mr. TYDINGS], who is the chairman of the Committee on Territories and Insular Affairs.

Mr. KING. At this moment I have some doubt as to the wisdom of incorporating in the bill this provision in its present broad terms.

Mr. BARKLEY. Of course, it only makes the District and the Territories eligible. They are asking that they be included. Whether or not they will qualify is, of course, another matter.

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

The amendment was agreed to.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5324) to amend the National Housing Act, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STEAGALL, Mr. WILLIAMS, Mr. SPENCE, Mr. WOLCOTT, and Mr. GIFFORD were appointed managers on the part of the House at the conference.

SUPPLEMENTAL APPROPRIATIONS FOR TREASURY DEPARTMENT

Mr. ADAMS. Mr. President, from the Committee on Appropriations I report back favorably, without amendment, House Joint Resolution 279, making supplemental appropriations for printing and binding and stationery for the Treasury Department for the fiscal year ending June 30, 1939.

The joint resolution calls for an emergent appropriation in order to provide the Treasury Department a supply of stationery and blanks of various kinds which will be required, such as social-security blanks, and various other tax blanks. The Department cannot wait for the passage of a deficiency bill; and I therefore ask unanimous consent for the immediate consideration of the joint resolution.

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

Mr. ADAMS. I yield to the Senator from Utah.

Mr. KING. The Treasury and Post Office Departments appropriation bill has been passed; has it not?

Mr. ADAMS. It has been passed.

Mr. KING. Was there not in that bill ample authority to meet this situation?

Mr. ADAMS. There was not, and I submit for the RECORD a letter from the Treasury Department dealing with the subject. I shall not read the letter, but ask unanimous consent to have it incorporated in the RECORD as a full explanation of the necessity of enacting this legislation.

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

The letter referred to is as follows:

TREASURY DEPARTMENT,
Washington, April 29, 1939.

Hon. CARTER GLASS,
Chairman, Committee on Appropriations,
United States Senate.

MY DEAR MR. CHAIRMAN: Reference is made to House Joint Resolution 279, which was passed by the House of Representatives on April 27, and provides the following supplemental appropriations:

Priting and binding, Treasury Department:
For an additional amount for printing and binding, Treasury Department, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939 ..... $163,000

Stationery, Treasury Department:
For an additional amount for stationery for the Treasury Department, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939 113,400

These two items were submitted by the President to the President of the Senate under date of March 29, 1939, together with a letter from the Acting Director of the Bureau of the Budget, and are contained in Senate Document No. 53, Seventy-sixth Congress, first session.

The justification for these additional appropriations is as follows:

PRINTING AND BINDING ($163,000)

A supplemental appropriation of $163,000 for printing and binding, 1939, is necessary for the reason that the regular appropriation of $850,000 is inadequate to meet the essential requirements of the Department during the current fiscal year. On December 19, 1938, the obligations against this appropriation were over $649,000, leaving a balance for the remainder of the current fiscal year of only $200,000. At the present time the Department is withholding over 500 requisitions for printing of an urgent nature which cannot be filled because of the lack of funds.

A statement is hereto attached showing, by bureaus and divisions, the specific forms and other items of printing which cannot be furnished until additional funds are made available. This statement, it will be noted, contemplates a shortage of $245,340, which was the amount of the estimate submitted to the Bureau of the Budget, which estimate was reduced by the Bureau of the Budget to $163,000. It should be explained, however, that in submitting the enclosed information showing its gross additional requirements, the Department should not be regarded as protesting the reduction made by the Bureau of the Budget. As a matter of fact, the Treasury will find it possible to meet its urgent needs if it is granted a supplemental appropriation for printing and binding in the amount of $163,000 as approved by the House of Representatives.

Attention is called to the urgent need of the Bureau of Internal Revenue for 8,000,000 copies of the Social Security tax return, 1,260,000 copies of the capital stock tax return, and over 50,000,000 copies of miscellaneous tax returns and other record and report forms essential to the collection of income taxes and other revenue. With respect to the social-security tax and capital stock tax forms, it is imperative that these returns be available for distribution well in advance of July 1. The lack of either of these forms, or of any of the other record and report forms relating to internal revenue would seriously jeopardize the collection program and might conceivably result in an actual loss of revenue. These items are cited merely as examples of the type of material which will be required to be printed within the next few weeks and without which the operations of this Department unquestionably will be seriously impaired. The requirements of other bureaus are set forth, as stated, in the attached exhibit.

STATIONERY $113,400

A supplementarly appropriation of $113,400 for stationery, 1939, is necessary for the reason that the regular appropriation of $505,000 is inadequate to meet the essential requirements of the Department for stationery during the current fiscal year. On December 31, 1938, the obligations against this appropriation were over $318,000, leaving a balance for the remainder of the current fiscal year of only $186,000. At the present time the Department is withholding over 500 requisitions for stationery which is urgently needed but which cannot be supplied because of the lack of funds. As a matter of fact, all stationery requisitions for the last quarter of the fiscal year are being denied, and as a consequence many field offices of the Department, including particularly the Internal Revenue and Customs Services, are appealing either by telegraph or mail for immediate replenishment of their depleted stocks of stationery vitally necessary in the performance of their official functions.

A statement is attached hereto showing the specific items of stationery which cannot be furnished until additional funds are made available. This statement, it will be noted, contemplates a shortage of $171,010, which was the amount of the estimate submitted to the Bureau of the Budget, which estimate was reduced by the Bureau of the Budget to $113,400. In this connection it should likewise be explained that in submitting the enclosed information showing its gross additional requirements the Department should not be regarded as protesting the reduction made by the Bureau of the Budget. As a matter of fact, the Treasury will find it possible to meet its urgent needs if it is granted a supplemental appropriation for stationery in the amount of $113,400, as approved by the House of Representatives.

In conclusion, may I again emphasize the necessity for the two supplemental appropriations in the respective amounts approved by the House of Representatives, and may I also respectfully point out the necessity for early consideration of these two items by the Senate Committee on Appropriations. As previously stated, the funds under both appropriations are practically exhausted, and the operations of the Department will face the likelihood of serious impairment unless the supplemental funds are promptly made available. I shall be pleased to furnish any additional information that your committee may require, and if you deem it desirable I shall be pleased to have representatives of this Department appear before your committee for further presentation of the facts.

Very truly yours,

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution referred to by the Senator from Colorado?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 279) making supplemental appropriations for printing and binding and stationery for the Treasury Department for the fiscal year ending June 30, 1939, which was ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1939, namely:

Printing and binding, Treasury Department: For an additional amount for printing and binding, Treasury Department, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, $163,000.

Stationery, Treasury Department: For an additional amount for stationery for the Treasury Department, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, $113,400.

REGULATION OF TRUST INDENTURES, ETC.

Mr. BARKLEY. I move that the Senate proceed to the consideration of Senate bill 2065, calendar No. 266, to provide for the regulation of the sale of certain securities in interstate and foreign commerce and through the mails, and the regulation of the trust indentures under which the same are issued, and for other purposes.

I will state that I have no intention of entering upon a discussion of the bill today; but I desire to have it made the unfinished business, so that it may be considered tomorrow.

Mr. KING. Mr. President, so far as the Senator knows, is that the only measure which will be before the Senate tomorrow?

Mr. BARKLEY. Yes; so far as I know.

Mr. KING. Have the hearings been printed?

Mr. BARKLEY. Yes; they have been printed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kentucky.

The motion was agreed to; and the Senate proceeded to consider the bill S. 2065, which had been reported from the Committee on Banking and Currency without amendment.

Mr. BARKLEY. Mr. President, I repeat that I have no intention of entering upon the discussion of the bill today. It will go over until tomorrow as the unfinished business.

Mr. McNARY. It is the understanding that the bill will not be proceeded with today?

Mr. BARKLEY. Yes.

Mr. McNARY. Very well.

EMPLOYMENT WEEK AND EMPLOYMENT SUNDAY

Mr. BARKLEY. I ask unanimous consent to have printed in the RECORD a proclamation issued by the President on Employment Week and Employment Sunday.

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

EMPLOYMENT WEEK AND EMPLOYMENT SUNDAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

As industry and business make substantial progress toward recovery there are ever-increasing employment opportunities for all groups. It is important to our social equilibrium that these opportunities be equitably shared, and that no group in the population shall feel itself discriminated against in hiring policies. It is particularly important that those men and women who have reached the age where their family responsibilities are at a peak receive their fair share of the new jobs, and are at least allowed to compete for these openings on the basis of their actual qualifications, freed from the handicap of an unfounded prejudice against age alone.

I am mindful of the fact that among those over 40 years of age are a great body of our most experienced, able, and competent workers; that this group as a whole is not sharing as fully as other age groups in the employment revival; that many of those over 40 have lost their jobs through no personal failing but because of circumstances over which they, and their employers, had no direct control; that among those over 40 and still actively in the labor market are practically the entire group of World War veterans (whose average age is 46), a group that is surely entitled to look to our society for security and economic independence.

A committee of distinguished representatives of industry, labor, and the public has recently issued its report to the Secretary of Labor in which it analyzes the factual basis for the alleged prejudice against hiring middle-aged workers and finds no good reasons that would support the continuance of this prejudice.

In view of these considerations, I should like to ask employers throughout the country to give special consideration to this problem of the middle-aged worker, to review and reexamine their current policies in order to determine whether applicants who are over 40 years of age are being given a fair opportunity to qualify for jobs, and to study their various departments and processes with a view to seeing where the qualifications and abilities of these older applicants could be utilized. I want to urge social agencies, labor organizations, and the general public to join in giving this problem their earnest consideration:

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, do hereby declare the week beginning April 30, 1939, as Employment Week, and do hereby declare Sunday, April 30, 1939, as Employment Sunday, and urge all churches, civic organizations, chambers of commerce, veterans' organizations, industry, labor, and the press throughout the United States to observe that week and that Sunday as Employment Week and Employment Sunday to the end that interest in the welfare of the older workers may be stimulated and employment opportunity afforded them.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 26th day of April A. D. 1939, and of the independence of the United States of America the one hundred and sixty-third.

[SEAL] FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,
Secretary of State.

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. TOBEY in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of several officers for promotion in the Marine Corps.

Mr. HARRISON, from the Committee on Finance, reported favorably the nomination of Lipe Henslee, of Dickson, Tenn., to be collector of internal revenue for the district of Tennessee, to fill an existing vacancy.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

CIVIL AERONAUTICS AUTHORITY

The legislative clerk read the nomination of Edward P. Warner to be a member of the Civil Aeronautics Authority.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 21 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 2, 1939, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 1, 1939

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Daniel C. Roper, of the District of Columbia, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named senior surgeons to be medical directors in the United States Public Health Service, to rank as such from the dates set opposite their names:

Joseph Bolten, July 26, 1939.

Walter L. Treadway, July 28, 1939.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 1, 1939

CIVIL AERONAUTICS AUTHORITY

Edward P. Warner to be a member of the Civil Aeronautics Authority.

POSTMASTERS

CALIFORNIA

William E. Dixon, Jr., Elk Grove.

IDAHO

Lynn S. Kearsley, Victor.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 1, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord of life and King of glory, we thank Thee that for the heart which knows Thy love there is a sacred temple. In its hush we wait in prayer. Thou who didst tread the wine press alone, speak within: "I am thy salvation, thy peace, and thy life." Oh, there was no other good enough to pay the price of sin. In Thee may our souls find forgiveness and rest of spirit. We pray Thee come to the rescue of the world's starved heart and give it the love and strength it needs. Amid whirling eddies and rapids of hate, in which the forces of vengeance violate every just law, prepare our hearts and humble our souls when the rest of the world goes wrong. While it goes thundering past, oh, hold our country free from fear; keep it calm and quiet. Allow not the famine and the pestilence of war to shrink and shrivel our Nation's soul, and forbid that its poison virus may ever course the veins of our Republic. The Lord God in His great goodness so direct our President that all our people may rise to a sympathy, tenderness, and helpfulness never known before. Bless abundantly our Speaker and the Congress with calmness, confidence, and with directive wisdom. In the blessed name of the world's Redeemer. Amen.

The Journal of the proceedings of Thursday, April 29, 1939, was read and approved.

MESSAGE FROM THE SENATE

Pursuant to a special order agreed to April 27, 1939, a message from the Senate, received by the Clerk of the House on April 28, 1939, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5219) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendment of the Senate No. 12 to the foregoing bill.

ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker on April 28, 1939, pursuant to a special order agreed to April 27, 1939.

H. R. 5219. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5324. An act to amend the National Housing Act, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WAGNER, Mr. BANKHEAD, Mr. BROWN, and Mr. DANAHER to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a brief commentary by Fulton Lewis, Jr., radio commentator, on the bill, H. R. No. 2.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a news release from Oslo, under date of April 27.

The SPEAKER. Is there objection?

There was no objection.

SESSION OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may be allowed to sit throughout the balance of the day.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a short editorial from the Herald Tribune on the child conference which was held here last week.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein several speeches made at the celebration yesterday in New York City at the opening of the New York World's Fair of 1939 and the celebration of the one hundred and fiftieth anniversary of the inauguration of George Washington as first President of the United States under the Constitution, also speeches made at the dedication at the monument to George Washington and other ceremonies held at that time, together with reports on the same.

The SPEAKER. Is there objection?

There was no objection.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that the Committee on Immigration and Naturalization may sit on May 3 and 4 during the sessions of the House.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what is the particular reason for the afternoon sessions?

Mr. DICKSTEIN. The committee has held no hearings for over a month. There are a number of important public bills which should be heard, and we cannot dispose of the hearings in an hour and a half.

Mr. MARTIN of Massachusetts. Has the gentleman consulted the minority members of the committee?

Mr. DICKSTEIN. Yes. We always agree on these matters. There is no objection on the minority side at all. We just want an opportunity to have the witnesses heard on both sides, and we will not have time to do it in the morning.

Mr. RANKIN. Mr. Speaker, reserving the right to object, has the gentleman from New York consulted the other majority members of the committee?

Mr. DICKSTEIN. I have not.

Mr. RANKIN. Well, I object until the other majority members of the committee have been consulted.

PENSIONS FOR VETERANS AND THE DEPENDENTS OF VETERANS OF THE REGULAR ESTABLISHMENT

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that the Committee on Pensions be discharged from further consideration of the bill (H. R. 75) 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 that said bill be rereferred to the Committee on Invalid Pensions.

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

There was no objection.

AMERICAN INDIAN FEDERATION

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to withdraw H. R. 5921, and to file herewith my reasons therefor, including a short letter from the Secretary of the Interior.

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

There was no objection.

The matter referred to is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, April 28, 1939.

Hon. USHER L. BURDICK,
House of Representatives.

MY DEAR MR. BURDICK: House Resolution 5921, introduced by you, is before me. I am sure that you have sponsored this bill in a desire to obtain all possible benefits for the Indians, and without a knowledge of the details of the money-getting enterprise of which the bill is a part. I am setting down the facts in the confidence that you will withdraw the bill and will make an effective public declaration detaching your name from the scheme which the bill represents.

Some time ago I gave to the press a statement dealing with the money-raising activity of the American Indian Federation among needy Indians. That organization was soliciting from living Indians $1 each, and $1 in the names of dead ancestors. In return it was undertaking to seek from Congress $3,000 to be delivered to each Indian who paid his dollar, and $3,000 to be delivered in the name of each dead ancestor. I stated that the activity was in effect a racket or swindle. At about the same date, Commissioner Collier gave to the press evidence showing a working relationship between the American Indian Federation and certain groups such as the James True Associates and the German-American Bund.

In spite of these exposures, the so-called federation was able to collect a substantial total of dollar memberships from misled Indians. The bill you have introduced lists by name the Indians, who, during this preliminary phase of the racketeering enterprise, have fallen victims to the federation. They number 4,664, most of them being residents of Oklahoma but some being residents of other areas in the country.

With the introduction of this bill, whose text is extraordinary indeed, the federation's enterprise enters upon a new and far more deluding and dangerous stage.

The bill expressly states that each of the 4,664 Indians named therein, "being voluntary members of the American Indian Federation, * * * shall be paid the sum of $3,000."

The bill continues, in section 3, to the effect that all other Indians shall be entitled to an identical payment "provided application therefor is made within 1 year from the date of the introduction" of your bill. The clear implication, and even statement, is that within 1 year from April 20, 1939, Indians who pay their $1 to the American Indian Federation shall become eligible to the fabulous benefits of your bill, and that those who do not pay their $1, and pay it within the year, shall be excluded from eligibility.

The American Indian Federation has attempted to make its scheme appear reasonable by asserting that when these payments, totaling $900,000,000 if only 300,000 Indians should receive them, have been made, the Government will be put to no further expense in Indian matters. The bill conveys the identical impression. Yet the bill provides "that this act shall in no manner destroy or affect vested tribal property rights or tribal privileges." The bill uses the language of "settlement of claims." The only claims, of legal validity, which Indians can maintain against the Government are tribal claims. They receive governmental services and "privileges" by virtue of being members of tribes under Federal guardianship. Hence the bill would not discontinue the existing governmental expenditures incidental to Indian affairs.

The federation, in its solicitations of money, has held out the hope that $3,000 would be procured in the name of each dead ancestor in whose name a living Indian might contribute an additional dollar. The bill introduced by you unmistakably writes that hope into a congressional document. This it does in section 1, line 5, on page 2, line 5, and again, with particular force, in section 3, line 24. Thus the bill will enable the canvassers of the federation to ask for additional dollars in the names of dead ancestors of its victims.

Those who prevailed upon you to introduce their bill have, obviously, no legislative intent. They know that their bill can never pass Congress or become law. They are engaged in a particularly cynical scheme of which Indians are the victims. With this actual House resolution in their hands they can accelerate and expand their victimization to an enormous extent. And so long as they hold this resolution in their hands, no amount of publicity will avail to protect fully ignorant and needy Indians.

I am entirely confident that with the facts made known to you, you will withdraw the resolution and denounce the scheme which it incorporates. Your record of friendly service to the Indians is an assurance of this.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

MAY 1, 1939.

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

DEAR MR. SECRETARY: I acknowledge receipt of your letter of April 28 setting forth your objections to H. R. 5921, which I recently introduced. I have gone over your objections carefully and find that with the charges you make, I must withdraw the resolution for the present and entirely in its present form.

I have always made a practice of introducing any matter which any considerable group of Indians want. In this instance Mr. Bruner, of Oklahoma, a full-blood Indian, I believe, came to my office and showed me the resolution backed by a mass of names that would equal in size an ordinary Sears-Roebuck catalog. I introduced the resolution according to my practice.

Since receiving your objections and the charges of corruption which this resolution is likely to lead to, although all the evidence I have of that is your ex parte statement, I think it is only just that the resolution be withdrawn and a further study be made of the matter. I will not willingly lend my influence to the putting over of any money collection scheme among the Indians. I do not, however, think that collecting a membership fee in any group is wrong if their purpose is to alleviate their present condition.

I find you are correct about the possible interpretation of the bill—that it holds out a hope that would be likely to cause Indians to pay in a dollar—and section 3 of the resolution was not properly drawn, and I did not consider it when the resolution was handed to me.

The fundamental objection to the bill, I find, after reading it, is that it attempts to liberate the individual Indians and at the same time perpetuates the tribal relations. This would be an impossibility, and that section of the resolution is, of course, a contradiction.

I will ask to withdraw the resolution and attempt to prepare one that will meet what the Indians want, or what I find those want who come to Washington.

Nearly every group wants to be paid what they have coming and be liberated from any further subrogation by the Bureau. I am in hopes that we can get a general jurisdiction bill or a Claims Commission bill passed that will settle the Indians' claims for good. After that, I hope we can abolish the Indian Bureau altogether and make the Indians full citizens.

I finally wish to state that it is because I have the utmost confidence in your honesty and opinions that I am accepting your statement ex parte in this matter. I know nothing about what the organization of Indians is doing in the field of which you speak, but I could hardly presume to go ahead with the present resolution in view of the charges of dishonesty which you present. For that reason I am glad to withdraw the resolution and present one again only when I am certain that it will be for the best interests of the Indians and when I am sure that it will give no one any opportunity to mislead the Indians. I do not know that the present resolution will do that, but I am perfectly willing to accept your opinion on the matter until I am in possession of more evidence than I now have.

Sincerely yours,

USHER L. BURDICK.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include two tables on imports and exports.

The SPEAKER. Is there objection?

There was no objection.

WORKERS' ALLIANCE IN CALIFORNIA

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I would like to draw the attention of Congress to some of the things that are happening in California, and perhaps other places, as a result of the activities of that C. I. O. union—the Workers' Alliance.

First, I wonder just how many Congressmen really know what the Workers' Alliance is and what, in plain English, their objective or racket is. Very briefly, the C. I. O. Workers' Alliance Union is a union made up of people most of whom are misled by their communistic leaders, and all of whom are on some form of relief or other, the total amount of which relief is paid by some governmental unit—either city, county, State, or Federal.

The object of this group is to receive greater amounts of relief. As an illustration one might take Los Angeles County, Calif., where some $43,000,000 were paid out last year for relief. This is supposed to be paid to indigent unemployables, for in order to qualify for relief in that county the relief clients must come within the scope of the law and not only be unemployables but must actually come within the pauper class, the law is actually called the pauper law.

Now, if the leaders of this group can collect an initiation fee of 50 cents each from the 111,000 who are on the relief rolls of Los Angeles County, that is an amount of $55,500. After collecting this $55,500 for initiation fee, if they can continue to collect 25 cents per month, this is an amount of $27,750 per month that it would be possible for the Workers' Alliance group to get out of Los Angeles County alone, if they got into their union all on the indigent unemployable roll.

It would be easy to see that the first year they would have collected the $55,500 initiation fee, plus $333,000 a year for dues, or a total the first year of $388,000. I claim that the $388,000 is the main objective of the officials of the Workers' Alliance. And I claim further that, so far as the welfare of the poor individual and the poor devil who has to go on these rolls is concerned, the Workers' Alliance are not interested in them. The only thing that they are interested in is getting more money for those on relief in order that they can take it away in the form of initiation fees and dues. This they are doing. Does any Congressman in this House think it is either fair or proper that these unfortunate people who are on relief should have to contribute in the form of dues or initiation fees any part of that money that they have to receive from some government in order to live?

Does any Congressman in this House, considering this set-up, think for a minute that the Workers' Alliance group will ever try to lower the amounts of relief or to make fewer the number of individuals who are receiving relief? The answer is, apparently, that they will not, for as soon as these people are placed in jobs and taken off the rolls then their racket ceases and these officials will no longer receive these tremendous amounts that they are receiving from those on relief. It is apparent to me and I believe that the Workers' Alliance is a parasite on relief, and I further believe that the most despicable form of low-down racketeering is that which would prey on what were set up to be charitable and relief institutions.

Apparently the Workers' Alliance are not satisfied with their present racket, but are now seeking to increase it and have become so bold as to actually seek, by strong-arm tactics and threats to persons and property, to attempt to control the votes in legislative bodies, and by their threats and attempted coercion to deny legislators their right to vote freely and according to their respective consciences

How this group headed by Lasser, Benjamin, and other Communists or near-Communists howl to heaven for their freedom and rights under the American Constitution when anyone seeks to restrain or control them under existing laws and in a constitutional American manner. But how do they justify the strong-arm tactics and coercion that this Workers' Alliance group are trying to put over in California and elsewhere throughout the United States? Apparently with that group a legislator has no right to his own opinion. Apparently the Workers' Alliance think they have the right to coerce legislators and change their views by threats of violence, property damage, and so forth. Would they not howl to heaven through every communistic organization if this same thing were practiced upon them? Certainly they would. One cannot count, however, upon fair practice or a code of ethics from this communistic group, because their code of communistic ethics is to accomplish their ends regardless of what means they use.

I am quoting herewith the news items taken from our California papers on April 23 and 24 showing that the Workers' Alliance have threatened the mother of Gerald Kepple, assemblyman, of Whittier, Calif. This is shown on the front page of the Los Angeles Times dated April 23, and I am asking that this item be printed in the RECORD:

SACRAMENTO, April 22.—Strong-arm tactics employed by left wingers to stop amendments to the budget were reported by Assemblyman Gerald Kepple, of Whittier, today.

His mother, Mrs. Dora B. Kepple, called him from the Kepple home near Whittier and said that several carloads of men drove up to the place yesterday. They said they were members of the Workers' Alliance and that she should send word to her son to "lay off" that budget and let it go through the way it was or they would bring a thousand people to camp on his place until it was passed.

"It's just an example of the pressure that is being exerted against any economy move in reference to the budget," said Kepple. The Workers' Alliance and others interested in relief benefits have been in an uproar over the removal of the $73,000,000 relief item from the budget, to be handled as a separate bill.

Again, as shown by other threats to Dr. Jesse Kellems, on the first page of the Santa Monica Evening Outlook under date of April 24:

Bearing the message that 300 of their number would camp on his property unless he reversed his vote on the budget and relief bills, six emissaries from the Workers' Alliance yesterday visited the Bel-Air home of Dr. Jesse Randolph Kellems, assemblyman from the sixtieth, or Santa Monica Bay, district and leader of the economy bloc in the legislature.

The visitors arrived while Dr. Kellems and members of his family were at the McCarty Memorial Christian Church, of which he is the pastor, and found no one at home except a trusted Negro servant, who offered to lay violent hands on any member of the group seeking to set foot on the premises.

Taken aback by this turn of events, the spokesman for the group said: "Tell the doc to change his vote on the budget and relief bills or we'll bring an army of 300 here to camp on his front doorstep."

Kellems, who left again last night for Sacramento, said before his departure that he did not take the threats seriously. "If they do come back, I'll try and serve them coffee and doughnuts," he added.

There were other assemblymen threatened during this same period. This threat and attempted coercion went so far that under the telegraphic news item on the first page of the Santa Monica Outlook on April 24, there appears this item:

SACRAMENTO.—Demands for a police detail for "protection of families and property" of legislators picketed in the Los Angeles area for their economy votes on the budget were made today by an informal joint committee of senators and assemblymen. A telegram was sent to Sheriff Eugene Biscailuz, of Los Angeles, by Senators Jerrold L. Seawall, Roseville; Randolph Collier, Yreka; Harry Parkmen, San Mateo; and Assemblyman Gerald C. Kepple, Whittier; Jesse R. Kellems, West Los Angeles; Lee T. Bashore, Glendora; and Charles W. Lyon, Los Angeles.

Are you Congressmen aware of the actual conditions when a group of such people as the Workers' Alliance, who are all on relief, have come to a point where they are taking the law into their own hands and demanding that legislators vote as they tell them to? Does this Congress realize the danger of this condition?

Do the Members of this Congress realize that it is only through the money received from some governmental unit that these people claim to be able to live at all?

Is it not apparent that many of these people who were carrying out such threats have now made it their sole business to assemble into mobs and that these same mobs go before governmental bodies, make their demands and create riots? Is the Government of the United States going to subsidize what amounts to rioting, breaking the peace, violating the law and the preaching of the destruction of the American form of government?

I know these things to be true, and I know them to be a fact because I sat for 3½ years as county supervisor of Los Angeles County and met these conditions. I know of my own knowledge what is going on because this Workers' Alliance mob personally came to me and told me I would never leave the building unless I changed my vote. The final result of this was that the sheriff threw these people out after they created a riot scene. This was only one of many

such riots but the singular thing is true in everyone of these riots, that the same faces, the same people, appeared. In other words, they have become professional agitators and rioters and they will continue to be as long as some governmental unit will furnish them the money so they can afford this luxury of not working but may use as their vocation agitating, rioting, and becoming law violators with impunity.

Is not Lasser's and Benjamin's admission, with reference to their communistic activities, enough to make this Congress begin to think?

I think it is certainly high time that the Federal Government remove from its pay rolls and quit subsidizing these professional agitators, rioters, racketeers, and preachers of destruction of the American form of government, and it is with that in mind that I am going to offer either a bill or a resolution next week, the substance of which will be to remove everyone of such persons engaging in the activities enumerated above, from the pay rolls paid by money furnished by the Federal Government. I think that every red-blooded American and their Congressmen, regardless of party, should back this resolution and I am going to ask for your support along that line at that time.

I would like to ask unanimous consent to extend my remarks and include therein three news items, one from the Los Angeles Times and two from the Santa Monica Outlook, all three of which are short, bearing upon this subject.

The SPEAKER. Is there objection?

There was no objection.

The matter referred to is as follows:

[From the Santa Monica Evening Outlook of April 24, 1939]

SACRAMENTO.—Demands for a police detail for "protection of families and property" of legislators picketed in the Los Angeles area for their economy votes on the budget were made today by an informal joint committee of senators and assemblymen. A telegram was sent to Sheriff Eugene Biscailuz, of Los Angeles, by Senators Jerrold L. Seawell (Republican), Roseville; Randolph Collier (Republican), Yreka; Harry Parkman (Republican), San Mateo; and Assemblymen Gerald C. Kepple (Republican), Whittier; Jesse R. Kellems (Republican), West Los Angeles; Lee T. Bashore (Republican), Glendora; and Charles W. Lyon (Republican), Los Angeles.

[From the Santa Monica Evening Outlook of April 24, 1939]

KELLEMS DEFIES THREATENING RADICAL GROUP—DELEGATION ATTEMPTS TO FORCE CHANGE IN DOCTOR'S BUDGET VOTE

Bearing the message that 300 of their number would camp on his property unless he reversed his vote on the budget and relief bills, six emissaries from the Workers' Alliance yesterday visited the Bel-Air home of Dr. Jesse Randolph Kellems, assemblyman from the sixtieth, or Santa Monica Bay, district and leader of the economy bloc in the legislature.

The visitors arrived while Dr. Kellems and members of his family were at the McCarty Memorial Christian Church, of which he is the pastor, and found no one at home except a trusted Negro servant, who offered to lay violent hands on any member of the group seeking to set foot on the premises.

Taken back by this turn of events, the spokesman for the group said: "Tell the doc to change his vote on the budget and relief bills or we'll bring an army of 300 here to camp on his front doorstep."

Kellems, who left again last night for Sacramento, said before his departure that he did not take the threat seriously. "If they do come back, I'll try and serve them coffee and doughnuts," he added.

KELLEMS ANSWERS WITH NEW ATTACK ON RELIEF

SACRAMENTO.—California assemblymen bristled today in resenting pressure tactics and threats attributed to the Workers Alliance to influence economy bloc members to cease pruning the Governor's $557,000,000 budget.

Dr. Jesse R. Kellems, whose home in West Los Angeles was visited in his absence by a delegation which left word with a servant that 300 adherents of their group would camp on his property unless he changed his vote on the bill said:

"My observation is that barking dogs never bite."

WON'T BE STAMPEDED

"I am not going to be stampeded into doing anything by a bunch of radicals howling about it.

"We need a sane and sensible system of relief. I am convinced the cost of government is too high. Relief is not for politicians or any other person who can get work yet stays on the dole.

"Relief in this State is a racket."

Lee T. Bashore, Glendora assemblyman, another economy-bloc opponent of the budget, whose home was reported picketed, also was in a fighting mood.

"If they want to make a fight of it," he said, "we'll give them all the fight they want."

PROMISES TROUBLE

"It would be well for that bunch to understand their tactics will get them nothing but trouble."

Assemblyman Gerald Kepple, Whittier, whose mother reportedly was threatened with an invasion of her property unless he "about faced" on his budget position, was not immediately available for comment.

[From the Los Angeles Times of April 23, 1939]

STRONG-ARM TACTICS FOR BUDGET TOLD—ASSEMBLYMAN KEPPLE SAYS WORKERS' ALLIANCE THREATENED MOTHER

(By Chester G. Hanson)

SACRAMENTO, April 22.—Strong-arm tactics employed by left wingers to stop amendments to the budget were reported by Assemblyman Gerald Kepple, of Whittier, today.

His mother, Mrs. Dora B. Kepple, called him from the Kepple home near Whittier and said that several carloads of men drove up to the place yesterday. They said they were members of the Workers' Alliance and that she should send word to her son to "lay off" that budget and let it go through the way it was or they would bring a thousand people to camp on his place until it was passed.

"It's just an example of the pressure that is being exerted against any economy move in reference to the budget," said Kepple. The Workers' Alliance and others interested in relief benefits have been in an uproar over the removal of the $73,000,000 relief item from the budget, to be handled as a separate bill.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to insert my own remarks in the RECORD on the subject of "encirclements."

The SPEAKER. Is there objection?

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and include therein an address delivered by Mr. William George Bruce, of Milwaukee, and some editorial comment thereon, from the Sheybogan Free Press, relating to the St. Lawrence Waterway.

The SPEAKER. Is there objection?

There was no objection.

Mr. EATON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a short statement by former President Wilson.

The SPEAKER. Is there objection?

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to incorporate in the RECORD a radio address delivered by me on Saturday night.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THORKELSON. 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 Montana?

There was no objection.

Mr. THORKELSON. Mr. Speaker, generally speaking, I am opposed to constitutional changes, as my colleagues well know from my discussions on this floor. In the case of which I am about to speak, I propose the very things I have objected to in the past, namely, an amendment to the Constitution.

This is to restore equal rights to the native Americans, the people who were Americans before any of us landed on the North American Continent. It seems strange to me that we should have dealt with the native Americans, or the Indians, as a foreign nation when in reality we are the foreign people that have invaded their domain. I now propose to rectify this injustice to the Indian.

Let Congress consider this proposed joint resolution favorably, so that the words, "and with the Indian tribes," may be deleted from article I, section VIII, paragraph 3, of the Constitution, so that it will read, "To regulate commerce with foreign nations and among the several States."

The necessity for dealing with the Indian tribes as a foreign people no longer exists, and the Indian himself prefers to be recognized for what he is, a native American, and naturally he is entitled to the same rights as others living within the continental borders of the United States. I am acquainted with many of the Indian tribes, and I hope that Congress

will comply with the wishes of my Indian friends and bestow upon them the rights and privileges to which they are entitled.

Mr. Speaker, much has been said for and against old and new policies, with no satisfactory results, because the proponents and opponents are still firmly convinced that those who dissent are wrong. There are, of course, good reasons for these differences in thought, and it is our duty and the duty of those interested in the welfare of the Nation to solve and correct such differences before it is too late.

The frequently used, stereotyped expression "horse and buggy days" is used to belittle those who may differ because of their belief in sound constitutional principles. Such expression is of little value, and those who resort to similar phraseology should remember that sound principles spring from the laboratory and not from political crackpots, and that sound procedures are established upon natural laws and not upon political wisecracks.

The cause of our present trouble may be found in the constant departure of Congress from a true republican form of government. The cause of our chaotic condition and uncertainty is due to the fact that we are no longer depending upon the foundation of our Government, which is the Constitution, but we are instead searching for some panacea to take its place, and we call it democracy. To me, this departure from sound government is critical, for no democracy has ever survived for any length of time. Washington foresaw the danger of this when he said:

> The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual, and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty. * * * The common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.
>
> It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foments occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the Government itself through the channels of party passion.

This is the situation prevailing in the United States today for the majority in Congress is no longer relying upon the Constitution for its procedure but is instead directed by its leaders, and relies upon them for direction. The power which is now directing the destiny of the Nation—the invisible government—is that in control of the international and national money. The wishes of the invisible government find expression through high leaders in the Government who in turn direct those who wield the power of control in Congress. The proof that such power exists may be found in the mass of unconstitutional legislation which has been enacted by Congress over a period of several years. Today we have reached a point where reason no longer prevails in Congress, for the majority is instead guided by blind faith in its leaders, and proof of this statement may be found in the subservience of the majority to the slightest wish and desire of the administration. This indifference to constitutional law and irresponsibility of the majority in Congress can only end in the loss of rights and liberty, and will eventually deprive the people of a republican form of government.

It should be self-evident to each and every Member of Congress that our action in Congress is inexcusable and unjust to the people we represent. To those who feel inclined to contradict this statement I want to say: If all Members in Congress—and for that matter, in other branches of the Government—adhere strictly to the Constitution, little or no difference in opinion would exist because we could always retrace our steps to and prove procedure upon the Constitution itself. That is why the instrument was drafted. It is supposed to be used as the premise or the basic foundation upon which we must rely for procedure and for authority. Failure to do this is the cause of all our troubles today.

On April 21, 1939, the House passed the Reorganization Act of 1939, and on April 25, 1939, we are presented with a copy of the release which embodies the President's suggestions. There is no Member in Congress on the Republican side who objects to economy in the Government, for we realize it is necessary if the Nation is to survive. I, of course, shall speak only for myself as I am one of those who voted no to this Act. I did so because it is not going to provide economy, which, of course, the Members will discover at a later date. I believe I am justified in making this statement, for if there was any intention on the President's part to reduce Federal administrative cost, he would have advised liquidation of these unnecessary bureaus instead of transfer and consolidation. I shall not discuss the mixing of bureaus or even the transfer of the Bureau of the Budget to the supervision of the President. I only want to discuss the preamble to the President's message. We all have our opinions and I am no different from others, so I shall quote from the President's message, April 25, 1939:

> In these days of ruthless attempts to destroy democratic government, it is boldly asserted that democracies must always be weak in order to be democratic at all; and that, therefore, it will be easy to crush all free states out of existence.

I am glad to read this expression by the President, because "ruthless attempts" are deliberately made by the Socialist and the Communist to destroy our republican government, and inasmuch as the minority which is attempting this destruction is generally known, it is the duty of the Government to destroy them instead of talking about someone else. Democracies are always weak, for there is not one democracy which has survived for any length of time. Democracies are always converted into despotism of the rankest form.

> Confident in our Republic's 150 years of successful resistance to all subversive attempts upon it, whether from without or within, nevertheless we must be constantly alert to the importance of keeping the tools of American democracy up to date. It is our responsibility to make sure that the peoples' government is in condition to carry out the peoples' will, promptly, effectively, without waste or lost motion.

I believe there are many people who question whether we have maintained the same "successful resistance" for the past 7 years which our Nation enjoyed for the first 143 years. It is generally conceded that much has been lost due to "subversive attempts" upon constitutional government, both from without and from within.

The best tool which may be utilized to maintain a republican form of government is strict adherence to the Constitution, which all of us are obligated "to preserve, to protect, and defend." I feel obligated to the Nation's industry and business, for it is those which are paying the cost of the Federal administration, and I believe it is no more than right that we give them full and unstinted protection.

> These measures have all had only one supreme purpose—to make democracy work—to strengthen the arms of democracy in peace or war and to ensure the solid blessings of free government to our people in increasing measure.

This statement, "to make democracy work," is rather difficult to understand, because democracy is working here today. The unfortunate part is, all democracies undergo an evolution which usually ends in despotism or complete collapse of the democracy itself. Neither of the two would be a blessing to our people.

> We are not free if our administration is weak. But we are free if we know, and others know, that we are strong; that we can be tough as well as tender-hearted; and that what the American people decide to do can and will be done, capably and effectively, with the best national equipment that modern organizing ability can supply in a country where management and organization is so well understood in private affairs.

The strength of all governments depends upon unity within, and the strength of the Federal Government is in direct relation to that of the 48 States. The strength of the State governments depends upon the free and unmolested operation of all industries and business within the State. The Federal Government guarantees, in article IV, section 4, a republican form of government to each State. When the Federal Government fails in this, and when the States are deprived of sovereign rights by Federal invasion and usurpation of such rights, nothing but weakness remains. In such

case the Federal Government is no stronger than the State government itself, and this should be clearly evident today.

In our form of government each State must assume responsibility for its own government and for the operation of the industries and business within the State. If the Federal Government would enforce this provision of the Constitution, the cost of Federal administration might be reduced to a billion dollars per year, industries and business would operate, our idle people would be employed, and the Nation would be prosperous. The reverse is true today, and that in itself is the most glaring evidence of weakness within the Federal Government, which no planning can change.

The President's recent proposal, in which he advises Congress of his desire to shift, consolidate, and to readjust departments and bureaus, I venture to say will end in dissension within the organization itself. It becomes more objectionable as it is stirred about. It is no more than a simple gesture to distract attention, for it will not provide any saving of money. It is only a plan, and that is all. I, as a Member of the Republican side, shall not express my viewpoint either for or against the President's proposals by vote on the floor. I shall, instead, remain neutral, and leave it to the New Deal Democrats to bury their own mistakes. It is no more than right that the New Deal blunders shall fall upon their own heads, for it would be an injustice to have these accumulated mistakes collapse upon those who take control in 1941.

Much is being done to divert public interest from ills at home with little or no success. The invisible government has reached a point which requires careful manipulation to bring about desired results. These invisible rulers realize that we cannot go on with a steadily increasing army of unemployed. We have more people unemployed, on relief, and on part-time Federal employment than we have ever had at any time in the past. War, of course, would be convenient to cover up this frightful situation, but again the invisible rulers meet rebuff in the form of public indifference. No one desires war, and it will be difficult or even hazardous for the New Deal in spite of its supply of rubber to mold a stamp to read "We declare war." It is better to "take five" and look the situation over before we get too excited. We have no cause for war. We have nothing at stake in Europe and very little in the Orient. The New Deal has managed to have Uncle Sam kicked out of China, out of Mexico, and we are just about to release the Philppine Islands—to cast them adrift, if you please; so we really have nothing to go to war about, except, possibly, to rescue those who have defaulted in their obligations to us for over 22 years.

These self-appointed rulers who seem so anxious to stir up trouble through their owned and controlled press have some reason for this agitation, and it is not for the general welfare of the United States. Agitation by this invisible government began a long time ago in discussion of Russian brutality, but after the Russian Government conducted wholesale executions, many of the papers agitating for war today stopped publishing these wholesale murders for reasons best known to themselves. Little publicity was given to the invasion of Ethiopia, although thousands of innocent and defenseless inhabitants were killed. But for many months, the papers have been filled with stories relating to confiscation of property and eviction of Jews in Germany.

I do not believe the so-called Hebrew purge in Germany is cause for war. As a matter of fact, it is none of our business. I question the truthfulness of many statements published in our papers, for I find upon investigation that German-Hebrews are in a better position in Germany than many of our own people in the United States. Furthermore, I do not believe we should meddle in German affairs or disposition of her citizens. We have plenty to do at home, and should evict aliens in the United States instead of receiving them with open arms as we are now doing. This is a brief summary of information I have accumulated, and I am firmly convinced that Hebrews with German citizenship prefer to remain in Germany:

FACTS AND FIGURES ABOUT THE HEBREWS IN GERMANY

(1) The proportion of Hebrews to the total population of Germany in 1925 was about 1 percent.

(2) The proportion of Hebrews to the total population of Berlin was about 4 percent (1925).

(3) Of Hebrews living in Prussia, 42 percent lived in Berlin (1925).

(4) New York Times, November 27, 1938: In 1933 in old Germany, Hebrews of Jewish faith, 502,000; other Hebrews, 73,000. Total, 575,000 Hebrews.

(5) From Deutschland von Heute, published by Terramare, Berlin, 1935: Of 404,000 Hebrews in Prussia in 1925, 76,000 were noncitizens.

(6) From Die Juden in Deutschland, published by Franz Eher München, 1937: Of 172,672 Hebrews in Berlin in 1925, 25 percent were noncitizens, as compared with 6.9 percent in 1890, 12.6 percent in 1900, and 18.5 percent in 1905.

(7) Völkischer Beobachter, Berlin, November 18, 1938: Total German wealth, reichsmarks, 200,000,000,000 among 80,000,000 people, or average of reichsmarks, 2,500 each. Total Hebrew wealth, reichsmarks, 8,000,000,000 among 700,000 people, or average of reichsmarks, 11,428 each. Therefore, the average Hebrew was worth 4.57 times as much as the average German.

(8) Völkischer Beobachter, Berlin, November 1938: In Berlin 894 Hebrews each owned reichsmarks 300,000 or more—total reichsmarks, 700,000,000. Of these there were 346 with over reichsmarks 500,000, 37 with over reichsmarks 2,000,000, 1 each with reichsmarks eight, ten, and twelve million.

(9) Völkischer Beobachter, Vienna, November 28, 1938: In Austria, of a total wealth of 8,000,000,000 marks, 2,300,000,000 were owned by Hebrews. Among these were 102 millionaires, 27 of these with more than 2,500,000 each. The largest individual fortune was reichsmarks 26,000,000.

(10) Transocean News Service, April 11, 1939: Total Czech wealth about 150,000,000,000 Czech crowns; Hebrew wealth in Bohemia and Moravia estimated at 50,000,000,000 crowns.

(11) New York Times, November 22, 1938: Hebrews own 60 percent of real estate in Berlin.

(12) Following figures from Die Juden in Deutschland, published by Franz Eher München, 1937: In 1925, of 10 Hebrews, 7 were in large cities, 3 in country and small towns. Of 10 Germans, 3 were in large cities and 7 in country or small towns.

(13) Of the following professions, Hebrews constituted percentages as shown:

	Percent
Notaries	56
State insurance doctors	52
Lawyers	48
Doctors	42
Dentists	35
Druggists	28

(14) Prussia in 1925: Of all Hebrews, 58.8 percent were in trade, whereas of total Prussian population, 17.11 percent were in trade. Of all Hebrews, 25.85 percent were in industry and manual labor, whereas of total population, 40.95 percent were in industry and manual labor. In agricultural pursuits: Hebrews, 1.74 percent; of the total population, 29.5 percent.

(15) According to Alfred Marcus, Jew, in the Economic Crisis of the German Jew, 1930:

	Percent Jewish
Ladies clothing	60
Metal trade	57.3
Hops (wholesale)	45.8
Used metal and scrap	41
Textiles	39.4
Grain	22.7
Banking	18.7

(16) In 1925: Of Hebrews in occupation, 44.9 percent were owners of businesses; of non-Jews in occupation, 14.4 percent.

Business employees:	*Percent*
Hebrews	29.7
Non-Hebrews	10.9
Skilled workers:	
Hebrews	5.8
Non-Hebrews	32.0
Unskilled workers:	
Hebrews	2.6
Non-Hebrews	16.1

(17) Berlin Exchange, 1930:

On board of—	Hebrews	Germans
Stock exchange	25	11
Produce exchange	12	4
Metal exchange	10	2
House committee	8	2
Membership committee	18	5

Of 147 members of the board, 116 were Hebrews.

Of 1,474 brokers, about 1,200 were Hebrews.

It is quite possible that the Hebrews in the United States who own property in Germany, acquired during the inflation, are being pinched a little now because of the manner in which they came into possession of their holdings.

After reading this I do not believe anyone can discover a good reason for us to criticize a foreign nation, or a cause for punitive commercial restrictions, so this cannot be the actual reason for the beating of the war drums. The newspapers which are now in hysteria about happenings in Europe, where there is no loss of life, are not uttering a word in protest against mass destruction of life in China. The President is not protesting to Japan about happenings in the Orient, yet our interest is vitally affected there and not in Europe. As a matter of fact, our greatest enemies in Europe are those who used and then abused us, and they are now attempting to involve our Nation in another conflict to save the golden calf.

It is better for us to keep our eyes open, as the enemies are here in our midst, and they are those who harbor socialism and communism within their hearts instead of Americanism. These enemies are responsible for stagnant industry, closed factories, and dormant business. They are responsible for the idle people walking our streets, and they are responsible for the poverty and suffering. They are responsible for dissension and hatreds within our Nation, and they are the same enemies who favor participation in war.

Our greatest enemies are those who are willing to sacrifice peace to satisfy an insane desire for power by the control of our Nation's monetary wealth. When we have discovered those now in control of gold, we will have discovered the power that makes war, and that power is the invisible government of the United States. This power is firmly entrenched, and its dupes are those who for the sake of the party blindly follow pseudo leaders in abject submission only to deprive the folks at home and themselves of their constitutional rights when they vote for legislation to please constitutional rapists.

We, the people, have an absorbing interest at home which someday may become acute, and to which we may find answer in the history of other nations. The world has never been free from pirates and piracy. At one time, this gentry sailed the raging main and took tribute by brutal force. Today, they have changed their mode of operation, but are still collecting tribute in the following manner: They are now organized, and those within the magic ring in this invisible government enjoy the use of national deposits to further enrich themselves in the ownership of property, for the commodity and managed money which is now lying in the banks is used to acquire greater holdings in industry and real estate. The point I wish to make is that, in withdrawing gold and gold security from public use, a great injustice has been done to our people, for it has left our own people unsecured, and those now in control secured, by gold. This is not all, because our commodity and managed currency which is now lying on deposits in the banks, is employed by this same group to further enrich itself in the acquisition and ownership of industries and real estate. So they have the gold, and they are now using a commodity or managed money to buy the only thing which is left—the Nation's real estate. In the final accounting, the people who have been instrumental in the creation and accumulation of this wealth will find themselves in poverty, working for the money barons. This happened in Germany during the inflation, and the same system is employed in the United States at the present time. It will end as it has in other countries, in poverty and suffering to those who have been actually employed in the earning and the creation of the Nation's wealth.

I am informed that in the city of Washington alone, more than half of the commercial business and real estate is now owned and controlled by the same group which is now agitating liberal immigration from Europe. Their mode of operation lies in playing a sympathetic tune on the public's heartstrings, so that the door to immigration may be left open. The young ones come through the ports of entry and the older ones as supercargoes in ships, and over the borders at night.

Who in the Federal Government will accept responsibility for the withdrawal of gold and gold currency, and for repudiation of gold-bearing bonds and securities? Who will have the courage to step forward and say: "It is I who deprived the people of standard gold security for their savings and it is I who placed the people on a managed and commodity money, and I am now about to debase even this unstable currency with yellow and blue trading chips. It is I who deprived you of the right to be secured by money of standard value and it is I who am responsible for granting the rights of which you were deprived to foreigners and to foreign governments."

Let these questions be answered by the President, so that we, the people, may know who betrayed us. Who comprises this group that is wielding control over the Nation's gold? Gold is the only acceptable medium of exchange among foreign nations, so why is it not equally important to our own industries and to our own people?

Why is the Federal Government persistently weakening State sovereign rights by invasion of the States? Why is the Federal Government engaging in industry and business at the expense of the taxpayers? Let these questions be answered by those in the Federal Government who are constantly asking for greater delegation of power from Congress.

Is it not possible that our foreign and domestic policies are propounded by the invisible government, by the same power that is now in control of proadministration newspapers, of motion pictures, and radio? Attempts are now being made by the Federal Government to seize control of broadcasting. Why? For no other reason than to control information which in its naked truth may prove embarrassing to those responsible for conditions as they are today.

Why is it necessary for the Federal Government to engage in motion pictures so as to distribute information prepared for public consumption by Federal bureaus? There is no excuse or need for the Federal Government to expend money on publicity, in order to sell itself to those who have always paid and are still paying all Government expenses. The people may be fooled by this for a while, but that day is now passed, for we are facing a reality which no amount of conversation, moving pictures, or other propaganda can overcome. We are near the end of the road as we face disintegration.

For the past 7 years Congress has turned over to the President the power to control money and credits abroad and at home. The result of this is evidenced in stagnant industries and idleness, which is no more than we may expect, for unlimited control of money and power in the wrong hands becomes an instrument of destruction to public liberties and free governments.

I distinctly recall that when the House considered the reorganization bill one of the gentlemen who sponsored this legislation said:

> This is not the President's bill. He has made no request for this legislation. It is our bill.

In other words, the sponsors claimed all authority for its creation, and I shall not deny the majority credit for any legislation passed. On April 25 the President proposed his first reorganization plan, wherein he informed Congress that he would have to employ more help to carry out the request of Congress. This, of course, is only logical, because the President

would be fully employed if he confined himself solely to the duties as outlined in article II of the Constitution.

The duties delegated to the President by Congress, and which he has distributed among his employees, is, in fact, a constitutional duty which should be performed by Congress and for which it is held responsible. As it is now, Congress admits that the President and those employed by him possess greater ability than Congress itself. This is, if nothing else, a most extraordinary admission of incompetency by those who transferred this unconstitutional and unwarranted power to the President and his appointees, and it is a sorry day for those who have placed their faith and trust in the Congress of the United States.

It is time for the people to awaken, for danger is clearly evident, and it cannot be blamed upon a foreign power, but upon the invisible government within the United States. Congressional committees should cease to listen to columnists for advice. Dorothy Thompson knows as little about it as the man on the street, and to look to her for guidance is, if nothing else, a waste of effort. Congress is not elected by the people to listen to extensive opinions on governmental procedure as often expressed by witnesses before committees. Congress is supposed to be well informed on international and national topics and procedure, and it is time for the Members to assume their rightful position and act as statesmen instead of gossipers at an afternoon tea party.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein discussions pertinent to topics of the day.

The SPEAKER. Without objection, it is so ordered.

EXTENSION OF REMARKS

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a letter from the editor of the Record and Tribune, of Indianola, Iowa, Mr. John L. Berry, which relates to the Gwynne amendment of the Wage and Hour Act.

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

There was no objection.

HARDSHIPS OF THE WAGE-HOUR LAW

Mr. LORD. 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. LORD. Mr. Speaker, I had a letter this morning from a lady who tells me she is 73 years old. She writes that she cannot get old-age relief because she has not lived in the State for the past 5 years, but has been supporting herself by sewing, knitting, and crocheting in her home. On account of her age she cannot get work in a factory and now the only work she can do to earn a living has been taken away on account of the wage and hour law restrictions. She asks me:

> What am I going to do? How am I going to make a living? I cannot work at the only work I can do, I am not able to work in the factory if I could get a job, and I could not get the job anyway; I am not able to live on relief because I have not lived in the State for 5 years.

She closes with the plea:

> Do something at once to help an old lady.

I am receiving hundreds of letters along this same line. What a pity when people who can do a little work in the home like knitting, that they enjoy and at the same time earn a living, are not permitted to do so. No one intended when the wage and hour bill was passed that women in the home would come under the act. The trouble, I believe, is with the administration and this will be remedied with amendments to the act and this should be done at once, for hundreds of people are being thrown out of work in small industries and home work. But how are we going to take care of this old lady and others until the changes are made? [Applause.]

[Here the gavel fell.]

IMPORTED BRITISH WOOLENS

Mr. RICH. 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 Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I call attention to an advertisement appearing in a local paper:

> Wear British fabrics.
> Tailored to measure.
> No two figures are exactly the same.
> Someone said the ready-made suit fits the average man, but find the average man * * *. He doesn't exist. Each individual is a different type, a different personality and—most important of all—no two figures are exactly the same.
> Let ——— tailor a spring suit—a suit that's made for you—for no more than the cost of a ready-made garment. Then let your mirror decide.

I also hold in my hand, Mr. Speaker, samples of British fabrics sent to me directly from London, as if I wanted to buy a British suit, which I do not. I want to buy American manufactured fabrics by American labor. We can come to no other conclusion than that the reciprocal-trade agreement with Great Britain permits these fabrics to come in here and take the place of American manufactured fabrics. American labor and the products of American farmers, American cotton growers and American wool growers should have our consideration and our patronage. Mr. Speaker, we should take care of the American people, not the British people, at this time with 12,000,000 unemployed people. Buy American!

[Here the gavel fell.]

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a statement made by the Continental Mills of Philadelphia.

Mr. RANKIN. Mr. Speaker, reserving the right to object, these British suits can be sold in Central and South America at half what they are sold for in this country because of the high tariff the tariff barons had imposed when the Republicans were in power.

Mr. RICH. Mr. Speaker, I give the gentleman these samples, showing they can be manufactured cheaper than American fabrics of this same quality, manufactured with high-price American labor and high American taxes.

The regular order was demanded.

The SPEAKER. The regular order has been demanded. The regular order is: Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I herewith present a letter from Continental Mills, Inc., of Philadelphia, which was printed in the Daily News Record Wednesday, March 15:

> What's $4 anyway?
> Well, to an American workman $4 a month is $48 a year, or just enough to buy a suit of clothes for himself, a dress for the missus, and an outfit for the kids.
> Yet that is precisely the amount forfeited by every wool-textile craftsman in this country by reason of the imports of woolens and worsteds from Great Britain and other countries during the month of January.
> In the first month of the current year we imported 1,123,310 square yards of woolens, valued at $850,004. Of this amount, Great Britain shipped us 1,000,933 square yards, valued at $749,156. We imported 478,401 square yards of worsteds, valued abroad at $320,943. Of this amount, Great Britain shipped us 417,250 square yards, valued at $294,757.
> This represents an increase of approximately 200 percent in the value of wool goods and of approximately 100 percent in the value of worsteds imported during the same month in the previous year.
> The American value of these imports would be approximately $2,350,000, of which labor's share, when divided among the 150,000 men in American wool-textile plants, would be roughly $4 each for the month of January.
> Truly, the year of our Lord 1939 is proving a year of grace for America's trade rivals, for it marks the lowering of the barriers against the imports of products from poor-wage-paying countries in accordance with the altruistic policy of the present administration, which apparently holds that good feeling abroad must be engendered even at the expense of American industry and the American standard of living.
> Of course, the money diverted from our labor goes much further abroad! For instance, an English mill operative gets only one-half of the wages paid the native textile worker, the Italian gets one-

fifth, the Japanese receives a tenth of the American scale. But, then, a full foreign stomach is essential to international amity.

Seeing that this invasion of the American market actually took place in a depressed business period like January, when hand-to-mouth buying prevailed, imagine the extent of the inroad in stabilized or boom times!

There is no doubt we are facing a tremendous growth in imports of wool textiles, to mention only one of the thousand and more items of American-made merchandise gravely affected by the reductions in tariff under the reciprocal-trade agreements. It is bound to aggravate American unemployment, to reduce the American living standard, and to impoverish our national income. Before the full effect of this new ideology is reflected in closed American plants and increased relief rolls, we suggest that American manufacturers and American workers bring strong pressure to bear on their congressional representatives for a show-down on the reciprocal trade phantasy.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the Committee on Immigration and Naturalization be allowed to sit during the session of the House on May 3.

Mr. RANKIN. Mr. Speaker, I have no objection.

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

There was no objection.

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a letter from a public-school pupil on the subject of General Muhlenberg.

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

There was no objection.

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an article appearing in the Wheeling Intelligencer.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an editorial appearing in the Washington Star of March 29, 1939, on the subject Up to Congress.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two or three short bulletins.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

Mr. REES of Kansas. I have asked unanimous consent to direct the attention of this House to a problem in legislation in which Congress, as well as the American consuming public are, or should be, interested.

I direct your particular attention to H. R. 944 by Congressman MARTIN of Colorado, known as the Wool Products Labeling Act of 1939. It is intended to help protect the consuming public from fraud and deception in the purchase of woolen goods.

Then I want also to direct your attention to the situation which has resulted from the reciprocal-trade agreement we made with Great Britain sometime ago—whereby we reduced the tariff from 18 to 9 cents per pound on woolen rags, as well as a reduction of 40 percent on wool waste.

Here is what happened: During January and February 1938, we imported wool waste from foreign countries to the extent of 162,000 pounds, valued at $73,000. This year, during the same 2 months, we imported 854,000 pounds of wool waste, valued at $280,000, an increase in shipment of 425 percent.

Besides that, the European rag man sold to the American rag dealers, to be made into wool or shoddy fabrics which the American public will wear, 1,824,000 pounds of old rags valued at $506,000 which is nine times more than we bought during the same 2 months' period, 2 years ago, which was before this agreement went into effect.

Not only that, we reduced the tariff on certain woolen materials imported into this country. Two years ago, and before the agreement became effective—during the months of January and February, we imported 1,000,000 yards of these fabrics. Then during January and February of this year, and while millions of our men were out of work—we increased that import to 1,800,000 yards of fabric.

All of these millions of yards of woolen fabric imported into this country under reduced tariffs are bound to not only take away a market to which the American producer is entitled, but at the same time deprives thousands of our American laborers from employment to which they are entitled.

I would like to quote a statement from Mr. Fred Breankman, National Grange representative in Washington, when he says:

> The result of this reduction in tariff duties is undoubtely a matter of great satisfaction to European scavengers and rag dealers, and to those American woolen manufacturers who use these raw materials as substitutes for virgin wool.

These wool rags I have just mentioned are used in the manufacture of so-called woolen fabrics and clothing and are sold to the American public in competition with and taking the place of virgin wool. Deprived of specific information, you and I, as consumers, have no means of knowing the fiber content of the products which we buy, or of judging their actual merit. The only means by which the average person can judge articles sold as wool is by a casual examination, and under the methods used in adulteration of woolen products—it is practically impossible for the consumer to determine the real thing.

What we need to do is to pass the Martin bill and require exact labeling as to fiber content of wool products to disclose the presence of virgin wool, reclaimed wool, or any other fiber contained therein, and to provide legal penalties for the violation of fair trade practice rules for the wool industry. Then, readjust our reciprocal-trade agreements in favor of our producers, our manufacturers, and our laborers, so that the American public will not be wearing European rags.

Mr. REES of Kansas and Mr. ALLEN of Pennsylvania asked and were given permission to extend their own remarks in the RECORD.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a letter from the California Conference of Deans of Men on the N. Y. A. program in California.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an article from the St. Louis Post-Dispatch.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

Mr. RAYBURN. Mr. Speaker, on Thursday last I asked unanimous consent that business in order on Wednesday this week may be considered on tomorrow, Tuesday. The call rests with the Committee on Harbors. I have consulted the gentleman from Virginia, who would have the call following the Committee on Harbors, and the request I am about to make is perfectly agreeable to him. The gentleman from Texas [Mr. MANSFIELD] will not be able to be here tomorrow, due to the fact he has just come out of the hospital.

Mr. Speaker, I ask unanimous consent that the business on the calendar for tomorrow may be dispensed with.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us what will come up tomorrow?

Mr. RAYBURN. The Rules Committee has reported a rule on the so-called Hobbs bill and it is the intention to call that matter up tomorrow. The bill has to do with the regulation of certain people on whom deportation papers have been served but whose countries will not issue passports for them. The bill provides for taking care of them in some shape until their countries do act. I may say, however, before that matter is taken up the bills on the Private Calendar will be called.

Mr. MARTIN of Massachusetts. Is it the intention to call up the Navy appropriation bill on Wednesday?

Mr. RAYBURN. That is the intention now.

Mr. CELLER. How many hours general debate are provided?

Mr. RAYBURN. I do not know. The gentleman might ask a member of the Rules Committee or a member of the Committee on the Judiciary.

Mr. DICKSTEIN. This is the same House bill that is on the Consent Calendar today. Is that to be brought up tomorrow under a rule?

Mr. RAYBURN. It is to be brought up under a special rule reported by the Committee on Rules.

Mr. DICKSTEIN. That will be the only business to come up tomorrow?

Mr. RAYBURN. That and the Private Calendar.

Mr. BREWSTER. May I inquire of the majority leader whether the gentleman intended that Calendar Wednesday business go over 1 week?

Mr. RAYBURN. It will go over 1 week.

Mr. BREWSTER. Did the gentleman's request cover that?

Mr. RAYBURN. Yes. I made the statement on last Thursday and asked unanimous consent that business in order on Calendar Wednesday be transferred to tomorrow, Tuesday. This morning I asked unanimous consent that the business on the calendar for Tuesday be dispensed with, which will put it over until Wednesday of next week.

Mr. BREWSTER. There will not be a regular call of the calendar on Wednesday of this week?

Mr. RAYBURN. No; because it has already been dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

SURVEY VESSELS FOR THE UNITED STATES COAST AND GEODETIC SURVEY

The Clerk called the first bill on the Consent Calendar, H. R. 138, to authorize the construction of certain vessels for the Coast and Geodetic Survey, Department of Commerce, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

NATIVE EMPLOYEES WHO DIE WHILE SERVING IN OFFICES ABROAD IN EXECUTIVE DEPARTMENTS OF THE UNITED STATES GOVERNMENT

The Clerk called the next bill, S. 1523, an act to authorize the payment of burial expenses and expenses in connection with last illness and death of native employees who die while serving in offices abroad of executive departments of the United States Government.

Mr. WOLCOTT, Mr. CHURCH, and Mr. SCHAFER of Wisconsin objected.

AMENDING TITLE II, SECTION 208, OF THE ACT OF JUNE 16, 1933

The Clerk called the next bill, H. R. 4679, a bill to amend title II, section 208, of the act approved June 16, 1933 (48 Stat. 205–206), to authorize the Secretary of the Interior to adjust or cancel reimbursable features of said act insofar as they apply to Indians, and for other purposes.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

AMENDING THE NATURALIZATION LAWS

The Clerk called the next bill, H. R. 4100, a bill to amend the naturalization laws in relation to an alien previously lawfully admitted into the United States for permanent residence and who is temporarily absent from the United States solely in his or her capacity as a regularly ordained clergyman or representative of a recognized religious denomination or organization existing in the United States.

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

Mr. JENKINS of Ohio. Reserving the right to object, Mr. Speaker, I have had this matter up with the author of the bill, the gentleman from Massachusetts [Mr. McCORMACK], and we two, just speaking for ourselves, of course, have agreed on an amendment. If this amendment is yet satisfactory to the gentleman from Massachusetts, I will withdraw my reservation of objection.

Mr. McCORMACK. Mr. Speaker, I have no objection to the amendment's being adopted, because the bill then as passed will accomplish what I really had in mind relating to clergymen. The amendment strikes out the provision relating to a representative of a denomination. I have no objection to the amendment.

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

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

Be it enacted, etc., That any alien who has been lawfully admitted into the United States for permanent residence and who has heretofore been or may hereafter be absent temporarily from the United States solely in his or her capacity as a regularly ordained clergyman or representative of a recognized religious denomination or organization existing in the United States, shall be considered as residing in the United States for the purpose of naturalization notwithstanding any such absence from the United States, but he or she shall in all other respects comply with the requirements of the naturalization laws. Such alien shall prove to the satisfaction of the Secretary of Labor and the naturalization court that his or her absence from the United States has been solely in the capacity hereinbefore described.

With the following committee amendments:

Page 2, line 1, after the word "or", insert "religious."

Page 2, line 9, insert the following:

"SEC. 2. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe such rules and regulations as may be necessary for the enforcement of this act."

Amend the title.

The committee amendments were agreed to.

Mr. JENKINS of Ohio. Mr. Speaker, I offer an amendment, which is, on page 1, line 7, after the word "clergymen", insert a comma and strike out all the remainder of line 7 and all of line 1 on top of page 2. This will include the new word supplied by the committee amendment, the word "religious."

Mr. McCORMACK. Mr. Speaker, may I suggest that the comma be eliminated, as there will be no necessity for the comma after the word "clergymen."

Mr. JENKINS of Ohio. That is right; it will not be necessary.

The SPEAKER. The Clerk will report the amendment with the comma eliminated.

The Clerk read as follows:

Amendment offered by Mr. JENKINS of Ohio: Beginning on page 1, line 7, after the word "clergymen", strike out the remainder of line 7 and all of line 1 on page 2.

The amendment was agreed to.

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

The title was amended so as to read: "A bill to amend the naturalization laws in relation to an alien previously lawfully admitted into the United States for permanent residence and who is temporarily absent from the United States solely in his or her capacity as a regularly ordained clergyman or representative of a recognized religious denomination or religious organization existing in the United States."

Mr. McCORMACK. Mr. Speaker, I have received two letters regarding the bill just passed, which are as follows:

THE BOARD OF FOREIGN MISSIONS,
UNITED LUTHERAN CHURCH IN AMERICA,
Baltimore, Md., April 5, 1939.

Hon. JOHN W. McCORMACK,
House of Representatives, Washington, D. C.

DEAR SIR: We have been informed that you have presented to the House bill H. R. 4100, which has to do with granting privilege to a clergyman who has regularly entered this country and secured his first citizenship papers to have the time he spends in another country under the direction of an organization in this land count as having fulfilled the years of residence in America when obtaining his full citizenship papers.

We have a young man who would come under this bill. We would like very much to have him serve under our board in one of our mission fields, but as sufficient time has not elapsed for him to secure his second papers, our rules do not permit of our employing him.

We are writing, therefore, to express our hearty approval of this bill and trust there will be no difficulty in having it passed. May we ask you to kindly send us a few copies of the bill?

Very truly yours,

GEORGE DRACH, *General Secretary.*
M. E. THOMAS, *General Secretary.*

INTERNATIONAL MISSIONARY COUNCIL,
New York, N. Y., April 4, 1939.

The Honorable JOHN W. McCORMACK,
House of Representatives, Washington, D. C.

DEAR MR. McCORMACK: With reference to the bill which you have introduced in the House, H. R. 4100, I am writing to let you know of my continued deep interest in the adoption of this legislation. The proposed legislation is essentially important in providing for the naturalization of clergymen of various religious denominations or others serving under recognized religious agencies existing in the United States who are sent abroad for important service before they have completed the required period of time for their naturalization as American citizens.

I have brought your bill to the attention of a few missionary organizations with the suggestion that they give you definite data regarding cases of individuals to whom your bill would apply.

I shall be greatly obliged if you will keep me informed regarding the progress that is made toward the adoption of this bill and also whether there is anything more that I can do in support of your proposal.

Yours faithfully,

A. L. WARNSHUIS.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT OR NEAR DELTA POINT, LA., AND VICKSBURG, MISS.

The Clerk called the next bill, H. R. 3224, creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta, Point, La., and Vicksburg, Miss.

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

AMENDING SECTION 4 OF THE ACT OF JUNE 29, 1906

The Clerk called the next bill, H. R. 5030, to amend section 4 of the act of June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States."

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

RED LAKE BAND OF CHIPPEWA INDIANS

The Clerk called the next bill, H. R. 3248, authorizing a per capita payment of $15 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

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

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from the fund in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the act of May 18, 1916 (39 Stat. L. 137), and to make therefrom a per capita payment or distribution of $15 to each of the living members of the Red Lake Band of Chippewa Indians of the State of Minnesota, immediately payable upon the passage of this act, under such rules and regulations as the said Secretary may prescribe: *Provided*, That the money paid to the Indians as authorized herein shall not be subject to any lien or claim of attorneys or other parties: *Provided further*, That before any payment is made hereunder the Red Lake Band of Chippewa Indians in Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify the provisions of this act and accept same.

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

RELIEF OF THE SUFFERERS FROM THE EARTHQUAKE IN CHILE

The Clerk called the next bill, H. R. 5031, for the relief of the sufferers from the earthquake in Chile.

Mr. SCHAFER of Wisconsin, Mr. KEAN, Mr. VAN ZANDT, and Mr. McDOWELL objected.

DETENTION OF CERTAIN ALIENS PENDING GRANT OF PASSPORTS OR DEPARTURE ARRANGEMENTS

The Clerk called the next bill, H. R. 5643, to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the date the warrant of deportation shall have become final; to authorize such detention orders in certain cases; to provide places for such detention; and for other purposes.

Mrs. O'DAY, Mr. CELLER, and Mr. MARCANTONIO objected.

TRANSFER OF HORSES AND MULES TO HUMANE ORGANIZATIONS

The Clerk called the next bill, H. R. 5485, permitting the War Department to transfer old horses and mules to the care of reputable humane organizations.

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

Be it enacted, etc., That the act of June 15, 1938, to require that horses and mules belonging to the United States which have become unfit for service be destroyed or put to pasture, be amended to read as follows:

"That notwithstanding the first proviso in the fourth paragraph under the heading 'Division of Supply' in title I of the act entitled 'An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1930, and for other purposes', approved December 20, 1928 (45 Stat. 1030), horses and mules belonging to the United States which have become unfit for service may be destroyed or put out to pasture, either on the pastures belonging to the United States Government or those belonging to financially sound and reputable humane organizations whose facilities permit them to care for them during the remainder of their natural life, at no cost to the Government."

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

CLAIMS OF GRAIN ELEVATORS AND GRAIN FIRMS

The Clerk called House Joint Resolution 156, authorizing and directing the Comptroller General of the United States to certify for payments certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920 as per a certain contract authorized by the President.

Mr. SCHAFER of Wisconsin. I object, Mr. Speaker.

RULES OF CIVIL PROCEDURE IN UNITED STATES DISTRICT COURT FOR HAWAII

The Clerk called the next bill, H. R. 162, to make effective in the district court for the Territory of Hawaii rules promulgated by the Supreme Court of the United States

governing, pleading, practice, and procedure in the district courts of the United States.

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

Be it enacted, etc., That a new section be inserted in the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900 (31 Stat. 141), as amended, immediately following section 86 thereof, to read as follows:

"86a. That the rules heretofore or hereafter promulgated and made effective by the Supreme Court of the United States under authority of the act approved June 19, 1934 (48 Stat. 1064; U. S. C., title 28, secs. 723b, 723c), or under authority of any other statute, regulating the forms of process, writs, and motions, and the pleadings, practice, and procedure, in action of a civil nature in the district courts of the United States, and regulating appeals therefrom, shall apply to the district court of the United States for Hawaii and to appeals therefrom."

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

RULES OF CIVIL PROCEDURE IN UNITED STATES DISTRICT COURT FOR PUERTO RICO

The Clerk called the next bill, H. R. 4532, to make effective in the District Court of the United States for Puerto Rico rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States.

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

Be it enacted, etc., That a new section be inserted in the act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917 (39 Stat. 951), as amended, immediately following section 49 thereof, to read as follows:

"49a. That the rules heretofore or hereafter promulgated and made effective by the Supreme Court of the United States under authority of the act approved June 19, 1934 (48 Stat. 1064; U. S. C., title 28, secs. 723b, 723c), or under authority of any other statute, regulating the forms of process, writs and motions, and the pleadings, practice, and procedure, in actions of a civil nature in the district courts of the United States, and regulating appeals therefrom, shall apply to the District Court of the United States for Puerto Rico and to appeals therefrom."

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

LOSS OF UNITED STATES CITIZENSHIP IN CERTAIN CASES

The Clerk called the next bill, H. R. 5188, to provide for the loss of United States citizenship in certain cases.

Mr. SHEPPARD. Mr. Speaker, reserving the right to object, I would like to have an explanation from the gentleman from New York with respect to this bill, and I withhold my objection for that purpose.

Mr. DICKSTEIN. Mr. Speaker, this bill simply deals with loss of United States citizenship by persons who go to foreign territories and vote in plebiscites and elections to annex territory of other countries or persons who vote as citizens in order for other countries to annex territory.

I submit, Mr. Speaker, this bill passed the House unanimously last year and passed the Senate with an amendment, but it came over here about a day before we adjourned and I could not get it up from the Speaker's desk.

The bill has nothing to do with immigration, except that it concerns certain persons amounting to more than 10,000, who in the last 2 or 3 years have voted in foreign countries, although citizens of the United States, to annex territory under these foreign dictatorial governments, and I submit that the committee feels that persons who go out and interest themselves in other countries sufficiently to vote and support other governments are not fit to be citizens of the United States of America.

Mr. SHEPPARD. I withdraw my objection, Mr. Speaker.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I should like to ask the chairman of the Immigration Committee to permit this bill to be passed over without prejudice.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield to me?

Mr. JENKINS of Ohio. Yes; if the Speaker will allow us the time.

Mr. DICKSTEIN. Is there anything special that is in the gentleman's mind?

Mr. JENKINS of Ohio. Yes; very much so. I think the House ought to know about this. The members of the committee were not given a chance to know about the discussions of last year or to know about this measure. This bill, Mr. Speaker, has to do with elections in foreign countries. It had its basis at the time the Germans had an election in the Saar territory, and it now has no purpose except further to engender complications with foreign lands, and we ought not to pass this bill. The bill is not necessary and will have a bad effect if it is passed, and for that reason I ask the gentleman to pass it over. If he does not agree to have it passed over, I shall be constrained to object.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield for a question?

Mr. JENKINS of Ohio. Yes.

Mr. DICKSTEIN. There is another vote about to be taken in other parts of the world.

Mr. JENKINS of Ohio. That is the very reason we ought not to get mixed up in it.

Mr. DICKSTEIN. And they are calling upon American citizens, of birth in those countries, irrespective of the fact they hold a certificate of citizenship in the United States, to vote in the plebiscite in such countries within the next month.

Mr. JENKINS of Ohio. If every man who is in America will stay here and mind his own business, he will not have to go back there.

Mr. DICKSTEIN. I do not want them to go back. I do not want them to vote in other elections. I submit to the gentleman from Ohio if he wants to be strict in his interpretation and feels that Americans ought to be for America, he ought to let this bill pass now without waiting another day.

Mr. JENKINS of Ohio. No. We ought not mix in these foreign matters. Let them attend to their own business. The only way to do it is to stay out of there.

Mr. DICKSTEIN. The only way to stop them from mixing in is to cancel their papers when they attempt to vote in other parts of the world. Does the gentleman object to that? If the gentleman objects to that, then I——

Mr. JENKINS of Ohio. Will the gentleman consent that the bill be passed over without prejudice?

Mr. DICKSTEIN. Oh, it will be the same story week after week. If the gentleman wants to be in that position——

Mr. JENKINS of Ohio. My position is thoroughly satisfactory to me.

Mr. DICKSTEIN. If you want an American citizen to go over there, whether to Italy or Germany or any other dictatorial country, and participate in voting there and in this country and still hold his citizenship, then you assume that responsibility.

The SPEAKER. Is there objection to the request of the gentleman from Ohio that the bill be passed over without prejudice?

Mr. DICKSTEIN. Mr. Speaker, I object.

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

Mr. JENKINS of Ohio and Mr. McDOWELL objected.

TERMS OF COURT IN NORTHERN DISTRICT OF MISSISSIPPI

The Clerk called the next bill, H. R. 1652, to amend section 90 of the Judicial Code, as amended, with respect to the terms of the Federal District Court for the Northern District of Mississippi.

The SPEAKER. Is there objection?

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

Be it enacted, etc., That the third sentence of section 90 of the Judicial Code, as amended (U. S. C., 1934 ed., Supp. III, title 28, sec. 170), is amended to read as follows: "The terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; for the western division, at

Oxford on the first Mondays in June and December; and for the Delta division, at Clarksdale on the first Mondays in May and November."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 90 of the Judicial Code, as amended (U. S. C., 1934 ed., title 28, sec. 170), is amended to read as follows:

" 'SEC. 90. The State of Mississippi is divided into two judicial districts, to be known as the northern and southern districts of Mississippi. The northern district shall include the territory embraced on the 1st day of December 1923 in the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Pontotoc, Prentiss, Tishomingo, and Winston, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Calhoun, Carroll, De Soto, Grenada, Lafayette, Marshall, Montgomery, Panola, Tate, Tippah, Union, Webster, and Yalabusha, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Bolivar, Coahoma, Leflore, Quitman, Sunflower, Tallahatchie, and Tunica, which shall constitute the Delta division of said district. The terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; for the western division, at Oxford on the first Mondays in June and December; and for the Delta division, at Clarksdale on the first Mondays in May and November. The southern district shall include the territory embraced on the 1st day of December 1923 in the counties of Amite, Copiah, Franklin, Hinds, Holmes, Leake, Lincoln, Madison, Pike, Rankin, Simpson, Smith, Scott, Wilkinson, and Yazoo, which shall constitute the Jackson division; also the territory embraced on the date last mentioned in the counties of Adams, Claiborne, Humphreys, Issaquena, Jefferson, Sharkey, Warren, and Washington, which shall constitute the western division; also the territory embraced on the date last mentioned in the counties of Clarke, Jasper, Kemper, Lauderdale, Neshoba, Newton, Noxubee, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone, which shall constitute the southern district of said district; also the territory embraced on the date last mentioned in the counties of Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, and Walthall, which shall constitute the Hattiesburg division. Terms of the district court for the Jackson division shall be held at Jackson on the first Mondays in May and November; for the western division, at Vicksburg on the third Mondays in May and November; for the eastern division, at Meridian on the third Mondays in March and September; for the southern division, at Biloxi on the third Monday in February and the first Monday in June; and for the Hattiesburg division, at Hattiesburg on the second Mondays in April and October. The clerk of the court for each district shall maintain an office in charge of himself or a deputy at each place in his district at which court is now required to be held, at which he shall not himself reside, which shall be kept open at all times for the transaction of the business of the court. The marshal for each of said districts shall maintain an office in charge of himself or a deputy at each place of holding court in his district.'

"SEC. 2. This act shall take effect on July 1, 1939."

The committee amendment was agreed to.

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

Mr. DOXEY. Mr. Speaker, I desire to make a brief statement in regard to this bill, H. R. 1652. This bill, just passed in this House, was reported by the Committee on the Judiciary and was known as the Doxey bill. Since my bill was reported to the House, I find that the Senate has passed a bill not identical in language, but dealing with the same subject matter. The Senate bill was introduced by Senator HARRISON. The present bill which we have just considered was introduced by me. The Committee on the Judiciary has amended my bill, House bill 1652, and we have passed it as amended. I wonder if it would be in order to ask that the Senate bill be taken up and strike out all after the enacting clause in the Senate bill and substitute the House bill as amended? It is Senate 70. It deals with the identical subject matter except the language of the House bill is determined to be better language by the Committee on the Judiciary. I ask that all after the enacting clause of the Senate bill be stricken out and the House bill substituted.

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

Mr. DOXEY. I yield gladly.

Mr. McCORMACK. Both bills are in substance the same?

Mr. DOXEY. Both bills in substance are the same. The only distinction is that the House bill rewrites the entire section and incorporates the entire section 90 of the Judicial Code while the language of the Senate bill amends said section 90 by striking out and changing certain language in certain lines and sentences of section 90 of the Judicial Code. The House Judiciary Committee prefers and recommends the language of the House bill.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the present consideration of the bill S. 70, to amend section 90 of the Judicial Code, as amended, with respect to the terms of the Federal District Court for the Northern District of Mississippi.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the third sentence of section 90 of the Judicial Code, as amended (U. S. C., 1934 ed., Supp. III, title 28, sec. 170), is amended to read as follows: "The terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; for the western division, at Oxford on the first Mondays in June and December; and for the Delta division, at Clarksdale on the first Mondays in May and November."

SEC. 2. This act shall take effect on July 1, 1939.

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

The Clerk read as follows:

Amendment offered by Mr. DOXEY: Strike out all after the enacting clause and insert the following:

"That section 90 of the Judicial Code, as amended (U. S. C., 1934 ed., title 28, sec. 170), is amended to read as follows:

" 'SEC. 90. The State of Mississippi is divided into two judicial districts to be known as the northern and southern districts of Mississippi. The northern district shall include the territory embraced on the 1st day of December 1923 in the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Pontotoc, Prentiss, Tishomingo, and Winston, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Calhoun, Carroll, De Soto, Grenada, Lafayette, Marshall, Montgomery, Panola, Tate, Tippah, Union, Webster, and Yalabusha, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Bolivar, Coahoma, Leflore, Quitman, Sunflower, Tallahatchie, and Tunica, which shall constitute the Delta division of said district. The terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; for the western division, at Oxford on the first Mondays in June and December; and for the Delta division, at Clarksdale on the first Mondays in May and November. The southern district shall include the territory embraced on the 1st day of December 1923 in the counties of Amite, Copiah, Franklin, Hinds, Holmes, Leake, Lincoln, Madison, Pike, Rankin, Simpson, Smith, Scott, Wilkinson, and Yazoo, which shall constitute the Jackson division; also the territory embraced on the date last mentioned in the counties of Adams, Claiborne, Humphreys, Issaquena, Jefferson, Sharkey, Warren, and Washington, which shall constitute the western division; also the territory embraced on the date last mentioned in the counties of Clarke, Jasper, Kemper, Lauderdale, Neshoba, Newton, Noxubee, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone, which shall constitute the southern district of said district; also the territory embraced on the date last mentioned in the counties of Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, and Walthall, which shall constitute the Hattiesburg division. Terms of the district court for the Jackson division shall be held at Jackson on the first Mondays in May and November; for the western division, at Vicksburg on the third Mondays in May and November; for the eastern division, at Meridian on the third Mondays in March and September; for the southern division, at Biloxi on the third Monday in February and the first Monday in June; and for the Hattiesburg division at Hattiesburg on the second Mondays in April and October. The clerk of the court for each district shall maintain an office in charge of himself or a deputy at each place in his district at which court is now required to be held, at which he shall not himself reside, which shall be kept open at all times for the transaction of the business of the court. The marshall for each of said districts shall maintain an office in charge of himself or a deputy at each place of holding court in his district.'

"SEC 2. This act shall take effect on July 1, 1939."

The amendment was agreed to.

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

The SPEAKER. Without objection, the proceedings whereby the bill H. R. 1652 was passed will be vacated, and the House bill laid on the table.

There was no objection.

CUSTODIAL SERVICE EMPLOYEES IN THE POSTAL SERVICE

The Clerk called the next bill, H. R. 892, to extend to custodial service employees employed by the Post Office Department certain benefits applicable to postal employees.

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

Be it enacted, etc., That every custodial-service employee (other than charmen and charwomen working part time) employed by the Post Office Department shall, at the end of each year's satisfactory service, be promoted to the compensation rate next higher than that of which he is then in receipt until the maximum rate of compensation for the grade to which his position is allocated is reached. This act shall be effective with respect to service after June 30, 1938.

This act shall not be applied so as to reduce the compensation of any custodial-service employee employed by the Post Office Department or so as to result in the dismissal of any such employee.

This act shall take effect July 1, 1939.

With the following committee amendment:

On page 1, line 9, after the word "reached", strike out the balance of line 9 and all of line 10.

The committee amendment was agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. CELLER: On page 1, line 5, after the word "Department", insert "and the Treasury Department."

Mr. TABER. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. TABER. I make the point of order that the amendment is not germane; that it attempts to bring into a bill relating to the Post Office Department an item relating to the Treasury Department.

The SPEAKER. Does the gentleman from New York desire to be heard on the point of order?

Mr. CELLER. Yes, Mr. Speaker. The purpose of the bill is to extend the same privileges to custodians in the Treasury Department that are extended to custodians in the Post Office Department.

Since the bill refers to persons in the custodial service, it is my belief that it would be germane to extend the provisions of the bill to another department other than the Post Office; namely, the Treasury Department.

The SPEAKER. The Chair is ready to rule.

The gentleman from New York [Mr. TABER] makes the point of order that the amendment proposed by the gentleman from New York [Mr. CELLER] is not germane to the pending bill. The Chair is clearly of the opinion that the point of order is well taken, for the reason that the pending bill deals with only one class of employees in one particular department. The amendment offered by the gentleman from New York [Mr. CELLER] undertakes to include the employees of another department.

Under the general principles of parliamentary law and the precedents that an individual proposition may not be amended by another individual proposition even though the two belong to the same class, the Chair sustains the point of order.

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

AMENDMENT OF NATIONAL STOLEN PROPERTY ACT

The Clerk called the next bill, H. R. 1996, to amend the National Stolen Property Act.

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

Be it enacted, etc., That section 3 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 415), be, and the same is hereby, amended to read as follows:

"SEC. 3. Whoever shall transport or cause to be transported in interstate or foreign commerce any goods, wares, or merchandise, securities, or money, of the value of $5,000 or more theretofore stolen, feloniously converted, or taken feloniously by fraud or with intent to steal or purloin, knowing the same to have been so stolen, feloniously converted, or taken, or whoever with unlawful or fraudulent intent shall transport or cause to be transported in interstate or foreign commerce any falsely made, forged, altered, or counterfeited securities of the value of $5,000 or more, knowing the same to have been falsely made, forged, altered, or counterfeited, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 10 years, or both: *Provided*, That the provisions of this section shall not apply to any falsely made, forged, altered, counterfeited, or spurious representation of (1) an 'obligation or other security of the United States' as defined in section 147 of the Criminal Code (U. S. C., title 18, sec. 261) or (2) an obligation, bond, certificate, security, treasury note, bill, promise to pay, or bank note, issued by any 'foreign government' as defined in the act of June 15, 1917, title VIII, section 4 (U. S. C., title 18, sec. 288), or by a bank or corporation of any foreign country."

SEC. 2. That section 4 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 416), is hereby amended to read as follows:

"SEC. 4. Whoever shall receive, conceal, store, barter, sell, or dispose of any goods, wares, or merchandise, securities, or money of the value of $5,000 or more, or whoever shall pledge or accept as security for a loan any goods, wares, or merchandise, or securities, of the value of $500 or more, moving as, or which are a part of, or which constitute interstate or foreign commerce, knowing the same to have been stolen, unlawfully converted, or taken, or whoever shall receive, conceal, store, barter, sell, or dispose of any falsely made, forged, altered, or counterfeited securities, of the value of $5,000 or more, or whoever shall pledge or accept as security for a loan any falsely made, forged, altered, or counterfeited securities, of the value of $500 or more, moving as, or which are a part of, or which constitute interstate or foreign commerce, knowing the same to have been so falsely made, forged, altered, or counterfeited, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 10 years, or both: *Provided*, That the provisions of this section shall not apply to any falsely made, forged, altered, counterfeited, or spurious representation of (1) an 'obligation or other security of the United States' as defined in section 147 of the Criminal Code (U. S. C., title 18, sec. 261) or (2) an obligation, bond, certificate, security, Treasury note, bill, promise to pay, or bank note issued by any 'foreign government' as defined in the act of June 15, 1917, title VIII, section 4 (U. S. C., title 18, sec. 288), or by a bank or corporation of any foreign country."

SEC. 3. That section 5 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 417), is hereby amended to read as follows:

"SEC. 5. In the event that a defendant is charged in the same indictment with two or more violations of this act, then the aggregate value of all goods, wares, and merchandise, securities, and money referred to in such indictment shall constitute the value thereof for the purposes of sections 3 and 4 hereof, and the value of any securities referred to shall be considered to be the face, par, or market value, whichever is the greatest. For the purposes of this act, the value of any falsely made, forged, altered, or counterfeited securities shall be considered to be the apparent or purported face, par, or market value, whichever is the greatest, of the securities so falsely made, forged, altered, or counterfeited."

SEC. 4. That section 6 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 418), is hereby amended to read as follows:

"SEC. 6. Any person violating this act may be tried in any district from, into, or through which such goods, wares, or merchandise, or such securities, or money or such falsely made, forged, altered, or counterfeited securities have been transported or removed."

SEC. 5. That the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, secs. 413–419, inclusive), is hereby amended by inserting therein the following new section to be known as "section 7":

"SEC. 7. If two or more persons enter into an agreement, confederation, or conspiracy to violate any provision of this act, and do any overt act toward carrying out such unlawful agreement, confederation, or conspiracy, such person or persons shall be punished in like manner as hereinbefore provided by this act."

SEC. 6. That section 7 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 418), is hereby renumbered as "section 8."

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

PUNISHMENT FOR TRANSPORTATION OF STOLEN ANIMALS IN INTERSTATE COMMERCE

The Clerk called the next bill, H. R. 4372, to provide for the punishment of persons transporting stolen animals in interstate commerce, and for other purposes.

Mr. COCHRAN. Mr. Speaker, reserving the right to object, in the last Congress when a similar bill was before the House I was the only Member of the House that voiced any objection. I stopped the passage of the bill by objecting to its consideration. Later I was advised by the Speaker that he proposed to recognize the gentleman from Texas [Mr. SUMNERS] to pass the bill under suspension of the rules. I

realized that I would only be taking up the time of the House were I to attempt to force my lone objection against the opinion of the entire Judiciary Committee. Therefore, in order to conserve time I told the Speaker I would speak against the bill but let it come to a vote. The bill passed the House and also passed the Senate, but it received a pocket veto from the President. Here it is again back in the House today, despite the President's veto. It is true it can no longer be referred to as the chicken-stealing bill—chickens have been eliminated.

This bill now deals with cattle, hogs, and so forth, that might be stolen and taken over State lines.

I read with a great deal of interest some outstanding speeches made by members of the Judiciary Committee, one only a few days ago, protesting against the centralization of power in Washington; yet here we find coming from that great committee a bill to place in the control of the Federal Government the protection of cattle, hogs, and so forth. In other words, we are going after the cattle and hog thieves the same as we do after the kidnapers if this bill becomes a law. Why not transfer all the police powers of the States to the Federal Government and be done with it?

The President has vetoed this bill once, not because it contained chickens but on other grounds. The Attorney General is opposed to the bill as stated by his letter included in this report.

Mr. Speaker, I have not changed by mind in reference to the advisability of placing such police powers in the hands of the Federal Government. Therefore, I must object to the consideration of the bill.

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

Mr. COCHRAN. Mr. Speaker, I object.

CLEVELAND NATIONAL FOREST, SAN DIEGO COUNTY, CALIF.

The Clerk called the next bill, H. R. 169, to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Cleveland National Forest in San Diego County, Calif.

Mr. TABER. Mr. Speaker, reserving the right to object is there anybody here prepared to explain the bill?

Mr. DOXEY. Yes, Mr. Speaker; I am prepared to explain the bill. I reported the bill from the Committee on Agriculture.

Mr. TABER. The bill seems to me to be pretty well mixed up. I think the same observation applies to the following three bills.

Mr. DOXEY. They are all similar, the same principle is involved. I reported all three bills.

Mr. TABER. Beginning in line 6 on page 2, I read the following language:

> Which are equal to the proportion of the net areas of said forest which are within the county of San Diego, State of California, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired: *Provided*, That as to the receipts used in the manner herein authorized the provisions of the act approved May 23, 1908, shall not be applicable to said county of San Diego.

The thing seems to be kind of mixed up, and I would appreciate the gentleman's explaining the bill.

Mr. DOXEY. I shall be pleased to, as best I can.

Briefly, these three bills refer to the Cleveland National Forest, the Angeles National Forest, and the Sequoia National Forest, all located in California. They are, of course, separate and distinct national forests. The bill under consideration refers to the Cleveland National Forest. Within this forest area are several counties. The law passed in 1908 provided that 25 percent of the gross receipts from the national forests should revert to the counties wherein the land is located within the boundaries of the national forest. In 1911 Congress passed a law providing that an additional 10 percent should go back to the counties within the national forests for roads and trails. This made a total of 35 percent that such counties receive out of the gross receipts from the sale of timber from national forests or from other receipts of the forests, such as recreation, grazing, and so forth.

In every national forest, especially in these three, are a lot of privately owned lands that the Government has never been able to buy. These privately owned lands cannot be managed as well as the Government-owned lands. The mismanagement of these privately owned lands adversely affects the Government lands and the forest in general. The present administration, through the National Forest Reservation Commission, of which I am a member, has been endeavoring to buy some of these lands in these national forests now owned by private individuals. We have not been able to buy all of the privately held lands, because of the lack of funds and for various other reasons.

Here is a county located within the Cleveland National Forest, San Diego County, Calif., which says: "We know the wisdom of buying these privately owned lands that are within this national forest. It is necessary in order to adequately protect the balance of the forests. It is true we get 35 percent of the gross receipts, but we are so interested in buying these private lands in order to protect and improve the national forests from erosion and other destruction that we, the county, are willing to forego and give our 35 percent that is coming to us to the Government to be used in acquiring these lands. In other words, we want the Government to take the 35 percent and use it to buy these private lands within the area of the forests as they now exist."

This is, in substance, a petition from the board of supervisors of the counties in these three national forests, requesting the Government to do what these three bills provide. If the gentleman has any valid objection I want to hear it, because I have given a great deal of study to this question. When a county is willing to say to the Government that it will pay more than one-fourth to buy these lands if the Government will put up the other three-fourths, when the Government has authority to do it, I do not see where there can be any valid objection. It certainly is not a novel situation. Where the facts and circumstances justify it, as they do in these three bills, the law certainly should be enacted as provided in these bills.

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

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

> *Be it enacted, etc.*, That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission, established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands within the boundaries of the Cleveland National Forest in the county of San Diego, State of California, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands, from those proportions of the entire receipts from the occupancy of public land or the sale of natural resources other than mineral, within the Cleveland National Forest, which are equal to the proportion of the net areas of said forest which are within the county of San Diego, State of California, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired: *Provided*, That so long as said receipts are used in the manner herein authorized the provisions of the act approved May 23, 1908 (U. S. C., title 16, sec. 500), shall not be applicable to said county of San Diego.

With the following committee amendment:

> Page 1, after line 6, insert "or interests therein."
> Page 2, line 2, after the word "lands", insert "or interests therein."
> Page 2, line 10, strike out "so long as said receipts are" and insert "as to the receipts."
> Page 2, after line 13, insert a colon and the following: *"Provided further*, That any appropriated amounts which are unexpended and unobligated at the close of the fiscal year for which appropriated shall be transferred to the national-forest receipts of that fiscal year and amounts so transferred and such part of the entire receipts of any fiscal year as are not appropriated shall be disposed of in like manner as other national-forest receipts."

The committee amendments were agreed to.

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

CONTROL OF SOIL EROSION WITHIN BOUNDARIES OF ANGELES NATIONAL FOREST, CALIF.

The Clerk called the next bill, H. R. 2009, to facilitate the control of soil erosion and/or flood damage originating upon

lands within the exterior boundaries of the Angeles National Forest, Calif.

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

Be it enacted, etc., That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands, within the boundaries of the Angeles National Forest, in the State of California, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands, from the entire receipts from occupancy of public land or from the sale of natural resources other than mineral, within the Angeles National Forest, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired.

With the following committee amendments:

Page 1, line 7, after the word "lands", insert a comma and the following wording: "or interests therein" and a comma.

Page 2, line 2, after the word "lands", insert a comma and the following wording: "or interests therein" and a comma.

Page 2, line 6, add the following new wording: "*Provided*, That any appropriated amounts which are unexpended and unobligated at the close of the fiscal year for which appropriated shall be transferred to the national-forest receipts of that fiscal year and amounts so transferred and such part of the entire receipts of any fiscal year as are not appropriated shall be disposed of in like manner as other national-forest receipts."

The committee amendments were agreed to.

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

CONTROL OF SOIL EROSION ON LAND WITHIN BOUNDARIES OF SEQUOIA NATIONAL FOREST, CALIF.

The Clerk called the next bill, H. R. 2417, to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior of boundaries of the Sequoia National Forest, Calif.

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

Be it enacted, etc., That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands within the boundaries of the Sequoia National Forest, in the State of California, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands from the entire receipts from the occupancy of public land or the sale of natural resources within the Sequoia National Forest, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired.

With the following committee amendments:

Page 1, line 7, after the word "lands", insert a comma and the following wording: "or interests therein" and a comma.

Page 2, line 2, after the word "lands", insert a comma and the following wording: "or interests therein" and a comma.

Page 2, line 6, add the following new wording: "*Provided*, That any appropriated amounts which are unexpended and unobligated at the close of the fiscal year for which appropriated shall be transferred to the national-forest receipts of that fiscal year and amounts so transferred and such part of the entire receipts of any fiscal year as are not appropriated shall be disposed of in like manner as other national-forest receipts."

The committee amendments were agreed to.

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

QUAPAW INDIANS (OKLAHOMA)

The Clerk called the next bill, H. R. 3796, to extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

There was no objection.

PARK FIELD MILITARY RESERVATION (TENN.)

The Clerk called the next bill, H. R. 3364, to transfer the control and jurisdiction of the Park Field Military Reservation, Shelby County, Tennessee, from the War Department to the Department of Agriculture.

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

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

TERMINATION OF LEASES OF THE LONG ISLAND RAILROAD CO.

The Clerk called the next bill, H. R. 3408, to authorize the Secretary of War to terminate certain leases of the Long Island Railroad Co.

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

There was no objection.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 1034) be substituted for the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MERRITT]?

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to terminate the leases between the Long Island Railroad Co. and the Secretary of War dated May 7, 1926, and November 1, 1926, of property described therein as the United States Army Base, Bay Ridge, Brooklyn, N. Y., upon the railroad company placing the railroad tracks and facilities located on the premises covered by these leases in good and safe operating condition, giving all title to the railroad company's freight station, railroad tracks, and facilities to the United States now on the said premises, and paying in addition 6 months' rental, at the going rate, from the time of the termination of the leases as the consideration for the termination thereof.

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

A House bill (H. R. 3408) was laid on the table.

ACCEPTANCE OF CERTAIN LANDS FROM ALAMEDA, CALIF.

The Clerk called House Joint Resolution 171, authorizing the President of the United States to accept on behalf of the United States a conveyance of certain lands on Government Island from the city of Alameda, Calif., and for other purposes.

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That the President of the United States is hereby authorized to accept on behalf of the United States, without cost to the United States other than the expenses incident to the examination of title and the preparation, execution, and recording of necessary transfer papers, which expenses are hereby authorized to be paid out of funds available to the Secretary of Agriculture for such purposes, but subject otherwise to the provisions of section 355 of the Revised Statutes, title in fee simple to 35 acres, more or less, of lands above the low-water mark, forming a part of what is known as Government Island, offered by the city of Alameda, Calif., to be used for public purposes of the Government of the United States.

SEC. 2. The President of the United States is authorized to permit the lands conveyed to the United States pursuant to this resolution to be used for such Government purposes as he may deem advisable.

With the following committee amendments:

Page 1, line 5, after the word "than", strike out "the expenses incident to the examination of title" and insert "nominal consideration of $1 and expenses incident to procuring abstract of title, the examination of title."

Page 1, line 9, after the word "papers", insert "all of."

Page 2, line 1, after the word "of", strike out "funds available to the Secretary of Agriculture for such purposes" and insert "administrative funds available from the Federal Highway Act, as amended or supplemented."

Page 2, line 7, after the word "island", strike out "offered" and insert "as described and proposed by Ordinance No. 681, new series, to be conveyed to the United States."

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT ARMISTEAD MILITARY RESERVATION

The Clerk called the next bill, H. R. 5449, making inapplicable certain reversionary provisions in the act of March 4, 1923 (42 Stat. 1450), and a certain deed executed by the Secretary of War, in the matter of a lease to be entered into by the United States for the use of a part of the former Fort Armistead Military Reservation for air-navigation purposes.

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

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that an identical Senate bill—S. 2044—be considered in lieu of the House bill.

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

Whereas the Secretary of War, pursuant to the authority contained in the act of March 4, 1923 (42 Stat. 1450), executed a deed dated February 23, 1927, conveying to the mayor and City Council of the City of Baltimore, Md., the Fort Armistead Military Reservation, which act and deed provide for a reversion of said property to the United States when it shall cease to be used for public-park purposes; and

Whereas the United States is desirous of leasing for air-navigation purposes a part (3¼ acres, more or less) of said property: Now, therefore,

Be it enacted, etc., That the reversionary provisions of the aforesaid act and deed shall not be applicable to the aforesaid property by virtue of the leasing of said part thereof (3¼ acres, more or less) by the mayor and City Council of the City of Baltimore to the United States for air-navigation purposes.

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

A House bill (H. R. 5449) was laid on the table.

SAN CARLOS APACHE INDIANS

The Clerk called the next bill, S. 18, authorizing payment to the San Carlos Apache Indians for the lands ceded by them in the agreement of February 25, 1896, ratified by the act of June 10, 1896, and reopening such lands to mineral entry.

At the request of Mr. WOLCOTT and Mr. COCHRAN, by unanimous consent, the bill was passed over without prejudice.

DISPOSAL OF CEMETERY LOTS

The Clerk called the next bill, H. R. 3132, to authorize the disposal of cemetery lots.

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to dispose of by sale or exchange for other lots, in the manner and upon such terms as he shall deem expedient, all the right, title, and interest of the United States of America in and to burial lots located in commercial cemeteries, and to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances, or other instruments necessary to effectuate such sale or exchange, and that the expense of any sale shall be paid from the proceeds thereof and the net proceeds deposited in the Treasury to the credit of miscellaneous receipts.

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

AUTHORIZING THE SECRETARY OF WAR TO EXCHANGE OBSOLETE, UNSUITABLE, AND UNSERVICEABLE MACHINES AND TOOLS

The Clerk called the next bill, H. R. 3587, to authorize the Secretary of War to exchange obsolete, unsuitable, and unserviceable machines and tools pertaining to the manufacture or repair of ordnance matériel for new machines and tools.

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to exchange obsolete, unsuitable, and unserviceable machines and tools, and parts thereof, pertaining to the manufacture or repair of ordnance matériel for use in the national defense, for new machines and tools of the same or equivalent general character.

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

TRANSFUSION OF BLOOD BY MEMBERS AND FORMER MEMBERS OF THE MILITARY ESTABLISHMENT, AND BY EMPLOYEES OF THE UNITED STATES GOVERNMENT

The Clerk called the next bill, H. R. 2987, providing for the transfusion of blood by members and former members of the Military Establishment, and by employees of the United States Government.

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

Be it enacted, etc., That section 1 of the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30) is hereby amended so as to read as follows: "That any person in the Military Establishment, or who has been a member of the Military Establishment, and any employee of the United States Government, who shall furnish blood from his or her veins for transfusion to the veins of a member or former member of the Military Establishment who is a patient in a Government hospital shall be entitled to be paid therefor such reasonable sum, not to exceed $50, as may be determined by the head of the hospital concerned, from public funds available for the operation of such hospital: *Provided*, That expenditures heretofore made to persons in Government service for blood furnished from his or her veins for transfusion to the veins of an official patient in a Government hospital are hereby authorized and validated."

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

CITY OF DULUTH, MINN.

The Clerk called the next bill, H. R. 3593, authorizing and directing the Secretary of War to execute an easement deed to the city of Duluth for park, recreational, and other public purposes covering certain federally owned lands.

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the city of Duluth, Minn., for park, recreational, and other public purposes, an easement for the use and occupation of that portion of lot 1 and all accretions or filled land adjacent thereto, including riparian rights, located in section 20, township 49 north, range 13 west, of the fourth principal meridian, county of St. Louis, and State of Minnesota, not necessary for river and harbor purposes.

SEC. 2. Said foregoing-described property was temporarily withdrawn from settlement, location, sale, or entry, and reserved for use of the War Department for river and harbor purposes by Executive order dated April 6, 1938.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

WAPATO SCHOOL DISTRICT NO. 54, YAKIMA COUNTY, WASH.

The Clerk called the next bill, H. R. 3824, to provide funds for cooperation with Wapato School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

WEST POINT MILITARY RESERVATION, N. Y.

The Clerk called the next bill, H. R. 3131, to authorize the Secretary of War to convey certain lands owned by the United States for other lands needed in connection with the expansion of West Point Military Reservation, N. Y., and for other purposes.

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

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, I should like to get some information on this bill. How many acres of land is the Government going to convey and how many acres is the Government going to receive?

Mr. COSTELLO. Mr. Speaker, I may say to the gentleman there are approximately 718 acres of ground the Government wishes to acquire. They are exchanging 416 acres of their own land for 416 acres of the new land. They will, therefore, have to purchase the balance. The cost of the balance will be approximately $10,000, or about $35 an acre. The property the War Department desires to dispose of is at the far end of the West Point Military Reservation, off in a canyon far removed from the academy itself. The ground they would acquire fits into the central portion of

the land they now own, bringing it closer to the academy itself. It adjoins part of the firing range the students of the academy are using. This land will serve to round out the academy ground and make a unified whole out of it. This simply cuts off an extreme portion of the land that is not available for practical use by the academy.

Mr. SCHAFER of Wisconsin. The total additional cost to the Government will be how many thousand dollars?

Mr. COSTELLO. Approximately $10,000.

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

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to convey to the Palisades Interstate Park Commission, a joint corporate municipal instrumentality of the States of New York and New Jersey, all or any part of a certain tract of land, in the vicinity of Popolopen Creek, Orange County, New York, containing approximately 302 acres and constituting a part of the West Point Military Reservation, N. Y., in exchange for other lands in said county and State under the control of the said commission, the acquisition of which is authorized by the act of Congress approved March 3, 1931 (46 Stat. 1491): *Provided*, That if in the opinion of the Secretary of War the lands to be conveyed by the United States under the authority of this act do not represent fair and reasonable compensation for the lands to be conveyed to the United States as aforesaid, the Secretary of War is authorized to pay, from appropriations available for the purpose of carrying out the provisions of the aforesaid act of Congress, such additional sum as shall, in his opinion, with the lands to be conveyed by the United States, constitute fair and reasonable compensation therefor: *Provided further*, That the Secretary of War shall reserve to the United States in any conveyance made under authority of this act such rights as in his opinion shall be necessary for the preservation and protection of the water supply of the West Point Military Reservation, N. Y.

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

PROTECTION AND PRESERVATION OF DOMESTIC SOURCES OF TIN

The Clerk called the next bill, H. R. 5840, to amend the act entitled "An act to provide for the protection and preservation of domestic sources of tin," approved February 15, 1936.

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

Be it enacted, etc., That the act entitled "An act to provide for the protection and preservation of domestic sources of tin," approved February 15, 1936, be, and the same is hereby, amended by inserting in section 2, after the word "scrap", in the third line, the words "or other scrap, drosses, or residues the tin content of which is in excess of 10 percent in which the copper content does not exceed the tin content."

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

PENSIONS TO WIDOWS AND ORPHANS OF DECEASED VETERANS OF THE SPANISH-AMERICAN WAR, BOXER REBELLION, OR PHILIPPINE INSURRECTION

The Clerk called the next bill, H. R. 2875, to provide that pensions payable to the widows and orphans of deceased veterans of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall be effective as of date of death of the veteran, if claim is filed within 1 year thereafter.

Mr. MOSER. Mr. Speaker, reserving the right to object, I would like to inquire if there is anyone here to defend this bill. If not, I ask unanimous consent, Mr. Speaker, that the bill be passed over without prejudice.

Mr. SCHAFER of Wisconsin. I object, Mr. Speaker.

The SPEAKER. Does the gentleman from Wisconsin object to the request that the bill be passed over without prejudice?

Mr. SCHAFER of Wisconsin. I do, Mr. Speaker.

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

Mr. MOSER. I object to the present consideration of the bill, Mr. Speaker.

MARKETING AGREEMENTS WITH RESPECT TO HOPS

The Clerk called the next bill, H. R. 4539, to extend the time during which orders and marketing agreements under the Agricultural Adjustment Act, as amended, may be applicable to hops.

Mr. TABER. Mr. Speaker, reserving the right to object, as I understand it, this bill extends the authority of the Secretary of Agriculture with reference to certain items of agriculture. I feel it is too important a bill to consider on the Consent Calendar, and I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

FORT SNELLING BRIDGE, MINNESOTA

The Clerk called the next bill, H. R. 1774, to authorize the transfer to the State of Minnesota of the Fort Snelling Bridge at Fort Snelling, Minn.

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

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to quitclaim to the State of Minnesota the right, title, and interest of the United States in the Fort Snelling Bridge across the Mississippi River at Fort Snelling, Minn., and the site of the bridge, approach, and abutment thereof in the county of Ramsey, acquired by the United States by decree of the United States district court dated May 23, 1908, recorded in the office of register of deeds for Ramsey County, Minn., in book 541 of deeds at page 193, including that certain easement on and across the right-of-way of the Chicago, Milwaukee & St. Paul Railway Co. in Hennepin County, acquired by decree dated October 6, 1909, recorded in the office of register of deeds for Hennepin County, Minn., in book 123 of miscellany, page 573, and an easement in lands forming the site of the abutment and bridge end on the Fort Snelling Military Reservation for so long as the bridge as now located, or as may be rebuilt or replaced with a new bridge, is maintained and used as a public bridge on said site: *Provided*, That the said conveyance shall be subject to the rights of those who contributed to the funds out of which said bridge was originally constructed as provided in the act of Congress approved March 17, 1906 (34 Stat. 66), and also subject to the State of Minnesota keeping said bridge in repair for use as a public bridge and as a part of its highway system during the economical life of said bridge or until rebuilt or a new bridge in replacement thereof is constructed: *Provided further*, That the United States shall have the right to use the bridge or any new bridge which replaces it for the support of Government water mains and other utilities serving said reservation of the United States, and for all traffic to and from said reservation, free of tolls or other charges: *And provided further*, That the existing bridge shall be maintained and operated in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

With the following committee amendments:

On page 2, line 16, after the word "its", insert the word "trunk"; strike out all of lines 17 and 18, down to and including the word "constructed", and insert in lieu thereof the following language: "until by mutual agreement between the State of Minnesota and the United States a new bridge shall be constructed reasonably near the site of the present bridge."

The committee amendments were agreed to.

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

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938

The Clerk called the next bill, H. R. 5911, to amend subsection (h) of section 344 of the Agricultural Adjustment Act of 1938, as amended.

Mr. PACE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

BOOKS FOR THE ADULT BLIND

The Clerk called the next bill, H. R. 5136, to amend the act entitled "An act to provide books for the adult blind," approved March 3, 1931.

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

Be it enacted, etc., That section 1 of the act entitled "An act to provide books for the adult blind," approved March 3, 1931, as amended (U. S. C., 1924 ed., supp. IV, title 2, sec. 135a), is amended by adding at the end thereof the following new sentence: "In the purchase of such books, the Librarian of Congress, without

reference to section 3709 of the Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5), shall give preference to non-profit-making institutions or agencies whose activities are primarily concerned with the blind.

With the following committee amendments:

Line 11, page 1, strike out the period and the quotation marks and insert in lieu thereof a comma and the words "In all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable."

The committee amendments were agreed to.

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

JUDICIAL DISTRICT OF IDAHO

The Clerk called the next bill, S. 752, to amend section 78 of chapter 231, Thirty-sixth United States Statutes at Large (36 Stat. L., sec. 1109), relating to one judicial district to be known as the district of Idaho, and dividing it into four divisions, to be known as the northern, central, southern, and eastern divisions, defining the territory embraced in said divisions, fixing the terms of district court for said divisions, requiring the clerk of the court to maintain an office in charge of himself or deputy at Coeur d'Alene City, Idaho; Moscow, Idaho; Boise City, Idaho; and Pocatello, Idaho; and to authorize the United States District Court for the District of Idaho, by rule or order, to make such changes in the description or names to conform to such changes of description or names of counties in said divisions as the Legislature of Idaho may hereafter make.

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

Be it enacted, etc., That section 78 of chapter 231 of the United States Statutes at Large be amended so as to read as follows:

"That the State of Idaho shall constitute one judicial district to be known as the district of Idaho. It is divided into four divisions, to be known as the northern, central, southern, and eastern divisions. The territory embraced on the 1st day of February 1938, in the counties of Benewah, Bonner, Boundary, Kootenai, and Shoshone, shall constitute the northern division of said district; and the territory embraced on the date last mentioned in the counties of Clearwater, Idaho, Latah, Lewis, and Nez Perce shall constitute the central division of said district; and the territory embraced on the date last mentioned in the counties of Ada, Adams, Blaine, Boise, Camas, Canyon, Cassia, Elmore, Gem, Gooding, Jerome, Lincoln, Minidoka, Owyhee, Payette, Twin Falls, Valley, and Washington shall constitute the southern division of said district; and the territory embraced on the date last mentioned in the counties of Bannock, Bear Lake, Bingham, Bonneville, Butte, Caribou, Clark, Custer, Franklin, Fremont, Jefferson, Lemhi, Madison, Oneida, Power, and Teton shall constitute the eastern division of said district. Terms of the district court for the northern division of said district shall be held at Coeur d'Alene City on the fourth Monday in May and the third Monday in November; for the central division, at Moscow on the second Monday in May and the first Monday in November; for the southern division, at Boise City on the first Monday in February and the first Tuesday in September; and for the eastern division at Pocatello on the second Mondays in March and October. The clerk of the court shall maintain an office in charge of himself or a deputy at Coeur d'Alene City, at Moscow, at Boise City, and at Pocatello, which shall be open at all times for the transaction of the business of the court."

SEC. 2. That in the event the Legislature of the State of Idaho should hereafter at any time change the description or name of any of the counties embraced in the divisions hereinbefore referred to, then the District Court of the United States for the District of Idaho may by rule or order make such changes in the description or names of the counties in the said divisions to conform with any act of the Legislature of the State of Idaho.

With the following committee amendments:

Page 2, strike out all of line 1 and the first two words on line 2 and insert in lieu thereof the following: "That section 78 of the Judicial Code (36 Stat. 1109, U. S. C. title 28, sec. 151)".

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to amend section 78 of the Judicial Code, relating to the District of Idaho."

GIVING CLERKS IN RAILWAY MAIL SERVICE HOLIDAY KNOWN AS ARMISTICE DAY

The Clerk called the next bill, H. R. 4322, giving clerks in the Railway Mail Service the benefit of holiday known as Armistice Day.

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

Be it enacted, etc., That the third proviso in the first section of the act entitled, "An act to fix the hours of duty of postal employees, and for other purposes", approved August 14, 1935, as amended, is amended by striking out the words "three hundred and six" days and inserting in lieu thereof the words "three hundred and five days."

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

AMENDING STATUTE PROVIDING FOR ESTABLISHMENT OF POSTAL SAVINGS SYSTEM

The Clerk called the next bill, H. R. 5064, to amend the act approved June 25, 1910, authorizing establishment of the Postal Savings System.

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

Be it enacted, etc., That section 6 of the act approved June 25, 1910, entitled "An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes," as amended (U. S. C., title 39, sec. 756), is amended to read as follows:

"In order that smaller amounts may be accumulated for deposit any person may purchase from any postal-savings depository specially prepared adhesive stamps to be known as 'postal-savings stamps' and attach them to a card which shall be furnished for that purpose. A card with postal-savings stamps affixed shall be accepted as a deposit of equivalent value in sums of $1 or multiples thereof either in opening an account or in adding to an existing account or may be redeemed in cash. It is hereby made the duty of the Postmaster General to prepare such postal-savings cards and postal-savings stamps of such denominations as he may prescribe and to keep them on sale at every postal-savings depository office and at such other offices as he may designate and to make all necessary rules and regulations for the issue, sale, and cancelation thereof."

With the following committee amendment:

On page 1, beginning in line 8, insert:

"At least $1, or a larger amount in multiples thereof, must be deposited before an account is opened with the person depositing the same, and $1, or multiples thereof, may be deposited after such account has been opened, but the balance to the credit of any one person, upon which interest is payable, shall not exceed $2,500, exclusive of accumulated interest, and non-interest-paying deposits shall not be accepted.

The committee amendment was agreed to.

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

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, in connection with H. R. 4100, I ask unanimous consent that immediately after consideration of the bill I may insert in the RECORD two letters which I have received relating to that bill.

The SPEAKER. Is there objection?

There was no objection.

REDUCING DOWN PAYMENT—NONSUBSIDIZED VESSEL CONSTRUCTION

The Clerk called the next bill, H. R. 5756, to amend section 509 of the Merchant Marine Act, 1936, as amended.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin and Mr. McDOWELL objected.

AGRICULTURAL MARKETING AGREEMENT ACT RELATING TO APPLES IN WASHINGTON, OREGON, AND IDAHO

The Clerk called the next bill, S. 1096, to amend section 8 (c) of the Agricultural Marketing Agreement Act of 1937, as amended, to make its provisions applicable to Pacific Northwest boxed apples.

The SPEAKER. Is there objection?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MINIMUM NATIONAL ALLOTMENTS FOR COTTON

The Clerk called House Joint Resolution 247, to provide minimum national allotments for cotton.

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

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

Mr. HARE. Mr. Speaker, I am sorry objection was made to the consideration of House Joint Resolution 247, providing for an allotment of cotton for the year following 1939, because I was anxious to insert the following amendment on page 1 at the end of line 8:

Provided, That allotments of acreage to the various States be based upon the ratio of the number of cotton growers and their dependents in each State bears to the total number of such persons in the United States.

Possibly the amendment would have been defeated, but I am so thoroughly convinced of the fairness and justice of this amendment to all persons who grow cotton that I was anxious to have the matter presented for discussion so that at some future date the policy provided might be accepted and adopted as a permanent policy, provided the Federal Government is going to continue to regulate acreage and allocate production.

It is not my purpose at this time to discuss the various phases of the existing agricultural program. It is sufficient to say that it has quite a number of very meritorious features, but I have to confess there are some provisions of the law or practices in the administration that operate against what might be classed as the small cotton farmer, and if the present program is to be conducted he will always be classed as a small and unsuccessful cotton grower.

The provisions of this amendment are so plain they hardly need explanation. It simply provides that in the allocation of cotton acreage to the various States the acreage should be on the basis of farm population, and this is to be obtained in each State in the proportion the number of cotton growers and their dependents bear to the total number of such persons growing cotton in the United States. Such an arrangement would give every man or person the same opportunity for growing cotton, and I submit that this is only fair, because if the Government is going to regulate acreage and production it should not discriminate against the future opportunities by limiting them to past activities. Such a program as that affords no incentive whatever for the ambitious son to improve on the farming operation of his father or whoever may have been in charge of the farm he plans to operate and live on the balance of his life.

The point I want to emphasize is that it takes as much to feed, clothe, and educate a man and his family in one section of the Cotton Belt as it does in any other section of the belt, and if his farming operations are going to be regulated by the Federal Government in order to give him what is sometimes referred to as the "more abundant life" this man and his family should have the same opportunities in one State for the purposes named as he can have in any other State. In other words, it is not fair to say to Mr. A and his family that he is entitled to only 10 acres of cotton and then say to Mr. B, who has the same size family and same equipment as Mr. A, that he shall be entitled to 30 acres. That is, one is expected to work out his future economic salvation with 10 acres whereas another similarly situated is given 30 acres with which to do the same thing. I am fully aware that this situation exists in many cases and when left to the discretion and ambitions of each of these families there is no injustice, but the point I am making and emphasizing is that if the Federal Government is going to exercise such authority as to control and regulate the possibilities and opportunities of these two families there is no reason why it should not be fair and just enough to say to them that they will have the same opportunity if they want it and are willing to discharge their obligation to themselves and their families. I know there will be objections to this amendment by the very large cotton farmer because it decreases his opportunity for making and amassing money by the program we have heretofore adopted. It is primarily for the purpose of assisting farmers in making a decent living and affording a fair chance to give all farmers and their children an equal opportunity in life. It is not for the purpose of affording protection to enormous landholders to profit by this policy and make more money, while others only eke out a subsistence. If such matters were left to the individuals to do and act as they have done in former years there could be no objection, but when the Federal Government comes in and undertakes to make plans for the future economy of the people who are engaged in this particular occupation it should inaugurate a program that will give each an opportunity in a program or policy.

In case my proposed amendment is proven to be wrong I will not hesitate to admit that I am mistaken, but my reason in taking up your time now is to submit the proposal and to say that it shall be my purpose to prosecute this idea until it is shown to me that it is not wise, just, or fair to all concerned.

MINIMUM NATIONAL ALLOTMENTS FOR WHEAT

The Clerk called House Joint Resolution 248, to provide minimum national allotments for wheat.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AMENDING SECTION 344 OF THE A. A. A. OF 1939, AS AMENDED

The Clerk called the next bill, H. R. 5498, to make applicable to the years after 1939 the special provisions relating to cotton baleage and acreage allotments which apply for 1939.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to dispense with further proceedings under the call of the Consent Calendar.

The SPEAKER. That request is not necessary. Under the rules all bills have been called that are eligible for call.

PENSIONS FOR WIDOWS AND ORPHANS OF DECEASED VETERANS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to return to Calendar 135, H. R. 2875.

The Clerk read the title of the bill.

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

Mr. TABER. Mr. Speaker, reserving the right to object, was that bill passed over or was it objected to?

Mr. SMITH of Washington. It was objected to through a misunderstanding.

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

There was no objection.

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

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

Be it enacted, etc., That notwithstanding any provisions of law or veterans' regulation, awards of death pension shall be effective as of the date of death of the veteran of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, if claim is filed within 1 year after the death of such veteran.

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

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD in regard to the bill just passed, H. R. 2875, and to include therein a report by Gen. Frank D. Hines, Administrator of Veterans' Affairs.

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

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, in view of the fact that the bill H. R. 2875 was first inadvertently objected to through a misunderstanding, so I am informed by the gentleman who made the objection, I desire to place in the RECORD a full explanation of the bill. The bill provides that pensions payable to the widows and orphans of deceased veterans of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall be effective as of date of death of the veteran if the claim is filed within 1 year thereafter. It has been favorably recommended by the Veterans' Administration and the Bureau of the Budget. The report of Gen. Frank T. Hines, Administrator of Veterans' Affairs, fully explains the purpose of the bill. The report is as follows:

VETERANS' ADMINISTRATION,
Washington, March 29, 1939.

Hon. MARTIN F. SMITH,
Chairman, Committee on Pensions,
House of Representatives, Washington, D. C.

MY DEAR MR. SMITH: This is with further reference to your letter of January 23, 1939, requesting a report on H. R. 2875, Seventy-sixth Congress, a bill to provide that pensions payable to the widows and orphans of deceased veterans of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall be effective as of date of death of the veteran, if claim is filed within 1 year thereafter, which provides as follows:

"That notwithstanding any provisions of law or veterans' regulation, awards of death pension shall be effective as of the date of death of the veteran of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, if claim is filed within 1 year after the death of such veteran."

Under the general pension law original awards of death pension to widows and children commence the day following the date of the veteran's death. Under the Spanish-American War Service Pension Acts original awards of death pension to widows commence the date of filing formal application. The same is true as to children, except that under the act of May 1, 1926, in case of death or remarriage of a pensioned widow or forfeiture of her title to pension, then payments commence from the date of such death, remarriage, or forfeiture.

Under Public, No. 2, Seventy-third Congress, and the veterans' regulations, awards of death pension to widows and children of the Spanish-American War, Boxer Rebellion, and the Philippine Insurrection are fixed in accordance with the facts found, except that no award of death pension or compensation shall be effective prior to the date of the veteran's death, date of the happening of the contingency upon which death pension or compensation is allowed, or the date of receipt of application thereof, whichever is the later date.

Section 210 of the World War Veterans' Act, 1924, as amended, provided in part "That no compensation shall be payable for any period more than 1 year prior to the date of claim therefor. * * *." However, that provision was superseded by the rule prescribed by the veterans' regulation under Public, No. 2, referred to above.

It should be borne in mind that there is no law providing a service pension for widows and children of World War veterans, the nearest approach to such legislation being Public, No. 484, Seventy-third Congress, as amended, "An act to compensate widows and children of persons who died while receiving monetary benefits for disabilities directly incurred in or aggravated by active military or naval service in the World War."

Under the provisions of that act it was provided "That payment shall be effective from the date of enactment of this act in all cases where death occurred prior to the date of enactment of this act and in all other cases payment shall be made from the date the application of the widow, child, or children in the form prescribed by the Administrator of Veterans' Affairs, is filed in the Veterans' Administration: * * *." However, the rules prescribed by the veterans regulations and by Public, No. 484, Seventy-third Congress, as amended, were superseded by the provisions of section 6 of Public, No. 304, Seventy-fifth Congress, August 16, 1937, which provides "That notwithstanding any provision of law or veterans regulation, awards of death compensation shall be effective as of the date of death of the World War veteran if claim is filed within 1 year after the death of such veteran."

Summing up, widows and children of veterans of the Spanish-American War, Boxer Rebellion, or the Philippine Insurrection, lose monetary benefits in the form of service pensions for every day that they delay in filing claim for such benefits after the veteran's death, and it appears rather harsh to require such persons to protect themselves against such loss by taking steps as soon as the next day following the date of the veteran's death in order to receive maximum benefit. No matter how long the veteran may have been sick and his death imminent, the passing on of the husband and father inevitably results in considerable shock to members of his family. Furthermore, most people are reluctant in taking steps immediately after the death of a loved one toward the collection of money due on account of the death. There is the further consideration that most people do not know that an application, no matter how informal, will protect their rights, and, of course, they do not have formal application at hand, nor do they always have the information necessary to execute such applications. It appears that these were at least some of the considerations which led to the enactment of section 6 of Public, No. 304, Seventy-fifth Congress, liberalizing the effective date of awards of death-compensation benefits to dependents of World War veterans, including such grants for death not due to service under Public, No. 484, Seventy-third Congress, as amended.

It is estimated that this bill would affect 500 cases at an estimated cost for the fiscal year 1940 of approximately $35,600.

It is the recommendation of the Veterans' Administration that the bill receive favorable consideration by your committee.

Advice has been received from the Acting Director, Bureau of the Budget, that there would be no objection by that office to the presentation of this report to your committee.

Very truly yours,

FRANK T. HINES, *Administrator.*

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to return to Calendar No. 111, House Joint Resolution 156, objected to by the gentleman from Wisconsin [Mr. SCHAFER]. I explained the purpose of the bill to him, and he has withdrawn his objection.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

House Joint Resolution 156

Joint resolution authorizing and directing the Comptroller General of the United States to certify for payment certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920 as per a certain contract authorized by the President.

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

Mr. COCHRAN. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a copy of the bill (H. R. 4190), a short bill, together with a copy of a letter sent by the Civil Service Commission to the Chairman of the Civil Service Committee of the House.

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

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by Clinton M. Hester, Administrator of the Civil Aeronautics Authority, on the subject Will Rogers and His Relationship to Aviation, before the Will Rogers memorial dinner on the night of April 28.

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

There was no objection.

Mr. HARE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on House Joint Resolution 247.

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

There was no objection.

Mr. DARDEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made on yesterday by the Honorable R. Walton Moore, Counselor of the State Department.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial from the Pittsburgh Post Gazette.

The SPEAKER. Without objection it is so ordered.

There was no objection.

STILL FURTHER MESSAGE FROM THE SENATE

A still further message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4492) entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1940, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 34 and 36 to the foregoing bill.

The message also announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 279. Joint resolution making supplemental appropriations for printing and binding and stationery for the Treasury Department for the fiscal year ending June 30, 1939.

BENEFITS FOR WORLD WAR VETERANS

Mr. RANKIN. Mr. Speaker, I mave to suspend the rules and pass the bill (H. R. 5452) to provide certain benefits for World War veterans and their dependents, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of Public Law No. 484, Seventy-third Congress, June 28, 1934, as amended, is hereby amended to read as follows:

"SECTION 1. That the surviving widow, child or children, or dependent mother or father of any deceased person who served in the World War before November 12, 1918, or if the person was serving with the United States military forces in Russia before April 2, 1920, who dies or has died from a disease or disability not service-connected and at the time of death had a disability directly or presumptively incurred in or aggravated by service in the World War for which compensation would be payable if 10 percent or more in degree, shall upon filing application and such proofs in the Veterans' Administration as the Administrator of Veterans' Affairs may prescribe, be entitled to receive compensation: *Provided*, That payment of compensation under the provisions of this act shall not be made to any unmarried person whose annual income exceeds $1,000, or to any married person or any person with minor children whose annual income exceeds $2,500, and in determining annual income, payments of war-risk term insurance, United States Government life (converted) insurance, and payments under the World War Adjusted Compensation Act, as amended (U. S. C., title 38, ch. 11), and the Adjusted Compensation Payment Act, 1936, as amended, shall not be considered: *Provided further*, That no compensation shall be paid to a dependent mother or father, or both, in excess of an amount which if added to the monthly payment of automatic insurance or yearly renewable term insurance to either or both such parents would exceed the amount of compensation herein authorized: *Provided further*, That except as provided in section 6 of Public Law No. 304, Seventy-fifth Congress, August 16, 1937 (U. S. C., title 38, sec. 472 (d)), compensation authorized by this act shall not be payable effective prior to the receipt of application therefor in the Veterans' Administration, but in no event shall compensation herein authorized be effective prior to the date of enactment of this act."

SEC. 2. Section 4 of Public Law No. 484, Seventy-third Congress, June 28, 1934, as amended by section 2 of Public Law No. 304, Seventy-fifth Congress, August 16, 1937 (U. S. C., title 38, sec. 506), and Public Law No. 514, Seventy-fifth Congress, approved May 13, 1938 (U. S. C., title 38, sec. 506), is hereby amended to read as follows:

"SEC. 4. For the purpose of awarding compensation under the provisions of this act, as amended, service connection of a disability at the date of death may be determined in any case where a claim has been or is filed by the widow, child, or children, or dependent mother or father, of a deceased World War veteran, except that proof of disability at the date of death and evidence as to service connection may be filed at any time after the date of enactment of this act or the date of death, and evidence required in connection with any claim must be submitted in accordance with regulations prescribed by the Administrator of Veterans' Affairs."

SEC. 3. Section 2 of Public Law No. 484, Seventy-third Congress, as amended (U. S. C., title 38, sec. 504), is hereby amended to read as follows:

"That monthly rate of compensation shall be as follows: Widow but no child, $30; widow with one child, $38 (with $4 for each additional child); no widow but one child, $15; no widow but two children, $22 (equally divided); no widow but three children, $30 (equally divided) (with $3 for each additional child; total amount to be equally divided); dependent mother or father, $45 (or both) $25 each.

"As to the widow, child, or children, the total compensation payable under this paragraph shall not exceed $64. Where such benefits would otherwise exceed $64, the amount of $64 may be apportioned as the Administrator of Veterans' Affairs may prescribe."

SEC. 4. Section 3 of Public Law No. 484, Seventy-third Congress, as amended (U. S. C., title 38, sec. 505), is hereby amended by adding thereto a new paragraph (d), to read as follows:

"(d) The term 'mother' or 'father' shall mean a natural mother or father of the veteran, or mother or father of the veteran through legal adoption."

SEC. 5. Effective on the first day of the month next following the date of enactment of this act the rates of death compensation payable under the provisions of existing laws or veterans' regulations to a surviving widow, child, or children, and/or dependent mother or father now on the rolls or hereafter to be placed on the rolls as the surviving widow, child, or children, and/or dependent mother or father of any World War veteran who died as result of injury or disease incurred in or aggravated by active military or naval service in the World War, shall be as follows:

Widow, age under 50 years, $37.50; widow, aged 50 years or over, $45; widow with one child, $10 additional for such child up to 10 years of age, increased to $15 from age 10 (with $8 for each additional child up to 10 years of age, increased to $13 from age 10) (subject to apportionment regulations); no widow but one child, $20; no widow but two children, $33 (equally divided); no widow but three children, $46 (equally divided) (with $8 for each additional child, total amount to be equally divided); dependent mother or father, $45 (or both) $25 each. As to the widow, child, or children, the total compensation payable under this paragraph shall not exceed $82.50. The amount of compensation herein authorized shall be paid in the event monthly payment of compensation under Veterans Regulation No. 1 (g) and the monthly payment of yearly renewable term or automatic insurance does not aggregate or exceed the amount of compensation herein authorized.

As to the surviving widow, child, or children, and/or dependent mother or father on the rolls on the date of enactment of this act, any increased award herein authorized shall be effective from the date of enactment of this act and in all other cases, except as provided in section 6 of Public Law No. 304, Seventy-fifth Congress, approved August 16, 1937, effective dates of awards shall be governed by the provisions of veterans' regulations promulgated under Public Law No. 2, Seventy-third Congress, March 20, 1933.

SEC. 6. Subparagraph (k) of paragraph II, part I, of Veterans' Regulation No. 1 (a), promulgated under Public Law No. 2, Seventy-third Congress, March 20, 1933, is hereby amended to read as follows:

"(k) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or the loss of the use of only one foot, or one hand, or one eye, the rate of pension provided in part I, paragraph II (a) to (j), shall be increased by $25 per month: *Provided*, That in no event shall the rate of pension (including the $25 increase) for anatomical loss of one foot, or one hand, or one eye be less than $100 per month."

SEC. 7. The Administrator of Veterans' Affairs is hereby authorized and directed to insert in the rating schedules of the Veterans' Administration a minimum rating of permanent partial 10 percent for wounds incurred in line of duty in active service during the World War.

SEC. 8. On and after the date of this enactment, the rate of interest charged on any loan secured by a lien on United States Government life (converted) insurance shall not exceed 5 percent per annum.

Mr. RANKIN (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that further reading of the bill be dispensed with but that the bill be printed in full at this point in the RECORD.

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

There was no objection.

The SPEAKER. Is a second demanded?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I demand a second.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

The SPEAKER. The gentleman from Mississippi is recognized for 20 minutes and the gentlewoman from Massachusetts is recognized for 20 minutes.

Mr. RANKIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this is a bill for the relief of certain World War veterans, their widows, orphans, and certain dependent parents.

The first section provides for increasing the compensation for veterans and for the surviving widows and orphans of certain veterans of the World War. Section 2 of the bill amends section 4 of Public Law No. 484. Section 5 of the bill also increases compensation to widows and orphans of veterans with service-connected disabilities; and section 6 amends the present law by increasing the compensation to those battle casualties—men who lost arms, legs, or eyes during the World War—by giving them a minimum of $100 a month. The bill also provides for reducing the insurance on loans on veterans' insurance policies to 5 percent and, as I said, it also takes care of certain dependent parents of veterans of the World War, which veterans had service-connected disabilities but died from other causes.

The bill also changes present law to provide that widows and orphans or dependents of World War veterans, which

veterans have service-connected disabilities of less than 10 percent but who died of other causes, would, under the present law, be compensated as if their disabilities amounted to 10 percent, and may be given compensation at the same rate provided under Public Act 484.

It also provides that any veterans having battle wounds shall be rated not less than 10-percent disabled.

Sections 3 and 4, you will find by referring to the report, add 3,000 new cases to the rolls. They increase compensation to 14,850 widows and 5,200 dependent parents. The total cost of these sections will amount to $5,032,000 a year. The rest of the bill, according to the estimate of the Veterans' Administration, will bring the entire cost up to $18,750,000 a year.

Mr. Speaker, I realize this bill may not go as far as some Members would like to have it go. I realize it probably goes farther than some Members would like to have it go. But we worked on it for a long time, and under the circumstances did the best we could, and we think this measure should be passed.

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, I yield myself 2 additional minutes.

The committee asked me to use every means possible to bring the measure before the House, and this is the first opportunity I have had. It does not close the door, however, to other veterans' legislation. These cases are so important, however, we think this measure should pass now.

There are some Members who may think we are going a step afield by taking care of the dependent parents of those deceased boys. Some Members have suggested that we put them under social security. If we did, in some States they would get five times as much as they would in other States.

Mr. Speaker, this was a national war, and so long as I am head of this committee I am never going to permit the disabled veterans or their dependents to be shoved off onto the social security and be discriminated against, as the old people are being discriminated against in the different States under the Social Security Act. This having been a national war, a national proposition, we are writing these salutary provisions into national law.

Mr. AUGUST H. ANDRESEN. Will the gentlemen yield?

Mr. RANKIN. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. So the record may be complete, will the gentleman kindly state what the committee is going to do to take care of the widows of veterans who did not have any service-connected disability?

Mr. RANKIN. There are measures now pending before the committee covering that proposition. We will probably take them up later. As the gentleman knows, there are 21 members on that committee and the chairman does not control it.

Mr. AUGUST H. ANDRESEN. I know the chairman is sympathetic to that kind of legislation.

Mr. RANKIN. I secured the passage of a bill of that kind some years ago, but it died in the Senate.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, under permission to extend my remarks at this point, I wish to call attention to the fact that this bill was unanimously reported out of the World War Veterans' Committee.

As ranking minority member of the committee, I do not wish to take up the time of the House in discussing its merits, but would rather have the newer members of the committee have the opportunity.

I believe the bill is a helpful step in the right direction and will do a great deal of good. I am very sorry it did not go further in its provisions, especially for the widows and orphans. For years I have been working to have them given higher rates of compensation, and I am delighted that the measure has done something in this direction. The provision giving an increase to certain amputation cases will aid a number of men who have been heavily handicapped. I earnestly hope that in the near future injustices and inequalities may be adjusted and that benefits which were taken away may be restored. There is still much legislation needed for the veterans and their dependents.

Mr. Speaker, I yield 6 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Speaker, I am not going to speak in opposition to the legislation proposed in this bill, but I do want to say that I am disappointed with the provisions of the bill. I had hoped that the Committee on World War Veterans' Legislation would put the important things first.

This bill, in my opinion, does not correct the injustices of existing legislation in that it does not adequately provide for the widows, dependent parents, and orphans of the men who died in the service or as a direct result of service. I believe the Members of this House are familiar with the Canadian rates paid to the widows of those men who died in the service of Great Britain, and I believe they are familiar with the French rates as well. We have never properly cared for that comparatively small group of people.

I maintain it is a crying shame and a disgrace for this wealthy Government to pay only $30, $40, or even $45 to the widow of a man who enlisted or who was drafted and who gave his life in the World War. The very minimum, in my humble opinion, should be $75 or $80 a month in order that those widows might live in the same comfort that they had every reason to expect they would have had if their husbands had not gone to the war.

I am also disappointed that the committee has not included in this bill a provision restoring the so-called presumptive group to full compensation. These men who were put on the rolls as the result of the presumptive act were told in 1922 and 1923:

> You do not need to submit evidence and we do not want affidavits. It is presumed under the law that your disability is due to service.

These men are now receiving 75 percent of what they should receive, and that injustice will continue as a result of the Economy Act until the Congress restores them to their rightful place on the pension rolls.

Mr. Speaker, it seems to me this bill is a departure from previous veterans' legislation in that in its effort to correct injustices among the so-called battle casualty cases it enacts what seems to me to be a new type of legislation. I know several veterans of the World War who have on their bodies the scars of machine-gun bullets and shrapnel, flesh wounds, if you please, who, under this act, will receive $10 a month. I sent a copy of this bill to many of those men, and without exception their answer is substantially as follows: "Yes; I have a flesh wound, but it has never bothered me. If the Government cannot take care of all of us, for God's sake send my $10 to the widows of those soldiers we left in France."

In the minute remaining I would like to refer to the provision of this bill that provides the minimum compensation of $100 per month for the loss of a limb. In this section we are trying to write legislation that prior to this time has been taken care of by the rating tables of the Veterans' Administration. I feel that this legislation will unbalance the existing rating schedules. What is the disabled veteran who is suffering from tuberculosis, certain heart conditions, or even gastric ulcers, and who spends 25 or 50 percent of his time in bed or sick at home, going to think when he receives a rating of $35 to $40, while his next door neighbor, who has suffered the loss of a limb, perhaps below the knee and who wears an artificial limb without discomfort, dances, skates, and so forth, receives $100 under this act? The Veterans' Administration should be permitted to make proper allowance in the case of a man who, for physical reasons, cannot wear an artificial limb. If we set a minimum of $100 for the loss of, say, one foot, how will we adequately compensate a man who has lost both arms? Certainly the loss of two arms is twice as disabling as the loss of one foot.

It is impossible to write a law that will cover every known disability, and I would much prefer to see such matters controlled by the Veterans' Administration under rating schedules.

Section 7 of this bill will place on the compensation rolls thousands of veterans who, while they have scars caused by machine-gun bullets and shrapnel, have suffered no ill effects during the past 20 years. Many of these men have not applied for compensation and have no intention of doing so. Here again this matter can be better cared for by adequate and proper rating schedules. It is true that many men are rated at 10-percent, 15-percent, or 20-percent disabled, who should be rated higher. Young doctors in the Veterans' Administration who have not had the experience of probing for shrapnel, cannot visualize from the scars the internal damage caused by the shrapnel. I cannot approve a bill such as this, containing some very desirable features and some not desirable, because it causes us to vote for bad legislation. But if we desire to secure much-needed benefits, the fact that widows of men who died in service will receive increased compensation is sufficient reason for any Member of the House to support this bill, and because of the section relating to these widows I will, of course, vote for the passage of this legislation.

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, I yield myself 3 minutes.

In reply to the gentleman from Connecticut [Mr. MILLER], I desire to say that I agree with him and that we gave these widows of service-connected veterans a substantial increase, and also provided for the widows and orphans of the presumptive cases. I was one of the men in the House who opposed what was called the economy bill when those presumptives were cut off, and I was one of the men who helped to raise them back to 75 percent.

With reference to the 10 percent, I wish to say that these veterans who do not desire to make claim now do not have to do so, but under this bill if they die of some other disability their widows and orphans will be cared for.

With reference to the amputation cases, I call attention to the fact that there are a great many men with hands off at the wrist or feet off at the ankle who have suffered untold misery since the close of the World War. They were not properly compensated, in my opinion. We took this proposition and went through it from every angle and decided that this was the best way to reach them without further unbalancing the rating schedule of the Veterans' Administration. So, as I said, we did the very best we could.

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

Mr. RANKIN. I yield to the gentleman from Louisiana.

Mr. BROOKS. Can the gentleman tell me whether this new bill will cover the case we will say of a veteran who had a service-connected disability and as a result of that service-connected disability had to have, we will say, his leg removed? Will this cover a case of that sort and allow that veteran a minimum of $100 a month if the removal of the leg occurred in, say, 1919?

Mr. RANKIN. If the loss of that limb was caused by a service-connected disability, my opinion is that it will.

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

Mr. RANKIN. I yield to the gentleman from Connecticut.

Mr. MILLER. Can the gentleman tell us if it is the intention of the Committee on World War Veterans' Legislation to set minimum ratings for all major disabilities, such as of the heart, lungs, and stomach?

Mr. RANKIN. No; we have to depend to some extent on the rating schedule of the Veterans' Administration.

Mr. MILLER. Is not this providing for a separate group and treating it separately?

Mr. RANKIN. Yes; I may say to the gentleman from Connecticut he is right. We made a special effort to take care of this special class of men who have lost hands and who have lost legs or had an eye knocked out, and who have not been adequately compensated in comparison with other men who have been similarly disabled by losing an arm above the elbow or a leg above the knee.

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Speaker, first of all I wish to emphasize what the distinguished and able chairman of our committee [Mr. RANKIN] said when he remarked that the passage of this bill does not mean that it precludes further legislation on behalf of veterans in this session. If it were not for that fact, I myself would be disappointed at some of the things that are not included in this bill. This bill represents an effort on the part of the committee to include matters which we feel quite certain are going to pass this House speedily, we hope with hardly a dissenting vote, go through the Senate with equal speed, and certainly become law.

As the gentleman from Connecticut has pointed out, there are evidently matters, even matters of clear justice, which have not been adequately dealt with in this bill. For my own part, the way I feel about these matters is approximately as follows:

None of us likes the idea of relief. All of us want to see the American people either employed or in some dignified manner taken care of according to what they definitely deserve. To my mind, the more we can do in the way of taking care of the need of widows of the men who served in the World War and the more we can do toward taking care of disabled men who served in that war, doing it in such a fashion that it is an evident expression of the gratitude of this Government instead of being a part of a relief system, the better off we are. It is from the standpoint that we recognize that the veteran has made sacrifice for the welfare of the United States and for that reason we should make provision for his need that I believe legislation of this character is fundamentally right and should be supported by everybody.

I myself would like very much to see the presumption of service connection restored in the case of every veteran who served in combat or was exposed to enemy fire or other dangers of that kind. Indeed, I feel that in the cases of veterans in that group the law should definitely state that the burden of proof should be on the Government to prove that his disabilities are not service connected. I hope that objective, which happens to be one in which I believe a great many people are interested, can be realized before this session is over.

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

Mr. VOORHIS of California. Gladly.

Mr. MILLER. Can the gentelman tell us whether under section 7 a person who suffered from gas would be treated the same as a person who was wounded by, say, a machine gun? Gas allows a wound stripe, but I do not know whether it is considered a wound in the Administration.

Mr. VOORHIS of California. I know what would happen if I were administering the law, but I am afraid I cannot answer the gentleman's question. I am not certain what they would do about that.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mrs. ROGERS of Massachusetts. I assume, perhaps, if it were a gas burn, it might be considered a wound.

Mr. VOORHIS of California. I thank the gentlewoman from Massachusetts.

I believe another matter that needs to be taken up is the matter of allowance for permanent and total disability on the part of veterans. I think all of us have had the experience of finding that under present law a great many times a man who is in receipt of $30 for permanent and total disability will, however, be debarred from getting a W. P. A. job, for example, or will be told by a State relief administration in a certain State that because he is in receipt of this allowance for his war service, therefore he is ineligible for a W. P. A. job, while his next-door neighbor is on the eligible list. Therefore in some cases the veteran is penalized because of the very fact of his service. This clearly is wrong. For that reason I am hopeful that progress can be made in increasing the allowance that is now made for permanent and total disability to

a point where it will at least come somewhere near to being enough to meet the needs of these permanently and totally disabled men and their families.

Now, may I make this appeal to the House: Please remember that legislation of this kind, considered by a committee carefully and over a long period, has been considered not only from the standpoint of what that committee would like to do, but from the standpoint of what that committee is confident can definitely be passed and become a law in a short space of time. That is the sort of bill we have before us. It will be helpful to many people—not as helpful as some of us would like—but better than what we have now. Let us go forward from this point. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, nothing is more important at this time to the people of this country than that the United States keep out of war. All this talk about the necessity of America playing her part in world affairs to save democracy is nonsense if it means a risk of this country's being involved in another foreign war. If such an unhappy event materializes, it will mean the end of democracy in this land; it will mean the establishment of a Fascist regime of government regulation, restriction, and bureaucracy that we never could throw off.

Similar nonsense is talk that business—big business, if you please—would have no objection to this country's again participating in war. People who utter such talk stupidly believe that the men who manage business in this country are so short-sighted that they only can see immediate profits. Our businessmen, thank God, know that all American economy would be irretrievably disrupted if this country goes into another war. They likewise have sons who would have to do the fighting. As patriotic Americans, businessmen are against war. I am happy to see the leaders of business, through the National Association of Manufacturers, speaking out along these lines at this time.

As part of my remarks I wish to include the full text of a resolution adopted last Friday by the board of directors of the National Association of Manufacturers, declaring their unalterable opposition to war. The text of this resolution follows:

The National Association of Manufacturers is unalterably opposed to war.

This is the position of the manufacturers, both large and small, as represented by this association. In the words of George Washington, they are opposed to any "entangling alliances."

The devastation of modern war is all-embracing. It takes a withering toll of human and economic forces. No sensible person believes that profit can come out of the wreckage of human lives and economic dislocations.

History has answered that question. Progress comes through peace, not war. Free nations have everything to lose in war. Free institutions are reared through peace and cooperation. Conflict destroys them.

American industry wants peace. This purpose has been frequently and forcefully declared in the previous platforms adopted by the Congress of American industry. American manufacturers pledged every effort to maintain peace.

Happy homes and steady jobs, the ideal of every American, can be achieved only through the pursuits of peace.

The Republic is now at peace. May the God of Nations preserve us from the calamity of war.

Mr. HALLECK asked and was given permission to extend his remarks and to include therein a statement referred to by him.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. ALEXANDER].

FLAGRANT INJUSTICES PERPETRATED ON VETERANS IN THE NAME OF THE LAW

Mr. ALEXANDER. Mr. Speaker, it is essential that we do justice to our veterans. There is considerable basis for doubt as to our performance in this respect, judging from the records which are available in the files of every veterans' organization throughout the United States. From the facts which I shall place in the RECORD today in connection with the debate on this bill, H. R. 5452, it is evident that we need to amend the present law, as we propose to do if we are to do justice to the veterans, and before we can take very much credit as lawmakers interested in the veterans. Cases such as these which I am about to present to the consideration of the House are to be found in every local branch or facility of the Veterans' Administration. I have picked out only a few cases at random which are in the records of the service officers of the various veterans' organizations throughout the country. There are literally thousands of similar cases in existence in which unjust treatment has been accorded our soldiers, sailors, and marines who offered their all when the country called for their valiant service and perhaps even the supreme sacrifice.

Here is presented a great problem—one of the greatest which will come before this session of Congress. It is even a tragic problem to these boys now grown to men who still carry in their broken bodies the ravages of Mars, the demon god of war. It is a problem to us who are intent on rendering a conscientious service to our country.

Because most of us are too busy to be able to give much consideration to any problems except those involved in our own committee assignments, I have condensed for your benefit these cases which tend to indicate that there is much to be accomplished in a legislative way if we are to render justice.

Two of the main items included in this bill are sections 7 and 8, and I call your special attention to them. They read as follows.

SEC. 7. The Administrator of Veterans' Affairs is hereby authorized and directed to insert in the rating schedules of the Veterans' Administration a minimum rating of permanent partial 10 percent for wounds incurred in line of duty in active service during the World War.

SEC. 8. On and after the date of this enactment, the rate of interest charged on any loan secured by a lien on United States Government life (converted) insurance shall not exceed 5 percent per annum.

Section 7 is very important and helpful and section 8 partially provides for some long-needed war-risk insurance reform, and is very meritorious.

WAR DEPARTMENT ASKS FOR MINUTEMEN

A few days ago the War Department issued an appeal, and broadcast it widely, both through the newspapers and also through the radio, asking for the reenlistment of 75,000 ex-service men as modern minutemen to be used immediately if the country calls. Here is the article:

[From the Washington Times-Herald of April 5, 1939]

UNITED STATES CALLS EX-SOLDIERS AS RESERVE CORPS—"MINUTEMEN" TO BE READY IF WAR COMES—DRAMATIC APPEAL IS BROADCAST BY MILITARY LEADERS FOR 75,000 UNDER 36 YEARS OLD

(By Robert G. Nixon)

The War Department today broadcast a Nation-wide appeal to ex-service men to join a reserve corps of "American Minutemen," to be instantly ready for action in case of war.

The Army's dramatic appeal was carried over the Nation by radio and through the medium of the press. Seventy-five thousand able-bodied former soldiers were asked to give their services to the country again should war come.

CALL MEN UNDER 36

The call to colors was addressed to ex-enlisted men under 36 years of age, whether married or single. The campaign was ordered by Secretary of War Harry H. Woodring.

The War Department said this corps of 75,000 men of the enlisted Reserve would be used as a part of the "initial protective force" in event of any national emergency.

The other parts of the initial protective force, which the Nation would throw into the field immediately in case of war, consists of the Regular Army of 165,000 men, the National Guard of 200,000 men, and the Reserve Officers Corps of 110,000.

Evidently Secretary Woodring believes the world situation warrants extraordinary action and is trying to take steps to be prepared for the worst. I wonder if it would be necessary to make this appeal or to offer to pay these minutemen while held in reserve, if we had treated the ex-soldier in any other than the shabby way which is indicated by the following case histories:

Case No. 1, Joseph J. Brooke.

Case No. 2, Edward J. Arthur.

Case No. 3, Stanley Dombrowski.

Case No. 4, Silas E. Swenson.

Case No. 5, Frank S. Wood.

The following letter introduces cases 1 and 2:

MILITARY ORDER OF THE PURPLE HEART,
Miami, Fla., April 4, 1939.

Mr. HERBERT A. CHURCH,
Chairman, National Legislative Committee, Military Order of the Purple Heart, 717 Rock Creek Church Road, Washington, D. C.

MY DEAR HERBERT: Were I not so intensely engrossed in my local efforts in behalf of those of our fellow patriots more unfortunate than we, nothing would make me happier than to be able to cooperate with you. Truly, for no one have I more respect than for you—and for your extraordinary labors.

However, whenever you desire my cooperation you know that I'll be on the job—eh what? And the better to serve you—under separate cover is being sent to you photographs of the wounds of the two patriots whose cases I will relate herein—two definite evidences of the injustices which currently beset the disabled ex-service man.

CASE NO. 1

JOSEPH J. BROOKE, C-156406.—FOLDER AT BAY PINES, FLA.

Here is an example of the vicious interpretation of disabilities. Why does the Veterans' Administration persist in alluding to scars and then in ignoring the inevitable complications of each and every wound? From the multitudinous correspondence in this case I have selected for forwarding herein the papers which I deem to be of most import: Procrastination with regard to hospitalization for service combat disabilities, conflicting medical opinion within the Veterans' Administration, and (the most cruel) the recent review of his folder by the Board of Veterans' Appeals. Here is an individual who has been totally helpless since he was wounded, who has spent many years in various hospitals, even to as recently as several times in the past few years, and who has been advised by competent medical authority that his sole relief can be attained by remaining in bed, and by others that the leg should be amputated. Were it not that his wife augments the family income through the W. P. A.—well, there are two children in the family.

CASE NO. 2

EDWARD J. ARTHUR, C-174842.—FOLDER AT BAY PINES, FLA.

The photograph shows clearly that this man is hammertoed, and the files will verify that that condition is due to a high-explosive shell. Foreign bodies still in foot. Unable to rest foot on ground without the aid of arch supports. Yet, after procuring braces from the Veterans' Administration for 15 years the powers that be in their magnanimity decree that such arches are no longer necessary. Attached hereto is a statement from a reputable chiropodist; and also two letters from Bay Pines—one wherein he is refused outpatient treatment and the other where he is given the well-known run-around in his attempt to obtain new arches.

These two instances are sufficient to convince even the most skeptical that the unpleasant aroma still pervades over Denmark.

Neither has known a single day since the war when he did not know agony and suffering. Both have been advised from every source the only relief is through constant rest—with their legs in Murphy splints. Yet Brooke receives the munificent sum of $35 and Arthur $40.

Yours in true comradeship,

NATHAN E. WELTZ,
Adjutant and Welfare Officer.

By direction:

W. J. MCCARTHY,
Commander.

CASE NO. 1

VETERANS' ADMINISTRATION,
Bay Pines, Fla., July 3, 1935.

Mr. JOSEPH J. BROOKE,
General Delivery, Little River, Miami, Fla.

DEAR SIR: This is to advise you that, pursuant to a recent decision rendered by the rating board of this office, it has become necessary to reduce your compensation payments to the basis of $35 per month. The reduction will become effective from August 1, 1935, in accordance with regulations governing matters of this kind.

The rating board decision was rendered with special reference to hospital report of June 19, 1935, and special surgical examination of June 18, 1935. It was held that your service-connected disability, edema, right leg, for which you have been receiving compensation, is now disabling to the degree of no percent and therefore noncompensable. Your payments of $35 per month from August 1, 1935, will be on account of your service-connected disability, scar, right thigh, severe.

It is regretted that this action reducing payments has become necessary in your case.

If you are dissatisfied with the decision rendered, it is your privilege to file with this office an application for review on appeal. The necessary appeal form will be forwarded to you on request.

By direction:

E. A. SKELTON,
Adjudication Officer.

[Appeal was filed and rejected, as shown by the following letter:]

VETERANS' ADMINISTRATION FACILITY,
Bay Pines, Fla., July 5, 1935.

Mr. JOSEPH J. BROOKE,
8037 Northwest Eleventh Avenue, Miami, Fla.

DEAR SIR: This is to advise you that out-patient treatment for the month of July is not being authorized in your case, inasmuch as further treatment at this time was not found to be indicated after complete examination in your case at this facility.

Very truly yours,

H. C. LOCHTE, M. D.,
Chief, Out-Patient Service.

VETERANS' ADMINISTRATION,
Bay Pines, Fla., October 31, 1935.

Mr. JOSEPH J. BROOKE,
8037 Northwest Eleventh Avenue, Miami, Fla.

DEAR SIR: This is to advise that your claim has been carefully reviewed by the rating board, special attention being given to report of your hospitalization at this facility, dated August 26, 1935, and the decision confirms the previous rating in holding that your service-connected disability, scar, right thigh, severe, interfering with circulation, is properly rated disabling permanent partial 35 percent.

You will, therefore, continue to receive payments of $35 per month until further notice, and no change in the status of your case is in order at this time.

By direction.

E. A. SKELTON,
Adjudication Officer.

P. S.—It is noted that you have been advised of your right to file application for review on appeal.

VETERANS' ADMINISTRATION,
Bay Pines, Fla., February 16, 1938.

Mr. JOSEPH J. BROOKE,
1922 Northwest Seventy-ninth Street, Miami, Fla.

DEAR SIR: This will acknowledge receipt of your application form P-10 for hospital care.

For your information, this application has been approved for hospitalization, but due to an overcrowded condition at this time it is necessary to place your name on our pending list until such time as a bed becomes available for you.

In the meantime, please advise this office as to how you intend to travel when you receive a letter to report, that is, whether by railroad, bus, or privately owned automobile. This is in order for us to prepare the proper letter of authority at the time a bed is available for your reception.

You will be advised immediately when a bed is available and instructions will be forwarded to you.

Very truly yours,

M. BRYSON, *Manager.*

VETERANS' ADMINISTRATION,
Bay Pines, Fla., March 4, 1938.

Mr. JOSEPH J. BROOKE,
Box 1241, Little River Station, Miami, Fla.

DEAR SIR: In reviewing our records it appears that your application for hospitalization has been on our waiting list for some time.

We regret that we have been unable to assign you a bed. We have only 197 beds to care for a veterans' population of approximately 55,000. For months we have been filled to capacity, and it has been possible to admit only those requiring emergency treatment. It is hoped that this condition will improve with the passing of the winter season.

We assure you, however, that if your condition should become such as to require emergency treatment before we can reach your name, you should have your local physician contact this office immediately by phone or wire, and if emergency treatment is indicated, immediate steps will be taken to effect your hospitalization.

Very truly yours,

M. BRYSON, *Manager.*

VETERANS' ADMINISTRATION,
Bay Pines, Fla., April 29, 1938.

Mr. ROBERT A. BAIRD,
Service Officer, Veterans of Foreign Wars,
Room 326, Courthouse, Miami, Fla.

DEAR SIR: This is in reply to your note on the bottom of our letter dated April 26, 1938, with reference to an application for hospitalization in the case of the above-named veteran.

A check of our records indicates that we do have an application for hospitalization which was approved in this office under date of February 16, 1938, and we regret that this mistake was made. He is No. 77 on the waiting list at this time, and we have 218 on this list. The medical certificate on Form P-10 does not indicate that a real emergency exists; however, in view of the urgency you indicate in your letter, we are authorizing him to report ahead of the waiting list. A copy of this letter is going forward to the Honorable J. Mark Wilcox, Member of Congress, for his information.

The letter of authority to the veteran is being mailed as of this date.

Very truly yours,

M. BRYSON, *Manager.*

VETERANS' ADMINISTRATION,
Bay Pines, Fla., July 29, 1938.

Mr. JOSEPH J. BROOKE,
Box 1241, Little River Station, Miami, Fla.

DEAR SIR: We have just received your application for appeal for an increased rating on account of your service-connected disability of scar right thigh, severe, interfering with circulation.

Before we can give further consideration to this feature of your case it will be necessary for you to advise us by letter as to whether or not you have any additional evidence to submit. If you state in your reply that there is no further evidence, then you should authorize this office to have your appeal considered on the evidence already on file.

Thanking you very much for your immediate attention to this matter.

By direction:

E. A. SKELTON,
Adjudication Officer.

VETERANS' ADMINISTRATION,
Bay Pines, Fla., November 8, 1938.

Hon. CLAUDE PEPPER,
United States Senate, Washington, D. C.

MY DEAR SENATOR PEPPER: Reference is made to your interest expressed in the case of the above-named claimant, and in reply thereto you are advised service connection has been granted and the claimant is receiving compensation at the rate of permanent partial 35 percent ($35 per month), for a service-connected condition diagnosed as scar right thigh, severe.

He was last examined by the Veterans' Administration for compensation purposes during a period of hospitalization from May 4 to May 28, 1938, and since this report did not indicate a material change in his service-connected condition his former rating was continued.

The claimant has exercised his right of appeal from such decision to the Board of Veterans Appeals, Washington, D. C., and his authorized representative, an official of the Veterans of Foreign Wars, has been notified in order that he may present the facts on which such appeal is based.

As soon as this presentation of the facts on which the appeal is based has been completed the claimant's name and C-number will be certified to the chairman, Board of Veterans Appeals, Washington, D. C., who will call for the case when the claimant's name is reached on their docket.

Your interest in the case is appreciated and we will be glad to keep you informed of any further developments.

Very sincerely yours,

M. BRYSON, *Manager.*

VETERANS' ADMINISTRATION,
Washington, March 14, 1939.

Mr. JOSEPH J. BROOKE,
Box 1241, Little River Station, Miami, Fla.

DEAR SIR: There is enclosed for your information a copy of the decision of the Board of Veterans' Appeals rendered in the case of the above-identified claim.

For the Administrator.

R. L. JARNAGIN,
Chairman, Board of Veterans' Appeals.

[Enclosure: Copy of decision dated March 10, 1939.]

Brooke, Joseph J.—C-156406—NP-97115:

(Public, No. 2, 73d Cong., WW IR, affirmed.)

(Public, No. 141, 73d Cong., WW IR, affirmed.)

This claim is properly before the board on appeal.

Question at issue:

Increased rating for scar, gunshot wound, right thigh, severe, interfering with circulation.

At a proceeding held in connection with the appeal the veteran did not appear in person but was represented by an assistant State service officer of Bay Pines, Fla., an accredited representative of the Veterans of Foreign Wars. Transcript of the hearing is of record.

The veteran, in his formal appeal, stated:

"This claim is based on the ground that proper attention is not given to the loss of circulation from the effect of the wound. That the use of this leg even to walk will cause the swelling of the leg below the knee to such an extent that I must lie from 1 to 3 days with the leg elevated to reduce the swelling so that I am again able to walk."

The records from the War Department show the veteran enlisted July 6, 1917, and was honorably discharged March 11, 1919. The medical record shows treatment from July 15, 1918, to February 27, 1919, at a French hospital, in Base Hospitals Nos. 1 and 6 and at Camp Dix, N. J., for gunshot wound, right thigh, perforating lower third, severe, with injury to anterior crural nerve; in action July 15, 1918, at Chateau Thierry, France. Report of examination by a board of review at the time of discharge shows:

"Healed scar on inner and anterior surface, right thigh, with considerable loss of muscle substance and consequent loss of power and limp."

It was stated that in view of occupation the veteran was 15 percent disabled.

The claim for benefits was duly filed and service connection for the above condition has been established.

The veteran was physically examined by the Administration on various occasions following his discharge from military service. Special surgical examination of June 18, 1935, shows in part:

"Six inches above the right knee, on the inner aspect of the thigh, there is a transverse scar 6½ by 2 inches. This scar is deeply depressed and somewhat adherent. There is considerable loss of muscle tissue beneath the scar. The right leg is enlarged and firm, not edematous. It measures at the ankle 3½ inches; middle calf, 1½ inches; just below the knee, 2 inches; and just above the knee, 1 inch more than the left leg, all positions respectively. There is some weakness of the adductor and flexor groups of muscles of the thigh."

Special surgical examination of August 26, 1935, shows in part:

"Six inches above the right knee and on the inner aspect of the thigh there is a transverse scar 6½ inches long and 2 inches wide. Scar is depressed and adherent; there is considerable muscle loss; scar is 1 inch deep. There is weakness of the flexor and adductor groups of muscles of the thigh. The leg is enlarged and edematous and slightly red, due to interference with return circulation."

This examination reported the measurements of the legs as follows:

"Right leg above knee, 16 inches; left leg above knee, 15 inches; right calf measures 15½ inches; left calf measures 13¾ inches; right ankle measures 12 inches; left ankle measures 8¾ inches."

A diagnosis was made of cicatrix, gunshot wound, right thigh, severe, with residuals and interference of circulation.

The veteran was hospitalized at the United States Naval Hospital, Philadelphia, Pa., from February 5 to 20, 1936, for cellulitis of the right leg. At time of discharge the veterans' condition was recorded as: Cellulitis, right leg—cured.

Special surgical examination of May 6, 1938, shows in part:

"There is a large scar on the inner side of the medial one-third of the right thigh. The scar is 5½ inches long and 1¾ inches to 2½ inches wide. The scar is well healed, nontender but moderately adherent and depressed 1 inch deep. There is apparently some loss of muscle tissue at the site of the wound as well as destruction of the blood vessels. The leg from the knee down to and including the ankle is enlarged from 1 inch to 2½ inches and is rather cold and clammy. No pitting. Circulation is poor. Dorsal pedis artery is felt. Unable to locate plantar pedis artery. No ulcers, no special tenderness over the saphenous vein.

"Diagnosis.—1. Scar, large, inner side, right thigh, mild symptoms. 2. Residuals, old, gunshot wound, right thigh, moderate."

The veteran was subsequently hospitalized at the Veterans' Administration Hospital, Bay Pines, Fla., from September 3 to 16, 1938, at which time the condition was diagnosed as gunshot-wound residuals, right thigh, and scar, severe, interfering with circulation.

The chief medical officer of the Bay Pines Hospital, on September 27, 1938, replied to a memorandum by the adjudication officer, September 19, 1938, that—

"Examination by the surgeon on September 12, 1938, showed no change in this veteran's service-connected disability from the report dated May 6, 1938. This latter report is already in the veteran's claims file."

The case file contains a statement by Dr. Harold Rand, describing the veteran's condition. This has been noted.

Concerning the issue of increased rating for the service-connected residuals of gunshot wound, right thigh, the Board has carefully reviewed the evidence relating to this condition. Due regard has been given to the information furnished by the War Department, the evidence presented in support of the claim, and to the symptoms and clinical findings disclosed on official examinations in file, conducted by the Administration subsequent to the veteran's discharge.

Inasmuch as the various examinations in file fully detail the veteran's condition and are deemed adequate for proper adjudication of the claim, it is the opinion of the Board that reexamination of the veteran at this time would serve no material purpose.

The agency of original jurisdiction has evaluated the condition as disabling to the extent of permanent partial 35 percent, 1925 schedule, extension 5, variant-thigh 6, and 30 percent under the 1933 schedule, page 19, diagnostic code No. 3176, on the basis of a severe injury to muscle group XIV, interfering with circulation.

From this review of the file, with consideration given to the character of the veteran's military service, the findings disclosed on official examinations and all other evidence of record, it is the decision of the Board of Veterans' Appeals that an increase beyond the current rating is not warranted on the evidence of record. It is further held by the Board that the evaluation of the degree of disablement as made by the agency of original jurisdiction is in accordance with the facts in the case under the controlling rating schedules.

APPEAL IS DENIED

The determination of the agency of original jurisdiction on the issue presented accordingly is affirmed and the veteran's appeal is denied.

Approved March 10, 1939, Board of Veterans' Appeals.

CASE NO. 2

MIAMI, FLA., *March 2, 1938.*

To Whom It May Concern:

On July 29, 1935, Mr. Edward J. Arthur called at my office to see whether arch supports would benefit his foot condition.

It was of my opinion that arches made from his own individual impression should help him. I made him such pair of supports and he did obtain a great measure of comfort and relief.

Mr. Arthur claims that his ankles were struck with shrapnel during the World War and if this being so I do think is greatly responsible for his foot condition. He paid $12.50 per pair for the supports made special for him at that time. He again needs

another pair as the old ones are worn out, making it very hard for him to walk. I believe that a new pair of supports will benefit him greatly.

Sincerely yours,

HENRY G. MICHEL, F. C.

VETERANS' ADMINISTRATION,
Bay Pines, Fla., November 7, 1935.

Mr. EDWARD J. ARTHUR,
2160 NW. First Court, Miami, Fla.

DEAR SIR: We are in receipt of your letter of November 5, 1935, requesting out-patient treatment.

Before any consideration can be given to out-patient treatment, it is desired that you inform us as to what conditions and disabilities that you desire out-patient treatment for. Upon receipt of this information, consideration will be given to your request for out-patient treatment.

Yours very truly,

H. C. LOCHTE,
Chief, Out-Patient Service.

Refused.

VETERANS' ADMINISTRATION,
Bay Pines, Fla., December 2, 1937.

Mr. EDWARD J. ARTHUR,
2217 NW. Miami Court, Miami, Fla.

DEAR SIR: We are in receipt of your letter of November 17, 1937, relative to have your arch supports repaired or replaced.

It is suggested that you report to Dr. Corren P. Youmans, 653 Southwest Second Street, Miami, Fla., who will conduct an examination in your case and inspect your present arch supports. Dr. Youmans will then submit his report to this office for the indicated action in your case.

Very truly yours,

H. C. LOCHTE, M. D.,
Chief, Out-Patient Service.

Refused treatment.

CASE NO. 3

MILITARY ORDER OF THE PURPLE HEART,
Philadelphia, Pa., April 25, 1939.

Mr. HERBERT A. CHURCH,
Chairman, National Legislative Committee, Military Order of the Purple Heart, 717 Rock Creek Church Road, Washington, D. C.

DEAR PATRIOT CHURCH: Complying with my promise, I am enclosing an account of a case which I have been handling before the Veterans' Administration. Whereas it does not involve major injuries, it does disclose a very typical situation before the veterans' rating boards. Whatever the situation may have been in the past, any veteran going before the Veterans' Administration at this time with a feeling that he will be given sympathetic assistance in the formulation of a possible claim is just "kidding" himself. He will find that the Veterans' Administration is not neutral but decidedly an adverse party.

It would be much more fair and businesslike if the fiction as to the disinterestedness of the Veterans' Administration were abolished and it frankly became what it now is. It would smooth the path of those of us who are representing veterans in that we would then have a system under which we could bring cases before the Administration on clear-cut issues and dispose of them. My experience under the present scheme is very unsatisfactory. After having prepared a case carefully and presented it as skillfully as I am able, I frequently have a decision rendered which entirely ignores the points I have urged and turns on some obscure point which the industry of some official has extracted from the record. The present set-up leaves us service officers in the position of frequently tilting at windmills.

In addition to the case which I have written up, there is a case of a veteran, Donald Hildreth, C 48-836. This man had a leg blown off while serving with the Yankee Division. Simultaneously with the loss of the leg an enormous scar which it took 30 stitches to close was inflicted above the hip. Due to laceration of the nerves, this wound caused the man untold agony; but it was not until 15 years after his discharge that he was awarded any compensation by reason of it. Apparently a great injustice has been done the veteran, even though he did receive compensation for the loss of the leg.

Yours in comradeship,

WADE GOBLE,
Judge Advocate, Department of Pennsylvania.

Dombrowski, Stanley, 6109 Reedland Street, Philadelphia, Pa.—C-278928.

While serving with the Russian expeditionary forces, this veteran was struck by a rifle or machine-gun bullet in the left hand. The wound was inflicted on March 23, 1919. The bullet struck first, the knuckle of the second finger, and continuing its course, smashed the tip of the index finger. The veteran says the bullet came from his left rear and struck his hand while it was extended along the stock of his rifle, thereby accounting for the course of the bullet.

At the time the veteran was discharged from the service on August 16, 1919, his discharge bore the notation, "Disability 25 percent." After some changes in the rate of compensation, the veteran on December 23, 1930, was awarded a permanent partial disability of 10 percent. The permanent effects of the wound at that time seemed to be a smashed knuckle joint at the base of the second finger and an unbending index finger.

UNABLE TO WORK AT HIS PROFESSION

During the past 2 or 3 years the veteran has experienced increasing pain in the hand and great difficulty in handling the tools of his occupation which is that of machinist's helper at the Philadelphia Navy Yard.

The veteran nominated the Military Order of the Purple Heart as his representative to investigate the case. At the request of the service officer of that organization, X-ray studies of the hand were made by Dr. Samuel Bruck, 2104 Pine Street, Philadelphia, a recognized roentgenologist, on April 14, 1939. These studies are herewith submitted. These studies demonstrate even to the eye of a layman that extensive spurs of bone accretion have developed deep into the tissue of the hand from the shattered knuckle joint of the second finger.

When these studies were submitted to rating board No. 3, of the Philadelphia office of the Veterans' Administration by Maj. Wade Goble, service officer of the Military Order of the Purple Heart, on April 24, 1939, Dr. Thomas W. Penrose, chairman of that board said: That in requesting additional compensation the veteran was risking the 10-percent award he already had; that the board had been extremely liberal in making a 10-percent rating; that under the regulations now in effect it was only a 6-percent disability; that since the veteran's occupation before the war was that of laborer, he could only be rated on variant 3, with the result that the board had already done everything possible for the veteran.

The Military Order of the Purple Heart submits that if Dr. Penrose correctly states the principles governing the award of compensation in this and similar cases the beneficent purposes of veteran legislation have been completely smothered in bureaucratic regulations. Here we have a genuine combat-incurred disability which seriously curtails the veteran's comfort and threatens his livelihood. With time his disability has become more serious, in line with common medical experience, yet the Veterans' Administration not only refuses to increase the compensation but would intimidate him as to what he already has.

CASE NO. 4

CHISAGO CITY, MINN., *April 4, 1939.*

Hon. JOHN G. ALEXANDER,
Congressman, Third Congressional District of Minnesota, Washington, D. C.

DEAR MR. ALEXANDER: I am taking the privilege of writing to you in regard to some information on veterans' affairs.

I am an ex-service man, having been disabled since service and drawing a statutory award. I was cut in 1933 by the Economy Act, but received back compensation after about 1 year. In 1936 and 1937 I spent 8 months and 10 days at U. S. V. Fac. 106 at Minneapolis, and I left there with an honorable discharge but did not get any diagnosis. After being home about 1 month I started to doctor and was taken to a private hospital where I got a diagnosis of Buerger's disease by Dr. V. Heseltine, of Taylors Falls, Minn.; Dr. Von De Weyer and Dr. H. B. Zimmerman, of St. Paul, Minn. Also Dr. Redabough, of Hastings, Minn., at St. Johns Hospital in St. Paul, Minn. I had my right leg amputated and two toes on my left foot. After this I was in Soap Lake, Wash., for further treatment.

The Bureau will admit it is an ex-service man's disease as 95 percent of men who suffer from this disease are ex-service men. My first complaint to them was in 1920 to the United States Public Health Service, but, of course, that is like a lot of other things, it is not on their record, and they told me that there was nothing wrong with my legs, which they have done from time to time, but I have had feelings of same since that time. In 1934 I was told the same thing by Dr. DeCourcy, even though my feet were swollen and painful at the time, so I then went to Drs. Chatterton and Von De Weyer in St. Paul, Minn., and was under doctor's care up to the time I entered the hospital. Of course, I have doctored with other doctors and have affidavits in there, at least three prior to 1925.

This is my trouble: I appeal my case every time they turn me down, but in June 1938 I appealed it. On June 27, 1938, it went through the adjudication office and I did not hear anything from them. So I made a special trip down to see Mr. Hibbard in the latter part of August 1938. I then had a hearing in about 3 days with a decision of pending. December 12, 1938, I was informed that it was turned down and that it would be sent to the board of appeals in Washington, D. C., which was misleading as I had not appealed it there. I also saw the rating sheets of December 12, 1938, in which my evidence was misconstrued by the rating board in order to be able to turn me down. However, I appealed it again at No. 106 as soon as possible with more evidence and I have not heard a thing from them to date.

How long is it supposed to take for an average appeal for service connection at No. 106 at Minneapolis, Minn., to go through?

Can you find out what rating Buerger's disease takes, and if not the most of the men suffering with it are drawing total?

The reason I went to a private hospital for my amputation I think has something to do with it, but I have no way of finding out, as I believe it is the fault for the delays. Mr. J. L. Monahan, of the D. A. V., says that I have as good evidence and better than some cases he has handled.

Not being able to work since 1934 to date, my finances are gone after paying private doctors, hospitals, trip to Soap Lake, Wash., artificial leg, but my living expenses, taxes, and incidentals run on the same. I would not have written to you if I did not think I have it justly coming, as I have proven my case way beyond a reasonable doubt, and according to the law I am supposed to get the benefit of the doubt.

Please do not write to the U. S. V. facility at Minneapolis, Minn., as I know by other cases what happens, as they are supposed to be working on my case now.

Thanking you in advance, I remain,

Yours truly,

SILAS E. SWENSON.

CASE NO. 5

SPRINGFIELD, ILL., *March 16, 1939.*

Hon. JOHN G. ALEXANDER,

House of Representatives, Washington, D. C.

DEAR SIR: It was indeed an honor to receive your communication of 13th instant.

World War veterans generally are totally ignorant of the disability clause in their contracts, also of the practically impossible conditions imposed when applying for disability benefits. This insurance is a service paid for in cash, as well as in service in war, not in any way related to pensions, compensation, etc., which you, of course, understand.

Officers of the Regular Army and Navy are automatically retired because of age at 64. Spanish-American War veterans are considered disabled on reaching the age of 65 and automatically receive a pension.

In this State and many others old-age assistance is immediately available to aged persons of 65 years and over.

After 27 years' volunteer military service in the Illinois National Guard, the Spanish-American War, and the World War, and in 1931, being then 64 years old, I applied for disability insurance benefits, being adjudged permanently disabled. Three years later I was required to submit to another examination, the insurance company desiring to ascertain if I was still permanently disabled. It was found that I was. Three years later, in 1937, then being 1 month short of attaining my seventieth birthday, the insurance claims council decided I had entirely recovered from my total, permanent disability and stopped paying monthly benefits, in addition to requiring resumption of premium payments amounting to $49.82 per month.

In my humble opinion, Congress should require the insurance company, when, because of age, a policyholder becomes eligible for disability insurance benefits to so rule and not leave the decision to the employees of a government agency, backed by rules and regulations not directly authorized by Congress.

While I have a personal interest in this matter, I also am greatly concerned for what will happen to other policyholders, as they grow older, and find they have been fooled, as I was, by the information pamphlets referred to in the copy of letter I sent you addressed Mr. H. L. McCoy.

Thanking you, sir,

Very truly yours,

FRANK S. WOOD,
512 South Second Street.

P. S.—You are at perfect liberty to use any and all information I have sent you.—F. S. W.

SPRINGFIELD, ILL., *March 7, 1939.*

Hon. JOHN G. ALEXANDER,

House of Representatives, Washington, D. C.

DEAR SIR: The last issue of the National Tribune contains a report of a debate in Congress in which the Veterans' Administration, in general, and the United States Government Life Insurance Co., in particular, were under consideration, and in which debate you were the outstanding champion of the veterans.

I take the liberty to enclose a copy of a letter I sent the Director of Insurance, which fairly well explains itself.

The insurance company misrepresented their policies, as shown therein.

When others presume to use the United States mails to disseminate false information when soliciting business they are sent to the penitentiary.

Am sure all veterans feel very grateful to you for your personal interest in their affairs.

I am in possession of the forms referred to in copy of letter I enclose.

Thanking you.

Very truly yours,

FRANK S. WOOD,
512 South Second Street.

Corporal and R. S. M., Fifth Illinois Volunteer Infantry, Spanish-American War.

Colonel, commanding Fifth Illinois Infantry, World War, and One Hundred and Thirtieth Infantry, Thirty-third Division, World War.

SPRINGFIELD, ILL., *February 28, 1939.*

Mr. H. L. MCCOY,

Director of Insurance, Washington, D. C.

DEAR SIR: After a careful analysis of its rules and regulations, including its nefarious secret code, its deceptive advertising matter, and statements made in correspondence with the writer during the past year and more, I am reluctantly persuaded that the United States Government Life Insurance Co. is a racket, malicious, despotic, and immoral.

You admit, your letter of April 22, 1938, that the following became a part of your insurance contracts March 9, 1918:

"Total permanent disability is defined as any impairment of mind or body which continuously renders it impossible for the disabled person to follow any substantially gainful occupation and which is founded upon conditions which render it reasonably certain that the total disability will continue throughout the life of the disabled person."

About 7 years after the foregoing became a part of the policies of the Government Life Insurance Co., policyholders were ordered to "convert" their insurance by July 2, 1926 (afterward extended 1 year), or lose their insurance.

This order was conveyed through the mails by means of a printed pamphlet, Form 752, revised August 1925, captioned "Information Regarding United States Government Life Insurance." The permanent total disability definition therein is as follows: "No additional premium is charged for the total and permanent disability provision, nor is there any limitation as to the age at which such disability may occur. The amount of insurance plus dividend accumulations less any indebtedness becomes payable in monthly installments of $5.75 per thousand, payable so long as the insured remains so disabled, even though such disability may continue for more than 240 months. Payment of premiums is waived for the period during which total and permanent disability installments are paid."

The dead line for the conversion of one's insurance, "or else," was fixed by the insurance company as July 2, 1927. The next above referred to "Information" pamphlet was current until November 1928.

On this date, November 1928, all policyholders who could do so had converted their insurance, then the insurance company elected to tell the whole truth regarding their contracts.

By omissions, at least, the insurance company, of which you are "director," sent advertising matter through the United States mail, prior to November 1928, and particularly covering the total and permanent disability provision in your contracts, which was utterly false and fraudulent.

A review of the intent of the authors and supporters of Government life insurance for veterans, as revealed in the CONGRESSIONAL RECORDS and public print when this project was being considered establishes the fact that the administration of this agency is not in any way related to the purposes and benefits proposed by Congress when it legalized Government life insurance and designated the United States Veterans' Bureau to administer it, and sundry veterans' affairs.

Apparently the insurance company immediately assumed that veterans were its legitimate prey, rather than its job was to serve the veterans. That whereas they were heroes when the war was on they are just hoboes now.

To that end the services of the best experts were enticed from "old line" and "blue sky" life insurance organizations whose job it was to devise ways and means to hinder and defeat the original intent of Government life insurance for veterans. When the energies and resources of the Nation were marshaling for war, planning to adequately care for the thousands who would thereby be deprived of health and opportunity, the Government Life Insurance Co. was resorting to the basest chicaneries to make it next to impossible for veterans to receive insurance benefits they and their dependents had been assured would be theirs.

There were no patriotic organizations then, such as the American Legion, Veterans of Foreign Wars, with others, and their auxiliaries to safeguard the interests of veterans, and the insurance company was quick to take cowardly advantage of it.

When our soldiers and sailors were engaged in either "intensive training" or in facing the enemy in foreign lands and on the seas, entirely unmindful of the fact they were sniped at from the rear by a Government agency in Washington, the insurance company secretly wrote into its contracts, March 9, 1918, the most insidious betrayal of confidence possible to conceive, that affecting permanent total disability benefit, referred to in third paragraph of this communication.

Furthermore, the insurance company either lacked the courage or the decency, or both, to give general publicity to its duplicity in any manner until more than 10 years after Armistice Day. By that time the insurable veterans had been "hooked" with new contracts.

Anyone reading all of the advertising matter broadcast by the insurance company prior to November 1928 is justified in assuming that a board of examiners of the Veterans' Administration, determines by rigid examination of an applicant for insurance benefits, whether or not said applicant should be awarded total permanent disability benefits. It can be further assumed if the decision is an affirmative one, the amount of insurance benefits becomes payable in monthly installments of $5.75 per thousand at insurance carried and in force.

In reality, however, should the insured find it impossible to properly provide a living and educate his family on the pittance received as disability insurance, and presumes to supplement that income by accepting a wage, salary, or gratuity kindly disposed friends offer, the insurance company promptly stops all insurance benefits, under authority of the pernicious secret provision written into its contracts March 9, 1918, and kept so until November 1928, and the resumption of insurance premiums are exacted.

The veteran is given no opportunity to be heard, nor no notice of the proposed action given him; privileges extended the worst criminal types mandatorily. The courts appointed and controlled by the insurance company, Insurance Claims Council and Bureau of Veterans Appeals, composed of its own employees acting as judge, jury, and executioners.

Under rules of the insurance company, an attorney for a veteran may charge but a very small fee for his services, approximately $30. A heavy penalty is exacted for any violation of that rule. One receives the impression thereby that a beneficent insurance company throws its protecting arms around the veteran. Read further and it will be found that the same code mandatorily provides that attorneys and experts of the insurance company receive $20 a day and expenses when attending court to assail a veteran trying for justice.

It is fair to presume that when a board of examiners of the insurance company determines a veteran is permanently totally disabled, therefore entitled to insurance benefits, that particular case is closed. That is where the enticed experts from other insurance organizations justify their high salaries, fees, and swivel chairs.

The insurance company has a definition of its own making for the word "permanent." Definitions of that word in all dictionaries were unsuited to the plans of the swivel-chair patriots. The word "permanent," according to the insurance company means you are permanently disabled only if you are unable to earn a little something. If a job offers where the veteran is actually disabled, but can articulate well enough to earn, that is considered evidence by the insurance company and its two astute courts that recovery from disability has been made.

From the time a veteran begins to receive insurance benefits until he passes on he is under the constant surveillance of the insurance company, either by questionnaires or examinations, or both. The veteran must comply with all orders of the insurance company whenever and wherever it suits the purposes of the insurance company to so order, or else.

No peace of mind for him. He is kept distraught. He is in the same predicament as the soldier depicted by Kipling in his immortal verse Boots. "There is no discharge from the war."

There is no subterfuge too mean and unfair the insurance company has not resorted to in its efforts to defeat the intent and purposes of Government life insurance as proposed by the framers and sponsors of the original act. One of the most insidious is a small volume of laws. This code will not be found in any public law libraries, nor can it be purchased, although it was published and paid for with public funds. Its contents are used, as a last resort, to club a veteran's case to death should he have the temerity to take his plea for justice into court.

SIX-PERCENT INTEREST CHARGED

The insurance company exacts interest at 6 percent on loans to veterans, secured by the veteran's policy. Another evidence of its concern of veterans.

That a veteran has no rights the insurance company respects is well exemplified in its form 579, with particular reference to paragraphs 16, 18, and 20 thereof. This form "must" be filled out in "detail" by a veteran making claim for total permanent disability benefits. Here are the three paragraphs above referred to.

"Paragraph 16—Requires the veteran applicant for total permanent disability insurance to state if treated by a physician, or physicians during previous year to submit a supplemental statement by such physician or physicians, on physician's letterhead, showing length of time under treatment, history of condition, physical and laboratory findings, diagnosis and prognosis, and any other pertinent medical data relating to the veterans' condition.

"Paragraph 18—Industrial history: Veteran is required to list his occupations since date of his discharge from the service including names and addresses of all employers, beginning and ending dates of employment, usual number of hours worked each day, number days worked each week, average weekly wages, amount of time lost on account of illness, reason for termination of employment. If self-employed, give nature of business, period, volume of business, help employed, gross and net income, time lost on account of physical condition. If unemployed, state periods and reasons. Detailed answers must be made hereto.

"Paragraph 20—I consent that any physician or surgeon who has treated or examined me for any purpose, or whom I have consulted professionally, any insurance company or organization to which I have applied for insurance, or any person, persons, firm, or corporation to whom, or to which I have applied for employment, may divulge to the Veterans' Administration or testify as to, or produce in court, any information obtained by them, or it, concerning myself by reason of the foregoing, and waive any privilege which renders such information confidential."

It would be difficult to even imagine that such arrogant, tyrannical, and impossible requirements would be made of a veteran by a United States Government agency, were not the printed words in evidence. Hitler, Mussolini, Stalin hopelessly outclassed; Capone, "Bugs" Moran, Hines in the piker class comparatively.

By what right, unless might makes right, the insurance company presumes to pry into the most personal affairs of an American citizen, even though he be but a veteran, is inconceivable. What has the ancient history of an applicant for insurance benefits to do with his eligibility for same? Why not complete the tyrannical outrage and violate the sacred precincts of the confessional?

To what ends? The greatest profit accrues to the insurance company through lapses and confiscation of policies. The large salaries enjoyed by swivel-chair patriots must have justification.

The President of the United States has again asked Congress for authority to reorganize Government bureaus in general, and this nefarious "war risk insurance" racket is one of them. More power to him.

Respectfully,

FRANK STOBIE WOOD,
512 South Second Street, Springfield, Ill.

I have pictures accompanying cases Nos. 1 to 3 and only wish they could be inserted in the RECORD, as they graphically show better than words can describe the evident injustices being perpetrated day after day and year after year under our present laws. From the pictures in connection with cases Nos. 1 and 2 it can plainly be seen that the wounds warrant much different treatment and ratings than those given up to this date. In case No. 3 it is evident from the X-ray exhibit that the bone splinters and growths are such as to warrant this veteran in not working at his usual trade of machinist's helper, and it is doubtful if he could find other work. Under the 10-percent ruling of the Veterans' Administration in his case, as seen above, he is forced to work, although the bones in his splintered fingers are a continuous source of pain and anguish. Case No. 4 is a very tragic one, as you will note by reading its history as recounted in Mr. Swenson's letter above. There is nothing which the Government should leave undone to aid this veteran, as he is gradually losing both his arms and legs from Buerger's disease. There is not the slightest shade of doubt but that his disease is the result of his service.

Case No. 5 shows to a slight degree the injustices which have continuously been perpetrated by the interpretations put out under our present World War Veterans' Insurance Act put on the statute books by previous Congresses. The need for correction of these defects in the law is apparent, and section 8 will cover one item wherein a veteran is forced to pay an exorbitant rate of interest on his insurance-policy loans, although the Government can get all the money it needs for slightly over 2 percent and although all other investments of reserves held by the Veterans' Administration have produced only 4⅛-percent return, according to the testimony given by administration officials at our hearings on this bill. Is it justice to force a man who has been trying to protect his estate by carrying life insurance to pay 6-percent interest on a loan when high interest rates are a thing of the past?

In this connection I insert at this point a resolution passed by the American Legion Department Convention of my State last August, which indicates several needed reforms in our Government insurance:

1. That Congress investigate the insurance section of the Veterans' Bureau with a view to determining the equity of the present costs to the veteran.
2. That the policies be changed to provide that the insurance will not lapse for nonpayment of premiums as long as the loan value is sufficient to pay such premiums.
3. That interest rates be reduced to not more than 3 percent, and that such reduction be made retroactive to the date the loans were made.
4. That the nonassignable clause in policy be removed, and that the veteran be given full control over its disposition.
5. That the insurance division of the Veterans' Bureau be requested to improve the service in general and place it on a plane more comparable to that rendered by commercial insurance companies.

The foregoing was adopted by the convention delegates as part of the rehabilitation program for 1938. The full text of the insurance resolution follows:

Whereas there has been a growing dissatisfaction among those World War veterans who are carrying converted Government insurance based on costs, types of policy, interest notes on loans, and service in general; and whereas some posts have made a study of the reasons underlying these dissatisfactions and find as follows:

1. Annual costs: That the net annual cost of the Government insurance is higher than seems reasonable when it is considered that there are no agents' fees to be paid, and that the Government is supposed to pay all operating costs. We find that for some classes of policies the costs are about the same or even a little higher than those of some of the larger insurance companies.

One individual case investigated reveals that the veteran took out a $10,000 straight life policy at the age of 47 for which the annual premium, based on quarterly payments, is $31.60 per $1,000. Inasmuch as the policy does not and has not for many years paid a dividend, this $31.60 represents the net cost per thousand.

At the same age (47) the veteran took out a $2,000 policy in one of the larger mutual companies on which he pays a quarterly premium of $21.08, or $42.16 per $1,000 per year. However, this latter policy has consistently paid an annual dividend of about

$10.50 per $1,000, making the net cost approximately $31.66 per $1,000, or the same as the Government.

Both policies have a permanent-disability clause and are very comparable. The premium of the old-line policy is sufficient to pay all agents' fees, overhead, etc., that are not required of the Government premiums.

2. Lapses: The policy contract is such that the insurance lapses if the premium is not paid before the end of the 31-day grace period, even though there may be a substantial loan value. The policy referred to under paragraph 1 and most all other policies issued today provide that the insurance will not lapse for nonpayment of premium as long as there is sufficient loan value to meet the premiums. In case of nonpayment the loan is made automatically.

We have knowledge of numerous cases where this feature has saved policies during the depression. The Government contract could and should incorporate this feature without adding to the cost.

3. Interest rates: The contract provides that loans shall be at a rate not to exceed 6 percent compounded annually. No minimum interest rate is specified. We fail to find any case where less than the maximum rate of 6 percent has been and is being charged.

The World War veteran being no different from the cross-section average of American citizenry, has suffered from the depression of the last decade and the collapse of values just as have the others. Many—yes, most—with or without employment, have been forced to borrow money to keep off of relief rolls as long as possible and to protect investments.

Many policies are rapidly becoming valueless due to the accumulation of interest at this high rate. Many veterans' families, for whom the veteran has earnestly attempted to provide an estate, are going to be left destitute and to the mercies of charity.

The Government has adopted the policy of lending money to others in distress at substantially lower rates and on security that is frequently of a doubtful nature, and we see no reason why the rates to veterans on such gilt-edge security should not be retroactively reduced to around 2½ or 3 percent.

Inquiries made regarding high rates of interest now charged have been met with the argument that this rate increases the dividend, that the policyholder himself is the beneficiary; and that it is a good thing in that it discourages borrowing. In view of the very small dividend paid (on such policies as are paying anything and to the large number that are paying no dividend at all) we believe this argument to be without merit. Further assuming that it has some merit, we do not believe that any veteran wishes to be the recipient of dividends for which a comrade is penalized.

4. Nonassignable clause: The policy contains a provision that it cannot be assigned, which makes it useless as security for loans from banks or other institutions that would be glad to make loans at rates less than 6 percent, even as low as 4 percent.

We are told by representatives of the Veterans' Bureau that this is in the interest of the veteran in that it discourages borrowing, and that it protects the veteran's family by preventing the veteran from assigning his policy and losing it.

This paternal interest may have been proper 20 years ago, when many of us were young and inexperienced. But in our now mature years it would seem that the veteran should have fuller control over his own affairs.

We have knowledge of cases where, had the Government policies been assignable, loans made from the Government could have been negotiated at banks at a lower rate. Further, from such inquiries and observations as we have made, we find that loans made locally with a definite maturity date are more frequently finally paid than are those made from the Government or insurance companies.

5. Service in general: Investigation of complaints of poor service has revealed cases where it has taken months for veterans to secure insurance. There are cases where policies have lapsed because premiums were received by the Bureau a few days late and the veteran did not receive notice of such lapse until 30 or 60 days later.

We see no reason why such conditions should exist and why the veteran should not reasonably expect to receive the same prompt and efficient service from the Veterans' Bureau as he gets from other insurance companies.

After reading these cases, one is constrained to ask the question, "Justice, where art thou?" If these disheartened veterans insist that there is no justice, they can hardly be blamed. Nor is such a situation conducive to the encouragement of service to one's country. No wonder Secretary of War Woodring is hard pressed for recruits for his program of national defense.

In view of the evident need for amendments to the present law and quick action to save these brave men from further needless pain and suffering, I hope you will support this bill. We can never repay them for the sacrificial service they have rendered, but we can see that they get some measure of justice.

War is a horrible thing and a wasteful thing and we want no more of it. These cases are tragic reminders of its ravages and its destruction of human happiness and values. But to these who have fought for us, I say there is nothing which a grateful nation should withhold or leave undone to repay the debt of gratitude we owe them for their sacrifices in order that liberty might live and democracy be preserved.

Economy in government is a good thing and I am for it, but to me it must be secondary when justice and mercy call as loudly as they do in the case of our war disabled.

(Mr. ALEXANDER asked and was given permission to extend his remarks and to include therein various papers referred to by him.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield such time as he may desire to use to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, H. R. 5452, reported by the Committee on World War Veterans' Legislation and now under consideration, will benefit about 140,000 disabled veterans, widows, minor children, and dependent parents of veterans. This measure does not go as far as I should like to have it go, but I wish to say to the Members of the House that I strongly favor it and express the hope it will be passed without a dissenting vote.

Many World War veterans who received wounds from shell fire, accidents, or gas have been denied compensation because the Veterans' Administration has held that they are less than 10 percent disabled. This bill provides that the Administrator of Veterans' Affairs is authorized and directed to give every World War veteran who enlisted in the World War before November 12, 1918, or saw military service in Russia before April 2, 1920, a minimum permanent rating of not less than 10 percent for all wounds incurred in line of duty in active service. It is estimated by the Veterans' Administration that this section of the bill will benefit 87,000 World War veterans and pay them $10,500,000 annually. This section 7 also changes the law so as to benefit the widows, children, and dependent parents of World War veterans. As the law now is, before a widow or minor child of a World War veteran can secure compensation they must prove to the satisfaction of the Veterans' Administration that the death of the veteran was due to service or that the veteran at the time of his death had a 10-percent permanent disability contracted in the service in line of duty. Dependent parents under present laws have to prove that the death of the veteran was due to disabilities incurred in the service in line of duty. Section 7 of this bill fixes by law a permanent disability of not less than 10 percent for each and every World War veteran who incurred in line of duty during the World War any wound or wounds. This provision will grant at least a 10-percent service-connected disability for every World War veteran wounded in line of duty and give to him at least a 10-percent rating, although he may have recovered entirely from his wounds, though great or slight. He will receive at least a 10-percent rating and compensation, and on his death his widow and children and dependent father and mother will receive compensation or pension. Section 7 therefore is of great importance to the veterans themselves as well as to their widows, minor children, and dependent parents.

Section 5 of the bill grants increases, it is estimated by the Veterans' Administration, to 27,800 widows now on the rolls, increasing the pensions of these 27,800 widows $2,505,000 annually.

Sections 1 to 4 of the bill liberalize the present law and will add at least 3,000 new widows' cases, at an estimated annual cost of $1,306,000. It will increase the compensation and pensions of 14,850 widows now on the rolls, at an estimated annual cost of $1,426,000. It will add 5,200 dependent parents of 4,300 deceased World War veterans to the compensation rolls at an estimated cost of $2,300,000 annually, making an increase in the compensation rolls of widows and dependent parents of 23,050, at a total estimated cost annually of $5,032,000. There is a limitation in section 1 of the bill denying these increases and other benefits provided in this act to single or unmarried persons whose annual income exceeds $1,000 or to any married person or any person with minor children whose annual income exceeds $2,500, but it excepts specifically from these exemptions payments of war-risk term

insurance, United States Government life, converted, insurance, and adjusted compensation.

Under the present laws, before the dependent parents of World War veterans can secure benefits it is necessary to show that the death of the veteran was due to disabilities contracted in the service in line of duty. This act changes that requirement, and provides that benefits shall be paid to dependent fathers and mothers of World War veterans where it is shown that at the time of the veteran's death he had a disability directly or presumptively incurred in or aggravated by service in the World War for which compensation would be payable if 10 percent or more in degree. Section 7 benefits them.

Section 3 of the act provides for an increase in the pensions of the widows of World War veterans where the death of the veteran has not been shown to be due to service but where the veteran has been shown to have been 30, 20, or 10 percent disabled from service-connected disabilities at the time of his death. These widows under present laws are pensioned at the rate of $22 per month. This bill provides a pension of $30 per month for them.

Section 5 of the bill provides an increase of $7.50 a month for the widows of World War veterans where the death of the veteran has been shown to be due to service. The total amount of compensation which could be paid to the widow and child or children under Public, No. 304, was $75 per month, but under this bill it is increased to $82.50 per month.

I have always favored a pension for the widows and minor children of World War veterans, whether death was due to service or whether there was a 10-percent permanent service-connected disability or not. Our pension laws have for years granted to the widows and minor children of Spanish-American War, Boxer Rebellion, Philippine Insurrection, and Civil War veteran pensions, without requiring any proof that the death of the veteran was due to service or that he had any service-connected disability. I can see no good reason why there should be any discrimination between the widows and minor children of World War veterans and the widows and minor children of our other wars. If it is right for one, it is right for the other. I have introduced a bill in each and every one of the Congresses for the past several years to accomplish this purpose, and I shall continue to fight to eliminate this inequality and discrimination.

Section 6 of the bill grants not less than $100 per month compensation to all veterans of the World War, Spanish-American War, Boxer Rebellion, and Philippine Insurrection in case that such veteran suffers the loss of one hand or one foot or one eye. The Veterans' Administration could grant more than $100 per month. It must allow at least $100 per month. The law is not changed in case of the loss of both hands or both feet or both eyes. It is estimated that this will benefit 2,723 veterans under these groups, at an annual estimated cost of $714,000.

OPPOSED TO SO-CALLED ECONOMY ACT

I have opposed, and I still oppose, the so-called Economy Act forced through Congress on March 20, 1933, and have from time to time introduced bills to repeal that act. That act caused untold suffering to hundreds of thousands of disabled veterans and tens of thousands of widows and minor children.

The bill before us does not go far enough to suit others and myself in the House. It is brought up, however, under the suspension of rules of the House, and no amendment can be offered or considered to the bill. We can only vote for or against the bill as it is. The World War Veterans' Committee has brought out this bill that no doubt does not measure up to what they should like to present to the House, but they realize the conditions that confront the House and Senate so far as legislation for veterans and their dependents is concerned, and they seem to think this is the best bill we can get through; and the hope is expressed by some of the members of the committee that we may be given an opportunity to vote for other legislation for the veterans and their dependents before Congress adjourns.

I would not feel justified in opposing this bill because it does not go as far as I should like for it to go. It will at least bring benefits to approximately 140,000 veterans and their dependents, and I am very happy to have an opportunity to help that number. I sincerely trust that one or more additional bills will be brought in by the committee before the Congress adjourns.

There is considerable talk now about another war. We are spending billions for national defense. I have urged many times that no appropriation could be more helpful for national defense than appropriations to do justice to those who have served our country heroically, patriotically, and courageously, and their dependents. This Nation must never be lacking in gratitude to its defenders and their widows and orphans. If our Nation follows that course, it will never want for defenders.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, this measure is no doubt termed by the majority of the Members as a veterans' measure. It, too, can be classified as a measure for peace, national defense, and neutrality. I make that statement having in mind that the care and welfare of a veteran of any war and his dependents is a duty of this country.

There is far more behind this bill than an act of simple justice to the armless and legless veterans, to the widows and orphans and mothers and fathers of men who gave their lives in war for their country.

This bill is another sharp reminder of the cost of war—the price paid in terms of human life, blood and suffering, in tears and grief, as well as money.

Let the mothers and wives of today and the brides of tomorrow examine this measure to learn what they may expect from a grateful Government if they are called upon to sacrifice a son, a husband, or a sweetheart if America goes to war again.

Examined in the light of human life and grief, the cold figures of an increase in widows' pensions from $22 to $30 a month become eloquent and impressive arguments for peace, neutrality, and national defense.

Let me emphasize that national defense does not contemplate sending American boys beyond American frontiers to fight in foreign wars.

Let me stress the fact that neutrality means keeping out of other people's wars, not taking sides in advance, as proposed in the Pittman miscalled Peace Act of 1939. That unneutral proposal would amount to a blind declaration of war. It would make certain that Congress, in the not-distant future, would find it necessary to pass further legislation to compensate with money the loss of human life, a lifetime of crippled martyrdom, and to soften the grief of widows and orphans and bereft parents.

This legislation represents many days of study on the part of the World War Veterans' Committee, during which time testimony was taken from representatives of all veterans' organizations and other interested persons.

While some believe this bill does not go far enough, I feel that it is, at least, a step in the right direction. Moreover, I believe it is one which not only will receive the approval of the body on the other side of the Capitol, but the gentleman at the other end of Pennsylvania Avenue, who has not always approved veterans' legislation.

Sections 1 and 2 are designed to remove the 10-percent disability provision in the present law. That provision has denied many widows and orphans of benefits to which they were entitled by reasons of the type of service rendered by the veteran and the disability incurred in service, but not adjudged the required 10 percent or more. These sections also add the dependent mother or father to those entitled to benefits.

Sections 3 and 4 simply grant increases in benefits to widows and orphans and other dependents. For instance, in the case of a widow whose husband died as a result of a presumptive service-connected disability, under the present law, she receives $22 a month. This measure would increase that

widow's benefits to $30 a month, if she has no child. It would be increased to $38 a month if she has a child. No change in rate of benefit is made in this section for additional children. This section further establishes for dependent mother or father a rate of $45 per month, or both, $25 each.

The estimated cost sections 1 to 4, inclusive, are as follows:

New cases, 3,000	$1,306,000
Increases to those on rolls, 14,850 widows	1,426,000
Dependent parents, 4,300 deceased veterans (5,200 parents)	2,300,000
Total estimated cost	5,032,000

Mr. LEWIS of Colorado. Will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. LEWIS. Does this legislation propose to change already established date of marriage dead line for widows of Spanish War veterans?

Mr. VAN ZANDT. No. This legislation does not concern widows of Spanish War veterans, but concerns dependents of World War veterans, and in their case the existing marriage provision is not disturbed.

Under section 5, 27,800 widows will receive an increase amounting to $2,505,000. In the case of a widow, under 50 years of age, whose husband died of a service-connected disability, and who now receives $30 a month, would receive $37.50 or an increase of $7.50 a month, under this bill. The widow of 50 to 65 years will receive an increase from $37.50 to $45 a month, or an increase of $7.50.

One of the most important sections in the bill is section 6, which concerns 2,723 World War veterans and a small number of Spanish-American War veterans, a group commonly referred to as amputation cases, due to the loss of hand, foot, or eye. This section provides a minimum rate of $100 per month for the loss of a hand, foot, or eye.

There appeared before our committee a number of World War veterans suffering from amputations. Each was frank to state his amputation has been continually aggravated by his daily pursuits as well as being affected by the constant change in weather. All the veterans in this class ask for is a reasonable amount on which to live. It is true that we may be establishing a precedent by fixing a minimum of $100, yet we feel the amount is just in such cases. The total cost of this provision is $714,000.

Mr. MILLER. Will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. MILLER. Is it the opinion of the committee that an amputation below the knee, for instance, is worse than a disability such as gastric ulcers or a condition which will keep a man in bed half the time?

Mr. VAN ZANDT. I would be inclined to say that an amputation disability is permanent. A veteran suffering from a disability such as gastric ulcers may have a chance to recover.

Mr. MILLER. I think I can make an observation from experience. I would much prefer to have the amputation than a condition that keeps a man sick half the time.

Mr. RANKIN. The men who appeared before the committee with their arms and legs off testified that they did suffer, a great many of them immeasurably.

Mr. VAN ZANDT. That is correct.

Section 7 is entirely new legislation. It would establish a minimum rating of permanent partial 10 percent for wounds incurred in line of duty, in active service, in the World War. This new rating is designed to take care of 87,000 overseas World War veterans, the men who served in the front-line trenches, whose bodies were drilled by machine-gun bullets and torn by shrapnel and burned with mustard gas. This new rating was established to meet the inevitable aftermath of war. Many men received severe wounds but apparently recovered completely. Only the scars were left to show where the bullets struck. But after a lapse of many years, the effect of the wounds already have become apparent and taken a toll of their strength, and others will crack as the years go by. With their 10-percent rating already established, it will simplify their efforts to receive additional benefits if more serious complications develop. It no longer will be necessary for this battle casualty to search for comrades or officers, many of whom may have died, to furnish affidavits and establish a claim for an honorable wound, for which a grateful government always is willing to compensate a loyal citizen.

Another important feature of this new rating concerns the widow of the veteran. This will obviate the necessity of the widow scouring the country to get in touch with her late husband's comrades in order to establish the service-connection of his disability.

Mr. RANKIN. Will the gentleman yield right there?

Mr. VAN ZANDT. I yield.

Mr. RANKIN. If the veteran has a battle scar and does not apply for compensation himself, he is assured that if he dies from any other disability, his widow and orphan will be taken care of.

Mr. VAN ZANDT. The chairman is correct.

Lastly, is the insurance provision of this proposal. With the depression upon us and many thousands of veterans out of work, those of us who have been fortunate enough to continue our war-risk insurance policies and who have had to borrow money on the policies have been charged 6 percent interest annually on the loan.

The old-line companies today charge 5 percent interest on new loans, while the veterans are expected to pay 6 percent on old and new loans. If this provision is adopted the rate of interest will be reduced from 6 to 5 percent, adding no cost to the Government immediately. However, there will be a decreased amount of income to the United States Government life insurance fund of $1,500,000 per year on outstanding loans, resulting in a corresponding reduction in dividends payable to policyholders.

Members of the House, the total cost of this bill is $18,751,000, a mere drop in the bucket in comparison to the billions being spent on relief, national defense and for other functions of our Government. Every penny of this amount goes to those citizens who have defended their country in times of emergency, or to their dependents and a vote for this measure is your approval of our Government's recognition of service on the part of a group whose contribution to the defense to this country was above and beyond the duty of an ordinary citizen.

Mr. RANKIN. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. COSTELLO].

Mr. COSTELLO. Mr. Speaker, it is rather futile to attempt to oppose legislation of this character in the brief space of 1 minute. I am not opposed to the entire bill, because I believe that the committee has done well in drafting this legislation when one considers the numerous bills which were considered by the committee. Many bills making far greater demands and seeking to obtain countless benefits for veterans and their dependents were the subject of the committee's deliberations. However, this legislation unfortunately does not mean that these excessive demands have been rejected, since they may become the subject of House consideration at a later date.

Under the present method of considering this legislation it is not possible to so much as offer an amendment to the bill. Under the suspension of the rules only 40 minutes of debate is permitted, the debate is controlled by members of the committee, and at the conclusion of the debate the bill must be either passed or rejected as written. Nevertheless, I wish to call the attention of the Members to section 7 of this bill, which section, in my opinion, should not be enacted into law. Yet to eliminate this section it would be necessary to defeat the passage of this bill today and then consider the bill at a later date under a rule permitting amendment of the bill. Even though this bill were to be defeated today, it would still remain upon the House Calendar and be eligible for future consideration.

This bill is going to add $18,751,000 cost to the Veterans' Administration the first year. No estimate of the annual increases has been made, and so it is not possible to conjecture

as to the ultimate cost of this single piece of legislation. Needless to say that the cost will mount steadily year by year for more than 20 years before the peak will be reached.

Section 7 of this bill will cost $10,500,000 alone the first year, placing as it does 87,000 new cases on the veteran rolls. This section requires that the Administrator of Veterans' Affairs shall insert in the rating schedules of the Veterans' Administration a minimum rating of permanent partial 10 percent for wounds incurred in line of duty in active service during the World War. In a word, every World War veteran who received any injury whatsoever in line of duty while in active service shall automatically become entitled to a rating of permanent partial 10 percent. Regardless of the nature of the wound, regardless of the degree of injury, regardless of the character of disability, even regardless of the total lack of any disability whatsoever, nonetheless the wounded veteran shall hereafter be deemed to be not only 10 percent disabled but permanently 10 percent disabled.

The gentleman from Pennsylvania [Mr. VAN ZANDT] has told you that this is done for the benefit of the widows and orphans; in other words, we are not interested in the veteran who suffered the disability; we are only passing legislation for the sake of the widows and the orphans. I ask you, who went to war and who fought the battles? Is it the widow who married the veteran 20 years after the war is over? Or is it the widow who married the veteran 35 or 40 years after the war is over, as is possible in the case of Spanish War veterans? We grant no compensation to a veteran who is only 10 percent disabled, but the widow need only show a 10-percent disability in order to have her name placed permanently on the pension rolls. Because we are legislating not for the benefit of disabled veterans but only for the benefit of their dependents, we are therefore unable to pay adequate compensation to those who today really bear the marks of war and who actually suffer disability.

The gentleman from Connecticut [Mr. MILLER] has just been complaining about the total inadequacy of the compensation given for amputation cases. Well may he do so. The reason that we are unable to properly provide for such genuine disability cases such as he speaks of, is due to the fact that we are providing more generously for those who did not participate in the war, for those who did not suffer any disability, and who perhaps are not properly entitled to receive any compensation. It is because of such legislation as is contained in this section 7 that the benefits payable to the deserving veterans must necessarily be reduced to such a point that it is not adequate to provide for the truly disabled. It is because we pass legislation such as this, which entails a cost of $10,500,000 the first year, with rapidly increasing costs annually, that we are unable to do justice to those whose disabilities originate in their wartime service to the country.

To further emphasize the point that I am endeavoring to make, let me call your attention to section 4 of this bill, which makes pensions available to the dependent parents of veterans whose deaths are not due to service-connected causes. This section alone adds the names of 5,200 parents to the veterans' rolls owing to the deaths of 4,300 veterans. The added cost of this section of the bill is $2,300,000. If you were to reject this bill today, and permit it to be later considered under a rule, you might then offer amendments to this bill to eliminate these two sections, sections 4 and 7, and thereby save a total of $12,800,000, a saving which could then be applied to augmenting the payments to those who have a just and meritorious claim upon the Government for adequate compensation for genuine service-connected injuries and truly permanent disabilities. Even though I may be but the voice of one crying in the wilderness, yet I nevertheless recommend that this procedure be followed here today, in order that exorbitant costs may not be saddled upon the Veterans' Administration and so that the truly deserving may be given more appropriate treatment.

If we continue upon the present course which we are following in regard to veterans' benefits, we will soon find that the annual cost of the Veterans' Administration will exceed the amounts appropriated for that purpose in the years just prior to the Economy Act. Before long the question of economy on the part of the Government is going to be foremost in the minds of the people of this Nation. When that occurs, you may be assured that the Veterans' Administration is going to be found in the embarrassing position of a billion-dollar bureau, merely because we here today are endeavoring to be kind friends of the veterans and so are adding $18,751,000 annually to the more than $500,000,000 which the Veterans' Administration is now costing. Yet this is only one of many veterans' bills to be passed by this House during the present session, with the promise of numerous other measures to follow. Individually, one bill is of little moment, but the mass of legislation each session gradually amounts to a staggering total, a total which the people of the Nation will not endure. The Nation cannot afford a billion dollars for the Veterans' Administration, a billion dollars for national defense, and a billion dollars for agriculture, along with all the other huge appropriations for the various regular departments of the Government as well as for the emergency agencies. In my opinion, we will be better friends of the veterans if we follow the advice of the gentleman from Connecticut [Mr. MILLER] and give adequate compensation to those who suffered real disabilities, rather than give permanent rating to passing injuries from which the veteran has completely recovered.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

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

Mr. CASE of South Dakota. Mr. Speaker, I merely wish to observe that I am glad to see the insurance clause lifted. The chairman of the committee and the ranking Republican member, the gentlewoman from Massachusetts [Mrs. ROGERS], will recall my somewhat heated remarks on the subject when the widows and orphans bill was revised in the Seventy-fifth Congress. I said at that time, and I say now, that it was unfair after a veteran died to charge against the pension that would be paid his widow and children the amount of the insurance they might draw from the insurance benefits he had bought and paid for.

When we were urged to take out that insurance when we were in the Army, the Navy, or Marine Corps, the one big argument used was that it would be insurance—not a pension. And many a veteran has denied himself personal comforts in order to keep that insurance up for his dependents, as something over and above what the Nation might do in the way of widows' and orphans' compensation.

Had the veteran taken that insurance from a private insurance company, the Government could never have deducted a like amount from monthly pension or compensation benefits; and the veteran paid for his Government insurance in cash the same as he did for any other insurance. It was never a gratuity, it was insurance, bought and paid for.

I am glad that this bill proposes to wipe out the disgrace of charging it up to disability compensation for widows and orphans.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEYER of California. Mr. Speaker, under doctor's orders against engaging in debate on the floor for a limited time, it is impossible for me to say much here. I simply will state that I am wholeheartedly in accord with this measure. My only objection is that it does not go far enough. I hope my colleagues will not forget those who were willing to make the supreme sacrifice when their country called.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, as a member of the committee that brought in this legislation, I want to highly recommend it to the House. I am one of those who did not vote for the so-called economy bill, and I am for restoring everything that was taken from the veterans in that legislation. This bill—H. R. 5452—does not go far enough, but it is a step in the right direction. I am particularly interested in taking care of not only the veterans but their wives, widows, and orphans. I hope the bill passes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield the remainder of my time to the gentleman from Ohio [Mr. ROUTZOHN].

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 1½ minutes.

Mr. ROUTZOHN. Mr. Speaker, I repeat a statement made by a previous speaker, that if this were the only legislation to be offered for the benefit of veterans, their dependent parents, their widows and orphans at this session of the Congress, I would not be here favoring this bill without offering numerous amendments thereto. I am here unqualifiedly favoring this bill, however, because I believe it meets a number of wrongs we are attempting to right. We cannot in all instances, because of certain circumstances, hope to correct all the mistakes, right all the wrongs, that have previously been made and perpetrated against the veterans of the World War and those dependent upon them, but this bill does attempt to correct certain mistakes and right certain wrongs.

The committee worked hard, laboriously, and long in an endeavor to satisfy the various demands made upon it by the exigencies of the situation. The earnest desire of the members was to obtain as much favorable legislation as possible and at the same time avoid serious opposition and possible Presidential veto. We have not enlarged the benefits as much as we should or as much as I trust we can and will at a future time. Furthermore, we have not restored to the World War veterans all that has been taken from them heretofore by a false economy measure.

The veterans of the World War are entitled to all that has been previously taken from them, and I am in favor of restoring now, or as soon as it can possibly be effected, all those rights and benefits former Congresses promised, granted, and voted them, and I, as a Member of Congress, will not be satisfied with World War veterans' legislation until we have not only restored those rights and benefits but have placed in the law of the land all the provisions to which the veterans, their parents, their widows, and their orphans are justly entitled. [Applause.]

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, may I inquire how the time stands?

The SPEAKER pro tempore. The gentleman from Mississippi has 4 minutes remaining. The gentlewoman from Massachusetts has consumed all her time.

Mr. RANKIN. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. FAY].

Mr. FAY. Mr. Speaker, I think the committee has not gone far enough in the matter of amputation cases in giving them $100 a month.

I am chairman of the World War Amputations Association of New York. Recently we made a poll of our members. Seventy-five percent of them are out of employment because no one wants to hire them. I have in my possession two letters from the United States Civil Service Commission telling two men who lost their legs but who were trained by the Federal Government after the war to be linotype operators, that they had passed their examinations for the jobs but that they were physically unfit to fill them. If our Government will not give these men work how can we expect private industry to employ them? [Applause.]

Mr. Speaker, it is a crime! These men cannot even come to our meetings, because of the small amount they receive as compensation—they are trying to support and bring up large families. [Applause.]

The men who lost their legs or arms in the war are not seeking charity but justice. I appeared before the Veterans Affairs Committee after I had introduced a bill whereby the World War Risk Insurance would be made available to veterans who lost a leg or arm during the war, for it is my belief that inasmuch as we paid for this insurance during the war, we were entitled to collect our just reward when we were disabled permanently for life.

We are getting older and our artificial limbs are getting harder to carry. I know this from personal reasons, for I was a patient at Walter Reed Hospital from November 10, 1938, to March 24, 1939, due to an infection of my stump which was caused by intensive use of my leg last September and October. My mind goes back to a few years ago when I was able to do anything another man with two legs could do.

Let me say that when I appeared before the Veterans Affairs Committee with Morris Novgrod, who represented the World War Amputations Association of the Disabled American Veterans, the chairman, Mr. Rankin, said that it was the first time in his memory that the "Amps" asked consideration. If you do not grant any more than $100 minimum, I trust that in the Congress of 1940 you will have available all records and statistics to prove that these men are entitled to full disability compensation. Private firms will not hire them and now, as I said before, the United States Civil Service Commission refuses to certify for appointment to the United States Government Printing Office two men who were trained in printing work by vocational training after the war by the United States and who are now ineligible, even though they lost their legs defending our country.

Gentlemen, you are taking a long-needed step in the right direction. Please go further and grant them total permanent disability.

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Speaker, it is my opinion that in most cases those who were disabled by service-connected disabilities have been fairly well cared for. It is true, in a number of cases the veterans probably have not received compensation commensurate with their disabilities.

But it is my belief, after having served on this committee for 3 months and having read a great deal of testimony, that the greatest disability not compensated by the Government today is the World War veteran who served his time but who since the war has been disabled and rendered unable to earn a living. That is, there are a considerable number of World War veterans who are disabled for life but because they are not permanently and totally disabled there is no law by which they may be compensated. Of course, I think the duty of the Government is first to those who were disabled in line of duty, but I happen to know a number of veterans who are not in a position to trace their disability and prove that it had its origin while in the service, but they are wholly incapacitated for work, unless it be of the lightest kind, and I am prepared to say now that I will welcome an opportunity to help enact legislation for the benefit of those who have a disability of as much as 25 percent or more and especially those who have disability of more than 50 or 75 percent. I am also in favor of compensating the needy widows and orphans of veterans regardless of the nature or character of the disability causing their death. I have seen a number of pathetic cases of this kind, and I really believe they should be cared for.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members who have spoken upon this bill have the right to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I suggest that the gentleman from Mississippi ask that all Members be allowed to extend their remarks on this bill.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. JENKINS of Ohio. Do I infer from the requests that have just been made that a Member may extend his remarks at this point in the RECORD whether he speaks on the bill or not?

The SPEAKER pro tempore. The request did not extend that far.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I am glad to support this bill, as it is now under consideration before the House, because it is a step in the right direction. There is no question but that the widows of World War veterans who are left with children to support and who have no adequate income are worthy of legislative consideration. In fact, I do not know of any veterans' legislation that would meet with more favor with the veterans generally than a bill that would provide reasonable compensation to widows with dependent children. I know that under the social-security law in most States there is provision for the benefit of widows with dependent children, but in many States this legislation has been so bound around that it has not been effective. I have had occasion at different times to put this to test to groups of veterans, and I find that they react more unanimously in favor of legislation for the benefit of widows and dependent children than to any other proposition of compensation in which they might be interested.

Several years ago I introduced what was probably the first bill drawn along scientific lines and provided for compensation to widows with dependent children. It provided a sliding scale, as most pension laws do, and I think would have been very satisfactory. It met with the approval of many veterans' groups, but was not adopted because of opposition in high places.

While this bill which we have for consideration today may not meet with my entire approval in every detail, it is a step in the right direction, and I am glad to take the step with the committee, and I shall vote for the bill.

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. DOXEY). Is there objection to the request of the gentleman from Louisiana [Mr. MILLS]?

There was no objection.

Mr. MILLS of Louisiana. Mr. Speaker, I congratulate the committee on bringing this bill (H. R. 5452) providing certain benefits to our veterans and their dependents, to the House for consideration, as I have always felt that our veterans have not been properly recognized.

For the benefit of the country as a whole, and for the veterans themselves, I wish to have included in the RECORD a comparative study that I have made of the compensation received by the veterans of the various States.

	Service connected	Non-service connected	Emergency officers' retirement pay	Total living veterans	Individuals in U. S. Army during World War	Approximate percent receiving compensation
1. Arizona	2,802	454	15	3,271	10,580	0.30
2. California	26,471	3,793	231	30,495	128,647	.23
3. District of Columbia	3,546	462	57	4,065	20,235	.20
4. New Mexico	2,200	359	9	2,568	12,702	.20
5. Florida	4,918	865	65	5,848	36,105	.16
6. Colorado	4,933	591	36	5,560	36,155	.15
7. Georgia	7,178	1,173	52	8,403	93,559	.14
8. Kentucky	10,764	1,143	18	11,925	84,172	.14
9. Massachusetts	15,837	1,689	96	17,622	146,627	.12
10. Arkansas	6,793	1,188	23	8,004	64,993	.12
11. Oregon	3,817	501	27	4,345	34,700	.12
12. Alabama	7,073	1,096	36	8,205	78,459	.10
13. Minnesota	9,965	1,079	24	11,068	104,416	.10
14. Mississippi	8,271	806	13	9,090	56,789	.10
15. Tennessee	7,569	1,056	37	8,662	81,563	.10
16. Washington	4,606	641	18	5,265	51,510	.10
17. Rhode Island	1,844	265	4	2,113	20,038	.10
18. Oklahoma	7,441	909	16	8,366	82,703	.10
19. Ohio	19,126	2,381	94	21,601	214,786	.10
20. Vermont	1,141	91	4	1,236	12,097	.10
21. Utah	1,296	99	-------	1,395	18,376	.10
22. Texas	14,951	2,224	84	17,259	169,776	.10
23. Connecticut	4,832	418	23	5,273	54,257	.09
24. Nevada	426	45	1	472	5,005	.09
25. Wisconsin	8,593	1,147	45	9,785	104,696	.09
26. Missouri	11,592	1,330	52	12,974	138,986	.09
27. Michigan	10,445	1,275	43	11,763	142,975	.09
28. Wyoming	864	156	2	1,022	11,351	.09
29. Maryland	4,544	548	31	5,123	51,132	.09
30. Indiana	9,361	986	31	10,378	118,098	.08
31. North Carolina	5,663	1,260	36	6,959	78,269	.08
32. South Carolina	3,925	908	25	4,858	57,188	.08
33. New Hampshire	1,217	112	5	1,334	15,875	.08
34. Maine	1,932	283	6	2,221	26,987	.08
35. Louisiana	4,834	1,076	13	5,923	67,837	.08
36. Pennsylvania	22,233	2,495	116	24,844	312,525	.07
37. West Virginia	3,580	364	16	3,960	53,731	.07
38. South Dakota	1,847	250	2	2,099	29,564	.07
39. Virginia	4,922	732	31	5,685	77,146	07
40. Montana	2,331	212	8	2,551	35,282	.07
41. New York	24,479	4,030	175	28,684	399,643	.07
42. Idaho	1,167	139	4	1,310	19,030	.06
43. Illinois	15,995	2,449	102	18,546	275,084	.06
44. New Jersey	6,720	938	55	7,713	115,954	.06
45. North Dakota	1,518	176	2	1,696	25,343	.06
46. Kansas	4,091	630	21	4,742	71,640	.06
47. Nebraska	2,688	317	8	3,013	50,119	.06
48. Iowa	5,160	799	9	5,968	108,812	.05
49. Delaware	349	43	2	394	7,956	.04

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, as I understand it, unanimous consent has been granted every Member of the House who desires to do so to extend his remarks in the RECORD on this bill within 5 legislative days?

The SPEAKER pro tempore. The gentleman is correct.

Mr. RANKIN. Mr. Speaker, I yield such time as he may desire to the gentleman from Oklahoma [Mr. JOHNSON].

WOULD LIBERALIZE VETERANS' LEGISLATION

Mr. JOHNSON of Oklahoma. Mr. Speaker, this bill to liberalize the present laws affecting veterans' legislation and to provide important benefits for World War veterans, their widows and dependents, is sane, sound, and reasonable legislation. It is my sincere hope that there will not be a vote cast against it. Certainly there should not be any opposition from any Member of this body.

I desire to compliment the chairman of the World War Veterans' Legislation Committee and all members of his committee for their good judgment in bringing in this important bill, which, so far as war veterans' legislation is concerned, is not only the most important bill brought before this House during the present session, but if I recall correctly, is the only bill which Members have had an opportunity to vote for to provide benefits to World War veterans or their widows and other dependents, thus far during this session of Congress. I trust it will not be the last one for there is much other proposed legislation that ought to be enacted.

My objection to the pending bill is that, in my judgment, it does not go far enough. It is, however, legislation that

many veterans in and out of Congress have long been demanding. The American Legion and Veterans of Foreign Wars, the two largest veterans organizations in America, have repeatedly endorsed every provision in this bill, if I am correctly advised.

I am glad to give my support to this bill, not as a full measure of relief to the disabled veterans and their dependents but because it will give a long delayed justice to a small group that, up until this day, have been neglected and in many cases ignored by the Government they fought so valiantly and unselfishly to defend. [Applause.]

The gentleman from Connecticut [Mr. MILLER] pointed out that there is no provision in the pending measure to take care of that rather large group of presumptive cases that were unreasonably cut by the so-called Economy Act. I agree with the gentleman that this group has been mistreated. They should not have been cut to begin with, and I join in expressing my deep disappointment that these persumptives are not included under the provisions of the pending bill. It is my hope that this Congress will not adjourn without doing so. But merely because all deserving veterans are not provided for in this one bill, I cannot find it in my heart to oppose the measure, which certainly is commendable as far as it goes.

So again I simply wish to express the hope that Members will give this bill their enthusiastic support. I wish it might be possible to pass the pending bill here today by a unanimous vote. Let us do our duty now by our unfortunate war veterans. They did not shirk their duty to the country they love when the call came, and we must not shirk our responsibility to them now. [Applause.]

Mr. RANKIN. Mr. Speaker, may I say in reply to the gentleman from California [Mr. COSTELLO] that, according to the formula he laid down, it would be impossible for us to write a veterans' bill that would suit him, because he objects to it when the bill takes care of the veterans' widows and orphans and then he objects because it takes care of the disabled veterans.

We did the best we could in framing this measure.

May I say in reply to the gentleman from New York [Mr. FAY] that he rendered a great service to these amputation cases when he came before the committee in their behalf? We went just as far as we could under the circumstances, and I think we have rendered justice in a large measure to those men who lost a hand, a foot, or an eye, and who have been unable to carry on since the close of the World War.

Mr. Speaker, this brings to a close the debate on this measure, and I ask for a vote.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the suspension of the rules and the passage of the bill.

Mr. RANKIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas, 360, nays 1, not voting, 69, as follows:

[Roll No. 60]

YEAS—360

Alexander	Bender	Byrne, N. Y.	Coffee, Nebr.
Allen, Ill.	Blackney	Byrns, Tenn.	Coffee, Wash.
Allen, La.	Bland	Caldwell	Cole, Md.
Allen, Pa.	Bloom	Cannon, Fla.	Cole, N. Y.
Andersen, H. Carl	Boehne	Cannon, Mo.	Collins
Anderson, Calif.	Boland	Carlson	Colmer
Anderson, Mo.	Bolton	Cartwright	Connery
Andresen, A. H.	Boren	Case, S. Dak.	Cooley
Andrews	Boykin	Casey, Mass.	Cooper
Arends	Bradley, Pa.	Celler	Cox
Ashbrook	Brewster	Chandler	Creal
Ball	Brooks	Chapman	Crosser
Barden	Brown, Ga.	Chiperfield	Crowe
Barnes	Brown, Ohio	Church	Crowther
Barry	Bryson	Clark	Culkin
Barton	Buckler, Minn.	Clason	Cullen
Bates, Ky.	Buckley, N. Y.	Claypool	Curtis
Beam	Bulwinkle	Clevenger	D'Alesandro
Beckworth	Burch	Cluett	Darden
Bell	Burgin	Cochran	Delaney
Dempsey	Hobbs	Martin, Mass.	Schwert
DeRouen	Holmes	Mason	Scrugham
Dickstein	Hook	Massingale	Seccombe
Dingell	Hope	May	Secrest
Disney	Houston	Merritt	Seger
Dondero	Hull	Michener	Shafer, Mich.
Doughton	Hunter	Miller	Sheppard
Dowell	Izac	Mills, Ark.	Short
Doxey	Jacobsen	Mills, La.	Simpson
Drewry	Jarman	Monkiewicz	Smith, Conn.
Duncan	Jenkins, Ohio	Monroney	Smith, Maine
Dunn	Jenks, N. H.	Moser	Smith, Ohio
Durham	Jensen	Mott	Smith, Va.
Dworshak	Johns	Mouton	Smith, Wash.
Eaton, Calif.	Johnson, Ill.	Mundt	Smith, W. Va.
Eaton, N. J.	Johnson, Ind.	Murdock, Ariz.	Somers, N. Y.
Edmiston	Johnson, LutherA.	Murray	South
Ellis	Johnson, Lyndon	Nelson	Sparkman
Elston	Johnson, Okla.	Nichols	Spence
Engel	Jones, Ohio	Norrell	Springer
Englebright	Jones, Tex.	O'Brien	Steagall
Fay	Kean	O'Connor	Stefan
Fenton	Kee	O'Day	Sullivan
Fernandez	Keefe	O'Leary	Sumner, Ill.
Fitzpatrick	Kennedy, Martin	O'Toole	Sumners, Tex.
Flaherty	Kennedy, Md.	Oliver	Sutphin
Flannagan	Kennedy, Michael	Owen	Sweeney
Flannery	Keogh	Pace	Talle
Ford, Leland M.	Kerr	Parsons	Tarver
Ford, Miss.	Kilday	Patman	Taylor, Colo.
Ford, Thomas F.	Kinzer	Patrick	Taylor, Tenn.
Fries	Kirwan	Patton	Tenerowicz
Fulmer	Kitchens	Pearson	Terry
Gamble	Kleberg	Peterson, Ga.	Thill
Garrett	Knutson	Pfeifer	Thomas, Tex.
Gartner	Kocialkowski	Pierce, Oreg.	Thomason
Gathings	Kramer	Pittenger	Thorkelson
Gavagan	Kunkel	Plumley	Tibbott
Gearhart	Lambertson	Poage	Tinkham
Gehrmann	Landis	Polk	Tolan
Gerlach	Lanham	Powers	Treadway
Geyer, Calif.	Larrabee	Rabaut	Van Zandt
Gibbs	Lea	Ramspeck	Vincent, Ky.
Gilchrist	Leavy	Randolph	Vinson, Ga.
Gillie	LeCompte	Rankin	Voorhis, Calif.
Gore	Lemke	Rayburn	Vorys, Ohio
Gossett	Lesinski	Reece, Tenn.	Vreeland
Graham	Lewis, Colo.	Reed, Ill.	Wallgren
Grant, Ala.	Lewis, Ohio	Reed, N. Y.	Walter
Grant, Ind.	Lord	Rees, Kans.	Warren
Gregory	Luce	Rich	Weaver
Griffith	McAndrews	Richards	Welch
Griswold	McCormack	Robertson	West
Gross	McDowell	Robinson, Utah	Whelchel
Guyer, Kans.	McGehee	Robsion, Ky.	White, Ohio
Gwynne	McGranery	Rockefeller	Whittington
Hall	McLaughlin	Rodgers, Pa.	Williams, Del.
Halleck	McLean	Rogers, Mass.	Williams, Mo.
Hancock	McLeod	Rogers, Okla.	Winter
Hare	McMillan, John L.	Romjue	Wolcott
Harness	McMillan, Thos. S.	Routzohn	Wolfenden, Pa.
Hart	Maas	Rutherford	Wolverton, N. J.
Harter, N. Y.	Maciejewski	Ryan	Wood
Harter, Ohio	Magnuson	Sacks	Woodruff, Mich.
Havenner	Mahon	Sandager	Woodrum, Va.
Hawks	Maloney	Satterfield	Youngdahl
Heinke	Mapes	Schaefer, Ill.	Zimmerman
Hendricks	Marcantonio	Schafer, Wis.	
Hennings	Marshall	Schiffler	
Hess	Martin, Colo.	Schuetz	
Hinshaw	Martin, Iowa	Schulte	

NAYS—1

Costello

NOT VOTING—69

Angell	Douglas	Johnson, W. Va.	Sabath
Arnold	Eberharter	Keller	Sasscer
Austin	Elliott	Kelly	Shanley
Bates, Mass.	Evans	Ludlow	Shannon
Bolles	Faddis	McArdle	Sirovich
Bradley, Mich.	Ferguson	McKeough	Smith, Ill.
Buck	Fish	McReynolds	Snyder
Burdick	Folger	Mansfield	Starnes, Ala.
Byron	Gifford	Martin, Ill.	Stearns, N. H.
Carter	Green	Mitchell	Taber
Corbett	Harrington	Murdock, Utah	Thomas, N. J.
Crawford	Hartley	Myers	Wadsworth
Cummings	Healey	Norton	Wheat
Curley	Hill	O'Neal	White, Idaho
Darrow	Hoffman	Osmers	Wigglesworth
Dies	Horton	Peterson, Fla.	
Dirksen	Jarrett	Pierce, N. Y.	
Ditter	Jeffries	Risk	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following general pairs:

Mr. Mansfield with Mr. Darrow.
Mr. Ludlow with Mr. Taber.
Mr. O'Neal with Mr. Ditter.

Mr. Johnson of West Virginia with Mr. Carter.
Mr. McReynolds with Mr. Wigglesworth.
Mr. Dies with Mr. Gifford.
Mr. Starnes of Alabama with Mr. Jeffries.
Mr. Faddis with Mr. Bolles.
Mr. Green with Mr. Fish.
Mr. McKeough with Mr. Hoffman.
Mrs. Norton with Mr. Pierce of New York.
Mr. Peterson of Florida with Mr. Wheat.
Mr. Shanley with Mr. Thomas of New Jersey.
Mr. Buck with Mr. Crawford.
Mr. Harrington with Mr. Bates of Massachusetts.
Mr. Murdock of Utah with Mr. Risk.
Mr. Sirovich with Mr. Jarrett.
Mr. Hill with Mr. Stearns of New Hampshire.
Mr. Cummings with Mr. Douglas.
Mr. Myers with Mr. Bradley of Michigan.
Mr. Snyder with Mr. Austin.
Mr. Eberharter with Mr. Corbett.
Mr. Healey with Mr. Angell.
Mr. Arnold with Mr. Hartley.
Mr. Shannon with Mr. Osmers.
Mr. Kee with Mr. Horton.
Mr. Ferguson with Mr. Burdick.
Mr. Mitchell with Mr. Curley.
Mr. Elliott with Mr. Sasscer.
Mr. Smith of Illinois with Mr. McArdle.
Mr. Byron with Mr. Martin of Illinois.
Mr. Keller with Mr. Folger.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. HART. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. HART].

There was no objection.

Mr. HART. Mr. Speaker, my colleague the gentlewoman from New Jersey is detained on official business. The gentleman from New York, Mr. EVANS, is also detained because of illness. If these Members had been present, they would have voted "yea" on the bill just passed.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. HENDRICKS]?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, my colleague from Florida, Mr. GREEN, has been called away on account of the illness of his brother. He did not instruct me to say so, but I am sure had he been present he would have voted "yea" on the bill just passed.

EXTENSION OF REMARKS

Mr. FLAHERTY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article taken from the London Times concerning the National Youth Administration of this country.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. FLAHERTY]?

There was no objection.

MEMORIAL EXERCISES

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 160.

The Clerk read the resolution, as follows:

House Resolution 160

Resolved, That on Tuesday, May 30, 1939, immediately after the approval of the Journal, the House shall stand at recess for the purpose of holding the memorial services as arranged by the Committee on Memorials, under the provisions of clause 40-A of rule XI. The order of exercises and proceedings of the service shall be printed in the CONGRESSIONAL RECORD, and all Members shall have leave to extend their remarks in the CONGRESSIONAL RECORD until 10 legislative days thereafter on the life, character, and public service of the deceased Members. At the conclusion of the proceedings the Speaker shall call the House to order, and then, as a further mark of respect to the memories of the deceased, he shall declare the House adjourned; and be it further

Resolved, That the necessary expenses connected with the memorial services herein authorized shall be paid out of the contingent fund of the House upon vouchers signed by the chairman of the Committee on Memorials and approved by the Committee on Accounts.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. FULMER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 176.

The Clerk read the resolution as follows:

House Resolution 176

Whereas the Federal Crop Insurance Act, approved February 16, 1938, provided, in addition to making crop insurance available for wheat, that the Department of Agriculture conduct researches, surveys, and investigations relating to crop insurance for other commodities; and

Whereas appropriations were made for that purpose; and

Whereas legislation relative to crop insurance for cotton is now under consideration: Therefore be it

Resolved, That in order to promote the national welfare by alleviating the economic distress caused by the overproduction of cotton, and to provide for stable supplies of cotton for domestic consumption and the orderly flow thereof in interstate commerce, the Secretary of Agriculture be, and is hereby, directed to transmit to the House of Representatives such pertinent data and information as the Department of Agriculture may have assembled relative to such crop insurance for cotton.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. FULMER]?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, as I understand, this is simply a resolution to procure information, and it has the unanimous support of the Committee on Agriculture?

Mr. FULMER. The gentleman is correct.

Mr. RICH. Reserving the right to object, Mr. Speaker, is it not the policy of the Department of Agriculture to give the committee all the information the committee wants, without having a resolution of this kind?

Mr. FULMER. I may say to the gentleman that when we passed the crop insurance bill for wheat the Department was authorized to get all this information, but the bill did not state that the Department must submit this information to the Congress. This is the regular procedure to have the information sent here to go to the Printing Committee.

Mr. RICH. I know the gentleman is interested in cotton, and so are all of us because we want to take care of the cotton farmers, but if you are going to take care of the cotton farmers of this country you cannot raise the price to the skies as you have with all other commodities and then expect the people of the world to buy cotton. We have to get to the point where we can dispose of the stocks of surplus cotton. If you are going to make reciprocal-trade agreements with foreign nations, you ought to find some way of barter to get rid of this cotton so we can help the cotton farmer, but when you expect the American people to pay an exorbitant price for cotton and then leave the cotton stored in the American warehouses, how are you ever going to help the cotton farmer?

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL HOUSING ACT

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5324) to amend the National Housing Act, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

Mr. COCHRAN. Mr. Speaker, reserving the right to object, I wish to call the attention of the gentleman from Alabama [Mr. STEAGALL] to the fact that the amendment which I presented, and which was added to the bill while it was in the House, was stricken out in the Senate and an amendment substituted. Six times the House passed my amendment, three times in Committee of the Whole and three times in the House, and on the final vote—a roll call—by a very sub-

stantial majority the amendment was adopted. I am not going to object to sending the bill to conference, but I do hope the House conferees will remember the action of the House on this amendment. The conferees are agents of the House and therefore, regardless of their own views, should insist on an amendment six times adopted by the House.

The Senate amendment, which is substituted for my amendment, is an improvement over the existing law insofar as the guaranty of the mortgage is concerned, according to various Senators who spoke on the amendment. It provides that the mortgage can be guaranteed only to 100 percent of the cost of the structure, but it must be remembered there is nothing in the Senate amendment that relates to the land or prevents a write-up of the land value, to which I objected and in which view a majority of the Members of the House concurred. I have no objection to the Senate amendment if it is an improvement over existing law, but as I said, it applies only to the structure. It seems to me in conference the Senate amendment could be kept in the bill, but my amendment should also be added. I am frank to say I am still in the dark as to just what the Senate amendment does but I accept the view of the Senator from Colorado [Mr. ADAMS] that it is an improvement over existing law so far as the guaranty on the structure is concerned.

In my opinion, the Senate amendment was written by the Federal Housing Administration, because an official of that Administration gave out an interview in which he said the Senate amendment would accomplish better what my amendment sought to accomplish. It seems very strange to me that an official of the Federal Housing Administration would try to improve my amendment when the Federal Housing Administration was 100 percent against the amendment. I cannot concur in the statement of the Federal Housing Administration that the Senate amendment is an improvement over my amendment. I cannot see for the life of me where there is anything in the Senate amendment that will prevent the write-up of land value, nor can anyone I talked with show me. We do not permit corporations or individuals to do what we are letting the Federal Housing Administration do under the present law when it comes to writing up land values.

In letting the bill go to conference I do so with the hope that the conferees will remember the action of the House on my amendment and that they will feel it their duty to stand squarely back of my amendment.

It was said in debate on this floor when the bill was under consideration St. Louis was the only place where the land values were written up. I ask you to read the debate in the Senate, especially what Senator WHEELER, of Montana, had to say and then you will see that it seems to be an adopted policy to have permitted the land-value write-ups. He stated he personally called to the attention of the Federal Housing Administration write-ups on land values on a number of projects.

Mr. Speaker, as I said before, I will not object to the bill going to conference. Therefore, I withdraw my reservation of objection and will look forward with interest to the action of the conferees.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. STEAGALL, WILLIAMS, SPENCE, WOLCOTT, and GIFFORD.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1940

Mr. TAYLOR of Colorado. Mr. Speaker, I call up the conference report on the bill (H. R. 4852) making appropriations for the Department of the Interior for the fiscal year 1940, and for other purposes, and ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. RICH. Reserving the right to object—and I shall not object to this request—I understand we will get time to explain our position in reference to this bill?

Mr. TAYLOR of Colorado. Yes.

The SPEAKER. The Chair hears no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4852) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 18, 21, 22, 23, 25, 26, 30, 31, 44, 47, 54, 60, 61, 66, and 67.

That the House recede from its disagreement to the amendments of the Senate numbered 7, 8, 10, 11, 15, 24, 29, 35, 36, 37, 38, 39, 40, 45, 56, 57, 59, 63, 65, 70, 71, 72, 73, 74, and 75, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$290,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$42,370"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$56,050"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$292,550"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$83,420"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$300,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$46,250"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Deschutes project, Oregon, $400,000;".

And the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$925,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$527,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,495,760"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$4,500,000"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,350,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 4, 9, 14, 16, 19, 20, 27, 28, 32, 33, 34, 41, 46, 48, 49, 50, 51, 52, 53, 55, 64, 76, and 77.

EDWARD T. TAYLOR,
JED JOHNSON,
J. G. SCRUGHAM,
JAMES M. FITZPATRICK,
CHAS. H. LEAVY,
ALBERT E. CARTER,
Managers on the part of the House.

CARL HAYDEN,
KENNETH MCKELLAR,
ELMER THOMAS,
ALVA B. ADAMS,
GERALD P. NYE,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4852) making appropriations for the

Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Office of the Secretary

On amendment No. 1: Appropriates $290,000 for the office of the Solicitor, instead of $295,000, as proposed by the House and $285,000 as proposed by the Senate.

On amendments Nos. 2 and 3, relating to the Division of Investigations: Provides $42,370 for personal services in the District of Columbia, instead of $39,240, as proposed by the House and $45,500 as proposed by the Senate; and allows $56,050 for the purchase, exchange, operation, and maintenance of motor vehicles, instead of $52,000, as proposed by the House and $60,100 as proposed by the Senate.

On amendments Nos. 5 and 6, relating to printing and binding: Appropriates $292,550, instead of $275,970, as proposed by the House and $309,130 as proposed by the Senate; and provides that of such sum, $83,420 shall be for the National Park Service, instead of $66,840, as proposed by the House and $100,000 as proposed by the Senate.

National Bituminous Coal Commission

On amendments Nos. 7 and 8, relating to the National Bituminous Coal Commission: Appropriates $3,500,000 for salaries and expenses, as proposed by the Senate, instead of $2,900,000, as proposed by the House, and eliminates the provision of the House limiting expenditures for such purposes to the aggregate receipts covered into the Treasury, as proposed by the Senate.

United States Housing Authority

On amendment No. 10: Eliminates the provision of the House requiring an audit of certain expenditures of the United States Housing Authority by the General Accounting Office in the same manner and to the same extent as expenditures of the Department of the Interior.

Bureau of Indian Affairs

On amendments Nos. 11 and 12, relating to the acquisition of land for Indians: Appropriates $650,000 for the acquisition of land, as proposed by the Senate, instead of $550,000, as proposed by the House, and authorizes the Secretary to enter into contracts for the acquisition of additional land up to a total of $300,000, instead of $250,000, as proposed by the House and $350,000 as proposed by the Senate.

On amendment No. 13: Appropriates $40,500 for the purpose of obtaining employment for Indians, as proposed by the House.

On amendment No. 15: Provides for the making of loans from the revolving loan fund authorized by the Indian Reorganization Act to Indian chartered corporations, as proposed by the Senate, instead of to any tribe or reservation which may have accepted such act, as proposed by the House.

On amendments Nos. 17 and 18, relating to the development of Indian arts and crafts: Appropriates $46,250 for such purpose, instead of $42,500, as proposed by the House and $50,000 as proposed by the Senate, and provides that $17,000 shall be available for personal services in the District of Columbia, as proposed by the Senate, instead of $16,000, as proposed by the House.

On amendment No. 21: Eliminates the provision of the Senate appropriating $700,000 for continuing construction of the Poplar River unit on the Fort Peck Indian Reservation.

On amendment No. 22: Appropriates $75,000 for irrigation construction work on the Pyramid Lake Reservation, as proposed by the House, instead of $25,000, as proposed by the Senate.

On amendment No. 23: Corrects a total.

On amendment No. 24: Appropriates $462,200 for the lease, purchase, etc., of buildings and land for Indian school purposes, as proposed by the Senate, instead of $387,200, as proposed by the House.

On amendment No. 25: Strikes out the proposal of the Senate that an additional sum of $33,693 be appropriated for the purchase of land and improvements at the Albuquerque (N. Mex.) Indian School.

On amendment No. 26: Corrects a total.

On amendment No. 29: Appropriates $7,787 for the reconstruction of a community house for the Seminole Indians, of Oklahoma, as proposed by the Senate.

On amendments Nos. 30 and 31, relating to the Keshena Indians, of Wisconsin: Strikes out the proposal of the Senate appropriating $5,200 for expenses of attorneys for such Indians.

On amendment No. 35: Appropriates $1,700 for the payment of compensation to attorneys for the Makah Tribe of Indians, as proposed by the Senate.

On amendments Nos. 36, 37, 38, and 39, relating to the construction and repair of Indian school, agency, hospital, and other buildings: Appropriates $20,000 for construction of a warehouse at Sells, Ariz.; provides $25,000 for remodeling women's semiambulant building, and $35,000 for fireproof auditorium and occupational-therapy building at the Shawnee Sanatorium, Oklahoma; allows $15,000 for construction of a dairy barn at Standing Rock, N. Dak., and corrects the total of the appropriation for such purposes; all as proposed by the Senate.

Bureau of Reclamation

On amendment No. 40: Provides for the commencement, as well as continuation of construction, of certain reclamation projects, as proposed by the Senate.

On amendment No. 42: Appropriates $400,000 for continuation of construction on the Deschutes reclamation project in Oregon, as proposed by the Senate.

On amendment No. 43: Appropriates $925,000 for continuation of construction of the Kendrick reclamation project, Wyoming, instead of $850,000, as proposed by the House, and $1,000,000, as proposed by the Senate.

On amendment No. 44: Strikes out the proposal of the Senate requiring engineering and economic investigations in connection with the proposed second unit of the Kendrick reclamation project, Wyoming.

On amendment No. 45: Appropriates $900,000 for general investigations in connection with proposed reclamation projects, as proposed by the Senate, instead of $400,000, as proposed by the House.

On amendment No. 47: Appropriates $75,000 for personal services in the District of Columbia for use in connection with the construction of projects under the "Reclamation Fund," as proposed by the House, instead of $100,000, as proposed by the Senate.

On amendment No. 54: Appropriates $50,000 for personal services in the District of Columbia in connection with the construction of certain projects and for general investigations, as proposed by the House, instead of $75,000, as proposed by the Senate.

Bureau of Mines

On amendment No. 56: Appropriates $656,000 for operating mine rescue cars and stations, as proposed by the Senate, instead of $635,000, as proposed by the House.

On amendment No. 57: Appropriates $257,400 for testing fuel, as proposed by the Senate, instead of $250,400, as proposed by the House.

On amendment No. 58: Appropriates $527,000 for mining experiment stations, instead of $420,000, as proposed by the House and $562,000 as proposed by the Senate. Of the increase of $107,000 above the House figure, $32,000 is provided for the station at Tuscaloosa, Ala., in connection with the beneficiation of southern coal and ores, and $75,000 is allowed for the study of ceramics, etc., at Norris, Tenn.

On amendment No. 59: Continues available during the fiscal year 1940, the unexpended balance of the appropriation for construction of a building, including equipment, at the University of Utah.

On amendments Nos. 60 and 61: Appropriates $324,500, of which $230,000 shall be available for personal services in the District of Columbia, in connection with the economics of mineral industries, as proposed by the House, instead of $331,500, of which $236,500 shall be available for personal services in the District of Columbia, as proposed by the Senate.

On amendment No. 62: Corrects a total.

National Park Service

On amendment No. 63: Appropriates $131,735 for the Sequoia National Park, Calif., as proposed by the Senate, instead of $126,735, as proposed by the House.

On amendments Nos. 65 and 66, relating to the Boulder Dam National Recreational Area: Provides for the availability of funds for the improvement of such area, as proposed by the Senate; and appropriates $99,730 for the area, as proposed by the House, instead of $124,730, as proposed by the Senate.

On amendment No. 67: Strikes out the proposal of the Senate continuing available after June 30, 1939, funds made available by the Emergency Relief Appropriation Act of 1935 and allocated by Executive Order No. 7253 for use in connection with the acquisition and development of a historic site to be known as the Jefferson National Expansion Memorial in the city of St. Louis, Mo.

On amendments Nos. 68 and 69, relating to the Blue Ridge and Natchez Trace Parkways: Appropriates $4,500,000 for such purposes, of which $1,350,000 shall be available for the Natchez Trace Parkway, instead of $4,000,000, of which $1,200,000 shall be available for the Natchez Trace Parkway, as proposed by the House, and $5,000,000, of which $1,500,000 shall be available for the Natchez Trace Parkway, as proposed by the Senate.

Office of Education

On amendment No. 70: Appropriates $428,200 for salaries and expenses in connection with vocational education, as proposed by the Senate, instead of $422,600, as proposed by the House.

St. Elizabeths Hospital

On amendment No. 71: Provides that not exceeding $1,000 of funds appropriated for St. Elizabeths Hospital may be expended for attendance at meetings or conventions, as proposed by the Senate.

Freedmen's Hospital

On amendments Nos. 72, 73, 74, and 75: Appropriates $484,840 for this hospital, as proposed by the Senate, instead of $480,820, as proposed by the House; and provides that not exceeding $1,000 shall be available for expenses of attendance upon meetings of a technical nature of value to the hospital, as proposed by the Senate. The increase of $4,020 in the House figure will provide one step-up promotion for most employees in custodial grade 2.

Amendments in disagreement

The committee of conference report in disagreement the following amendments:

On amendment No. 4, requiring the Secretary of the Interior to make a full statement of expenditures by the Division of Investigations.

On amendment No. 9, relating to the United States Housing Authority.

On amendment No. 14, relating to the expenditure of tribal funds for the benefit of the Menominee Tribe of Indians in Wisconsin.

On amendment No. 16, relating to loans to Indians from the revolving loan fund authorized by the act of June 18, 1934.

On amendment No. 19, relating to the payment of expenses of the members of the Indian Arts and Crafts Board.

On amendment No. 20, relating to the Crow Indian irrigation project in Montana.

On amendment No. 27, relating to the reindeer industry, Alaska.

On amendments Nos. 28 and 32, relating to the purchase of land from Indian tribal funds for the Consolidated Ute Indians of Colorado, and correcting the total of tribal funds appropriated in the bill for general support purposes.

On amendment No. 33, relating to the payment of the salary of the principal chief of the Creek Nation, Oklahoma.

On amendment No. 34, relating to the rehabilitation of needy Choctaw Indians, Oklahoma.

On amendments Nos. 41, 46, 48, and 49, relating to appropriations for construction from the reclamation fund: These amendments have to do with the Lugert-Altus project, Oklahoma, the Fruit Growers' Dam and Reservoir in Colorado, and the correction of two totals.

On amendment No. 50, relating to the All-American Canal.

On amendments Nos. 51, 52, and 53, relating to the continuation of construction of the Colorado River project, Texas; and the correction of the total of projects being constructed from money in the general fund of the Treasury.

On amendment No. 55, relating to water conservation and utility projects.

On amendment No. 64, relating to construction of an administration-museum building at Manassas National Battlefield Park, Va.

On amendment No. 76, relating to the payment of long-distance telephone tolls in the executive departments and other agencies.

On amendment No. 77, correcting a total.

EDWARD T. TAYLOR,
JED JOHNSON,
J. G. SCRUGHAM,
JAMES M. FITZPATRICK,
CHAS. H. LEAVY,
ALBERT E. CARTER,
Managers on the part of the House.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I did not sign the report of the conferees on the Interior Department appropriation bill, and I will give you my reasons.

In the first place, let me call your attention to the fact that after the Civil War our national debt was $2,660,000,000, with an annual interest charge of approximately $34,500,000. The public debt in 1921, after the great World War, at its highest point was about $27,000,000,000. Between 1921 and 1929 we reduced our national debt from $27,000,000,000 to $16,000,000,000. When the present administration came into power in 1932 the debt had increased to $20,000,000,000, but from 1932 to 1939 the national debt has increased to the enormous amount of $40,051,484,292, this being the figure as of April 26, 1939, according to the Treasury Department statement.

This year, since July 1, we have increased our national debt $2,858,838,095.55. This means that every day since the 1st of last July you have run in the red $9,625,720, every hour you run in the red $401,071, every minute since July 1 you run in the red $6,684.63. This is an appalling position in which we find ourselves today.

Last week you passed the Treasury and Post Office appropriations bill and in the Treasury Department you gave them $1,050,000,000 to pay the interest on the public debt, which is more than it cost to run the Government in the year 1914, a deplorable situation.

What have you done at this session of the present Congress in the matter of appropriations? Let us just look at the record. This is worth while and the Members of Congress ought to have some realization of the facts as to what you are doing.

You have spent for relief or for W. P. A., $725,000,000 with an additional relief bill of $100,000,000. The first deficiency bill amounted to $23,765,000; the independent offices bill, $1,668,000,000; the legislative establishment, $21,985,000; Treasury and Post Office, $1,700,000,000; War Department, $508,000,000; second deficiency appropriation bill, $177,000,000; Agriculture, $1,085,000,000; the Interior Department, as the bill passed the House, $159,000,000; the District of Columbia, $46,902,000; Department of Labor, $30,533,000.

This makes a total of appropriations already made of over $6,200,000,000.

You still have remaining, after the passage of this appropriation bill, the nonmilitary appropriations for the War Department, which will be $200,000,000 or more; you will have the Navy appropriation bill, which will be $550,000,000 or more; you will have the State, Justice, and Commerce bill, which will be more than $120,000,000; you will have the relief appropriation bill, which the President already has stated will be $1,723,000,000; you will have other appropriation bills coming up, such as flood control and things of that kind, for which you can add $100,000,000.

This means you are going to appropriate over $8,909,000,000 before this session of Congress is over.

Let us now see just where we are with respect to receipts.

In 1938 we received in taxes of all kinds, $6,241,661,000. The President estimated that the 1939 income would be $5,521,000,000; the President estimated for 1940, $5,669,000,000.

Now, if we have spent $8,909,000,00 and we are only going to take in $5,669,000,000, you know that in the year 1940 you are going to be $3,240,000,000 in the red for that year.

This is a horrible and terrible situation which is confronting us and I want to tell you as legislators that the responsibility rests upon the American people to pay this bill, and this Congress is responsible for getting us into this deplorable situation, which is a travesty upon the American children recently born as well as those yet to be born, who will have to pay the debts which we are creating.

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

Mr. RICH. I yield for a question.

Mr. KITCHENS. A few moments ago we voted upon the bill H. R. 5452, which increased veterans' benefits to the extent of $5,032,000. Did the gentleman vote for that?

Mr. RICH. Yes; I voted for that; but let me tell the gentleman this: You owe an obligation to some of the veterans of this country who are still unpaid, and I hope we will take care of them, but let me say that if you continue the way you are going in this radical and ruthless expenditure of Government money, it will only be a few years before the veterans, like everybody else, will give up all claims that they have on this Government, and the Federal Government, by reason of the foolish things that we are doing in the Congress, will have everybody in this Nation wrecked. This is a sad and deplorable condition.

Let me now tell you what the President of the United States said on July 2, 1932:

> I propose to you, my friends, that government be made solvent and that the example be set by the President of the United States.

Has the President said anything about making this Government solvent in the last year or so? No. He has forgotten his promise to our people.

Let me call your attention to a statement that he made on January 3, 1934, in his Budget message:

> Furthermore, the Government during the balance of this calendar (1934) year should plan to build its 1936 expenditures, including recovery and relief, within the revenues expected within the fiscal year 1936. We should plan to have a definite balanced Budget for the third year of recovery and from that time on seek a continuing reduction of the national debt.

This was a statement made by the President and should be carried out, but he has not said anything about it recently.

The President has forgotten that promise also.

Let me call your attention to another statement which was made by Postmaster General Farley at Salt Lake City on August 1, 1934:

> You are having the most economical Federal administration you have had for years.

I wonder what Mr. Farley would think of such statements as that today? It is a real joke now, and it was a joke at the time.

Let me now call your attention to what this conference report really and actually means.

We went to conference and we worked 1 whole day. I have a very high regard for the members of the conference

committee on the part of the House. I wish the rules permitted me to say something about the other end of the Capitol, but the rules forbid. The amount of the appropriation as it passed the House was $159,539,815. After it passed the Senate it was $174,975,288. The Senate increased this bill $15,335,473. After the conferees had agreed on the bill, the total amount was $172,604,765.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. RICH. This bill is over the appropriation for 1939 in the sum of $26,877,851. What did we do when we went to conference? On 25 items the House receded to the Senate to the extent of $13,065,950. The Senate receded on 16 items in the amount of $1,300,000. I am going to leave it to the House of Representatives as to whether we made a good bargain. When I make a bargain I think it ought to be pretty close to 50-50, do you not? We did not do our duty; that is why I refused to sign the report.

Mr. COCHRAN. Is the gentleman asking me?

Mr. RICH. Yes.

Mr. COCHRAN. Yes; I think we ought to get as much as we give. But I want to ask the gentleman this question. The gentleman said the Senate receded on many items and also stated the small amount involved.

Mr. RICH. Sixteen items in the amount of $1,300,000, and the House receded on 25 items to the amount of $13,065,950.

Mr. COCHRAN. Therefore the gentleman admits that insofar as the item affecting the Jefferson Memorial was concerned there was no money involved; is that right?

Mr. RICH. Oh, we cut that out.

Mr. COCHRAN. But I say on that amendment there was no money involved; is that not right? The Senate receded?

Mr. RICH. We cut that item out. I hope we are through with it forever.

Mr. COCHRAN. The Senate receded, though?

Mr. RICH. That item was agreed to by conferees, and we cut it out; thank goodness.

Mr. COCHRAN. Well, the Senate receded on that item?

Mr. RICH. Yes.

Mr. COCHRAN. That is one of the items on which the Senate receded?

Mr. RICH. Yes.

Mr. COCHRAN. Therefore, if the Senate in receding on 16 items and only $1,300,000 was involved, the gentleman admits there was no money at stake on the Jefferson Memorial item. There could not have been because it was simply extending an obligation already made, the money being on deposit in the Treasury.

Mr. RICH. Well, they intended to get six and a half million dollars. That is what they eventually wanted. They wanted to get six and a half million dollars for that memorial, for that land steal that they wanted out there in St. Louis. The question is, Will the House continue to yield? Will the House stiffen its backbone, or will you continue to be jellyfish, wishy-washy representatives of the people, or tweedledees or tweedledums? That is the question that will be in the minds of the American people. Are you going to be tweedledees or tweedledums?

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

Mr. RICH. I yield to the distinguished majority leader.

Mr. RAYBURN. A moment ago the gentleman said he was sorry the rules did not permit him to say something about the Senate. Could he think of anything worse to say about them than he has said about his own colleagues on the House committee?

Mr. RICH. I will say to the majority leader it needs somebody in the House of Representatives who has backbone, who has intestinal fortitude, who has patriotism to try to save America. I think if anybody on the floor of this House ought to stand here and try to protect the Treasury it is the majority leader.

Mr. RAYBURN. I will say to the gentleman that the majority leader tries to protect the Treasury in one way at least. He does not speak unless it is absolutely necessary. [Laughter and applause.]

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

Mr. RICH. I would like to yield, but I cannot yield. I cannot yield now.

Now, I want to call attention to some things in disagreement. Gentlemen, we have to call a spade a spade. Talk about voting $6,000,000 for the veterans. Let me call attention to what we have in here, where you can save some real money, some things that have some merit to them. But when you think of spending $17,000,000 for a battleship, there are some items here that will cost one-fourteenth the price of a battleship and are worth 100 times more; but some place, somewhere, sometime we ought to economize. I do not want to say anything against any Member of the House. There is no man in the House of Representatives that I want to take any fall out of personally. I do not have the least desire to do that. I came here to try to do my duty as an American citizen, honestly and fearlessly.

Let me call attention to amendment No. 20, the Crow Indian irrigation project, in Montana, $500,000, which will cost $1,000,000. Do you want to continue that project? Amendment No. 27 in conference, relating to the reindeer of Alaska, $1,070,000. We are going to ask for a vote on that. I tell you you do not need them. There is no more use of our buying all the reindeer of Alaska than there is in trying to can all the smoke that comes out of the smokestacks of the city of Washington. It is absolutely useless.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. RICH. The Lugert-Altus project in Oklahoma, $500,000, which will eventually cost $5,365,000. I would say from what I have investigated that that project might be well worth while at a time when we have some money. I question very much whether we ought to do it now, but if the House sees fit to do it, this is about as worthy a project as there is in the bill and will accomplish some good for that country out there; but here is a place where you can save one-fourteenth the cost of a battleship. If spent on a project like this, however, instead of on a battleship, and it would do more good if you spent this money and cut out a $70,000,000 battleship.

Amendments 52 and 53, in conference, deal with the Colorado River project in Texas. You are asked to spend $5,000,000 there. You have spent on that project $12,000,000 and you will be asked to spend $15,000,000 more. That dam, Marshall Ford Dam, was built to a height of 190 feet. They put a power project in it and now they have got to raise it 70 feet more in order to make it a flood-control project. When it is finished $14,885,000 will be charged to flood control and $12,623,000 to the generation of power, nonreimbursable—at least, that is what the hearings of the Senate committee show.

Amendment 55, water conservation and utility project, $5,000,000, to be allocated by the President in such amount as he deems necessary to such Federal departments, establishments, and other agencies as he may designate. Do you not think that the House of Representatives should designate where these funds are to be spent? I do, and I hope you will vote down some of these amendments in disagreement and show to the taxpayers that you have some desire to cut down your ruthless spending. If you do not, there is no hope for America with this New Deal administration.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the adoption of the conference report.

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICH. Will a vote on the adoption of the conference report preclude a consideration of and a separate vote upon the reindeer item and this $5,000,000 item?

The SPEAKER pro tempore. The amendments in disagreement will be taken up separately.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 4: Page 4, after line 2, insert:

"The Secretary of the Interior shall include in his annual report a full statement of all expenditures made under authority of this paragraph."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 4 and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 9, page 14, line 3, after the word "exhibits", insert the following: "not to exceed $25,000 for employing persons or organizations, by contract or otherwise, for special reporting, engineering, technical, legal, and other services determined necessary by the Administrator, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5), and without regard to the civil-service laws and the Classification Act of 1923, as amended: *Provided*, That of the $4,500,000 hereby made available for administrative expenses of the Authority, not to exceed $1,500,000 shall be available for such expenses incurred at the site, and in connection with the construction, of the United States Housing Authority non-Federal projects, and shall be reimbursed by the public housing agencies constructing such projects, and such reimbursements shall be available for administrative expenses of the Authority: *Provided further*, That hereafter all necessary expenses in connection with the management and operation of projects transferred to the Authority by Executive Order No. 7732 of October 27, 1937, as modified by Executive Order No. 7839 of March 12, 1938, may be considered as nonadministrative expenses for the purposes hereof, and be paid from the rents received from each transferred project: *Provided further*, That hereafter the funds made available for administrative expenses of the United States Housing Authority shall be available for the payment, when specifically authorized by the Administrator, of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses to persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Authority: *Provided further*."

Mr. FITZPATRICK. Mr. Speaker, I move to recede and concur with an amendment.

The Clerk read as follows:

Mr. FITZPATRICK moves that the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In line 21 of said amendment, after the word "expenses", strike out the words "for the purposes", and in line 22 strike out the word "hereof" and insert in lieu thereof the following: ", notwithstanding the provisions of section 7 of the act of June 22, 1936 (49 Stat. 1647, 1648)."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Page 35, line 14, after the figure "470" and the parenthesis, insert "*Provided further*, That the aforesaid $100,000 for advances to individual members of the Menominee Tribe of Wisconsin shall be advanced under rules and regulations approved by the advisory council of the Menominee Indians and the Commissioner of Indian Affairs: *Provided further*, That in no event shall the 'Menominee 5 percent log fund' be used for this purpose."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Page 36, line 10, after the word "binding", insert the following: "*Provided*, That hereafter no individual of less than one-quarter degree of Indian blood shall be eligible for a loan from funds made available under this head."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur with an amendment to the amendment No. 16.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ": *Provided*, That hereafter no individual of less than one-quarter degree of Indian blood shall be eligible for a loan from funds made available in accordance with the provisions of the act of June 18, 1934 (48 Stat. 986), and the act of June 26, 1936 (49 Stat. 1967)."

Mr. CASE of South Dakota. Mr. Speaker, I would like to ask a question of the gentleman in charge of this bill.

I am wondering if the effect of this amendment to the amendment would not possibly be to interrupt the educational career of persons of less than one-fourth Indian blood who already have an education loan under the act of June 18, 1934, that is from the educational fund provided in one section of that act. It occurs to me there are students now in school and in the midst of possibly a 3- or 4-year course who have a loan at the present time from the educational fund provided in the act of June 18, 1934. If this motion should be agreed to, it occurs to me from hearing the amendment to the amendment that next fall some of these students who may be in their senior year might be denied a loan. It seems to me an exception should be made at least to permit those students who are now receiving loans to continue to receive these loans to the end of the course in which they are engaged.

Mr. JOHNSON of Oklahoma. The gentleman has raised an interesting question, but a question which is an administrative matter, so far as the Indian Office is concerned. The amendment, as the gentleman will note, states that "hereafter" those of less than one-quarter Indian blood shall not get loans under the acts cited. I would assume it does not apply to those now receiving such help.

Mr. CASE of South Dakota. But those loans are made for each fiscal or school year. I have in mind some students who have received loans for 1 or 2 years of their educational career. This would mean they could not get a loan out of this fund hereafter.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that certainly was not idea of the committee at all. The committee wanted to permit those who are now receiving such loans to continue to receive them. However, the time has come when we cannot throw the matter entirely wide open and permit everyone of thirty-second or sixty-fourth degree Indian blood to receive benefits under this act.

Mr. CASE of South Dakota. One further question. Would the gentleman object to putting a proviso on the end of his amendment to provide that this limitation shall not apply to those who are now receiving loans until they have completed their course, or something to that effect?

Mr. JOHNSON of Oklahoma. I do not think it would be wise to do that at this time. Later on if we find it is working a hardship on anyone, the matter can be corrected. It could be corrected in a deficiency bill, I may say to the gentleman.

The SPEAKER pro tempore (Mr. WARREN). The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON] that the House recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 19: Page 37, line 7, after the word "annum", insert the following: "*Provided further*, That hereafter the appropriation 'Development of Indian arts and crafts' shall be available for the payment of not to exceed $10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States while absent from their homes on official business of the Board."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendent insert the following: "*Provided further*, That hereafter any appropriation for the development of Indian arts and crafts, made pursuant to the act of August 27, 1935 (49 Stat. 891), shall be available for the payment of not to exceed $10 per diem in lieu of subsistence and other expenses of

members of the Indian Arts and Crafts Board, serving without other compensation from the United States while absent from their homes on official business of the Board."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 20: Page 47, line 19, after the word "Montana", insert the following:

"Crow: The Secretary of the Interior may incur obligations and enter into a contract or contracts not exceeding $500,000 for the completion of a storage dam and reservoir on the Crow Indian Reservation, Mont., at a total cost of not to exceed $1,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for this project shall be available for the purpose of discharging the obligation or obligations so created."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 27: Page 62, after line 6, insert a new paragraph, as follows:

"Reindeer industry, Alaska: For the purchase, in such manner as the Secretary of the Interior shall deem advisable, of reindeer, abattoirs, cold-storage plants, corrals and other buildings, and communication and other equipment, owned by nonnatives in Alaska, as authorized by the act of September 1, 1937 (50 Stat. 900), $820,000; and for necessary administrative expenses in connection with such purchase and the establishment and development of the reindeer industry for the benefit of the Eskimos and other natives of Alaska, as authorized by said act, including personal services in the District of Columbia (not to exceed $2,300) and elsewhere, traveling expenses, erection, repair, and maintenance of corrals, fences, and other facilities, $250,000; in all, $1,070,000, to be immediately available: *Provided*, That under this appropriation not exceeding an average $4 per head shall be paid for reindeer purchased from nonnative owners: *Provided further*, That the foregoing limitation shall not apply to the purchase of reindeer located on Nunivak Island."

Mr. TAYLOR of Colorado. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. RICH. Mr. Speaker, may I ask the gentleman if he will yield me about 3 minutes?

Mr. TAYLOR of Colorado. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, this is the same reindeer item on which the House voted during consideration of the Interior Department appropriation bill. The House voted this item down by a considerable majority.

Mr. Speaker, it is needless to go into the details of this bill at the present time, but may I say when it comes to spending $1,070,000 to purchase reindeer in Alaska, when the Eskimo now have 180,000 reindeer of their own, it seems to me it is a most foolish project for the Government of the United States to enter into. This is only to take care of some private interests up there because of a bill passed a couple of years ago. There are 49 different people up in Alaska who own reindeer and will have to be bought out eventually. Why the American people should be forced into a project which takes care of some individuals who have failed in their own business I cannot understand and I think the taxpayers back home will bless every one of you if you defeat this motion.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. MAAS].

Mr. MAAS. Mr. Speaker, there has been a great deal of misunderstanding about this item. It is not an attempt by private parties to unload these reindeer at all.

The Lomens, who are the principal nonnative owners of reindeer, had no desire to sell these reindeer. They had pioneered, developed, and were operating a profitable business in them, but the Government decided that because of the mismanagement and the deterioration of the native herds and because of lack of coordination in this industry it was desirable to place all the reindeer under a native Eskimo monopoly, thereby forcing the Lomens out of a very profitable business. They will lose probably a million dollars as it is. The Government is simply buying these herds at an average price of $4 a head so the reindeer can all be consolidated into one Eskimo monopoly, which apparently is a desirable thing to do. Thus, the Government is forcing the Lomens out of business. It is not a proposition of taking over a "white elephant" by any means. The Lomens would like nothing better than to be permitted to continue in the reindeer business in Alaska, but that has now been made impossible by action of Congress and the Interior Department.

Reindeer are vital to the Eskimo. The reindeer is the one animal that can subsist in that Territory. This reindeer business can bring about a splendid economic future for the Eskimos. The reindeer provides food and clothing, and in itself is a fine national defense item, because some day we may have to operate in Alaska and the reindeer would be our food supply. We are faced with the alternative of either building an industry which will make the Eskimo self-supporting or having to feed the Eskimo forever out of Federal relief funds.

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

Mr. MAAS. I yield to the gentleman from Minnesota.

Mr. KNUTSON. If this proposition goes through, the Eskimo will become independent for all time to come?

Mr. MASS. Yes; and we eliminate the relief problem in Alaska, at least among the Eskimos.

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

Mr. MASS. I yield to the gentleman from Montana.

Mr. THORKELSON. The reindeer is the only four-legged animal that can live in Alaska. Deer and elk cannot live there.

Mr. MAAS. Reindeer and caribou are the only such animals and the reindeer are closely related to the caribou. The reindeer will live and flourish in Alaska when properly herded and properly protected. The only way this can be done on a proper basis is by having one management for the herds in Alaska, which is now impossible due to the diverse ownership. This bill will make possible the creation of a thriving industry that will make the Eskimos in Alaska self-supporting.

Mr. LEWIS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. Will the Eskimos herd these reindeer, or are we going to have someone else herd these animals for the Eskimos?

Mr. MAAS. The plan is to train young Eskimos under a systematic program to herd the reindeer themselves. No such comprehensive program is possible under present circumstances.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I have had so much to say about this reindeer problem on former occasions that while I am very grateful to the gentleman from Oklahoma for giving me 5 minutes I do not propose to take all that time because my views on this question are too well known by this House.

I do not know why we are asked today to rescind the action of the House when this particular question arose and this particular language now in the bill was offered as amendment to the bill when it was considered before and was voted down; yet we are asked today to rescind the previous action of the House. Why? Simply because another body at the other end of the Capitol has seen fit to put back in the bill the language this House saw fit to take out on a previous occasion. That is the whole thing in a nutshell.

A great deal has been said here about putting the Eskimos on relief. The same argument could be made about every class of our citizenry in this country. If you were to go down into my section of the country, for instance, or into your section, and buy up cattle and turn them over to our citizens, you would keep them off relief. I cannot follow this argument. My objection to the particular type of legislation

contained in this item goes to the proposition that we are entering a new field of endeavor. While we are talking about economizing in government, by this item we would be going into an entirely new field and spreading out and expending more money and more money, although our attention is repeatedly called to the fact that this Government is going in the red by its expenditures in excess of $10,000,000 a day.

This House can do as it sees fit. I have said my last word about this proposition. I have no interest in it. It does not mean anything to me one way or the other, but if this House sees fit simply because the other body has seen fit to do so to put this language back in the bill, after the House voted down similar language after a substantial and lengthy debate, then it is up to the House of Representatives. [Applause.]

The SPEAKER pro tempore (Mr. WARREN). The question is on the motion of the gentleman from Colorado [Mr. TAYLOR] to recede and concur in the Senate amendment.

The motion was rejected.

Mr. JOHNSON of Oklahoma. Mr. Speaker, we had agreed to yield time to other Members. I did not move the previous question and I feel obligated to yield those Members time. For instance, the gentleman from New York [Mr. TABER] has asked for time.

The SPEAKER pro tempore. The Chair was very careful to see if the gentleman or any other gentleman in the House was on his feet after the gentleman from Mississippi concluded. Seeing no one asking for recognition, the Chair put the question on the motion. The Chair believes that of his own accord he would have no right or authority to go back. That could be done, in the opinion of the Chair, only by the granting of unanimous consent to vacate the proceedings. The Chair will entertain such a request.

Mr. JOHNSON of Oklahoma. In fairness to everyone, Mr. Speaker, I make that request at this time.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that all proceedings on the motion heretofore pending relating to reindeer in Alaska be vacated. Is there objection?

Mr. RICH. Mr. Speaker, reserving the right to object, we have conducted our opposition to this amendment, and acting under the rules of the House we have voted it down, and I shall have to object.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I have not taken any time on this matter, and I know the gentleman from Pennsylvania wants to be fair, and I feel the gentleman should withdraw his objection.

Mr. TAYLOR of Colorado. I may say to the gentleman from Pennsylvania that he knows very well that we expected the Delegate from Alaska [Mr. DIMOND] to close this debate, and it does seem to me it would be taking a very undue advantage of him. Possibly the fault was mine or the fault of the gentleman from Oklahoma that we were not on our feet at the time.

Mr. COLMER. Mr. Speaker, I hope the gentleman from Pennsylvania will withdraw his objection.

Mr. RICH. I would like to ask the gentleman from Colorado this question. The gentleman stated I knew that the Delegate from Alaska wanted to close this debate. I knew nothing about that.

Mr. TAYLOR of Colorado. I assumed that everybody understood that.

Mr. RICH. Mr. Speaker, let me ask the chairman of the committee whether we will get a roll call on this matter after debate is closed? If we are to have a roll call, I shall be pleased to withdraw my objection.

Mr. TAYLOR of Colorado. We cannot prevent the gentleman from having a roll call if he wants it.

Mr. RICH. In order to be fair to the Delegate from Alaska and the chairman of the committee and the chairman of the subcommittee, I withdraw my objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TAYLOR of Colorado. Does the gentleman from New York [Mr. TABER] desire some time?

Mr. TABER. I would like some time, but it seems there are three or four other speakers in favor of the motion, as I understand it, and I feel that we ought not to use all the opposition time now.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, it is extremely important that this Congress make a decision, and make a decision rightly, on this reindeer controversy. I doubt if we have had anything in the last 3 or 4 years that has been so completely misunderstood as this reindeer question.

In the first place, let me say that I do not believe there is a Member of this body now, and I doubt if we have had one for years, who would have the temerity to say or even to believe that we should permit the native Eskimo of Alaska to starve to death. This is one of the issues here involved.

When the white man went in there the native Eskimo had his great herds of caribou, and the coming of the white man, with the use of firearms and with the destructive methods taught, the caribou soon disappeared and then Uncle Sam went over into Siberia and introduced the first cousin of the caribou, the reindeer, and from 1892 until about 15 years ago the ownerships were all natives. Today they have 500,000 reindeer in Alaska, two-thirds of them are under the Indian Bureau of the Department of the Interior, held and cared for in trust for the Eskimos. The other one-third is in nonnative ownership, there being 46 different nonnative owners.

The conflicts that have arisen by reason of this divided ownership, and the advantages that have been taken by the nonnatives as against the interests of the natives, are resulting in the reindeer herds in Alaska becoming rapidly depleted and for this reason we must iron out this difference. We can do this by simply taking from the nonnatives their property, virtually without any compensation, as I indicated when this matter was up before. The Government can levy a range fee, and thus take their property from them by exercising a legal right, through a remedy grossly inequitable and unconscionable. Nobody would want to do this.

I am not a partisan in this matter, because I opposed it for 2 years until the matter was fully presented to us. The thing we should do, in fairness and in justice, is to pay not what the owners want, but pay for these reindeer what they are worth to the Government, as a matter of necessity for the native Eskimo.

Mr. VINCENT of Kentucky and Mr. MASSINGALE rose.

Mr. VINCENT of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Kentucky.

Mr. VINCENT of Kentucky. Can the gentleman tell me how much is allowed in this appropriation bill for the Eskimos, not including the reindeer part? How much does this bill carry for the Eskimos for schooling and other items?

Mr. LEAVY. I could only answer that question generally.

Mr. VINCENT of Kentucky. The gentleman is a member of the committee, is he not?

Mr. LEAVY. I would state that the per capita cost to the Government of caring for the Eskimo in Alaska is substantially under what it is for caring for the American Indian in continental United States.

Mr. VINCENT of Kentucky. I do not want the gentleman to dodge the question. Is not the bill carrying more than $900,000 for the care of the Eskimos and you only have 15,000 of them up there?

Mr LEAVY No; there are nearly 20,000 of them—19,000 of them, I believe, is the exact number.

Mr. VINCENT of Kentucky. What about the amount of the appropriation carried in the bill?

Mr. LEAVY. The gentleman may be correct that it is $900,000, but that is only $45 per capita per annum. I want to yield to the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. I would like to ask the gentleman for a little information about this bill. I am sure that the gentleman from Washington knows more about the reindeer in Alaska than, perhaps, anybody in this House, except the

Delegate from Alaska himself. Here is where I need a little information. On page 62, line 26, there is this language:

Provided, That under this appropriation not exceeding an average of $4 per head shall be paid for reindeer purchased from nonnative owners: *Provided further*, That the foregoing limitation shall not apply to the purchase of reindeer located on Nunivak Island.

What I would like to know, and I think the gentleman perhaps might state it, what is the difference between the Nunivak Island reindeer and the reindeer on the tundra in Alaska?

Mr. LEAVY. The reindeer upon this island represent but a very small percentage of the whole number. I cannot give the exact number. They are on an island where the condition is entirely different from that on the mainland. The herd is a herd of far superior quality, just as you will find distinctions in cattle or horses or any other animal.

Mr. MASSINGALE. The fact of the ownership by certain people of these Nunivak Island reindeer does not make any difference?

Mr. LEAVY. I can assure the gentleman that it does not. There has been no discrimination whatever by the committee that investigated this matter for the Congress.

Mr. JOHNSON of Oklahoma. There are only 14,000 of these superior animals on the island.

Mr. LEAVY. Yes, the gentleman is correct. We spent $50,000 in connection with this matter last year—I say "we," I mean the Congress of the United States—directed and authorized such expenditure. First we had an appropriation in last year's bill in the amount of $1,000,000 to buy reindeer, and then because of misunderstandings and differences the Congress authorized the chairmen of the House and Senate Appropriation Committees to appoint a congressional committee, not made up of Members of Congress, but a committee representing the Congress, headed by Mr. Rachford, of the Forestry Service. That committee went into Alaska and spent much of the summer there. Their findings and report are before us, and we are just carrying out their findings, an impartial and, I think, most thorough investigation. I want to say again that to me personally this does not mean anything, but we are concerned with this fact: Either we meet the Eskimo problem in Alaska by adopting a policy in reference to the reindeer that has promise in making them self-sufficient economically, or we adopt a policy of starving them to death. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I think there are a few things that the Members of the House ought to know about this reindeer situation. There are about 300,000 reindeer in Alaska. Of those 300,000 reindeer, 200,000 at least are in native ownership. The natives have absolute control over them. That means at least 10 for every man, woman, and child amongst the Eskimos; more reindeer than there are cattle in the United States for the people of the United States; many times more than there are milk cows.

Now, what does this mean? If you take their story at face value there are perhaps 100,000 reindeer that may be bought. If you paid the low price for reindeer, $1.50, that would make $150,000. If you paid the high price or the average price of $4, that would make $400,000. We are asking for $800,000 for that purpose. Now, you can see what kind of a proposition this is that is being put up to you. You see the way these promoters who want to get rid of a losing venture are trying to get help out of the United States Treasury. Why would it not be a little better if the people of this country were thought of a little bit and we did not do the things for the Eskimo that do not need to be done?

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

Mr. TABER. I yield to the gentleman from Mississippi.

Mr. COLMER. I would like to remind the gentleman in that connection that the initial cost of these animals is going to prove to be the small portion of the outlay from the Government in the long run, because we will have to maintain a bureau to administer that, with a lot of employees and so on. It is estimated that it will run something like $100,000, as I recall, per year to maintain this bureau.

Mr. TABER. And we are going to buy slaughterhouses, and all that sort of trimmings.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. SCHAFER of Wisconsin. This will be a real Santa Claus bill. We have 15 reindeer in every Eskimo's garage. That is better than two cars in every garage and two chickens in every pot.

Mr. TABER. It will improve the market for sleigh bells. [Laughter.]

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

Mr. TABER. I yield.

Mr. ENGEL. I would like to correct the gentleman's statement in regard to the number of reindeer. On page 541 of the hearings the gentleman from California [Mr. CARTER] asked the following question:

Mr. CARTER. At the present time, if I recollect it properly, you estimate that there are about 500,000 reindeer in this particular area, of which number 180,000 are owned by nonnatives, which would leave 320,000 in native ownership; am I correct in that?

Mr. RACHFORD. Yes, sir; that is right; 320,000.

Mr. TABER. It was 250,000 when this was first started 5 years ago. Then it got to be 300,000, and now they say 500,000. And all the time they say that the reindeer is being wiped out. That means over 15 for each Eskimo man, woman, and child. I wonder whether we need more?

Mr. VINCENT of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. VINCENT of Kentucky. I have been told that these reindeer run on the range and probably are not seen or counted once in 12 months; that it is impossible to count them. They run wild like foxes on the range. Is that correct?

Mr. TABER. No one in the world knows which reindeer belongs to which outfit.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Speaker, if the statement made by the gentleman from New York be correct, that no one knows who owns the reindeer in Alaska, it would seem that the logical thing to do would be for the Government to take them over so there could be no dispute as to the ownership. As I view this proposition, it is simply one where we are called upon to decide whether we want to make the American Eskimo self-sustaining or place him on the dole. To me it seems that the better way is to make him self-sustaining. That is not paternalism; it is just good business.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. REECE] 5 minutes.

Mr. REECE of Tennessee. Mr. Speaker, I had not intended to say anything on this subject. I am not a member of the committee which studied it. I have, however, given some attention to the subject. I feel that there is much misunderstanding about it. The misunderstanding, in part, I think, arises out of the association of reindeer in our minds with a yearly custom we followed in this country as children. This is a business proposition; no Santa Claus is connected with the reindeer we are dealing with.

This is a problem with which the Interior Department has been confronted for a long period of years because the Interior Department is the agency of the Government responsible for the Eskimos. This Department has studied this question by sending its own men to Alaska several years ago, and as a result of this study reached the conclusion that the welfare of the Eskimo demanded that this essential problem be solved in some way. The Department undertook to solve it by regulation, but instead of improving the situation it made it worse for both the Eskimo and the white men who were concerned with the industry up there. The Department finally reached the conclusion, as the gentleman from Washington [Mr. LEAVY] stated a while ago, that the

logical and businesslike thing to do was for the Government to purchase all the reindeer so they would all be under the supervision of the Eskimo. The Committee on Appropriations, however, before deciding the matter sent a committee of specialists to make a study for the benefit of Congress. As a result of this study the committee reached the conclusion that purchase of the reindeer was the logical way to solve the problem. I may say in passing that the men who made up this special committee were familiar with this kind of thing. It is not a problem with which most of us are familiar, but I feel that we are safe in going on the assumption that the Department of the Interior is not trying to put anything over on the Congress; and I think we are equally safe in assuming that this committee of businessmen which was sent up there to make this study is not trying to put anything over on the Congress or on the Government.

This committee found a very confusing situation existing up there. They stated in their report that it was impossible to tell definitely the number of reindeer. It estimated the number, as was stated a while ago, to be 500,000. Of these, 180,000 were estimated to belong to nonnatives. Much more is involved, however, than the mere number of reindeer that belong to nonnatives, because there is a conflict of interests, a conflict of grazing rights. The Eskimo is not in position to assert himself. He is, I understand, being driven off and does not have the full use and enjoyment of the public range.

As was stated by the gentleman from Washington [Mr. LEAVY], the Government could arbitrarily impose a grazing fee to drive the nonnatives out if it wanted to, but the nonnatives acquired these deer under governmental regulations; they did nothing improper, and their activity has been looked upon as a proper adventure; but the situation has become so confusing that the Department feels that the question should be settled in the interest of both the Eskimo and the nonnatives.

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

Mr. REECE of Tennessee. I yield.

Mr. MAAS. Mr. Speaker, is it not true that this proposal originated in the Department of the Interior and not with the reindeer owners?

Mr. REECE of Tennessee. That is entirely true. The Department is the one that originated this proposition and sent it down to Congress. The nonnatives who are in the business did not come to Congress undertaking to put this proposition over.

The situation has become so confused that it is impossible to operate until the situation is clarified. It is only natural that the nonnative owners of reindeer would like to have the proposition solved in some businesslike way, either through purchase or otherwise.

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

Mr. REECE of Tennessee. I yield.

Mr. RICH. Is the gentleman sure he is correct when he states that the Interior Department initiated this proposal? As I remember it, the Committee on Appropriations asked for an appropriation last year to send this committee up to Alaska to study the situation.

Mr. REECE of Tennessee. That is true; the Appropriations Committee sent its representatives, but the Department of the Interior, before the committee was appointed, made representations, as I understand, to the Congress recommending to the committee and to the Congress that this kind of solution be concluded.

I do wish to emphasize, because I fear there is a misunderstanding on this phase of the subject, that the nonnative owners did not originate this solution of the matter. The Department of the Interior originated it. [Applause.]

If I am incorrect in that statement, of course, I want the chairman of the committee to correct me. That is my understanding, and I think I am correct.

Mr. TAYLOR of Colorado. I may say to the gentleman that he is absolutely correct in his statement.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 10 minutes to the Delegate from Alaska [Mr. DIMOND].

Mr. DIMOND. Mr. Speaker, as this debate has proceeded, not only today but when the reindeer bill was before the House, and a few days ago when the Department of the Interior appropriation bill was under consideration and this particular item was debated, I have been continuously struck with greater and greater force by the fact that those who really know something about the matter are those who most earnestly and enthusiastically favor it. I do not know of a single Member of the House, except the gentleman from California [Mr. CARTER], who has ever been in Alaska and who opposes the proposal now before you in the form of this particular amendment. It is my understanding that when the gentleman from California [Mr. CARTER] was in Alaska he did not visit the reindeer districts.

It is quite true, so far as I am aware—and I say this only because evidently some Members have a different impression—that the original plan for the purchase of nonnative reindeer in Alaska for the benefit of the natives originated not in the minds of the nonnative owners of reindeer, but originated in the Department of the Interior. It was from that source I first heard of the subject and it took some argument to bring me to the point of favoring it.

When the purchase proposal was brought before the Committee on Appropriations, I think I am well within the facts in saying that not a single member of that committee favored it, favored the purchase of non-native-owned reindeer in Alaska. A number of the members of that committee expressed themselves vigorously against it. But as we studied it more and more, we came to the conclusion that the purchase of the non-native-owned deer was the only permanent solution of the problem.

When I introduced the first reindeer bill, there was much opposition in the House Appropriations Committee. There was opposition elsewhere, some in Alaska. So the first bill died without action being taken thereon. I went to Alaska in 1936 and spent considerable time in the reindeer country. I made a most careful and thorough investigation of the entire subject. I returned to Washington convinced that the reindeer bill ought to pass and I again introduced it. The bill was carefully considered by the House Committee on Territories; it was carefully considered on the floor of this House, and after extensive debate the bill was passed. An appropriation of $2,000,000 was authorized to carry out the purposes of the bill.

Some of you may remember that during the debate on that bill I asked that a provision be put in the bill that it should not go into effect in any particular unless an appropriation of at least $1,000,000 was made to carry the measure into effect. That amendment was defeated because the statement was made, at least privately to me and I think it was made on the floor of the House, that if the bill passed after that debate and after that discussion the appropriation, of course, would be made to carry the bill into effect. I could not conceive that the Congress would do so frivolous a thing as to pass a bill of this kind after extensive debate and authorize an appropriation of money, then fail to appropriate the money necessary to put the provisions of the bill with respect to purchase of reindeer and equipment into effect.

When the distinguished gentleman from Mississippi asks, "Why is this item here now? Did we not pass upon it adversely the other day?" I say in reply that this proposal is here now, this amendment is offered now, because a few days ago the House made a mistake that is bound to be tragic in its consequences to the natives of Alaska unless we here correct it. If democratic parliamentary government means anything it means that those who know a subject, those who are specially interested in it, ought to exercise every possible parliamentary procedure in order to give the House a chance to correct an error that has been made.

Mr. LEAVY. Will the gentleman yield?

Mr. DIMOND. I yield to the gentleman from Washington.

Mr. LEAVY. Is it not a fact that by reason of the chaotic conditions existing in the reindeer industry in Alaska during the last 3 years particularly, some herds have dropped from as much as 27,000 down to 2,700 deer?

Mr. DIMOND. That is quite true. The herds have materially decreased. The statement has been made that we have so many hundreds of thousands of reindeer in Alaska, which means so many reindeer for every man, woman, and child who belong to any Eskimo tribe, family, or community. May I impress upon you the fact there are not nearly as many reindeer in Alaska today as there were a few years ago and at the present rate of depletion inside of 20 years at the outside there will not be enough reindeer in the entire Territory of Alaska to fill this Hall of the House of Representatives, unless some measures further than those suggested outside of this bill are taken to prevent depletion of the herds.

Some question has been raised about the last clause of the amendment with respect to the reindeer on Nunivak Island.

The explanation is very simple. Nunivak Island, as the name implies, is an island that lies off the coast of Alaska. Several years ago some reindeer and caribou were placed upon that island and attempts were made under the direction of the Bureau of Biological Survey to create a better animal through cross-breeding of the reindeer with the caribou. Those attempts have been quite successful and at the present time we find there are about 14,000 reindeer on Nunivak Island. Those reindeer, I am told, are measurably superior to the ordinary reindeer which may be found on the other ranges of Alaska. After your committee, appointed by the chairman of the House Appropriations Committee and the Senate Appropriations Committee, had visited Alaska during the past summer, it came to the conclusion that the Nunivak Island reindeer were better reindeer than the others, and more valuable. That committee, let me remind the House, has recommended not that you pay $4 a head for the reindeer owned by the nonnatives of Alaska, but that you pay $5 a head.

The Subcommittee on Appropriations said that under all the circumstances the price ought to be limited to $4 a head except for the reindeer on Nunivak Island.

What does this amendment call for? A total appropriation of $1,070,000. Here are the details: 180,000 nonnative reindeer to be bought at an average price of $4 a head, with a little more added to that, perhaps because the reindeer on Nunivak Island may be considered worth five or six dollars a head, or perhaps more.

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

Mr. DIMOND. I yield to the gentleman from Washington.

Mr. MAGNUSON. I wish the gentleman would point out to the House that this solution is not just the solution of this committee but that the Canadian Government, running into the same problem 2 years ago, purchased reindeer from us and are going to adopt the same solution for the problem of the Eskimos in the Mackenzie Valley Basin. Further, as I recall, those reindeer cost the Canadian Government eight or nine or ten dollars a head.

Mr. DIMOND. The gentleman is quite right except as to the price, and as to that I do not know what the Canadians paid for the reindeer they purchased.

Mr. MAGNUSON. I do not know the exact figure.

Mr. DIMOND. The price that the Canadian Government paid for the reindeer must have been more than $4 a head.

To continue with the bill, then we have range equipment in the sum of $100,000. The special committee representing the House and Senate scaled the price down when they were in Alaska, and then the House Appropriations Committee cut it down some more, so the figure is now $100,000.

Then it is estimated that the expense of rounding up the deer and counting them and of making the purchase is $120,000. The administrative expense of putting this program under way is $130,000, and this $130,000, as is shown by the justification, involves the hiring of some 40 Eskimo reindeer herders at a wage of approximately $45 a month, together with 160 apprentices at a salary of $360 a year, or $30 a month. Everything has been calculated to the smallest detail.

It is true, as the gentleman from Washington [Mr. LEAVY] has so well said, that it is not necessary to purchase the nonnative reindeer. We can confiscate them. We can impose such conditions upon their use of the range that the nonnative owners cannot possibly live under the regulations. Further, we can bring suit on the part of the Government, since we have plenty of teeth in our statutes to collect taxes, to make the owners pay whatever may be charged for the use of the range, and thus we can take over without purchase all reindeer owned by the nonnatives of Alaska.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 additional minutes to the gentleman from Alaska.

Mr. DIMOND. Mr. Speaker, I hope the sentiment of this body is not such that anyone will attempt to justify a direct or indirect confiscation of the property of any citizen of our Nation.

I know the difficulties that confront a good many of the Members. I went through the same mental processes but with additional and intimate study and knowledge, I have progressed further than some of the Members have progressed at present because they have not had the time or the opportunity or the duty for gaining such knowledge. What is here proposed is the only course I know of that will save the reindeer for the people of Alaska. And remember, when you benefit the people of Alaska, whether they are Indians or Eskimos, or anybody else, you benefit the people of the United States as well, because Alaska is one of the greatest and finest markets the people of the United States have for their products. [Applause.]

Our welfare is your welfare. We are all tied up together.

You may say, "Why enter upon this plan? This is another subsidy and we ought not to go into it."

Mr. Speaker, if this House, if this Congress, if this administration, or any other administration, says we ought to go back to the economic and political doctrine of laissez faire, all right, then you can vote the bill down, but you know and I know that the laissez faire system is as dead as a doornail. I remember and you remember that you appropriated in the past year some $2,250,000,000 for relief, but our Eskimos did not get a cent of that amount, not a single solitary cent. How many reindeer or how many other animals do you suppose that sum could buy for every man, woman, and child in the United States?

I have been here in the House and watched the appropriation of billions of dollars to help the farmers and other citizens or groups of citizens. Why, then, should we draw the line and say, "Yes, we will take care of all other citizens of the United States; but we have taken over Alaska, we have destroyed all the natural food of the Eskimos, but the Eskimos can take care of themselves because we are going to apply the principle of laissez faire to the Eskimos even if we decline to follow it ourselves, and even if that may lead to the extinction of the Eskimos."

Mr. VINCENT of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. DIMOND. I yield to the gentleman from Kentucky.

Mr. VINCENT of Kentucky. I am sure the gentleman does not want to leave the impression that while we are appropriating money for the W. P. A. to be spent on people in the United States we have not appropriated money for the Eskimos. The bill we are considering today carries $951,000 for the education and support of the Eskimos, and similar appropriations have been made every year since the W. P. A. has been in existence. I do not believe the gentleman wants to leave the impression no relief has been handed out to the Eskimos.

Mr. DIMOND. Very little of that is for relief. It is for the education and medical welfare of the Indians of Alaska just the same as such aid is given to the Indians of the United States, although we in Alaska have not been given as much as the Indians of the United States have received for education or for medical attention. We have not been given as much pro rata as the others. [Applause.]

I think it is unquestionable that the Federal Government is under the same obligation with respect to the education and medical relief and welfare of the Indians and Eskimos of Alaska that it is under with respect to the Indians of the United States. That doctrine of obligation is almost as old as our Government itself, and appropriations were made for the support and welfare of the Indians before a Federal grant or gift or subsidy to any other citizen of the United States had ever been thought of. So the appropriations carried in this bill for the education and medical relief of the Eskimos and Indians of Alaska is entirely foreign to the subject of the making of grants or subsidies to citizens or groups of citizens generally. True, the current appropriation for the education and medical and other relief of the natives of Alaska includes an item of $40,000 for general relief, or approximately $1.10 for each of the native inhabitants of Alaska; that is to say, the Eskimos and the Indians. During the past year the W. P. A. appropriations alone have amounted to approximately $17 for each man, woman, and child in the United States, and I here repeat that the Eskimos did not share in that expenditure. If anything, we ought to be more solicitous for the welfare of the Eskimos and Indians than we are for the welfare of other citizens. After all, they are the original inhabitants of the land, and as to them we are intruders.

Ask yourselves whether it is possible that all of those of us who have studied the subject so carefully and thoroughly can be mistaken. I repeat that those who have the greatest knowledge of the matter are firmest in the conviction that the Reindeer Act should be put into effect through the appropriation now asked. The Secretary of the Interior and the other officials of the Department of the Interior favor it. It is supported by the Bureau of the Budget. It is supported by the President. It is supported, as witness the amendment now before us, by the United States Senate. It is supported by the special committee of the Members of the other body who visited Alaska in 1936 and made a special inquiry into the matter. It is supported by at least more than a majority of the Subcommittee on Appropriations of the House which has jurisdiction of the bills making appropriations for the Department of the Interior. But above and beyond all of those, the appropriation sought has the earnest and unanimous approval of another body, and that body is one of your own making, appointed by the chairmen of the House and Senate Appropriations Committees. I refer to the committee that made the special investigation in Alaska of all matters pertaining to the reindeer during the summer of 1938, Messrs. Ratchford, Wilson, and Reeds.

These men are eminent in their own occupations or professions. They would not have been appointed otherwise. They have made a thorough inquiry, and they say that the solution now and here proposed is the only solution of the problem; the only practicable way to save a great potential industry; the only way to make the Eskimos self-supporting; and that it is a true measure of conservation which will be of benefit to those who are now living and to the generations yet to come. It is conceivable that all of us are so careless or so lacking in intelligence as to be deceived into doing something that is against public interest? Is it reasonable to say that those who have the greater knowledge are likely to be wrong, and those who have the less knowledge of the subject are likely to be right? If so, we should do as well to pass or defeat our legislation by a cast of dice. Am I not justified in asking why last year you voted to appoint this special committee if you intended to disregard the results of the study and report and advice of that committee? No one yet has made the slightest criticism of the special committee or of its report. And yet, gentlemen argue here today that the report should "go out of the window," and that we should follow instead the suspicions, or the intuitions, or the guesses, of someone else.

Let me repeat that we are asking for this appropriation for the Eskimos and Indians of Alaska, and for no one else. We should not refuse to enact wise and just legislation because some other person or persons may incidentally benefit by it. To adopt that policy might defeat all legislation, for in enacting general legislation someone is almost bound to benefit who may not of himself be deserving of the benefit.

Your special committee has told you with a wealth of detail all of the reasons why the Reindeer Act should be put into effect; told you of the need of the Eskimos and Indians for the additional reindeer; told you of the intermingling of the native and nonnative reindeer; told you of the confusion on the ranges; told you that the non-native-owned deer absorb some of the best range needed by the natives; told you of destruction of the reindeer by wolves and coyotes; and recommended strongly and definitely that the purchase of the non-native-owned reindeer and reindeer range equipment should be made as authorized in the Reindeer Act. So far as I have heard or know there is not a single reason why this House should reject or disregard the report of the special committee, no reason to disbelieve or to discount a single paragraph or a single word embraced in the committee's report.

I urge your support of the motion to recede and concur in the Senate amendment.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SASSCER). The question is on the motion of the gentleman from Oklahoma to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. RICH, Mr. SCHAFER of Wisconsin, and Mr. COLMER) there were—ayes 64, nays 102.

So the motion was rejected.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including $3,000 for the purchase and distribution of reindeer, $75,000, to be immediately available, and to remain available until June 30, 1941."

Mr. JOHNSON of Oklahoma. Mr. Speaker, in addition to providing funds for the purchase of reindeer in Alaska, the amendment which was just rejected provided for administration in connection with reindeer now owned by the natives in Alaska. It is estimated that there are 320,000 native-owned reindeer and this bill, for a good many years past, has provided funds to furnish personnel and supplies and to provide general supervision in connection with the care of these native-owned reindeer. The Department has requested a total of $150,000 for this purpose and the pending amendment provides for an appropriation of $75,000. This amount will permit the reindeer service to continue existing personnel and will also permit the Department to train a number of native apprentices, who will assist materially in placing the reindeer industry on a sound basis. Defeat of the pending amendment would mean complete withdrawal of all Government aid to the natives and I believe it would also result in the early extinction of the reindeer now owned by these natives.

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

Mr. JOHNSON of Oklahoma. I yield.

Mr. COLMER. I understand none of this fund would be authorized for the purchase of reindeer.

Mr. JOHNSON of Oklahoma. Oh, no; there has always been $3,000 in the bill for this purpose.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma to recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments Nos. 28 and 32 may be considered together, as they relate to the same subject matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read as follows:

Amendment No. 28: On page 3, after line 22, insert:

"Colorado: Consolidated Ute (Southern Ute), $78,000, including the purchase of land, the subjugation thereof, and the construction of improvements thereon."

Amendment No. 32: On page 65, in line 10, strike out $592,460 and insert $483,447.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 28.

The motion was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 32 and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$478,247."

Mr. JOHNSON of Oklahoma. These are tribal funds and there is no objection on the part of the committee.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 33: On page 67, line 19, after the word "each", insert a colon and the following: "*Provided further*, That so much as may be necessary may be expended from the tribal funds of the Creek Nation for payment of the salary of the principal chief for the period from February 12, 1935, to June 30, 1936."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore (Mr. WARREN). The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 34: On page 68, after line 23, insert:

"Rehabilitation of needy Choctaw Indians: For the rehabilitation of needy Choctaw Indians, in Oklahoma, including the purchase of land in the vicinity of the Council House of the Choctaw Indians, Tuskahoma, Okla., the construction of improvements on newly acquired land, and such other purposes as may be recommended by the advisory council of the Choctaw Tribe and approved by the Commissioner of Indian Affairs, $100,000, payable from funds on deposit to the credit of the Choctaw Indians of Oklahoma, which sum together with the unexpended balance of the appropriation of $50,000 from Choctaw tribal funds for the acquisition of lands, etc., contained in the Interior Department Appropriation Act, fiscal year 1939, shall remain available until expended: *Provided*, That title to any land or improvements purchased under the provisions of this paragraph shall be taken in the name of the United States in trust for the Choctaw Tribe."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 41: On page 87, after line 9, insert:

"Lugert-Altus project, Oklahoma, $500,000: *Provided*, That as a condition precedent to the expenditure of this appropriation for such project an amount at least equal thereto shall be made available for expenditure by the Secretary of the Interior, by transfer from any funds appropriated for the construction of flood-control projects, as authorized in the act of June 28, 1938 (52 Stat. 1215, 1219)."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 46: On page 88, line 22, strike out "$9,048,000" and insert "$10,598,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$10,523,000."

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Oklahoma whether he is increasing the amount from $5,365,000 to $7,000,000.

Mr. JOHNSON of Oklahoma. This simply increases the total in accordance with the agreement of the House and Senate conferees.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 48: On page 89, line 17, after the figures, insert ": *Provided*, That the allocation from the Emergency Relief Appropriation Act of 1937 for official project No. 505-2-73, Fruit Growers' Dam and Reservoir, in Colorado, shall be immediately available for the acquisition of rights-of-way."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 49: On page 89, in line 22, strike out "$9,907,600" and insert "$11,457,600."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$11,382,600."

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 50: On page 91, line 20, after the word "structures", insert "including distribution and drainage systems)."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments 51, 52, and 53 be considered en bloc.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment No. 51: Page 92, line 21, after the word "Colorado", insert "and the Colorado River project, Texas)."

Amendment No. 52: Page 93, strike out lines 5, 6, 7, and 8 and insert "Colorado River project, Texas, $5,000,000, together with the unexpended balance of the appropriation of $2,030,000 under this head in the Interior Department Appropriation Act, fiscal year 1939: *Provided*, That the Secretary of the Interior by contracts entered into pursuant to the authority of the act of August 26, 1937 (50 Stat. 844, 850), shall require reimbursement of expenditures for construction of Marshall Ford Dam, to the extent and in the manner determined by him."

Amendment No. 53: Page 94, line 11, strike out "$34,700,000" and insert "$39,700,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendments numbered 51, 52, and 53.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I want to call attention to the fact that this is for increasing the height of the Marshall Ford Dam in Texas. The Congress appropriated $12,000,000 for this dam some year or so ago. They are now asking to increase the height of the dam from 190 feet to 260 feet. They want to spend $15,000,000 more on this particular dam. In the bill they ask for $5,000,000. They will have to ask for $10,000,000 additional before the year is over, or next year. It seems to me that this expenditure could well be suspended for a few years until some Member on that side of the House tells me where we are going to get the money. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Speaker, here again we have these irrigation and reclamation projects. We are adding about $15,000,000 to this bill above what it was when we sent it to the north side of this Capitol. This is at a time when we all know we are spending many millions of dollars to take land cut of production. If anyone can make those two things add up to sense they are using arithmetic that I know nothing about. Here we are with the markets on farm products lower than they have been in the past 5 or 6 years. Corn on the farm is 33 or 34 cents. The cost of production is about eighty-odd cents. The parity price on corn is also about eighty-odd cents. Nevertheless corn is selling at 34 cents on the farm.

Hogs are lower than they have been in 5 years. There was a great farrowing of hogs this year. Before fall comes nobody knows where these hogs will be. Still we are adding more land to compete with farm lands already producing surpluses and already asked to curtail production. Here they are asking for about $15,000,000, which will be used to bring in new land, and to bring new production to harass the farmers of America.

I say to you that the farmers of the Middle West cannot go on with the conditions that are confronting them this afternoon and with the prices I have mentioned. It is impossible for them to even expect to save their homes, their families, and the civilization that goes with American agriculture.

Now, so far as these projects have been already instituted, so far as men and women have invested in them and have invested their lives in them, I have never objected. Of course, we ought to protect them, I think, so long as we have heretofore given our promise to them.

There is no reason why we should continue with all these appropriation bills giving them more, and more, and more money. Let us keep faith in the matter of past agreements and undertakings, but let us not encourage new projects such as are in this bill.

Mr. Speaker, I have often talked on this matter. There is, as I see it, no sense, no equity, no justice in continuing to build irrigation projects under the conditions that confront the farming population today. Such items as this should be voted down. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, I realize that it does not do much good to make speeches on such an occasion, but I think it is high time to direct our attention and the attention of the country as to the manner in which this House continues to spend millions upon millions of dollars. Hardly any attempt is being made this afternoon to reduce any of the items carried by this measure that was increased in so many places by the Senate. Instead, we agree to all of the increases. We do it without any resistance whatsoever. It seems to me that the least we could do is to hold them to the figures as adopted by the House when it passed here a few weeks ago. We find ourselves accepting the increases by the millions in every respect. Right now you are talking about agreeing to an increase of $10,000,000 in such a casual manner that it gives the impression that it is a mere trifle and hardly worth trying to save.

And what are you doing with the money? It is to add to a dam already under construction and upon which the Government has already spent millions of dollars. It is to build it higher and bigger. It is said it is for navigation and flood control. It is also to bring more lands into cultivation by irrigation. On the one hand we spend Government money for bringing land into cultivation, while on the other hand we spend still more millions to try to control production in other parts of the country. As the gentleman from Iowa says, it just does not make sense. There is no question that we will fail to balance the Budget, but we do not seem to care; we sit supinely by and make no determined effort to cut down expenditures. On measures like these, where the House had gone the limit in the first place, we vote to increase the items still further by millions and millions.

Mr. RICH. Will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. RICH. Does it not make one almost sick to sit here and see items increased by $1,000,000, $5,000,000, $10,000,000, and be unable to do anything about it?

Mr. REES of Kansas. Certainly it makes me sick, and I should think it would make the American people and the American taxpayers pretty sick.

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

Mr. REES of Kansas. To the gentleman from Mississippi, certainly.

Mr. RANKIN. The appropriation carried by this item is for flood control on this river.

Mr. REES of Kansas. Yes; flood control. But so often it happens that a navigation proposition or a flood-control project turns out finally to be an irrigation development. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, my purpose primarily in seeking recognition at this time is to answer the misapprehensions that prevail on the part of those who have spoken concerning this matter.

This is in no sense an irrigation project, it does not bring into being a single acre of new land; it is entirely a flood-control project. Thirteen million dollars has been expended in the building of a dam providing a storage capacity of 600,000 acre-feet. By raising this dam another 70 feet, using the men working at the site at this time under the 2-year contract the project will have a storage capacity of 3,000,000 acre-feet, just five times the capacity of the present dam; and this greatly increased usefulness will be procured by the expenditure of $10,000,000, much of which is reimbursable. Let me pause here to pay a well-deserved tribute to that young and aggressive Member who represents the district where Marshall Ford Dam is located. I have never seen a Member who worked so faithfully, tirelessly, and effectively as he has.

Let us get the picture down there in southern Texas. Last year there was a flood on this river which resulted in a loss to the people below the Marshall Ford Dam and from there down to the Gulf in excess of $10,000,000 in property. The Department estimates that floods for the last 15 years on that river below this dam in the district represented by that splendid gentleman from Texas, the chairman of the great Rivers and Harbors Committee [Mr. MANSFIELD], who cannot be here this afternoon due to illness, have cost the people of Texas that live in that valley an average of $5,000,000 a year.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. LEAVY. I do not have time to yield.

We have spent for flood control and river improvement in our history $2,900,000,000 and not one cent has been directly repaid. Are you going to refuse the folks down there the permission to finish a project that will bring to them the highest degree of protection that the ingenuity of man and American engineering can give them? I am sure not; and I think it would be a great mistake for us now to

cease work on this project and let those folks again become the victims of flood ravages for years in the future.

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

Mr. LEAVY. I yield.

Mr. RICH. I call the gentleman's attention to the Senate hearings, an amendment offered by Mr. LEAVY, page 84, line 8, after the word "reimbursable", insert "except as to the Colorado River project, Texas."

In view of this amendment how can the gentleman's statement that this money is reimbursable be correct?

Mr. LEAVY. I will answer my colleague. Yes; I offered that amendment. That was on the appropriation bill last year. That is not the appropriation for this year. That was for the purpose of completing one step in this project following the acquisition of money in earlier years from P. W. A.; but the language in the amendment now before the House has the express provision in it that it shall be reimbursable to such extent as the Secretary of the Interior shall find is just and equitable. This, of course, is based upon the allocation that will be made to flood control and the allocation to power development. There is no power development in taking the dam on up to its full height. The power development there has been completed.

Mr. RICH. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Pennsylvania.

Mr. RICH. This was a flood-control project until they put the power and machinery there to make it generate power. They now generate power. Now they have to increase the height of the dam 70 feet more. After awhile you will want balloons to put on top of everything.

Mr. LEAVY. I must refuse to yield further. I thought I made clear to the gentleman from Pennsylvania that the storage capacity now is 600,000 acre-feet. Add 70 feet to the dam and you will have a storage capacity of 3,000,000 acre-feet, which is sufficient under ordinary circumstances to control the floodwaters of the Colorado River.

This amendment should prevail. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. HAWKS].

Mr. HAWKS. Mr. Speaker, being a new Member of Congress, I cannot understand how these things come back from the Senate and from conference with anywhere from $1,000,000 to $10,000,000 or $20,000,000 added to the original appropriation bill passed by this House. I cannot understand the reasoning either that confines the attention of the gentlemen in this House to the poor people in these reclamation and power project regions, when a bill presented to the House for the benefit of those people already engaged in agriculture in other sections of this country, people who have thousands and thousands of dollars invested in farms, farm buildings, and equipment, cannot receive consideration. Their tremendous investments apparently do not mean a thing. Today we have milk selling for anywhere from 81 cents to 91 cents a hundred pounds; cheese selling at 10 cents, 11 cents, and 12 cents, all of these articles produced in the North, where there are tremendous investments in farm properties, farm buildings, herds, and other equipment. By this amendment we go further into the development of new fields. We go from power into reclamation and then into flood control, each one of these steps requiring hundreds of millions of dollars more of the taxpayer's money.

I have no particular desire to hurt anybody engaged in agriculture, but common sense should tell us that opening up new lands, supplying water, power, and throwing in flood control for protection, is no answer to our present problem. It does seem to me that our farmers need protection from foreign competition. To put more land into production, while all agriculture is suffering from so-called surpluses and terrifically depressed markets, would seem to me to add to the confusion that already exists and to further burden our markets with farm produce which, it is claimed, is already excessive.

This policy of spending money like drunken sailors; this going around on the old spending merry-go-round; this utterly ridiculous lack of coordination between the various departments in Washington, has created a condition in agriculture that is unbearable. If the farmers of our country could sit in Congress and witness this insane display on the part of the New Deal, I am sure they would demand an immediate change in policy, and not wait until 1940.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I do not usually take the floor in connection with appropriation bills because usually I do not know a great deal about them. However, the gentleman from Texas, Judge MANSFIELD, is unable to be here today. He has written me a letter, a paragraph of which I desire to read, as follows:

> The completion of this dam will prevent the recurrence of disastrous floods which, frequently in the past, have devastated a large portion of my district. I am, therefore, anxious that the House will see its way clear to accept this amendment.

Everyone familiar with the situation in this part of Texas knows that the district represented by Judge MANSFIELD suffered untold loss last year. If he were here, he could speak so much better for himself than I; but I thought the House would like to know how it affected this grand old man's district and that he is tremendously interested in the House concurring in the amendment.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON] to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. H. CARL ANDERSEN) there were—ayes 96, noes 55.

So the motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

> Amendment No. 55: Page 94, after line 14, insert the following:
>
> "WATER CONSERVATION AND UTILITY PROJECTS
>
> "For construction, in addition to labor and materials to be supplied by the Works Progress Administration, of water conservation and utilization projects, including acquisition of water rights, rights-of-way, and other interests in land, in the Great Plains and arid and semiarid areas of the United States, to be immediately available, $5,000,000, to be allocated by the President, in such amounts as he deems necessary, to such Federal departments, establishments, and other agencies as he may designate, and to be reimbursed to the United States by the water users on such projects in not to exceed 40 annual installments: *Provided*, That expenditures from Works Progress Administration funds shall be subject to such provisions with respect to reimbursability as the President may determine."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

I yield 3 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, you have just voted $5,000,000 for a project down in Texas. The majority leader helped put it across. We are glad it is going to help Texas, but in this proposition we are asked to spend $5,000,000 for water conservation and utility projects when we do not know for what we are going to spend the money. This $5,000,000 is to be allocated by the President in such manner as he deems necessary to such Federal departments, establishments, and other agencies as he may designate. I say to the majority leader, the chairman of the Committee on Appropriations, and the Members of the House, let us say what this money is to be spent for and let us appropriate it for those ends. It is high time that Members of Congress say what they are going to appropriate money for instead of putting this power in the hands of the President. What are we here for? Are we nothing but a bunch of twiddle-de-dees and twiddle-de-dums, are we going to have the backbone to say that we are

going to spend this money for something in Texas, we are going to spend it for something in Oklahoma, or we are going to spend it for something in Pennsylvania? No; we put this power in the hands of the President of the United States. How do you know whether he wants this money? It is only the idea that somebody has that we ought to appropriate more money.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. Does the gentleman mean to tell this House that after the discussion of the House conferees with the Senate conferees he does not himself know what this money is for?

Mr. RICH. I may say to the gentleman from Oklahoma there are many items in this bill where the gentleman from Oklahoma does not know what the appropriations are for. I want to say that many a time I have been in the dark about appropriations. We made an appropriation to the Park Service and neither the gentleman from Oklahoma nor any of the other members of the committee knew what it was for, and that appropriation amounted to over $2,000,000,000. It seems to me that every Member of the House should know what every dollar of the taxpayers' money is to be spent for before he votes to appropriate it. I think it is about time that we cut out some of these appropriations.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, Congress authorized this item of $5,000,000 in the Second Deficiency Appropriation Act of the fiscal year 1938, but provided that the funds were to be taken from the funds made available by section 1 of the Emergency Relief Appropriation Act of 1938. It also placed a limitation on the expenditure of that money to the effect that no more than $50,000 could be expended on any one project, which made the fund unworkable; in other words, no reasonably sized project could be completed by the expenditure of only $50,000.

Now what has happened? The Great Plains Committee studied the conditions in the Northwest, including those in North and South Dakota, Montana, and other States similarly circumstanced during the drought period and the time they were eaten out of their crops by grasshoppers, and so forth, and the result was that that committe reported that it was necessary in order to meet the relief situation to provide a sum of approximately $5,000,000, to be expended within the discretion of the President of the United States, and to be supplemented by such sums from the Works Relief program as could be allotted to that purpose.

In addition to the tremendous expenditures that have been made in the drought areas for temporary relief without effecting a permanent solution, the conservation and irrigation projects constructed under this amendment will serve to halt the emigration of many farmers who otherwise would be forced to seek other locations. This is to take care of small irrigation projects that would help people to come into our State from the Dakotas and other States. The amendment that has been written into this bill by the Senate is simply for the purpose of lifting the restriction of $50,000 on the amount to be spent for any one project which was heretofore authorized by this Congress in 1938. If the Members of the House wanted to object to the moneys being used, they should have done so a year ago.

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

Mr. O'CONNOR. I yield to the gentleman from Massachusetts.

Mr. HOLMES. Are the States going to make any contributions toward this fund?

Mr. O'CONNOR. Why, certainly; it is all reimbursable. Every single dollar we are asking here this afternoon is reimbursable within 40 years.

Mr. HOLMES. The State matches the appropriations?

Mr. O'CONNOR. The amount is repaid.

Mr. PIERCE of Oregon. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Oregon.

Mr. PIERCE of Oregon. Was the appropriation exhausted that was made a year ago, or is that a continuing appropriation?

Mr. O'CONNOR. No; it is a continuing appropriation; but it cannot be used effectively because there is a string attached to it, namely, that only the sum of $50,000 can be used for any one purpose. This amendment is to take that restriction out of the law so the $5,000,000 may be used by the President of the United States, supplemented by such sums as the W. P. A. can use in dirt construction in connection with irrigation projects.

Mr. PIERCE of Oregon. The Bureau of Reclamation refuses to use the money because they cannot use it judiciously?

Mr. O'CONNOR. They cannot use it judiciously as long as the restriction of $50,000 remains in effect.

Mr. PIERCE of Oregon. I believe this amendment is very worthy.

Mr. O'CONNOR. It would not make sense for this House not to concur in this amendment this afternoon, because the $5,000,000 that has already been appropriated cannot be used effectively unless the limitation is removed.

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

Mr. O'CONNOR. I yield to the gentleman from Kansas.

Mr. HOPE. Does the gentleman refer to the funds that were appropriated under the Water Facilities Act?

Mr. O'CONNOR. No; this is a special appropriation requested by the President of the United States, and to be supplemented by W. P. A. funds, to take care of small irrigation projects that would cost in the neighborhood of $100,000 or $150,000.

Mr. HOPE. Who would administer this fund? Would it be administered by the Bureau of Reclamation?

Mr. O'CONNOR. The Bureau of Reclamation. These are small reclamation projects.

Mr. HOPE. As I understand, the money we appropriated a year ago was to be administered by the Department of Agriculture. Is this a new project or a continuation of the same project?

Mr. O'CONNOR. It is not a new project. It is to be administered by the Bureau of Reclamation.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. I would like to have the gentlemen who talk about the matching of the money by States point out the page and the line of the bill that states anything about matching or provides that the States will have to pay a single cent.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. GILCHRIST. When Members talk about the appropriation being reimbursable, I would like to have them explain whether this reimbursing business does not mean 40 years without interest. All of the reclamation and irrigation bills so far as I know provide 40 years for payment without interest. Is that reimbursable?

Then when gentlemen also talk about reclamation I would like to know why. They say this is not reclamation, but that it is flood control, and still the act itself speaks in several places about reclamation, and when the same matter was under discussion a moment ago it was stated that it should be under the Bureau of Reclamation, and there is a provision on page 92, in line 22, that it shall be under the reclamation law.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. GILCHRIST. The gentleman has his own time, but I will yield to the chairman.

Mr. JOHNSON of Oklahoma. I was interested in the gentleman's statement that none of this money is reimbursable. Has the gentleman read lines 24 and 25, on page 94, and lines 1, 2, 3 on page 95, where it plainly states that this is reimbursable to the United States by the water users.

Mr. GILCHRIST. I will say to the chairman and I hope I may have a moment or two to answer the gentleman that I did not say the act does not use the word "reimbursable," but I do say that when the act uses the word "reimbursable" it means reimbursable over a course of 40 years without interest.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I will yield myself one-half minute although it will not take one-half minute to answer the gentleman from Iowa. Let me say that if and when this work is done, to which the gentlemen so bitterly complains that it certainly will not be money wasted. It will make this country a richer place in which to live and promote the happiness and general welfare of our people. No one will ever have occasion to look back and say that a dollar of the money was wasted. So it would seem that the genial gentleman from Iowa is unusually exercised over nothing.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, this item should be regarded as a reappropriation. The history of the item is this: In June of last year the President sent up a recommendation to the Congress with a Budget estimate to carry out the recommendations that were made by the Great Plains drought committee. That recommendation suggested that $5,000,000 be made available to loan to water users for water-conservation projects, for the purchase of rights-of-way, for the purchase of lands, and for supplying costs of materials, the other than labor costs which might be provided by the Works Progress Administration. That $5,000,000 item was embodied in the last deficiency bill that was passed by the Congress last year in the closing hour of the session, in fact.

In the conference with the Senate that afternoon an amendment was agreed to that placed upon the fund the limitation to which the gentleman from Montana [Mr. O'CONNOR] has referred.

A further limitation was agreed to that made this money subject to the various regulations and limitations embraced in the W. P. A. or relief appropriations act of 1938. That placed this fund in an unworkable condition.

It required, among other things, that not more than $7 a month could be spent for materials per man employed, and that meant that you could not construct water-conservations projects, because $7 per man a month does not cover the cost of cement or other materials that are needed in building dams.

In addition to that, it meant that none of the money could be used for the purchase of land or rights-of-way, because W. P. A. projects have to be built upon the public domain or its equivalent. They have to be built upon land that is publicly controlled.

This item was designed to be used to supplement W. P. A. funds so that the water users could borrow from it to purchase lands for dam sites and so that they could purchase necessary rights-of-way and so that they could purchase the necessary materials. Under the limitations imposed not a dollar of the $5,000,000 has been used.

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

Mr. CASE of South Dakota. I yield to the gentleman, briefly.

Mr. HOPE. Has this anything to do with the appropriation that was made last year under the Water Facilities Act and which provided for administration by the Department of Agriculture?

Mr. CASE of South Dakota. It does not. The water facilities fund is an entirely different item.

Mr. HOPE. I would like to have the gentleman explain. There seems to be some confusion and I am asking the question for the purpose of getting information.

Mr. CASE of South Dakota. I am very glad to have the gentleman's question. The appropriation under the Water Facilities Act is an entirely different item and goes to a different work—farm ponds, wells, and so forth. It carries a project limitation, not of $50,000, but now of $25,000. Last year $500,000 was all that was appropriated under that act. It was supplemented by a $5,000,000 allotment of relief funds but very little was done until the beginning of the current season. This year under the Water Facilities Act, we appropriated $250,000 in the agriculture appropriation bill that was recently passed by the House. That was an entirely different item relating primarily to individual farms and should not be confused with this item for relatively small supplemental irrigation projects.

The pending item was never in a Department of Agriculture appropriation bill. It was in the last deficiency appropriation bill of the Seventy-fifth Congress and the limitations with respect to this particular fund came over here in the very closing hours of the session.

It happens that I discussed these limitations that evening with one of the honored and distinguished Members of this House, the gentleman from New York [Mr. BACON], whose memory we all revere. He was one of the conferees. Mr. Bacon explained to me at that time that he did not think these limitations were going to render this item unworkable, but it was impossible for anybody to tell that afternoon. We were in the last minutes of the session. The report was not even printed. Nobody knew exactly what the effect of the limitations would be.

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

Mr. CASE of South Dakota. I will be glad to yield.

Mr. HOPE. Was that item included in the bill and passed?

Mr. CASE of South Dakota. It was.

Mr. HOPE. But the limitation has made it unworkable?

Mr. CASE of South Dakota. That is exactly correct. The purpose of having the fund come in at this time in this way is to remove those limitations. In effect, it is a reappropriation, and there is no increase of Presidential authority to assign the fund to any agency. He had that authority under the original appropriation.

The gentleman from Pennsylvania [Mr. RICH] stated that there was no proof that the President wanted this action. The gentleman has been very busy. He is one of the hardest working members on the Appropriations Committee. It has escaped his attention that the idea was embodied in the report of the Great Plains Drought Committee. The President sent the item to the House under a special message with a Budget estimate for it in June 1938. It came back again in February this year as the subject of a special estimate from the Budget. It has Budget approval, and has always had Budget approval. I received a letter from Acting Director Bell dated February 4, this year, approving a proposal to free the item from these limitations.

The gentleman from Montana said this should be passed so that in Montana they might take care of some of the people coming from the Dakotas. Primarily, I hope you will pass this bill so that the people in South Dakota will not have to go to Montana or anywhere else. This is to let the people in the Great Plains take care of themselves where they are. It is cheaper than relief in dry years. And the money is reimbursable.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 1 additional minute to the gentleman from South Dakota.

Mr. CASE of South Dakota. Primarily this is an appropriation so that those people, instead of having to take grants or do W. P. A. projects of a sort that do not increase their income, can have some productive projects that will let these people make a living where they are. It is not for large irrigation. It is not for large reclamation. It is supplementary water conservation for the people on the land where they live and where they have their homes. I hope that with this explanation the committee will support the item.

Mr. O'CONNOR. Will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. O'CONNOR. The Director of the Budget wrote to the President on February 27, 1939, and recommended this

appropriation of $5,000,000 with the $50,000 limitation removed.

Mr. CASE of South Dakota. Yes. The removal of that limitation and the W. P. A. limitations was recommended by the Great Plains section of the Water Resources Committee which met in Omaha July 30 of last year and then was recommended by the Budget, as has been stated.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, I am going to get over on the Republican side of the House because I want to talk to the Republican Members on a matter that is of very great concern to them as well as to us. In fact, it is of greater concern to them. This $5,000,000 here provided for is going to be spent in States that are almost exclusively represented in this body by Members on the Republican side of the House. Last year, as the able gentleman from South Dakota [Mr. CASE] has indicated, we passed this bill carrying a $5,000,000 appropriation. Not a dollar of it has been spent. It is regretted that it could not have been. It had the $50,000 limitation on projects. Let me tell you why it is regretted that it could not have been spent. In 6 years we have spent—and this is no reflection upon the good people of North and South Dakota, Montana, Wyoming, Nebraska, Kansas, Oklahoma, Texas, and Colorado—we have spent in that region over $400,000,000 for relief. The aggregate expenditure was enormous. To the individual it was parsimonious in the extreme, in many instances as low as $7 per month per family. If we had spent some of that money for the impounding and utilization of the precious water which they have in so limited a degree in that region we would have put a part of those people on their feet—those people who, by the ravages of nature, have been driven from the soil. They are still distressed, discouraged, and disheartened. One hundred thousand families have drifted out. This $5,000,000 permits the engineers in the Reclamation Service to build a few small projects, but of necessity they must be far beyond $50,000, because $50,000 will not build a dam across the Missouri River, across the Platte River, or across any of those streams where they have water. They have no small rivers or small streams or creeks in that region. In the hearings, if you are curious to know, you will find that the Commissioner of Reclamation outlined the eight projects that he proposed to commence and finish with this money. They are all in States in great distress. Much of the labor would be W. P. A. labor. This amendment certainly ought to carry. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Speaker, since I made my remarks a few minutes ago it has been called to your attention that these appropriations are reimbursable. They are to be reimbursable to the United States by the water users on such projects in not to exceed 40 annual installments. This is without interest. I do not know of a single one of them but what is to be reimbursed in that way except it be those cases where payments have been waived entirely or have been extended for periods of more than 40 years.

When, therefore, people talk about these expenditures being reimbursable, the facts are they are reimbursable in annual, not semiannual, installments for 40 years without payment of interest. So there is nothing in that argument. They are giving this sum of money to the people to put into these projects, just as is stated and in the appropriation bill itself under reclamation law. They are not flood-control projects, as has been pointed out. Repeating what I said a moment ago, the statement that this money is reimbursable is without force or influence. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CARTER].

Mr. CARTER. Mr. Speaker, I believe amendment numbered 55 will prove very beneficial to the arid and semiarid areas of the Great Plains where water is at such a premium. This is a water-conservation measure. The work would have been carried on during the past year through authorization already made by this Congress had it not been for the $50,000 limitation that was placed in the previous measure.

I commend this amendment to each and every Member of the House because, upon investigation, I believe it will prove decidedly advantageous to those living in a region of the United States where there is not an adequate supply of water. The proposition has the added feature that appeals to those interested in conservation of wildlife—that the great flight ways of the ducks northward and southward traverse this region. These pools, ponds, lakes, and reservoirs which will be created by reason of the expenditure of this money will provide much needed havens of rest for these birds in their flights north and south.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Speaker, I am for the House concurring in this amendment because it will do more good than any money that has been spent since I have been a Member of Congress.

Mr. Speaker, I cannot understand the philosophy of those who live where the rain occasionally falls, or even those where the rain falls plentifully, who oppose this amendment just because it is reimbursable without interest. We have done enough in this country, it seems to me, to show that we intend to give to the farmers of this country cost of production, but somehow or other my friends who talk cost of production vote against it, as was shown the other day in the Agricultural Committee when the cost-of-production bill came up, and that committee refused to report the bill out—thereby, as far as was within its power, preventing this Congress from giving the farmers cost of production.

But in spite of that we are going to get cost of production, because we are going to continue to fight for the farmers of the United States of America in all the districts and in every State in the Union, and not merely for a few in one section or another section.

What will this amendment do? This amendment will give an opportunity to people living in the western part of North Dakota and other semiarid States to raise enough feed and grass for their cattle in the dry areas and, therefore, make it possible for them to continue to live there during drought years without being compelled to move into Montana, or into the State of Iowa, or into other States.

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

Mr. LEMKE. I cannot yield. I have not time.

This amendment simply provides that the President of the United States may use part of this $5,000,000 that has already been appropriated—you are not appropriating it—to continue and to complete such irrigation projects as the Buford-Trenton project in northwestern North Dakota so that we shall not have to send all of our people in western North Dakota to other States of this Nation. It will conserve and increase the wealth of this Nation.

I did not know until today that to look backward was a Republican principle. I thought that was just Mr. Wallace's philosophy and that all the rest of us looked forward to taking care of the people of this Nation regardless of where they live or what their condition may be. [Applause.]

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

Mr. LEMKE. I yield.

Mr. LEAVY. I believe the gentleman will grant that if this amendment is killed today it will be killed on the Republican side of the House.

Mr. LEMKE. I sincerely hope not, and I do not believe that it will be killed, because I believe that the great majority of the Republicans are just as liberal as the Democrats—at least I hope so. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Speaker, I am in favor of reclamation. I think it is a sound policy. The Republican Party has favored reclamation; in fact, the Republican Party is the

father of reclamation in this country. I have, however, frequently opposed individual reclamation projects because I felt that they were not sound and would not pay out. I have frequently criticized the Reclamation Service because I felt that instead of devoting itself to sound economically feasable projects it was going into great engineering projects which could never pay out.

The item under consideration presents an entirely different proposition. Here you have little projects, projects that have been neglected through all these years, projects on which you can put water on the land at a fraction of the cost of these large projects for which we have voted funds year after year. Furthermore, you are not going to put any new people into the business of farming. This undertaking is designed to care for people who are already on the land struggling to make a living.

The gentleman from Washington has told you how much money has been spent on relief out in this area during the past 5 or 6 years. This money is not to go for relief, it constitutes an investment, one of the best investments that could possibly be made, and the capital invested will be reimbursed because the projects are sound and practical.

There are numerous small streams throughout this area that in time might be developed in such way as to furnish water for irrigation. There is much which might be done in the way of pump irrigation. Of course, with only $5,000,000 it would be possible to institute but few projects. As far as I know none are planned for the State of Kansas; but I am familiar with the area which it is intended to develop, the Great Plains area. This will not only be a sound investment, but it will mean a real saving because it will take people who have been forced to accept relief of one kind or another and make them self-sustaining.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON].

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 64: Page 119, after line 22, insert the following: "Manassas National Battlefield Park, Va.: For the construction of an administration-museum building in the Manassas National Battlefield Park, Va., $56,000, to remain available until expended."

Mr. SCRUGHAM. Mr. Speaker, I move the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 76: Page 146, after line 18, insert a new section, as follows:

"SEC. 4. That hereafter no part of this or any other appropriation for any executive department, establishment, or agency shall be used for the payment of long-distance telephone tolls except for the transaction of public business which the interests of the Government require to be so transacted; and all such payments shall be supported by a certificate by the head of the department, establishment, or agency concerned, or such subordinates as he may specially designate, to the effect that the use of the telephone in such instances was necessary in the interest of the Government."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 77: Page 147, line 4, strike out the figure "4" and insert the figure "5."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the House recede and concur in the Senate amendment.

The motion was agreed to.

A motion to reconsider the votes by which the several motions were agreed to was laid on the table.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members who spoke on the conference report, the consideration of which has just been concluded, may have 5 legislative days in which to revise and extend their own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON MILITARY AFFAIRS

Mr. HARTER of Ohio. Mr. Speaker, I ask unanimous consent that the members of the subcommittee of the Committee on Military Affairs of the House may be excused from attendance tomorrow. The committee has been invited to attend the annual meeting and inspection of the laboratories of the National Advisory Committee for Aeronautics at Langley Field, Va. Members of the subcommittee who will make the trip are Mr. HARTER of Ohio, Mr. SMITH of Connecticut, Mr. MERRITT, Mr. COSTELLO, Mr. ARENDS, Mr. SHORT, Mr. ELSTON, and Mr. HARNESS.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. HARTER]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BUCK (at the request of Mr. COSTELLO), for 3 days, on account of illness.

To Mr. HILL, for 1 day, on account of official business.

To Mr. TERRY, for 4 days, on account of official business.

Mr. EBERHARTER rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Pennsylvania [Mr. EBERHARTER] rise?

Mr. EBERHARTER. Mr. Speaker, I rise to explain that today during the roll call on H. R. 5452 I was not in the Chamber. It so happens that at the very time the roll was being called on that measure, which provides certain benefits for World War veterans, I was in the offices of the Veterans' Administration attending a hearing on behalf of a veteran who has an appeal pending before the Board of Veterans' Appeals in which he makes claim for increased benefits. Had I been present I would have voted for the passage of that measure.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain excerpts from a newspaper.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. BENDER asked and was given permission to extend his own remarks in the RECORD.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech on railroad legislation and one on neutrality.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. GEYER]?

There was no objection.

Mr. ROMJUE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein copy of a resolution introduced by myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. ROMJUE]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of matters on the Speaker's table and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on Friday, April 28, 1939,

present to the President, for his approval, a bill of the House of the following title:

H. R. 5219. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes.

ADJOURNMENT

Mr. TAYLOR of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 2, 1939, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of the Committee on the Post Office and Post Roads at 10 a. m. Tuesday, May 2, 1939, for the consideration of House Joint Resolution 228, to declare certain papers and writings nonmailable.

COMMITTEE ON NAVAL AFFAIRS

There will be a meeting of the Committee on Naval Affairs at 10: 30 a. m., Tuesday, May 2, 1939, for the consideration of H. R. 4677, to amend the provisions of the act approved June 23, 1938.

COMMITTEE ON FLOOD CONTROL

There will be a meeting of the Committee on Flood Control at 10 a. m. on Tuesday, May 2, and Wednesday, May 3, 1939, for the consideration of pending resolutions, pending bills for examinations and surveys, and pending amendments to the act of 1938.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday next, May 3, 1939, at 10: 30 a. m., for the consideration of H. R. 952, H. R. 2390, H. R. 5746, H. R. 5758, H. R. 5851, and H. J. Res. 117.

COMMITTEE ON ROADS

The Committee on Roads will hold public hearings on Tuesday, May 2, 1939, at 10 a. m., in the Roads Committee room, 1011 New House Office Building (ground floor), on the following acts and bills:

S. 1109 and H. R. 3522, to amend the act entitled "An act to aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes," by providing that funds available under such act may be used to match regular and secondary Federal-aid road funds.

S. 1985, to extend the time within which the States may cause toll bridges to be made free in order to qualify for aid under the act of August 14, 1937.

H. R. 4541, to provide for the completion of a part of the Lewis and Clark Highway between Kooskia, Idaho, and a point near Lolo, Mont.

The meeting of the Roads Committee originally called for Tuedsay, May 2, 1939, at 10 a. m. has been postponed until Thursday, May 4, 1939, at 10 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, May 3, and Thursday, May 4, 1939, on bills H. R. 3657, H. R. 5401, H. R. 5402, and 5403. These hearings will be public.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings in room 219, House Office Building, at 10 a. m., on the bills and dates listed below:

On Wednesday, May 3, 1939, at 10 a. m., on H. R. 5584, amending the Canal Zone Code.

On Thursday, May 4, 1939, at 10 a. m., on H. R. 4650, making electricians licensed officers; and H. R. 5130, merchant marine bill, 1939. Hearings will be held on sections 1, 3, 5 to 11. Sections 2, 4, and 12 will be heard at some later date.

On Tuesday, May 16, 1939, at 10 a. m., on H. R. 4051, relating to hiring of seamen on Government vessels.

On Wednesday, May 31, 1939, at 10 a. m., on H. R. 4985, relating to fishery educational service in Bureau of Fisheries (CALDWELL); H. R. 5025, purchase and distribution of fish products (BLAND); and H. R. 5681, purchase and distribution of fish products (CALDWELL).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

681. A letter from the Acting Secretary of the Treasury, transmitting the draft of a proposed bill to authorize the sale of the monthly document prepared by the Treasury Department entitled Bulletin of the Treasury Department; to the Committee on Ways and Means.

682. A communication from the President of the United States, transmitting 32 supplemental estimates of appropriation for the War Department, for the fiscal years 1939 and 1940, totaling $185,440,000, of which $2,500,000 is to remain available until June 30, 1941, and $46,600,000 is to remain available until expended (H. Doc. No. 274); to the Committee on Appropriations and ordered to be printed.

683. A communication from the President of the United States, transmitting 17 supplemental estimates of appropriations for the War Department, for the fiscal years 1939 and 1940, totaling $21,062,500, of which $17,462,500 would remain available until expended (H. Doc. No. 275); to the Committee on Appropriations and ordered to be printed.

684. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 28, 1939, submitting a report, together with accompanying papers and an illustration, on reexamination of Warrior and Tombigbee Rivers, Ala., and Miss., with view to determining whether further improvement should be undertaken at this time by construction of the proposed new lock and dam at Mile 227, to replace present locks and dams Nos. 4 and 5 and to extend navigation up the Tombigbee River; and with view to making a restudy as to the lift most suitable for this lock and dam, and as to its priority in relation to the other locks and dams in this system, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 27, 1937 (H. Doc. No. 276); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

685. A letter from the Assistant Secretary of Commerce, transmitting the draft of a proposed bill to clarify the personnel of the Lighthouse Service serving under the jurisdiction of the War or Navy Department during national emergency; to the Committee on Merchant Marine and Fisheries.

686. A letter from the Past Adjutant General of the Grand Army of the Republic, transmitting the journal of the proceedings of the seventy-second national encampment of the Grand Army of the Republic held at Des Moines, Iowa, September 4–8, 1938 (H. Doc. No. 37); to the Committee on Military Affairs and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ANDREWS: Committee on Military Affairs. H. R. 5436. A bill to authorize the grant of a sewer right-of-way and operation of sewage-treatment plant on the Fort Niagara Military Reservation, N. Y., by the village of Youngstown, N. Y.; without amendment (Rept. No. 523). Referred to the Committee of the Whole House on the state of the Union.

Mr. DOXEY: Committee on Agriculture. S. 1569. An act to amend the Agricultural Adjustment Act of 1938, as amended; with amendment (Rept. No. 524). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL: Committee on Irrigation and Reclamation. H. R. 4997. A bill giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe,

N. Mex., on March 18, 1938; without amendment (Rept. No. 525). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL: Committee on Indian Affairs. H. R. 2654. A bill authorizing the payment of necessary expenses incurred by certain Indians allotted on the Quinaielt Reservation, State of Washington; without amendment (Rept. No. 526). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 4498. A bill for the relief of the Western or Old Settler Cherokees, and for other purposes; without amendment (Rept. No. 527). Referred to the Committee of the Whole House on the state of the Union.

Mr. HARNESS: Committee on Military Affairs. H. R. 6035. A bill to provide for the exclusion from the United States of persons who have been convicted of desertion from the military or naval forces of the United States while the United States was at war; without amendment (Rept. No. 529). Referred to the House Calendar.

Mr. KELLER: Committee on the Library. House Joint Resolution 208. Joint resolution authorizing the Joint Committee on the Library to procure an oil portrait of former President Herbert Hoover; without amendment (Rept. No. 530). 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. SPARKMAN: Committee on Military Affairs. H. R. 1882. A bill for the relief of Otis M. Culver, Samuel E. Abbey, and Joseph Reger; without amendment (Rept. No. 528). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 75) 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; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3716) for the relief of Dr. Henry Clay Risner; Committee on World War Veterans' Legislation discharged, and referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 6064 (by request). A bill to regulate wharf-operator charges, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DARDEN:

H. R. 6065. A bill to authorize major overhauls for certain naval vessels, and for other purposes; to the Committee on Naval Affairs.

By Mr. HOUSTON:

H. R. 6066. A bill to incorporate the General Conference of the Church of God of the First Born; to the Committee on the Judiciary.

By Mr. IGLESIAS:

H. R. 6067. A bill to authorize a preliminary examination and survey of certain rivers and their tributaries on the island of Puerto Rico, for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. KNUTSON:

H. R. 6068. A bill to reduce the tax on ethyl alcohol intended for nonbeverage purposes; to the Committee on Ways and Means.

By Mr. MAY:

H. R. 6069 (by request). A bill to promote the efficiency of the national defense; to the Committee on Military Affairs.

H. R. 6070 (by request). A bill to amend section 5 of the act of April 3, 1939 (Public, No. 18, 76th Cong.); to the Committee on Military Affairs.

By Mr. SUMNERS of Texas:

H. R. 6071. A bill to permit appeals by the United States to the circuit courts of appeals in certain cases; to the Committee on the Judiciary.

By Mr. HEALEY:

H. R. 6072. A bill giving civilian clerks, signal service at large, the same military status as Army field clerks; to the Committee on Military Affairs.

By Mr. JENKS of New Hampshire:

H. R. 6073. A bill to amend the Internal Revenue Code with respect to the tax on employers of eight or more, and for other purposes; to the Committee on Ways and Means.

By Mr. VOORHIS of California:

H. R. 6074. A bill to require the registration of all civilian military organizations in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 6075. A bill to increase the punishment for espionage; to the Committee on the Judiciary.

By Mr. WELCH:

H. R. 6076. A bill to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. AUGUST H. ANDRESEN:

H. R. 6077. A bill for the relief of the city of Waseca, Minn.; to the Committee on Claims.

By Mr. DISNEY:

H. R. 6078. A bill to authorize the construction of reservoirs at Markham's Ferry and Fort Gibson on the Grand (Neosho) River for flood control, and other purposes; to the Committee on Flood Control.

By Mr. MILLS of Arkansas:

H. R. 6079. A bill granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near the town of Black Rock, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHN L. McMILLAN:

H. R. 6080. A bill to authorize the Secretary of Agriculture to purchase refuge lands within the State of South Carolina for the perpetuation of the eastern wild turkey and to provide pure-blood brood stock for restocking within its native range, and for other purposes; to the Committee on Agriculture.

By Mr. PETERSON of Florida:

H. R. 6081. A bill to extend the provisions of the civil-service laws to full-time chaplains in the Veterans' Administration; to the Committee on the Civil Service.

By Mr. BLAND:

H. J. Res. 280. Joint resolution authorizing the payment of salaries of the officers and employees of Congress on the first workday preceding the last day of any month when the last day falls on Sunday or a legal holiday; to the Committee on Accounts.

By Mr. THORKELSON:

H. J. Res. 281. Joint resolution proposing an amendment to the Constitution of the United States to restore the same rights to the Indian tribes which are enjoyed by all citizens of the United States; 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 Nebraska, memorializing the President and the Congress of the United States to consider their legislative Reso-

lution No. 25, with reference to interstate-transit privileges; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Senate Resolution No. 58, concerning the Hawaiian Organic Act, to provide for reapportionment of the Senate and House of Representatives of the Territory of Hawaii; to the Committee on the Territories.

Also, memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution No. 27, with reference to the Sugar Act; to the Committee on Agriculture.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution No. 31, with reference to the Bankhead-Jones Farm Tenant Act; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD:

H. R. 6082. A bill granting a pension to Mary Belle Pigg; to the Committee on Invalid Pensions.

By Mr. BLOOM:

H. R. 6083. A bill for the relief of Morris Burstein, Jennie Burstein, and Adolph Burstein; to the Committee on Immigration and Naturalization.

By Mr. CARTER:

H. R. 6084. A bill for the relief of Katheryn S. Anderson; to the Committee on Claims.

By Mr. CULKIN:

H. R. 6085. A bill granting an increase of pension to Helen Lyman; to the Committee on Invalid Pensions.

By Mr. GIBBS:

H. R. 6086. A bill for the relief of Hampshire Heath; to the Committee on Claims.

By Mr. HEALEY:

H. R. 6087. A bill for the relief of Manuel Pereira Trueiro; to the Committee on Immigration and Naturalization.

By Mr. JOHNSON of Indiana:

H. R. 6088. A bill granting a pension to Charles Hovermale; to the Committee on Invalid Pensions.

By Mr. KELLY:

H. R. 6089. A bill for the relief of Pierce Quan; to the Committee on Claims.

By Mr. KUNKEL:

H. R. 6090. A bill granting a pension to Lottie Lee Stoner; to the Committee on Invalid Pensions.

By Mr. McCORMACK:

H. R. 6091. A bill for the relief of Samuel Roberts; to the Committee on Claims.

By Mr. JOHN L. McMILLAN:

H. R. 6092. A bill granting an increase of pension to Isabelle Johnston; to the Committee on Pensions.

By Mr. MASON:

H. R. 6093. A bill for the relief of Irene E. Smith; to the Committee on Invalid Pensions.

By Mr. MERRITT:

H. R. 6094. A bill for the relief of the Werber Leather Coat Co., Inc.; to the Committee on Claims.

By Mr. MOTT:

H. R. 6095. A bill for the relief of Wilbur P. Riddlesbarger and Josephine Riddlesbarger; to the Committee on Claims.

H. R. 6096. A bill for the relief of Mina Rust; to the Committee on Claims.

By Mr. O'TOOLE:

H. R. 6097. A bill for the relief of Helen Adams; to the Committee on Claims.

H. R. 6098. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the estate of William S. Erb, deceased; to the Committee on Claims.

By Mr. PACE:

H. R. 6099. A bill for the relief of Mrs. S. F. Sewell and the commissioners of roads and revenues, of Dooly County, Ga.; to the Committee on Claims.

By Mr. SECCOMBE:

H. R. 6100. A bill for the relief of Clara Myers; to the Committee on Claims.

By Mr. SMITH of Virginia:

H. R. 6101. A bill for the relief of the heirs to the estate of Slaughter S. Bradford; to the Committee on War Claims.

PETITIONS, ETC.

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

2767. By Mr. ANDERSON of California: Resolution signed by R. McAllister, president, Central Labor Council of San Mateo County, Calif., requesting the President and Secretary of the Interior and Secretary of the Treasury to take steps that are necessary to make available the $20,000,000 for the construction of the Shasta By Pass Tunnel, the Shasta Dam, and the Shasta Dam power plant; to the Committee on Appropriations.

2768. By Mr. CARTER: Assembly Joint Resolution No. 4 of the California Legislature, relative to Pacific coast shipyards; to the Committee on Naval Affairs.

2769. Also, Assembly Joint Resolution No. 30 of the California Legislature, memorializing the Congress to take favorable action on H. R. 4102, providing for the coinage of fractional minor coins; to the Committee on Coinage, Weights, and Measures.

2770. Also, Assembly Joint Resolution No. 2 of the California Legislature, relative to the defense of the California coast; to the Committee on Military Affairs.

2771. Also, Assembly Joint Resolution No. 14 of the California Legislature, memorializing the Congress to establish a moratorium upon payments of principal of loans made by the Federal land banks and other loans made by the Federal Government to agriculturists; to the Committee on Banking and Currency.

2772. Also, Assembly Joint Resolution No. 20 of the California Legislature, relative to Federal aid to State or Territorial veterans' homes; to the Committee on Military Affairs.

2773. Also, Assembly Joint Resolution No. 28, of the California Legislature, memorializing the Congress to enact proposed legislation directing the allowance and payment of travel and other expenses to certain soldiers of the Spanish-American War in the Philippine Islands; to the Committee on War Claims.

2274. Also, Assembly Joint Resolution No. 36, of the California Legislature, relative to construction of railway connecting link along northern California coast; to the Committee on Interstate and Foreign Commerce.

2775. Also, petition of Mrs. James B. Clark and 104 other signers, of Alameda County, Calif., urging that all immigration into this country be closed for 5 years; to the Committee on Immigration and Naturalization.

2776. Also, Assembly Joint Resolution No. 19, of the California Legislature, memorializing the Congress to continue the Works Progress Administration Federal art project; to the Committee on Ways and Means.

2777. Also, Assembly Joint Resolution No. 18, of the California Legislature, memorializing the Congress to provide for Kern River flood control; to the Committee on Flood Control.

2778. Also, petition of Mrs. Monsch, Michael Lessa, Robert E. Robertson, of Oakland, Calif., and 325 other residents of Oakland and Alameda County, Calif., urging enactment of legislation at once limiting immigration into this country for 5 years, and for deportation of all undesirable aliens because of the increasing unemployment situation in our country; to the Committee on Immigration and Naturalization.

2779. By Mr. CASE of South Dakota: Petition of Eugene Younghawk and 80 others urging rejection of House bill 5409; to the Committee on Indian Affairs.

2780. Also, petition signed by residents of several places in the Second Congressional District of South Dakota in numbers as indicated: Deadwood 112, Rapid City 82, Belle Fourche 76, Leade 74, Sturgis 71, Custer 54, Newell 49, Spearfish 47, Hot Springs 26, Nisland 25, Fruitdale 14, Hills City 12, Whitewood 10, and others from Vale, Camp Crook, Pringle, Cedar Canyon, Blue Bell, Pactola, St. Onge, Sulphur, Hoover, Imogene, Sanator, Union Center, Zeona, Buffalo, Buffalo Gap, Castle Rock, Central City, Fairburn, Hermosa, Silver City, Stoneville, Roubaix, and Twilight, favoring the passage of House bill 1, the so-called chain-store tax bill; to the Committee on Ways and Means.

2781. By Mr. CURTIS: Petition of the Townsend Club of Arapahoe, Nebr.; to the Committee on Ways and Means.

2782. By Mr. DEROUEN: Petition of the Jennings Business Club, Jennings, La., urging the passage or enactment into law of House bill 3517 or Senate bill 1305 extending Federal aid for education to the States and libraries; to the Committee on Education.

2783. By Mr. FLAHERTY: Petition of the Maritime Association of the Boston Chamber of Commerce, Boston, Mass., opposing the commodities clause, section 12; to the Committee on Interstate and Foreign Commerce.

2784. By Mr. GEYER of California: Resolution of the Marine Cooks' and Stewards' Association of San Pedro, Calif., Joseph O'Connor, agent, pointing out that there is a shortage of reasonable renting houses in that locality and a huge section of slums in that city and going on record as supporting the Wagner Housing Act for an appropriation of $800,000,000 for housing purposes; to the Committee on Appropriations.

2785. Also, resolution adopted by the Assembly and Senate of the State of California, urging that the President and Congress of the United States pass such legislation as will make it imperative that the Works Progress Administration Federal art project be continued in its present form; to the Committee on Appropriations.

2786. Also, resolution adopted by the Assembly and Senate of the State of California, urging that the President and United States Congress enact legislation that will result in increasing Federal aid for the care of disabled veterans in California State institutions; to the Committee on World War Veterans' Legislation.

2787. Also, resolution adopted by the Assembly and Senate of the State of California, urging that the United States Congress enact House bill 2197 of the first session of the Seventy-sixth Congress; to the Committee on Pensions.

2788. By Mr. JOHNS: Petition of 147 dairy farmers of Outagamie County, Wis., stating that they are sorely pressed to pay taxes and make a living, due to the low prices of dairy products and the high prices that we have to pay for the things we buy, respectfully petition the Congress of the United States to approve the Wisconsin dairy program; to the Committee on Agriculture.

2789. Also, joint resolution of the Wisconsin State Legislature, memorializing Congress to amend the Social Security Act so as to repeal the maximum contribution of $15 for each old-age pensioner to the States; to the Committee on Ways and Means.

2790. Also, joint resolution of the Wisconsin State Legislature, memorializing Congress to enact legislation removing the reciprocal exemption from tax on income of municipal, State, and Federal employees; to the Committee on Ways and Means.

2791. By Mr. KEOGH: Petition of the National Coal Association, Washington, D. C., concerning pay-roll taxes under Social Security Act; to the Committee on Ways and Means.

2792. Also, petition of Edgar T. Ward's Sons Co., Buffalo, N. Y., concerning the National Labor Relations Act; to the Committee on Labor.

2793. Also, petition of the Merritt-Chapman & Scott Corporation, New York City, concerning House bill 1809; to the Committee on Rivers and Harbors.

2794. Also, petition of the Jewish Fellowship Unit No. 1, New York City, concerning the Rogers-Wagner refugee bills; to the Committee on Immigration and Naturalization.

2795. Also, petition of the Ohio Chamber of Commerce, Columbus, Ohio, concerning pending neutrality legislation; to the Committee on Foreign Affairs.

2796. Also, petition of the Congress of Industrial Organizations, Washington, D. C., concerning House bill 5643; to the Committee on Immigration and Naturalization.

2797. Also, petition of Drivers, Chauffeurs, and Helpers Local No. 816, New York City, favoring the passage of the Starnes bill (H. R. 4576) and the Mead bill (S. 2063); to the Committee on Appropriations.

2798. Also, petition of the Amalgamated Clothing Workers of America, New York City, opposing any changes in the National Labor Relations Act; to the Committee on Labor.

2799. Also, petition of the Bricklayers' Union, Local No. 9, Brooklyn, N. Y., favoring the passage of House bill 4576 and Senate bill 2063; to the Committee on Appropriations.

2800. By Mr. LUCE: Memorial of the General Court of Massachusetts, relative to amending title I of the Social Security Act; to the Committee on Ways and Means.

2801. Also, petition of residents of Cambridge, Mass., relative to continuance of white-collar Works Progress Administration projects; to the Committee on Appropriations.

2802. By Mr. MERRITT: Resolution of the Town Board of the Town of Rotterdam, N. Y., favoring the passage of the Starnes bill (H. R. 4576); to the Committee on Appropriations.

2803. By Mr. PFEIFER: Petition of Edgar T. Ward's Sons Co., Buffalo, N. Y., concerning the National Labor Relations Act; to the Committee on Labor.

2804. Also, petition of the New York State Board of Housing, George D. Brown, Jr., secretary, New York City, urging support of amendment 9 to House bill 4852; to the Committee on Appropriations.

2805. Also, petition of the Amalgamated Clothing Workers of America, Washable Clothing, Sportswear, and Novelty Workers, Local 169, New York City, concerning the National Labor Relations Act; to the Committee on Labor.

2806. Also, petition of the Drivers, Chauffeurs, and Helpers Local, No. 816, of the International Brotherhood of Teamsters, New York City, urging support of House bill 4576 and Senate bill 2063; to the Committee on Labor.

2807. Also, petition of the National Coal Association, Washington, D. C., concerning pay-roll taxes under the Social Security Act; to the Committee on Ways and Means.

2808. Also, petition of the Merritt-Chapman & Scott Corporation, New York City, urging disapproval of House bill 1809; to the Committee on Rivers and Harbors.

2809. Also, petition of the Ohio Chamber of Commerce, Columbus, Ohio, favoring a strict neutrality bill; to the Committee on Foreign Affairs.

2810. Also, petition of the Women's International League for Peace and Freedom, Los Angeles, Calif., urging support of the Nye-Bone-Clark bill and opposing the Pittman bill and Thomas amendment; to the committee on Foreign Affairs.

2811. Also, petition of the American Humane Association, Albany, N. Y., opposing the shipment of horses and mules to foreign countries in case of war; to the Committee on Foreign Affairs.

2812. Also, petition of the League of Nations Association, Inc., Denver, Colo., urging the passage of the Thomas amendment; to the Committee on Foreign Affairs.

2813. Also, petition of the Women's International League for Peace and Freedom, California State branch, opposing the Thomas amendment and the Pittman bill, and favoring the Nye-Clark-Bone bill; to the Committee on Foreign Affairs.

2814. Also, petition of the Women's International League for Peace and Freedom, Santa Barbara, Calif., urging a strict mandatory neutrality bill; to the Committee on Foreign Affairs.

2815. Also, petition of the Women's International League for Peace and Freedom, Seattle, Wash., favoring the Nye-Clark-Bone bill and opposing the Pittman bill and Thomas amendment; to the Committee on Foreign Affairs.

2816. Also, petition of the Women's International League for Peace and Freedom, Hudson County group, Jersey City, N. J., favoring the Nye-Bone-Clark bill or retention of the present Neutrality Act; to the Committee on Foreign Affairs.

2817. Also, petition of the Essington Co., Fort Wayne, Ind., favoring strict neutrality legislation; to the Committee on Foreign Affairs.

2818. Also, petition of the Anthony Wayne Oil Corporation, Fort Wayne, Ind., favoring a strict neutrality bill; to the Committee on Foreign Affairs.

2819. Also, petition of the Borough League of Brooklyn, Inc., Brooklyn, N. Y., endorsing House bill 118, by Congressman VOORHIS of California; to the Committee on the Civil Service.

2820. By Mr. SCHIFFLER: Petition of Bernard J. Killeen and Mary Ann Rush, president and secretary of Local 102, United Federal Workers of America, recommending the early passage of House bill 960 when restored to its original objective; to the Committee on the Civil Service.

2821. Also, petition of Hon. Raphael P. Deegan, mayor of Benwood, W. Va., protesting against the construction of the Lake Erie to Ohio River Canal; to the Committee on Military Affairs.

2822. By Mr. SHAFER of Michigan: Resolution of the board of management, International Center of Detroit, Young Women's Christian Association, relative to employment of aliens on W. P. A. projects; to the Committee on Appropriations.

2823. Also, memorial of the Michigan Legislature, requesting amendment of the Sugar Act to provide a larger share of the American sugar market for the American farmer; to the Committee on Ways and Means.

2824. Also, resolution of Agriculture Local, No. 2, United Federal Workers of America, requesting amendment of present retirement legislation; to the Committee on the Civil Service.

2825. By Mr. VAN ZANDT: Resolution of Mary C. Donahue, president, and members of Sandy Township Townsend Club, No. 2, of Du Bois, Pa., urging a return of purchasing power to the majority of the American people and the reemployment of millions of citizens; criticizing the Social Security Act as inadequate and useless; and favoring the adoption of the Townsend national recovery plan as a uniform means of an adequate system of old-age pensions; to the Committee on Ways and Means.

2826. By the SPEAKER: Petition of the State Camp of Pennsylvania, Patriotic Order Sons of America, Philadelphia, Pa., petitioning consideration of their resolution with reference to religious liberty; to the Committee on Foreign Affairs.

SENATE

TUESDAY, MAY 2, 1939

(Legislative day of Monday, May 1, 1939)

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

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, Thou everlasting gracious Power, of whom the manifold universe is a manifold revelation: We worship Thee in the myriad unfoldings of Thy creative beauty, and especially in the conscious loveliness of our fair world, vouchsafed to us, with whom are eyes to see the glorious pageant of Thy divine artistry.

We bless Thee for Thy renewing springs within us, springs of aspiration, hope, and love; for the progress which time brings, albeit the world doth move with faltering steps and slow; and we beseech Thee to grant us the adequacy needful for our work and for the overcoming of those temptations which we daily meet with. Forgive us all our sins, negligence, and ignorances, that the strength of each may be as the strength of ten because our hearts are pure and our minds naked and open before the eyes of Him with whom we have to do.

We ask it in the name of Thy Son, who is a Priest forever, not after the law of a carnal commandment but after the power of an endless life, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, May 1, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. 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	Donahey	King	Reynolds
Andrews	Downey	La Follette	Russell
Ashurst	Ellender	Lee	Schwartz
Austin	Frazier	Lodge	Schwellenbach
Bailey	George	Logan	Sheppard
Bankhead	Gerry	Lucas	Shipstead
Barbour	Gibson	Lundeen	Slattery
Barkley	Gillette	McCarran	Smith
Bilbo	Glass	McKellar	Taft
Bone	Green	McNary	Thomas, Okla.
Borah	Guffey	Maloney	Thomas, Utah
Bulow	Gurney	Miller	Tobey
Burke	Hale	Minton	Townsend
Byrd	Harrison	Murray	Truman
Byrnes	Hatch	Neely	Tydings
Capper	Hayden	Norris	Vandenberg
Caraway	Hill	Nye	Wagner
Chavez	Holman	O'Mahoney	Walsh
Clark, Idaho	Holt	Overton	Wheeler
Clark, Mo.	Hughes	Pepper	White
Connally	Johnson, Calif.	Pittman	Wiley
Danaher	Johnson, Colo.	Reed	

Mr. MINTON. I announce that the Senator from Indiana [Mr. VAN NUYS] is detained from the Senate because of illness.

The Senator from Maryland [Mr. RADCLIFFE] and the Senator from New Jersey [Mr. SMATHERS] are unavoidably detained.

The Senator from Michigan [Mr. BROWN], the Senator from Iowa [Mr. HERRING], the Senator from New York [Mr. MEAD], and the Senator from Tennessee [Mr. STEWART] are absent on important public business.

Mr. AUSTIN. I announce that the Senator from Pennsylvania [Mr. DAVIS] is necessarily absent.

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

PERSONNEL OF THE LIGHTHOUSE SERVICE—SERVICE DURING A NATIONAL EMERGENCY

The VICE PRESIDENT laid before the Senate a letter from the Assistant Secretary of Commerce, transmitting a draft of proposed legislation to clarify the status of personnel of the Lighthouse Service serving under the jurisdiction of the War or Navy Department during national emergency, which, with the accompanying papers, was referred to the Committee on Commerce.

RESOLUTIONS OF A MUNICIPAL COUNCIL, VIRGIN ISLANDS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting two resolutions adopted by the municipal council of St. Thomas and St. John, V. I., which accompanying resolutions were referred to committees, as follows:

Resolution favoring the appropriation of funds for undertaking work in connection with the improvement of the harbor of St. Thomas; to the Committee on Appropriations.

Resolution favoring the exemption of persons traveling from continental United States to the Virgin Islands from the application of the stamp tax on steamship passenger tickets; to the Committee on Finance.