

Harris O. Stanley, Damascus.
 Gerald L. Whaley, Fayette.
 John P. Watt, Greenfield.
 Charles L. Collett, Ironton.
 Harry C. Lieurance, Jamestown.
 Herman H. Montooth, Leipsic.
 William J. Moriarty, Lorain.
 C. Woodrow Wilson, Lyons.
 Ray H. Strouse, McComb.
 Neal D. Roshon, Medina.
 James Woodward, Mineral Ridge.
 Albert P. McQuade, New Straitsville.
 John O. Entriakin, North Lima.
 Walter R. Williams, Norwalk.
 Fred L. Decker, Ostrander.
 Jessie B. McFadden, Pataskala.
 Orville C. Ryan, Peebles.
 William W. Norris, Ripley.
 Ellsworth E. Poots, Strongsville.
 Edward T. Brighton, Sylvania.
 Loran M. Grooms, West Union.
 John Kenneth Faist, Woodville.

OKLAHOMA

Foster F. Johnson, Carter.
 Shelby M. Alexander, Lone Wolf.

PUERTO RICO

Alberto Bravo, Mayaguez.
 George P. DePass, San Juan.

TENNESSEE

Howard Long, Kingsport.
 Charles A. Galloway, Waynesboro.

TEXAS

William G. Bryan, Avery.
 Luther G. Porter, Bangs.
 Samuel G. Selkirk, Jr., Bay City.
 Hugh B. Edens, Big Lake.
 Lawrence C. Galbraith, Big Sandy.
 Maurene W. Steuart, Blackwell.
 Harvey L. Pettit, Bloomburg.
 Joseph Edward Johnson, Brownwood.
 Albert H. Loyless, Burleson.
 Arthur K. Tyson, Calvert.
 Harry McDonald Thomson, Coleman.
 Nadyne McGehee, Collinsville.
 Wilbur D. Hart, Cooper.
 Clarence H. Nobles, Deport.
 Leland B. Doshier, Edcouch.
 William H. Wheeler, Eustace.
 Stanley F. Labus, Falls City.
 James F. Atkinson, Florence.
 Emmett W. Pack, Garrison.
 Spencer Boyd Street, Graham.
 Claude H. Hamilton, Harlingen.
 Ross Kenner, Hemphill.
 John Dunlop, Houston.
 Baxter Orr, Idalou.
 Robert L. Peebles, Lexington.
 Lula J. Moreland, Lindale.
 Ralph W. Ford, Linden.
 Sam H. Amsler, McGregor.
 J. William Dyer, Mabank.
 Edward F. Springer, Matador.
 Effie Viola Haden, Megargel.
 Benjamin T. Tucker, Mercedes.
 Stephen E. Fitzgerald, Miami.
 Augustus S. Hightower, Millsap.
 Alva O. Dannelley, Mirando City.
 William E. McClintock, Mount Pleasant.
 Robert H. Patterson, Mullen.
 Joe December, Orange Grove.
 Grace M. Barnett, Palacios.
 Mansel R. Coffee, Perryton.
 Richard J. Bradford, Pettus.
 Walter S. Martin, Port Arthur.

Oliver M. Lamkin, Rosenberg.
 Adlai C. Breustedt, Seguin.
 Edmund Herder, Shiner.
 Grady W. Hodges, Whitesboro.
 Oscar W. Stone, Wolfe City.

VERMONT

Alvarado C. Gibson, Cavendish.
 Charles R. Hazen, Chester Depot.
 John M. Jewell, Proctorsville.

WASHINGTON

Leland F. Nelson, Elma.

WEST VIRGINIA

William R. Kincaid, Cameron.
 Roscoe Cook, Lorado.

REJECTIONS

*Executive nominations rejected by the Senate July 29
 (legislative day of July 25), 1939*

POSTMASTERS

MISSOURI

James Walter Morrow to be postmaster at Iberia, in the State of Missouri.

Amy Foster to be postmaster at Warrensburg, in the State of Missouri.

PENNSYLVANIA

Charles A. O'Donnell to be postmaster at Frackville, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES

SATURDAY, JULY 29, 1939

The House met at 12 o'clock noon.

Rev. Clarkson R. Banes, pastor of Waugh Methodist Church, Washington, D. C., offered the following prayer:

Our gracious Heavenly Father and Father of our Lord, Jesus Christ, we humbly bow in Thy presence to acknowledge Thee as our Father. We are Thy children. Look upon us with Thy love, we beseech Thee, and richly reward us according to our faith.

May Thy blessings be upon this legislative body, and wilt Thou give them wisdom in all of their deliberations. May there be Thy divine guidance upon all the affairs of our Nation, and may our people live in peace and happiness. May the gospel of righteousness and of brotherly love be proclaimed throughout our land and even beyond our own borders until righteousness shall reign everywhere.

May Thy love be in our hearts this day and may we so live that the spirit of love shall go forth from our lives into the lives of others with whom we come in contact. Forgive us when we have gone astray, and lead us always in Thy way. We humbly ask in the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2879. An act to authorize the posthumous appointment of the late Arthur Mortimer Fields, Jr., to be an ensign of the United States Navy.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 188) entitled "An act to provide for the administration of the United States courts, and for other purposes."

PERMISSION TO ADDRESS THE HOUSE

Mr. BLAND. 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 Virginia?

There was no objection.

Mr. BLAND. Mr. Speaker, it is well at times to recall great events in the world's history. Parliamentary institutions are menaced by various movements. I wish to remind the House that tomorrow will be the three hundred and twentieth anniversary according to the calendar, old style, and August 9 will be the three hundred and twentieth anniversary according to the calendar, new style, of the meeting at Jamestown, Va., of the first legislative assembly in the New World. The assembly consisted of a Council of State, made up of the Governor and his councilors, and of another body consisting of two burgesses chosen out of each town hundred or other particular plantation. This popular body was known as the House of Burgesses. For the first time a legislative body opened its session with prayer.

EXTENSION OF REMARKS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein historical and other quotations. I shall also include a brief summary of the laws passed at the first legislative assembly in the New World.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

IMPORT PROVISIONS OF AGRICULTURAL ADJUSTMENT ACT OF 1933

Mr. JONES of Texas. Mr. Speaker, on yesterday in the passage of the bill (H. R. 7171) to amend section 22 of the Agricultural Adjustment Act, through a printer's mistake the word "are" was left out of line 11. I ask unanimous consent that in the engrossment of the bill the Clerk be authorized to insert the word "are" after the word "or" in line 11.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE LATE HONORABLE SALVATORE A. COTILLO

Mr. KEOGH. 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. KEOGH. Mr. Speaker, may I, in view of the nature of the bill before us today, call to the attention of the House and the country, of the untimely death in New York City of one, who not many years ago, arrived in this country as an immigrant boy—a man educated in the public schools and colleges of New York—a member of the bar—the first native of Italy to serve in the Legislature of the State of New York and to serve on the New York Supreme Court bench who, upon the completion of his first 14-year term, was reelected with the endorsement of all parties and received the largest vote given that year to a judicial candidate, who during his judicial career naturalized more than 30,000 persons, who spent a whole life in public service and whose passing shocks his friends—Supreme Court Justice Salvatore A. Cotillo—his star rises tonight, an immigrant, yes, but an American, for are we not immigrants all—Americans all.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Judge Wilfred Bradshaw, of Indianapolis, at the grave of President Lincoln's mother in Indiana.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ACCEPTANCE OF AN EASEMENT WITH RESPECT TO CERTAIN LANDS IN NEW MEXICO

Mr. DEROUEN. Mr. Speaker, I call up the conference report on the bill (S. 1558) to provide for the acceptance of an easement with respect to certain lands in New Mexico, and for other purposes, and ask unanimous consent that the statement 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 Louisiana?

There was 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 House to the bill (S. 1558) to provide for the acceptance of an easement with respect to certain lands in New Mexico, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 2.

That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "Commissioner of Work Projects"; and the House agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "Commissioner of Work Projects"; and the House agree to the same.

RENÉ L. DEROUEN,
J. W. ROBINSON,
KNUTE HILL,
JAMES W. WADSWORTH,
HARRY L. ENGLEBRIGHT,

Managers on the part of the House.

CARL A. HATCH,
RUFUS C. HOLMAN,
JAMES E. MURRAY,
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 House to the bill (S. 1558) to provide for the acceptance of an easement with respect to certain lands in New Mexico, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendments Nos. 1 and 3: These amendments struck out the words "Works Progress Administration" in two places in the bill and inserted in lieu thereof "Commissioner of the Work Projects Administration." The Senate recedes with amendments inserting the words "Commissioner of Work Projects," which is the proper designation of the office as now constituted.

On amendment No. 2: This amendment of the House struck out that part of section 2 which makes the section applicable to the reservoir referred to in this legislation as well as to the dam. Since the grant of the easement and the reversionary clause involved referred to the dam and reservoir together, it is necessary that this language be restored. The House recedes.

On amendment No. 4: This was a clerical amendment changing a reference to the Works Progress Administration to a reference to the "Work Projects Administration." The Senate recedes.

RENÉ L. DEROUEN,
KNUTE HILL,
J. W. ROBINSON,
JAMES W. WADSWORTH,
HARRY L. ENGLEBRIGHT,

Managers on the part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOUSTON. 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 Kansas?

There was no objection.

Mr. HOUSTON. Mr. Speaker, they used to tell a story about three candidates who were running for the same office at one time, and in order for the voters to test the capacity and stability of the various candidates, a test was decided upon; so they got a skunk, put it in a room, and then sent the first candidate into the room. He stayed about a minute and came out. Then they sent the second candidate in, and he stayed about 2 minutes, and he came out. The third candidate then went in, and the skunk came out. [Laughter.]

Mr. Speaker, last night we had a Democratic caucus. This morning when I picked up the CONGRESSIONAL RECORD I was very much pleased to see that there was nothing stated therein regarding the caucus; but you can imagine my amazement when I picked up this morning's Post and found almost a stenographic report of everything that was alleged

to have happened here last night. All I can say is that the skunk came out. [Laughter and applause.]

HON. ROYAL C. JOHNSON

Mr. RANKIN. 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 Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein a copy of the proceedings, together with the short addresses made by the friends of Mr. Johnson who appeared and participated in the presentation of an oil painting of him to the Committee on World War Veterans' Legislation, and that my remarks be printed in the Appendix.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short article on the new proposed spending-lending bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEEFE asked and was given permission to revise and extend his own remarks in the RECORD.

TAXES OF THE GREAT LAKES STEEL CORPORATION

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, an interesting situation comes to light out Michigan way. The Great Lakes Steel Corporation had its taxes raised by a mere trifle of \$6,000,000 out in Ecorse, Mich. Lo and behold! the 14 union organizations within the company's employee structure promptly protested to the Board of Review with such telling effect that the increase was cut down to \$2,000,000. They realized at once that this huge boost in taxes would inevitably bring an increase in steel prices with a resultant loss of orders to competitors, with decreased wages and fewer jobs.

Here is a new development in the field of labor relations. Intelligent labor leaders are coming to realize that high taxes invariably affect the man who toils, the man who can least afford to absorb the burden. [Applause.]

EXTENSION OF REMARKS

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that my colleague [Mr. CLEVINGER] may extend his remarks in the RECORD by printing a statement made by him before the Committee on Appropriations.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

BLACK HAWK WAR ANNIVERSARY

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. BOLLES addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from the National Grange on the subject of lending and spending legislation.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein

a resolution by the Shippensburg Legion Post relative to the antifireworks bill in Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD with particular reference to an article in the National Geographic Magazine concerning the State of Iowa.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

WHY JOHN L. LEWIS LOST HIS TEMPER

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, John L. Lewis is accustomed to enforcing his will through his "goon squads" and "wrecking crews." He has often reminded the President of his United Mine Workers' New Deal campaign contribution. He has called the President's attention to what Lewis considered an unpaid political debt. When anyone ventures to oppose him, he flies into a rage. That is the method of all tyrants.

Correctly or incorrectly, Lewis apparently has been advised that Vice President GARNER does not believe in Lewis' methods of levying tribute; hence, when opportunity offered, Lewis disclosed his true self by making an unfounded attack upon the Vice President. It is a sweet racket that Lewis has been working, and any exposure of or interference with it is reason for a tirade.

In the 2-year period to which I referred day before yesterday, Lewis collected over \$7,000,000 from the miners. What became of the money? From July 17, 1935, to May 18, 1937, Lewis himself, for his salary and expenses, got \$65,768.11. That is something; that is a tidy sum, and all collected from the workingman for whom Lewis pretends to feel so sorry.

Then Lewis likes to make presents, and he saw to it that \$6,250 be allowed for the purchase of Democratic campaign books at \$250 each. Do you think any of the miners enjoy looking at the pictures in those books at that price? And can Lewis name one miner whose money he spent for the picture books who ever saw one of them?

Lewis likes to do things in a big way, so he saw to it that the United Mine Workers contributed \$458,418.91 to the Roosevelt campaign and, after his candidate was elected, so that he might have an inaugural befitting royalty, Lewis took from the money collected from the miners \$2,500 to contribute to the splendor of that inaugural spectacle.

Yes; Lewis is mad at GARNER, and he is mad at anyone who calls attention to the way in which he gets his money and the manner in which he spends it.

How much did he collect in Pennsylvania for the Tom Kennedy campaign and what did he do with it? Who got it? How much of an assessment has he levied on the United Mine Workers, to be spent for political purposes in the State of Kentucky to put in the Governor's chair John Young Brown, so as to have in the executive office of that State a man who he thinks will do his bidding?

Like a bee interrupted in its honey collecting, Lewis buzzes and stings whoever happens to come within the range of his venom. [Applause.]

EXTENSION OF REMARKS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Washington Star.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the housing bill and on the W. P. A. matter, and in the latter to include certain short excerpts from some letters that I have received.

The SPEAKER. Is there objection?

There was no objection.

INTERSTATE COMMERCE ACT

Mr. LEA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2009) to amend the Interstate Commerce Act, as amended, by extending its application to additional types of carriers in transportation and modifying certain provisions thereof, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection?

Mr. WARREN. Mr. Speaker, I reserve the right to object, but, of course, I say to the gentleman from California that I shall not object. This is the transportation bill. We all realize that the water section of the bill was retained, but there were three or four very vital amendments written into that bill by the House, on which the gentleman from California [Mr. LEA] or any other Member of the House could have had a roll call had he so desired. Those amendments, briefly, were the ones offered by the gentleman from Texas [Mr. JONES], the one offered by the gentleman from Mississippi [Mr. WHITTINGTON], an amendment offered by the gentleman from Iowa [Mr. HARRINGTON], protecting the rights of the railroad employees, and a very vital amendment offered by the gentleman from New York [Mr. WADSWORTH], which was in identical form with an amendment already passed in the Senate, offered by Senator MILLER. I think it is only fair to the House, in view of the fact that no separate vote was asked for by the gentleman from California on those amendments, that he state to the House that he will insist on those amendments being incorporated in the final conference report.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. WARREN. Yes.

Mr. WHITTINGTON. There was a certain amendment which I proposed to the so-called Ramspeck part of the bill, which was accepted by the committee and that I think should be retained.

Mr. DISNEY. Then there was still another amendment, the barge-line amendment. That seems to me extremely important, to at least my section of the country and to the gentlemen with whom I have discussed it. I think that ought to be kept in the bill.

Mr. WARREN. I agree with the gentleman. The main point, I think, is this—and I think all the amendments were very important—but in the case of the Wadsworth amendment the House adopted it in the identical language of the Senate, and, of course, the long-and-short-haul amendment means nothing so far as affecting the Wadsworth amendment is concerned, but I do think, in view of the fact that the gentleman from California did not ask for a separate vote, that he ought to give the House real assurance as to that amendment.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WARREN. Yes.

Mr. MAY. I am not interested in the amendments or anything connected with them, but does not the gentleman from North Carolina think, in view of the fact that the House requires the conferees, and particularly the chairman, to contend for the House position, it is rather extraordinary to ask the chairman of any committee to commit himself?

Mr. WARREN. Not at all. This statement is made, as the gentleman from Kentucky knows, on bill after bill, before it goes to conference. It has been made here a dozen times during this session of Congress. I am merely calling the attention of the chairman of the committee and the chairman of the House conferees to the action of the committee, which later proved to be the unanimous action of the House.

Mr. RANKIN. And let me say to the gentleman from Kentucky that on occasions of this kind I have seen the House instruct conferees, as it has a right to do. I think the gentleman from North Carolina is entirely right, and that we ought to have assurance from the conferees that this amendment will be held in the bill.

Mr. MAY. I am not arguing about the amendment being proper or improper, but I think it is embarrassing to a chairman to be told what he must do in advance.

The SPEAKER. Is there objection to the request of the gentleman from California? Does the gentleman from North Carolina yield the floor?

Mr. WARREN. Mr. Speaker, I am not objecting.

The SPEAKER. Is there objection?

There was no objection.

The Speaker appointed the following conferees: Mr. LEA, Mr. CROSSER, Mr. BULWINKLE, Mr. COLE of Maryland, Mr. WOLVERTON, Mr. HOLMES, Mr. HALLECK.

AMENDING CIVIL SERVICE RETIREMENT ACT

Mr. RAMSPECK. Mr. Speaker, I call up the conference report on the bill (S. 281) to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended, and I 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 Georgia?

There was 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 amendment of the House of Representatives to the bill (S. 281) to amend further the Civil Service Retirement Act approved May 29, 1930, as amended, 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 disagreement to the amendment of the House of Representatives and agree to an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert:

"That section 3 of the Act of May 29, 1930, as amended, is amended by striking out all of that portion thereof beginning with paragraph (g) and continuing to the end of the section and inserting in lieu thereof the following:

"(g) This Act shall not apply to such employees of the Light-house Service as come within the provisions of section 6 of the Act of June 20, 1918, entitled 'An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes', nor to members of the police and fire departments of the municipal government of the District of Columbia, nor to such employees or groups of employees as may have been before the effective date of this Act excluded by Executive orders from the benefits of the Act of May 22, 1920, and amendments thereof.

"(h) The provisions of this Act may be extended by Executive order, upon recommendation of the Civil Service Commission, to apply to any employee or group of employees in the civil service of the United States not included at the time of its passage. The President shall have power, in his discretion, to exclude from the operation of this Act any employee or group of employees in the civil service whose tenure of office or employment is intermittent or of uncertain duration.

"(i) Any officer or employee to whom the Act of July 13, 1937 (Public, Numbered 206, Seventy-fifth Congress, first session), applies who has failed to exercise the option provided thereby to come within the terms of the Retirement Act of May 29, 1930, as amended, may exercise such option within six months from the effective date of this Act."

"Sec. 2. Strike out all of section 4 of the Act of May 29, 1930, as amended, and insert in lieu thereof the following, so that this section shall read:

"(a) The annuity of an employee retired under the provisions of the preceding sections of this Act shall be a life annuity, terminable upon the death of the annuitant and shall be composed of (1) a sum equal to \$30 for each year of service not exceeding thirty; *Provided*, That such portion of the annuity shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee; nor shall such portion be less than an amount equal to the employee's purchasable annuity as provided in (2) hereof; and (2) the amount of annuity purchasable with the sum to the credit of the employee's individual account as provided in section 12 (a) hereof, together with interest at 4 per centum per annum compounded on June 30 of each year, according to the experience of the civil-service retirement and disability fund as may from time to time be set forth in tables of annuity values by the Board of Actuaries.

"(b) The total annuity paid shall in no case be less than an amount equal to the average annual basic salary, pay, or compensation, not to exceed \$1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service, not exceeding thirty years, and divided by forty.

"(c) Any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned.

"(d) Any employee retiring under the provisions of section 1 of this Act may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity payable to him during his life, and an annuity after his death payable to his beneficiary, duly designated in writing and filed with the Civil Service Commission at the time of his retirement, during the life of such beneficiary (a) equal to or (b) 50 per centum of such reduced annuity and upon the death of such surviving beneficiary all payments shall cease and no further annuity shall be due or payable. The amounts of the two annuities shall be such that their combined actuarial value on the date of retirement as determined by the Civil Service Commission shall be the same as the actuarial value of the single life increased annuity with forfeiture provided by this section: *Provided*, That no election in lieu of the life annuity provided herein shall become effective in case an employee dies within thirty days after the effective date of retirement, and in the event of such death within this period, such death shall be considered as a death in active service.

"(e) For the purpose of this Act all periods of service shall be computed in accordance with section 5 hereof, and the annuity shall be fixed at the nearest multiple of twelve.

"(f) The term "basic salary, pay, or compensation," wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation."

"Sec. 3. Section 6 of the Act of May 29, 1930, as amended, is hereby amended as follows:

"(a) At the end of the first paragraph add the following: 'The time limitation for execution of claims for retirement under the terms of this section may be waived by the Civil Service Commission in cases of employees who at the date of separation from service or within six months thereafter, are adjudged mentally incompetent, but the application in such cases must be filed with the Civil Service Commission within one year from the date of restoration of any such person to competency or the appointment of a fiduciary whichever is the earlier. In the case of any such person heretofore separated from service application may be filed within one year after the effective date of this Act.'

"(b) The second paragraph of section 6 of such Act of May 29, 1930, as amended, is amended by striking out the words "ninety days from the date of the medical examination showing such recovery" and inserting in lieu thereof the following: "one year from the date of the medical examination showing such recovery."

"Sec. 4. The following paragraph shall be inserted after the first paragraph of section 10 of the Act of May 29, 1930, as amended:

"Any employee may at his option and under such regulations as may be prescribed by the Civil Service Commission deposit additional sums in multiples of \$25 but not to exceed 10 per centum per annum of his annual basic salary, pay, or compensation, for service rendered since August 1, 1920, which amount together with interest thereon at 3 per centum per annum compounded as of June 30 of each year, shall, at the date of his retirement, be available to purchase, as he shall elect and in accordance with such rules and regulations as may be prescribed by the Civil Service Commission with the approval of the Board of Actuaries, in addition to the annuity provided by this Act, an annuity according to the experience of the civil-service retirement and disability fund as may from time to time be set forth in tables of annuity values by the Board of Actuaries based on an interest rate of 4 per centum. In the event of death or separation from the service of such employee before becoming eligible for retirement on annuity, the total amount so deposited with interest at 3 per centum per annum compounded on June 30 of each year shall be refunded in accordance with the provisions of section 12 of this Act."

"Sec. 5. This Act shall take effect January 1, 1940."

And the House agree to the same.

ROBERT RAMSPECK,
JENNINGS RANDOLPH,
EDITH NOURSE ROGERS,

Managers on the part of the House.

M. M. NEELY,
W. J. BULOW,
LYNN J. FRAZIER,

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 amendment of the House to the bill (S. 281) to amend further the Civil Service Retirement Act approved May 29, 1930, as amended, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment to the bill was in effect a substitute bill for the one that passed the Senate, in that the House Committee on the Civil Service struck out everything in the Senate bill after the enacting clause and inserted a new bill as one amendment, which passed the House.

The Senate conferees have receded from the language of the Senate bill, but have refused to accept all of the sections of the House amendment. The House conferees have agreed to eliminate sections 1, 2, 6, 7, 8, 10, and 11 of the House amendment.

The following statement describes the resulting bill as agreed to by your conferees:

Section 1 will extend the Civil Service Retirement Act to postmasters who have been classified under the civil-service law and rules, and will also grant legislative and judicial employees an additional 6 months from January 1, 1940, to exercise an option of coming within the terms of the Retirement Act.

Section 2 deals with the computation of annuities and leaves the law as it now exists, with two additions, viz: (1) That the Government's part of the annuity shall not be less than the employee's purchasable annuity, and (2) that an employee may elect at the time of his retirement to receive a reduced annuity for himself with a survivorship annuity for a duly designated beneficiary.

Section 3 waives the time limit of 6 months as provided in present law for making application for retirement benefits for mentally incompetent employees, who will be given 1 year after restoration to competency or the appointment of a fiduciary, whichever is the earlier. This section also permits retention on the annuity roll of recovered disability annuitants for 1 year instead of 90 days as under existing law.

Section 4 authorizes employees at their option to deposit, in addition to the compulsory contribution of 3½ percent of their salaries, additional sums in multiples of \$25 but not to exceed 10 percent of their annual salaries to purchase additional annuity.

Section 5 makes the effective date of the act January 1, 1940. All of the above sections retained and agreed to by the conferees were embodied in the House amendment as originally passed.

ROBERT RAMSPECK,
JENNINGS RANDOLPH,
EDITH NOURSE ROGERS,

Managers on the part of the House.

Mr. RAMSPECK. Mr. Speaker, the bill as it passed the Senate had some changes in the optional retirement ages. The House made certain changes in that. The Senate bill provided for deductions from employees' salaries of 4 percent, and the House bill made it 5 percent. In the conference we were unable to agree on the difference between 4 percent and 5 percent, due to the objections of certain representatives of employee groups. For that reason the conference struck out all of the language of the bill reducing the present optional ages of retirement, or in any way changing the ages of retirement.

I just wanted to make that explanation. Of course, it saves the Government some money.

I have no requests for time, Mr. Speaker, and I move the previous question on the adoption of the conference report.

Mr. Speaker, under the privilege given me to revise and extend my remarks relative to the conference report on S. 281, I am including at the end of this statement a letter from William Green, president of the American Federation of Labor, which is self-explanatory.

I think it is also fair to state that notwithstanding the letter from Mr. Green, Mr. Frank Bennett, president of the Railway Mail Association; Mr. William Horner, legislative representative of the National Federation of Post Office Clerks, and Mr. Charles I. Stengle, president of the American Federation of Government Employees, each personally assured me of their willingness to compromise the controversy relative to the percentage to be deducted from the salaries of the employees at 4½ percent, in order that a reduction of the optional ages of retirement might be secured.

The credit or the blame, depending upon the point of view, for the failure of the conferees to agree about this matter must rest with the leaders of those employee groups who refused to compromise.

Mr. Jacob Baker, president of the United Federal Workers of America, also assured me of his willingness to compromise if necessary to secure lower optional retirement.

Other groups of Federal employee organizations expressed their views in a letter signed by Mr. Luther C. Steward, legislative chairman, and Mr. John J. Barrett, chairman of the council representing the National Federation of Federal

Employees, the National Rural Letter Carriers Association, United National Association of Post Office Clerks, National Association of Postal Supervisors, National Federation of Post Office Motor Vehicle Employees, and the National Association of Post Office Laborers, in a letter dated July 20, 1939, attached hereto.

In more than 100 speeches delivered to groups of Federal employees during the past 2 or 3 years, I have stated to them frankly that I could not and would not support legislation reducing the optional ages of retirement unless the contribution of the employees was substantially increased.

In the face of the opposition of certain groups, the Senate conferees declined to yield in the matter of contributions, and as a result, the agreement was reached to eliminate the lower optional ages.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., July 22, 1939.

HON. ROBERT RAMSPECK,
House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: I am writing you as a member of the House conferees, who along with Senate conferees, will endeavor to adjust the differences which exist between the two branches of Congress in the enactment of the retirement bill S. 281. The American Federation of Labor and the organizations affiliated with it which are directly affected by this measure favor a 4-percent deduction in this retirement bill.

I am transmitting this opinion and attitude of the American Federation of Labor and the organizations affiliated with it to you and your associates on the conference committee referred to, with the hope that you may agree to accept this recommendation providing for a 4-percent deduction as transmitted to you by the American Federation of Labor.

Sincerely yours,

WM. GREEN,
President, American Federation of Labor.

NATIONAL LEGISLATIVE COUNCIL OF
FEDERAL EMPLOYEE ORGANIZATIONS,
Washington, D. C., July 20, 1939.

HON. ROBERT RAMSPECK,
Chairman, House Conference Committee on S. 281, Washington, D. C.

DEAR CONGRESSMAN RAMSPECK: You have before you today consideration of S. 281. Favorable action on this measure is of the utmost importance to Federal employees, and we hope that the conferees may reach an agreement on it today.

The National Legislative Council of Federal Employee Organizations is strongly in favor of S. 281, particularly the following provisions:

- Optional retirement after 30 years of service at age 60;
- Optional retirement after 15 years of service and up to 30 at age 62;
- Optional retirement after 30 years of service at age 55 with immediate annuity in lesser amount;
- Inclusion of postmasters of all classes;
- Five percent deductions from employees' salaries;
- Annuity for second life at option of employee;
- Disability limit increased from 90 days to 1 year; and
- Option of depositing 10 percent of annual salary in multiples of \$25 monthly.

The National Legislative Council represents nearly 200,000 Federal employees in the National Rural Letter Carriers Association, National Association of Postal Supervisors, United National Association of Post Office Clerks, and the National Federation of Federal Employees.

Sincerely,

LUTHER C. STEWARD,
Legislative Chairman.

Attest:

JOHN J. BARRETT,
Chairman of the Council.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made and to include several letters.

The SPEAKER. Without objection it is so ordered.

There was no objection.

THE HOUSING BILL

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. LEAVY. Mr. Speaker, early next week we will be called upon to vote on the housing bill providing for an \$800,000,000 authorization. Yesterday I secured from the Housing Authority certain facts and figures as to what had been done with the authorized money of last session and what is proposed to be done with this money if we pass the legislation. I placed that in the Appendix of the RECORD and it will be found on page 3602 and 3 pages following. I did that solely for the purpose of giving the membership the facts. An examination of those facts will disclose that the question is neither a sectional one nor is it a political one. The breakdown shows every State that has secured allocations and every State that has made application. Then it shows the cities and towns within those States that are directly interested in this legislation.

I merely took this time to suggest to the membership that an impartial examination of those facts will place each of us in a better position to intelligently pass upon the legislation when it comes before us.

[Here the gavel fell.]

SUPPRESSION OF CERTAIN SUBVERSIVE ACTIVITIES

Mr. HOBBS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5138) to make unlawful attempts to overthrow the Government of the United States; to require licensing of civilian military organizations; to make unlawful attempts to interfere with the discipline of the Army and Navy; to require registration and fingerprinting of aliens; to enlarge the jurisdiction of the United States Circuit Court of Appeals in certain cases; and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5138, with Mr. CHAPMAN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday there was pending an amendment offered by the gentleman from Colorado [Mr. MARTIN].

The gentleman from Colorado is recognized for 5 minutes.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that the amendment may again be reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Colorado.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Colorado: On page 24, line 11, after the word "anarchists", strike out the period, insert a comma and the words "Communists, Nazis, or Fascists."

THE UNPARDONABLE SIN

Mr. MARTIN of Colorado. Mr. Chairman, I was brought up in an environment where I became imbued with the old doctrine that "while the lamp holds out to burn the vilest sinner may return." I also heard in a vague way about the unpardonable sin, the unpardonable sin against the Holy Ghost; that "all manner of sin and blasphemy shall be forgiven unto men, but the blasphemy against the Holy Ghost shall not be forgiven neither in this world nor the world to come."

Now, that single unpardonable sin was denounced by the Saviour. A man could commit all manner of sin, even murder, said the Saviour, and he would be forgiven, but if he committed blasphemy against the Holy Ghost he should never be forgiven. As far as we know down to this time, that is the only unpardonable sin in the world that man is capable of committing. But in this bill we are inventing another unpardonable sin, a man-made sin, of which, if a man has once been guilty, he shall never be forgiven. For him there shall be no repentance, no redemption, and no pardon.

TORQUEMADA AND THE INQUISITION OUTDONE

Let me read the anathema of the bill, which places the curse of America, like the brand upon the brow of Cain, forever upon those who fall beneath the ban of the law,

It is enough to make Thomas Jefferson turn over in his grave. It is without precedent in the history of American legislation. It is an invention of intolerance contrary to every principle of democracy and abhorrent to the spirit of Christianity. It seems incredible that it should be written into the law by the elected representatives of the American people or that it will be sustained by the courts of the land when in due course it reaches them. Indeed, I doubt that it will ever reach them. The provision reads as follows:

It being the intent and purpose of this section that membership in any one of the classes of aliens enumerated in section 1 of this act, at any time, of no matter how short duration, or how far in the past, irrespective of its termination, or of how it may have ceased, shall require deportation.

Only a mind incapable of a true concept of Americanism could have conceived this utterance, worthy of Torquemada and the Inquisition.

At any time, of no matter how short duration, or how far in the past, irrespective of its termination, or of how it may have ceased.

That sentence in all its inescapable implications, its hopelessness for humanity, its gross violation of all experience and of every instinct of reason and justice, would have taxed the imagination of the blackest tyrants of history. They asked only that a man recant, but under the bill there will be no recanting. Even Torquemada, whose name stands in history as the symbol of persecution, published a decree offering grace and pardon to all who presented themselves before the tribunal of the Inquisition and avowed their fault. But there is no tribunal in this bill before which erring humanity may appear and avow its fault. If a man stumbles for a moment, he is damned forever.

There are some good things in this bill and some not so good, and the foregoing is a sample; but the class who are to be condemned to everlasting perdition from the standpoint of Americanism in this bill are not the only classes who, in my judgment, if there is an unpardonable sin, are guilty of that sin against this country. Since I know the bill will pass, no matter what is in it, I propose by my amendment to treat them all alike; that we shall not make flesh of one and fish of another; that if there are other "isms" besides the "ism," not specifically named in this bill but intended and denounced by it, who are foreshorn enemies of the American form of government and dedicated to the proposition of destroying it, we ought to equally denounce them in this bill.

This bill means communism and communism only. Let us name it, and name with it the two other "isms" whose goal is the destruction of America. That is the purpose of my amendment.

You will find in line 7, on page 24, section 1, enumerated classes which shall be excluded from admission into the United States and deported from it.

(a) Aliens who are anarchists.

My amendment simply proposes to add to that: "Communists, Nazis, or Fascists." This is the same amendment I offered to the Hobbs bill when that bill was before the House. The objection to the amendment at that time was that it affected in some way not explained some other provision of the alien laws. In view of the fact, however, that we are now amending those provisions in this bill, it seems to me that it is not only entirely germane and relevant, but it is absolutely essential to the rounding out of our statutory policy in dealing with aliens. These three words could take the place of several legalistic pages in the bill and everybody would know what they mean.

[Here the gavel fell.]

Mr. MARTIN of Colorado. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Several Members rose.

Mr. MARTIN of Colorado. I am sorry, I have not the time to answer any questions.

I called to the attention of the House when I presented this amendment before that anarchists, so far as I know, are an obsolete cult in this country. I do not know of any anarchist activities being reported in this country. I have not seen them mentioned in the papers in years, but if they are left in this country they would not include the three classes I propose to add to this bill, because an anarchist is a man who believes in no form of government, who is opposed to all forms of government. That charge cannot be laid to Communists, Nazis, and Fascists, because they believe in plenty of government, they believe in all government, they believe that men are made for government, not governments for man. They have the strongest, most efficient, and most orderly governments in the world. That language, therefore, would really not affect communism or nazi-ism or fascism.

The next paragraph (b) is directed entirely against members of societies, organizations, and groups and all that sort of thing who teach or advocate opposition to all organized government. That would not embrace the three classes I seek to reach.

ALL FOREIGN "ISMS" LOOK ALIKE

It is well known to all Members of this House that there is more than one European "ism" operating against the American form of government and democracy in this country. There are those who today in their embassies and in their consulates are plotting internal warfare against the United States, so that if we got into another war we would have the Black Tom and the Kingsland explosions duplicated one-hundredfold. I read an article the other day by one of the Washington correspondents who said that all these trails of espionage and sedition and plotting against this Government led to the doors of certain consulates in this country, but the doors were locked to them by international comity.

So far as I am concerned, I would bash those doors open. I would do more than that; I would padlock those doors. Why should this Government permit the existence of such things in this country as foreign national spy centers right here in Washington, plotting the destruction of this Government just as they did during the World War? What objection can there be to this amendment? Can we afford to go on record by voting this amendment down, and thereby, by implication, favoring the excluding of those classes from the operation of the law? I am going to get a division on this amendment and count noses this time.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Colorado. I yield.

Mr. VOORHIS of California. I would just like to say to the gentleman that out on the west coast we have one consul who goes out and makes speeches to foreigners about the glories of a certain dictatorial form of government.

Mr. MARTIN of Colorado. Why, sure. One of them is just as deep in the mud as the other is in the mire, but some gentlemen here in the House are soft pedaling on the one you refer to. You never hear them denounce the Nazis or the Fascists—always the Communists. They are all anti-American; they are all equally consecrated to the destruction of this form of government. They all consider America their No. 1 enemy in the world, because it is the greatest and most powerful democracy in the world. [Applause.]

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there is a great deal of merit in what the distinguished gentleman from Colorado says. I feel, however, that it would be a mistake for the House to follow his logic.

The word "anarchist," as he said himself, means one who believes in no government, no order, no courts, or other forms of organized society. It is perfectly permissible, therefore, as we have done, to prevent such a person from coming into our midst, or to deport one who has illegally come in. The gentleman is mistaken in his statement that there are none in this country now; in fact, when the Hobbs bill was under consideration I was waited on by a committee, one of whom advanced

the only novel argument that I heard during the whole of the discussion with reference to that bill, and it was that anarchists should not be deported, for they were the best people here. They felt that my bill was a measure of religious persecution, because anarchists were the most Christlike people in our body politic. That was the only novel argument made in the discussion. At any rate, there are people like that here who are constantly trying to get their relatives or cult members in.

This amendment would add Fascists, Nazis, and Communists to those banned. The adoption of this amendment would violate our solemn treaties with Russia, Italy, and Germany. Although we have the undoubted right to do so, I maintain that it would not be the part of wisdom for us to pass this sweeping ban.

Now, then, the other reason we oppose this amendment is because it is an attempt to legislate by labels. It might be that one member of these groups—a Fascist, a Communist, or a Nazi—would prove himself to be a bad actor. But it is equally true that there are others who would not be in any sense dangerous. Therefore, on the whole, I sincerely hope the gentleman's amendment will be voted down.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. HOBBS. I yield with pleasure to the gentleman from Colorado.

Mr. MARTIN of Colorado. We have a treaty with Russia?

Mr. HOBBS. Yes, sir.

Mr. MARTIN of Colorado. It is proposed by this legislation to deport a man from this country if he has ever been a Communist. The sole fact of communistic affiliation, no matter how remote, is sufficient. That is the form of government which only Russia has. Is that not a violation of the treaty with Russia?

Mr. HOBBS. In answer to the gentleman's question, I beg to assure him there is no such provision in the bill. The bill defines those aliens who are dangerous to be those who advocate the preaching and practicing or belonging to an organization that does so of the destruction of this form of government by force or violence.

Mr. MARTIN of Colorado. And that is communism.

Mr. HOBBS. The gentleman so interprets the law, and in many cases he might be right.

Mr. MARTIN of Colorado. That is the very essence of communism.

Mr. HOBBS. The gentleman has a right to his own interpretation.

Mr. MARTIN of Colorado. We know this bill is aimed at communism. I cannot see why we do not add the other two "isms," which are just as bad, and even more active in this country than communism. There is no use in the Congress shutting its eyes to the facts, because if we do we will wake up, just as we have in the case of Japan.

Mr. HOBBS. The fifth circuit court of appeals has held that the gentleman's interpretation is erroneous. In addition to that I submit that the definitive language of this bill applies equally to fascism and nazi-ism as much as to communism, and proof will have to be offered in the regular hearings provided under our immigration and naturalization statutes in each case to bring any one of the three groups within the purview of the law; and that applies just as much to one as to the other.

Mr. MURDOCK of Utah. Will the gentleman yield?

Mr. HOBBS. I am always happy to yield to the gentleman from Utah.

[Here the gavel fell.]

Mr. MURDOCK of Utah. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah [Mr. MURDOCK]?

There was no objection.

Mr. MURDOCK of Utah. Does the gentleman know of any court in the United States or any action of the Secretary of Labor where an alien has been deported because of his affiliation or membership in either the Fascist or Nazi Party?

Mr. HOBBS. No, sir; I do not. I do not believe any such question could be properly presented in any deportation proceeding.

Mr. MURDOCK of Utah. But we do know that many of our courts have held that membership in the Communist Party is sufficient to warrant or support deportation.

Mr. HOBBS. In view of the proof made in the individual case, yes; that the defendant advocates the overthrow of this Government by violence.

Mr. MURDOCK of Utah. So that by leaving the language as it is now, coupled with the construction of certain court decisions, it places Russia in a little different category than either Italy or Germany would be. In my opinion, the argument of the gentleman from Colorado [Mr. MARTIN] is very sound that the bill is aimed by reason of those decisions particularly at the Communists and immigrants from Russia.

Mr. HOBBS. I do not think so.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. MARTIN].

The question was taken; and on a division (demanded by Mr. MARTIN of Colorado) there were—ayes 21, noes 53.

So the amendment was rejected.

Mr. McCORMACK. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: Page 24, line 25, after the word "Government", insert "within the United States."

Page 25, line 16, after the word "Government", insert "within the United States."

Mr. McCORMACK. Mr. Chairman, if you will notice the language, it says that this applies to any alien who believes, and so forth, in the overthrow by force or violence of the Government of the United States, or of all forms of law, or (2) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers—either of specific individuals or of officers generally—of the Government of the United States or of any other organized government.

Of course, we do not want to legislate here with reference to England, France, Czechoslovakia, or any place else. My amendment limits it to the United States or any organized government within the United States. For example, we have seen what has happened recently in Czechoslovakia. The Premier or President of that country is an exile and is in the United States now hoping that his people will again regain freedom. That language might possibly affect the activities of a man of that kind in the United States. I understand the amendment which I have offered is acceptable to the committee.

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. Might not the gentleman's amendment make it possible for them, say, to advocate the overthrow of the Government of the United States in Hawaii or Alaska?

Mr. McCORMACK. Of course, "the United States" as used here means not only continental United States but all our possessions.

Mr. FADDIS. Anywhere?

Mr. McCORMACK. Certainly. The intent and construction of the language "within the United States" is that it is to apply to any area under the jurisdiction of our country. The purpose of this amendment is that we are legislating for the United States and do not want to interfere with activities within the United States which are proper, where aliens are organizing in a proper way in accordance with our law, in a law-abiding way, in the hope some day of obtaining freedom for their own people. For example, we have had in the past activities in the United States for the freedom of Ireland, for the freedom of Poland, and years ago for the freedom of Czechoslovakia, which is now practically eliminated as a result of recent European activities, yet the ambition exists and activities within our law are being engaged in in the United States in the hope that the people of other countries seeking will regain or attain their freedom. I know none of us want to interfere with the activities in the

United States in accordance with our law of any such group, and my amendment will accomplish that purpose.

Mr. FADDIS. I fail to find in the bill anywhere a definition of terms that would make that clear.

Mr. McCORMACK. My language will be construed in the proper way, that this bill applies to the United States, and not only continental United States but any of our possessions. If there is any question about it, it can be corrected in the Senate. However, the language in its present form is so broad we are, in effect, as far as this provision is concerned, legislating for the whole world. What we intend to do is protect the United States from subversive activities. Any activity in the United States that has its effect or intended effect abroad must be in accordance with the law of the United States done in accordance with our law. The present language goes far beyond what is intended and what we should do. The committee is willing to accept the amendment. I believe it is an amendment which for our own protection we should incorporate into this bill. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK].

The amendment was agreed to.

Mr. GWYNNE. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. GWYNNE: On page 26, line 20, after "1917", strike out the period and insert a comma and the following: "except as hereinafter provided."

On page 27, line 2, after "membership", strike out the period and the remainder of the section and insert a semicolon and the following: "Provided, however, That the fact of prior membership in any organization, association, society, or group referred to in section 1 of this title shall not of itself require deportation, if the said alien shall prove, first, that he had ceased to be a member of such organization, association, society, or group at least 5 years prior to the institution of the deportation proceedings against him; and, second, that such termination of his membership was in good faith and not for the purpose of preventing deportation."

Mr. GWYNNE. Mr. Chairman, this amendment is a very simple one and will be very limited in its operation.

If you will refer to title III you will see that it deals with three subjects: First, it deals with the admission of certain aliens. This amendment does not cover that provision. Second, it deals with the deportation of certain aliens who have themselves personally done certain wrongs, such as to advocate the overthrow of the Government. This amendment does not deal with that part of title III. Title III further provides that any alien who at any time has been a member of certain organizations may be deported, irrespective of the time he may have joined or terminated his membership. This provision was placed in the bill to meet the situation left after the decision of the Supreme Court in the Strecker case. I agree that some legislation along that line is necessary. It seems to me, however, that the provision we have in the bill goes entirely beyond the necessities of the case.

You might have a situation such as this: An alien might in some unfortunate moment join a prohibited organization. He might be a member one day and resign, and thereafter be active in his opposition to that type of organization. Yet 25 years later, if that fact should be proved, the bill as it is now would require his deportation.

Under this amendment, if the Government proves in the deportation case that the alien has been a member of this organization the Government has made out a case and deportation would follow unless the alien would then sustain the burden of proving two things: First, that he terminated his membership 5 years prior to the beginning of the deportation proceedings, and, second, that he had done so in good faith and not for the purpose of avoiding deportation.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE. I yield to the gentleman from Utah.

Mr. MURDOCK of Utah. Under the gentleman's amendment, as I understand, the burden of proving the 5-year period and the burden of proving good faith in severing his connection with the party is on the alien himself.

Mr. GWYNNE. The gentleman is correct.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE. I yield to the gentleman from Pennsylvania.

Mr. WALTER. During the course of the investigation in connection with the resolution calling for the impeachment of the Secretary of Labor the attention of our committee was called to the case of an alien who had joined what he believed to be an organization for the benefit of laboring people, but it subsequently developed that he had joined the Communist Party. When he learned of this fact he withdrew from the organization, but because he had joined he was actually deported. Would not this amendment meet a situation of that sort where an innocent man suffered?

Mr. GWYNNE. That is correct. That is the purpose of the amendment. It is not to protect the undesirable alien but to protect the alien who is innocent.

Mr. McCORMACK. Also, is not this fact pretty well established, that a lot of people during depressions are under an emotional reaction, and do things which under normal conditions they would never think of doing, and when normalcy is restored they appreciate the emotional action they have engaged in, and many do everything they can to remove its effect.

Mr. GWYNNE. That is correct.

Mr. McCORMACK. And the 5-year requirement seems to be a complete protection for our institutions, with the additional requirement which puts the burden of proof on the alien himself.

Mr. GWYNNE. I think that would adequately protect the Government. In every State we have statutes of limitations. A man may commit almost any crime, with few exceptions, and yet after a lapse of a certain time unless the Government has proceeded against him all is forgiven.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HOBBS. Mr. Chairman, I rise in opposition to the amendment. I do so with great reluctance, for I have the most profound and well-founded respect for the opinion of my distinguished friend of the Judiciary Committee, the gentleman from Iowa [Mr. GWYNNE], the author of this amendment. I know that he is sincere. I know that he is able, and the amendment that he has proposed comes very close to being a good one. If the House sees fit to adopt it, that of course is the prerogative of the House, but I believe we should do so with our eyes open. The gentleman from Pennsylvania [Mr. WALTER] cited the same case in our committee deliberations which he has cited here today; and in order to correct any possible hardships that might arise under the provisions of this section, on his motion, the words "knowingly and voluntarily" were inserted, so that the case of the poor Swede who joined the Communist Party without full knowledge of what he was doing, or the case of someone who might be under the influence of liquor or a narcotic and joined ignorantly, would be removed from the field of operation of this section. Those words were inserted by a vote of the committee on the motion of the gentleman from Pennsylvania [Mr. WALTER] to take care of such cases as the one which he hypothesized.

Mr. GWYNNE. But it does not cover the case of a man who joined voluntarily.

Mr. HOBBS. I realize that, and that of course is the crux of this situation. If gentlemen will give me their attention for a moment I shall give the underlying philosophy of this section. It is that in this day and time we have floods of applications from perfectly good aliens who want to come here and make their homes and make the same splendid contribution to our civilization that good aliens have throughout the ages. This country has been built by good aliens who have come here and have worked wonderfully with the good people of this Nation.

We are all aliens, if you trace the family tree far enough, so we have no prejudice against aliens. With the world to select from, with the cream of the alien world seeking admission, when we are unable to accommodate millions because of our quota limitations, why not select the best? Why insist upon keeping some of the worst? They may have sinned only once, but there are thousands who have

never sinned. I prefer those. You may as well say that one slip, one sin, does not militate against chastity. No matter how long since, nor for how short a time, anyone may have knowingly and voluntarily strayed from the straight and narrow path of virtue, he cannot be sinless. Of course there is virtue in sincere repentance. Many really reform. Forgiveness is a divine attribute, which we should practice whenever possible. We are perfectly willing to forgive every one of those aliens who brought or bring themselves within the purview of this title. This title inflicts no punishment upon any of them; it says to them, "Go and sin no more."

They came to our home and plotted the destruction of our Government that bade them welcome, but all we do here is to send them—not to prison or gallows—but back to their own home.

Though we deal only in such kindly fashion with them, we feel in duty bound to prefer those who have never been guilty of allowing themselves to be inoculated with the poison virus of those alien isms that seek to destroy our Government by violence. That is the issue.

In the passage of the original exclusion law, Congress sought to express the intent which title III of this bill makes clear. The Supreme Court recently said that such an intention was not expressed in the original act. With all due respect, that seems to be a rather strained construction. But whether it be so or not, the Judiciary Committee has tried in title III to express that intention so clearly as to remove all possibility of doubt or question. I beg of you not to impair the force and effect of this declaration by adopting the Gwynne amendment. Title III will help our immigration authorities to preserve America for real Americans, and for those who long to become real Americans—who have never sinned by espousing the cause of assassination of our officials or Government. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. SMITH of Virginia. Mr. Chairman, I hope that this amendment will be voted down. Superficially it has merit. I do not want to do an injustice in this bill to anybody, and I know the Judiciary Committee does not, but I think you ought to be advised further as to the purpose of that title.

This provision was not in the bill as I introduced it, but while the matter was under consideration by the Judiciary Committee the Supreme Court decided the famous Strecker case. You know, we have on the west coast a gentleman by the name of Harry Bridges who is an alien. I guess he has given this country about as much trouble as all the rest of the aliens put together. He has certainly given us more trouble than many thousands, and I might say many millions of our own citizens here, and yet in the face of his outrageous violation of all rules of hospitality since he has been in this country, under the decision in the Strecker case we are probably powerless to get rid of him.

Now, why did the Judiciary Committee put this title in the bill? Because under the language of the law as it now exists, to the ordinary person there was no question about the deportability of Harry Bridges or Strecker, either one; but by a strained construction, as the gentleman from Alabama [Mr. HOBBS] has told you, the Supreme Court in that case decided, notwithstanding what seemed to me the clear language of the law, that if this man had previously belonged to one of the inhibited organizations, but had resigned a day or a week or a year or 10 years before, he was no longer deportable.

For your information, I want to read you the language of the present law as quoted in the decision in the Strecker case. Listen to this carefully, will you? It will show the necessity of being very careful in the language which we use in this bill today. We ought to make it so clear that the Supreme Court cannot misunderstand what this Congress means about it. Let me read it to you. This is the present law:

Any alien who at any time after entering the United States is found to have been at the time of entry or to have become thereafter, a member of any of the classes of aliens enumerated—

Now, in the face of that language the Supreme Court held that a person who had resigned from that organization could not be deported.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman.

Mr. HOBBS. I will ask the gentleman, although Joe Strecker was admitted to have ceased to be a member of the order because of failure to pay dues, if he did not reiterate under oath in the hearings that he still believed in the Russian system, still bought Russian bonds with the proceeds of his business in this country, and that when the revolution came to overthrow this Government, if he did not pledge himself to fight on the side of Russia?

Mr. SMITH of Virginia. Now, that is the kind of a situation we have with the law as it exists today. What the Judiciary Committee is seeking to do is to make this law so clear that these people will know that we have the power and will deport them if they belong to or have belonged to these organizations.

Mr. GWYNNE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. GWYNNE. Is it not true that this amendment would not affect the Strecker case? The evidence clearly showed in that case that Strecker had not resigned in good faith.

Mr. SMITH of Virginia. What I am talking about now is the danger of writing into this bill on the floor of the House language which may cause misapprehension and may defeat the purpose of this act.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. BROOKS. Will this bill as presently proposed give Congress authority to handle the Bridges case, to which the gentleman referred?

Mr. SMITH of Virginia. That is exactly what it is designed to do. I do not want in the confusion of the Committee of the Whole House to write into a bill that has been so carefully considered by the Judiciary Committee language which may destroy its entire effect.

[Here the gavel fell.]

Mr. WALTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not believe that there are two men in this body more interested in a sane solution of this problem than are the men who spoke for and against this amendment. They have worked most diligently in an effort to meet what, in my opinion, is a very acute problem, and I pay my respects to both of them for the fine work they have done in connection with the legislation the gentleman from Virginia sponsored. However, I have to differ with the distinguished gentleman from Virginia with respect to his interpretation of the decision of the Supreme Court in the Strecker case.

In that case, and I think the decision was strained to some extent perhaps, the Supreme Court said that had Congress intended that membership in the Communist Party at any time was a deportable ground, then Congress would have said so.

Unfortunately under the act that was being interpreted, I believe the intent of Congress was perhaps ambiguous, but certainly the language of the amendment offered by the gentleman from Iowa [Mr. GWYNNE] is not ambiguous. It describes exactly what many of the members of the Judiciary Committee intended doing. There can be no doubt in the minds of the Justices of the Supreme Court or of any other court what Congress intended if this amendment is adopted. It certainly is in conformity with our fundamental belief that a man is entitled to a chance where he has sincerely and honestly recognized the error of his ways. I believe that we can very safely adopt the amendment offered by the gentleman from Iowa [Mr. GWYNNE]. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Iowa. I think it is a step in the right direction, for it is my belief that even an alien is entitled to justice tempered with mercy in this

great land of ours. Should a young man at some time, through force of economic conditions, be misled to join an organization which he finds later advocates principles which are un-American, principles which he does not approve and did not know of at the time of joining, and when he discovers them and resigns from the organization, should he be penalized by the proposed provision of the law and be deported? Surely such harsh and unfair action on the part of the great Government of the United States would in itself be thoroughly un-American and contrary to all established ideas of American justice and fairness.

Just a short time ago we all read of the appointment of a man to one of the highest positions in our Government. It was urged against his confirmation for the position that he had once belonged to an organization that advocated principles that are considered un-American by great masses of our citizens. Great effort was made to prevent his confirmation, notwithstanding the fact he stated he joined the organization as a young man, never attended a meeting, and when he learned its real purposes and activities withdrew from membership. You all know to whom I refer. Had he been unfortunate enough to be an alien, he would have been subject to the provisions of this act. I address myself to the gentleman from Alabama as well as to other Members, because the gentleman from Alabama knows to whom I have reference in citing this little instance.

For 24 years I was a member of the Committee on Immigration. Section 19 of the Immigration Act and some of the most stringent deportation provisions were written by me and adopted by the Congress. I have favored the deportation of all those aliens who fail to recognize and appreciate the privileges accorded them by our Government. Some people, however, seem to believe that an alien, simply because he is an alien, must be above sin, must be always virtuous, and never make a mistake. Mr. Chairman, there never was a perfect human being, there is no such thing as perfection, and every human being makes a mistake now and then. In fact, and even at the risk of offending some professional patriot, I never saw a perfect native-born American, a perfect Member of Congress. It would be the height of legislative unfairness and hypocrisy thus to subject an alien who desires to remain in this country and become a citizen to the unusual, harsh, and inhuman double punishment carried in this bill for some slight mistake, transgression, or error of youth.

Aliens, Mr. Chairman, by and large, have contributed a great deal to the welfare of this great Nation. Aliens helped us gain our independence. Aliens have served with distinction our Government, our industry, our scientific progress. They have developed many of our great inventions, pioneered our vast undeveloped lands, aided in every way to make this the greatest country on the face of the globe.

Prejudice against the alien is not new. It existed in 1700, in 1800, in 1900, just as it does today. Search through the reports of committee and commission studying the problem of the immigrant and the alien and you will find, as I have, that even as far back as 1790 some people looked with alarm on the alien, charging he represented the criminal element of Europe. Those people were no more criminals as a class than those who come here today. They made good citizens and they were the forbears of some of the most outstanding citizens of this country, some of their progeny even serving in this distinguished body.

We cannot let prejudice and narrow-mindedness blind us to what is fair and just and American, even in dealing with the problem of the alien who comes to our shores seeking to become a citizen. I hope, therefore, that the amendment offered by the gentleman from Iowa will be adopted. [Applause.]

[Here the gavel fell.]

Mr. DONDERO. Mr. Chairman, I would like to be heard on the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan for 5 minutes.

Mr. HOBBS. Mr. Chairman, will the gentleman from Michigan yield to permit me to submit a unanimous-consent request?

Mr. DONDERO. I yield.

Mr. HOBBS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DONDERO. Mr. Chairman, undoubtedly, I am one of a large number of Members of this House whose parents were alien immigrants to this country. More than three-quarters of a century ago my parents came to these shores, one from Italy and the other from Germany. Notwithstanding that fact I have not the slightest interest in the Rome-Berlin axis of today. [Applause.]

I believe I understand what it was that induced millions of people to come to this land from other countries. We beckoned to the downtrodden and the oppressed people of the world. They saw here privileges and opportunities their own lands did not provide or afford to them. They came to enjoy the blessing of a new government founded on liberty and justice for all. They came not to disobey our laws, but to obey our laws and to become useful and loyal citizens of the United States. They and their descendants today constitute the masses of the American people.

It must be a strange condition of mind on the part of anyone who can live here in this country, enjoy its privileges, have the protection of its laws, enjoy its opportunities, and at the same time advocate, act, and exert his influence to overthrow this Government by force and violence, and even bloodshed if necessary. I say it must be a strange condition of mind to make a man want to do that. Remember they are the same people who want to overthrow this Government and set up in this country some foreign "ism" or alien form of government from which they or their ancestors fled in days gone by, to come here and enjoy the privileges granted under the Stars and Stripes.

I see nothing in this bill that any alien, any resident, or any citizen of this country need stand in fear of as long as he acts and conducts himself like an American. This bill proposes to make it hard for aliens who do wrong, and easy for those who desire to do right. I intend to support it, and appeal to my colleagues to do likewise. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, the amendment offered by the gentleman from Iowa, I think, is directed at the paragraph we had under discussion on page 27 of the bill yesterday, in which I attempted in my humble way to point out that under the provisions of that paragraph, even though a man may have been a Communist for an hour in Russia or in this country for the same length of time, he would be forever stamped; he could not live it down. I pointed out at that time in a question I asked that in my opinion this is not Christianity.

In this connection I want to read some remarks made by a distinguished colleague in the United States Senate from the State of Montana, which it seems to me may have an indirect bearing upon the question that we are now discussing.

In an address before the recent convention of the Baltimore Conference of the Methodist Church, Senator BURTON K. WHEELER said that this Nation needed a moral reawakening to save it from utter collapse. Senator WHEELER pointed out that leaders of business, labor, agriculture, and politics must sit down together in a Christian spirit, forget their selfish interests, and work for the welfare of the Nation.

He continued and made the following statement:

Until we have learned how to distribute all our surpluses of food and clothing you will find it hard to go out and preach Christianity to hungry men. They want to see the practical application. Christianity and democracy go hand in hand.

If we do not give man the right to reform, we deny the right of forgiveness which we understand was the underlying principle of the preachings of the Man from Galilee. Let us not take hope away from the repentant. Of course, it is

wrong to preach overthrow of this Government by violence or in any other fashion. Of course, it is wrong to go out and kill somebody; but murderers have been known to have reformed. All kinds of trespassers and violators of the law have been known to reform.

Let us adopt a policy of forgiveness of people when they show they have it coming. Under the provisions of this law as written, once the brand is placed, never can it be removed. That is the reason I support the amendment of the gentleman from Iowa.

Now, my fellow citizens [laughter]—

Mr. HOBBS. Will the gentleman yield?

Mr. O'CONNOR. I have only a few minutes.

Mr. HOBBS. I wanted to ask the gentleman if all his colleagues were not fellow citizens?

Mr. O'CONNOR. Yes; the finest in the world.

Mr. Chairman, I call attention to something else. It will be recalled that about 2 years ago, when Justice Black was promoted to a position upon the Supreme Court of the United States, it was charged that he had been a member of the Ku Klux Klan. It will be recalled there was considerable discussion whether or not he should be confirmed if he had been a member of that organization. It will be further recalled, according to newspaper reports, that Justice Black said at one time he either had had a card in the organization or had become a member of it, but he did not know what sort of an institution he had joined, and as soon as he learned he got out. Do the people of the United States hold that against Black? Absolutely not, because they are tolerant of man's mistakes. He may have gone into that organization, just as many other men have gone into what we call this communistic theory of government, without knowing the vitals of it.

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, in closing, may I say that you cannot legislate morals into people. That was demonstrated by the eighteenth amendment. You cannot legislate patriotism into people any more than you can legislate morals into people. You have to feed the people. Let us find a way of taking care of a third of our population that need care and quit spending our time trying to pass laws to put them in jail and to deport them. Let us try to make them love our country, instead of hate it, by giving each man, rich or poor, a square deal.

Mr. HARE. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Under the gentleman's theory or philosophy, what would be the use for any general laws at all?

Mr. O'CONNOR. We have plenty of laws already. What I am trying to get over is this: Let us spend our time endeavoring to rectify the economic conditions that are destroying this country today, just as Senator WHEELER said.

Mr. HARE. This is not an economic question.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GWYNNE].

The question was taken; and on a division (demanded by Mr. EBERHARTER), there were—ayes 48, noes 54.

So the amendment was rejected.

Mr. HOBBS. Mr. Chairman, I offer a committee amendment, which is on the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. HOBBS: Page 20, line 10, after the word "law," insert a comma and the following: "or a violation of the Marihuana Tax Act of 1937, Public Law 238, Seventy-fifth Congress."

The committee amendment was agreed to.

Mr. FLAHERTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAHERTY: On page 20, line 11, after "entry", strike out "possesses or carries" and insert "has been convicted of possessing or carrying."

Mr. FLAHERTY. Mr. Chairman, this amendment is reasonable and can be explained in one or two sentences. The object of the amendment is to make an alien deportable only upon conviction of carrying or possessing arms illegally. We know that practically every State in the Union has laws on this subject and the State courts have the authority to determine whether a person in specific cases carries arms legally or illegally. Otherwise, the Department of Labor would be required to perform the judicial function of determining when a State law has been violated. Aside from the possible conflict that might arise from different interpretations given to State laws by State courts and by the Department of Labor, I do not believe that the Department of Labor—and I think you will agree with me in that respect—is equipped to carry out this essential judicial function of determining when State laws are violated. I understand that the author of the bill is in accord with the amendment and I hope it will be accepted by the Committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. FLAHERTY].

The question was taken; and on a division (demanded by Mr. FLAHERTY) there were—ayes 39, noes 46.

So the amendment was rejected.

Mr. WALTER. Mr. Chairman, a moment ago a committee amendment was adopted on page 20, line 10. As I understand, the Starnes amendment took out the language in that line. I ask unanimous consent that the action taken in regard to the committee amendment be vacated and that the committee amendment be inserted in line 16 after the words "sawed-off shotgun."

Mr. HOBBS. Reserving the right to object, Mr. Chairman, will the gentleman modify his request to say "or at the appropriate place," having regard to the Starnes amendment already adopted?

Mr. WALTER. Yes; I so modify my request, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: Page 19, line 18, insert a new title as follows:

"TITLE II

"Sec. 6. It shall be unlawful for any person by word of mouth or in writing, or by transmission by radio, to advocate, abet, advise, or teach the duty, necessity, desirability, or propriety of overthrowing or destroying the Government of the United States, or the government of any State of the United States, or the government of any subdivision thereof, by force or violence, or by the assassination of any officer of the United States, or any officer of any State of the United States, or any officer of any subdivision thereof, or by any other unlawful means.

"Sec. 7. It shall be unlawful for any person with intent to overthrow or destroy the Government of the United States, or the government of any State of the United States, or any subdivision thereof, by force or violence, or by any other unlawful means, to print, publish, edit, issue, or knowingly circulate, sell, distribute, or publicly display any book, paper, document, or written or printed matter in any form containing or advocating, advising, or teaching the doctrine that the Government of the United States, or the government of any State of the United States, or any subdivision thereof, should be overthrown or destroyed by force or violence or by any other unlawful means.

"Sec. 8. It shall be unlawful for any person to openly, willfully, or deliberately justify or defend by word of mouth or in writing the assassination or unlawful killing or assaulting of any officer of the United States, or any officer of any State of the United States, or any officer of any subdivision thereof, because of his official character or act, or openly, willfully, or deliberately justify or defend or teach, spread, or advocate the propriety, desirability, or necessity of overthrowing or overturning the Government of the United States, or the government of any State of the United States, or the government of any subdivision thereof, by force or violence, or by any other unlawful means.

"Sec. 9. It shall be unlawful for any person to organize or help to organize or become a member of, or affiliate with any society,

group, or assembly of persons who teach, advocate, or encourage the overthrow or destruction of the Government of the United States, or the government of any State of the United States, or the government of any subdivision thereof, by force or violence, or by any other unlawful means.

"Sec. 10. Any person who violates any of the provisions of this title shall be subject to the same penalties prescribed in section 5."

Mr. SMITH of Virginia rose.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. MARCANTONIO. I want to find out to what title this is an amendment.

Mr. SMITH of Virginia. It is a new title, after title I.

Mr. Chairman, those of you who have the bill before you, if you will refer to the first page of the original bill, will find that title I is stricken out by the committee. It is this title I in identical language I am seeking now to restore to the bill. I regard that feature of the bill as the very heart of the legislation. I think perhaps the Committee on the Judiciary agrees with me in that respect. I want to explain to you why it was stricken out of the bill.

After this bill was introduced, and when it was pending before the Committee on the Judiciary, the gentleman from Massachusetts [Mr. McCORMACK], who is really the author of the language, obtained passage of substantially the same bill by attaching it as a rider to some other bill, as I understand. As it had already passed the House, the Committee on the Judiciary were of the opinion that it should not be included in this measure, and they will probably oppose the amendment. My view is that the McCormack bill having passed and gone over to the Senate as a separate measure it may perhaps never become law. I regard it as very essential that we have a complete piece of legislation on this subject, and I should like to see my amendment included in the bill. It certainly can do no harm if you are for the principles enunciated in that legislation.

Now I want to tell you what title I does. We have heard a lot of talk here about abusing the poor alien. The gentlemen who have been talking that way cannot complain about this section. We have laws against aliens who advocate the overthrow of this Government by force, but do you know that there is nothing in the world to prevent a treasonable American citizen from doing so? He can advocate revolution, the overthrow of the Government by force, anarchy, and everything else, and there is nothing in the law to stop it. This amendment makes it unlawful for any person, be he American citizen or alien, to advocate the overthrow of the Government of the United States by force. So I ask that you restore this provision to the bill. Because it has already passed the House there certainly should be no objection to it, and it can do no harm in case the bill which has been sent to the Senate is not adopted.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman is undoubtedly familiar with the decisions of the Supreme Court on the question of the various criminal syndicalism statutes, statutes that make it illegal to advocate the overthrow of the Government by violence.

Mr. SMITH of Virginia. The gentleman does me a high honor.

Mr. MARCANTONIO. The gentleman undoubtedly knows that the Supreme Court has ruled that when such advocacy becomes incitement, then, and only then, can the statute be invoked against a person. If it continues to be mere advocacy, you cannot proceed against that person, because such an application would be unconstitutional. Therefore, can the gentleman tell this House when does advocacy cease and when does incitement begin, or where is the line of demarcation?

Mr. SMITH of Virginia. No; I cannot tell the gentleman that, and I cannot tell him any more when anything is constitutional or unconstitutional.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I will be pleased to yield to the gentleman.

Mr. MAY. I notice that the title just offered as an amendment provides penalties for conspiracy to overthrow the Government or to assassinate officers, or things of that sort. Is there any conflict in the penalty that is provided in the section referred to that fixes the penalty and the various penalties that may be provided in the various States that have statutes on the same subject?

Mr. SMITH of Virginia. This has nothing to do with State laws. This provides penalties for violations of this law.

Mr. MAY. I understand it is a Federal statute, or will be when enacted; but I was just wondering if there was any more severity to be exercised under this law than under the usual State law.

Mr. SMITH of Virginia. I am not familiar with that.

Mr. MAY. What is the penalty provided?

Mr. SMITH of Virginia. If you will look at section 5, you will find the penalties prescribed for any violation of this act. [Here the gavel fell.]

Mr. GEYER of California. Mr. Chairman, I do not know how much longer we are going to be working on this bill, but I am very anxious that the RECORD be made clear.

There has been a lot of heat generated here, particularly on yesterday. The implication has been made by certain ones on this floor that those who are opposing this bill are un-American. Gentlemen got up on the floor yesterday, after a facetious amendment had been offered, and inferred that those who were opposing this bill were trying to establish foreign principles here in the United States. Another gentleman got up and after defending the American bund, inferred that Members, particularly on this side, were not good Americans.

Now, I want the RECORD to be straight, at least so far as I am concerned. I do not want any man anywhere, and most of all on this floor, to question my loyalty to American principles. I wore the uniform at the time we felt our country was in danger, and I am ready to put that uniform on again if ever the occasion demands. I have two sons, and if the time comes when their services are needed, I will say to them, as my dad and mother said to me, "Go, son, and do your duty; God bless you."

Now, let us not have any misunderstanding. I am opposed to this bill because I believe, in opposing it, I am defending American principles. Let us look for a moment at what Americanism is. Does it consist in merely waving the flag and saluting and clicking our heels together when the emblem of democracy, the flag, goes by? I say that is merely an indication of what should lie within when we do that. Real Americanism consists of being able, willing, and anxious to defend the fundamental principles on which Americanism is founded. What are those fundamental principles? Let us examine our fundamental document. I know no better place to go to find what it is that Americanism stands for. Let us take the first of the Bill of Rights, without which this Constitution could not have been established. It says something like this: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

Then we have other amendments guaranteeing the right of trial by jury and the other rights Americans enjoy.

I maintain that by your action on a previous amendment you have denied the right of trial by jury, and this amendment of the gentleman from Virginia [Mr. SMITH] is denying most of the other rights.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. GEYER of California. No; I cannot yield.

This amendment offered by the gentleman from Virginia denies the right of freedom of speech, yet, under the guise of Americanism, we are trying to pass this Hitler measure. It is identically the thing that is being done in Germany. The people's liberties were destroyed by the acts of government, and not by what some foreigner did. I say to you

that this measure, as I pointed out during the consideration of the rule, is a labor-baiting measure. The author of this bill admits that it is to get Harry Bridges. I do not know about Harry Bridges. I do not know whether he is a member of the Communist Party or not. He claims he is not. I do know this. I know, as the gentleman has said, he has caused a lot of trouble here. Yes; he has caused a lot of trouble. But for whom? For the employers who were trying to make the longshoremen work for 10 cents an hour. Do they want to get him because he is an alien or because he might be a Communist? No; they want his scalp because he is going to bat for the underprivileged group. That is at the bottom of this type of legislation. That is exactly what you have in front of you and, under the guise of Americanism, you are fostering this thing of foreign origin upon our own people.

My colleagues, look well to your vote, lest under the guise of defending democracy you undermine its very foundations. You cannot preserve it by destroying it bit by bit, as this bill does. You cannot defend our Americanism by denying it to a minority group, as this bill does. Let us take care lest if we get the habit abroad in the land of discriminating against minority groups, this foreign custom creeps slowly upon us and we be included in some minority group of which we are a member. There is only one way to defend democracy, and that is to never allow it to be denied to anyone.

[Here the gavel fell.]

(Mr. GEYER of California asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. HINSHAW rose.

The CHAIRMAN. The Chair recognizes the gentleman from California, a member of the committee.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. Yes.

Mr. HOBBS. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes.

Mr. WALTER. Mr. Chairman, reserving the right to object, does that contemplate my having 5 minutes?

Mr. HOBBS. Yes.

Mr. McCORMACK. Mr. Chairman, I reserve the right to object. I have an amendment which I desire to offer to the Smith amendment. I would be satisfied with 3 minutes.

Mr. HOFFMAN. Mr. Chairman, I would like to have 2 minutes.

Mr. HOBBS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 12 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HINSHAW. Mr. Chairman, on a great many subjects the gentleman from California [Mr. GEYER] and I are divided. On this particular amendment to this bill I am in accord with him, and I think that it should be rejected. That may surprise a good many of you, but I can conceive of a good many situations in which parts of that amendment would be bad provisions to have in the laws of the United States. We can look back into the history of the United States and see times of turmoil, times of strife among the people. We can look back to the point where the United States itself was born by a revolution from the mother country. The people in those days were subject to laws which were equally stringent to those proposed in this amendment, but the people of the United States went ahead and did revolt against England and became a nation. They were subjected to being hanged and drawn and quartered, or to any particular type of punishment that seemed to be suitable at the moment, and yet they persisted and this Nation was formed. I speak to my colleagues on the Republican side, as it appears there are a good many there, as well as many on the Democratic side, who would favor this amendment, and I call attention to the fact that it is quite conceivable that at some time in the future of the United States a government might come into power that was not at all to their liking, and it might come there by

ballot. I refer to such a government as a virtual dictatorship, supported by a Congress as supine as the German Reichstag. There might be those among you who would feel that the persons who were in command of the United States through such a government should not be there, and I suggest that you consider whether it is not a fact that in some words that you might speak, you yourselves might be subjected to the conditions of this title which it is proposed to have inserted in the bill.

First, let me say that nearly all of the provisions of this proposed title were accepted by the House when we voted on the McCormack amendment to another bill. That amendment was designed to prevent the overthrow of government by force and violence, and with those principles I am heartily in accord. But listen to this. I shall read section 3 of this amendment:

It shall be unlawful for any person to openly, willfully, or deliberately justify or defend by word of mouth or in writing the assassination or unlawful killing or assaulting of any officer of the United States, or any officer of any State of the United States, or any officer of any subdivision thereof, because of his official character or act, or openly, willfully, or deliberately justify or defend or teach, spread, or advocate the propriety, desirability, or necessity of overthrowing or overturning the Government of the United States, or the government of any State of the United States, or the government of any subdivision thereof, by force or violence, or by any other unlawful means.

Note the use of the words "or deliberately justify or defend by word of mouth," as contained in line 20, and then go on and read line 25 to the end.

Now, no man in his right senses under present conditions is going to commit any of these acts, but it is not difficult to conceive of intolerable conditions that might arise in the future under which perfectly good American citizens in the heat of controversy might subject themselves to the full penalty of this act and at the same time be in their own minds entirely justified at the moment. Persecution could run rampant under this section.

We are here considering a bill to prevent aliens from violating the hospitality of our people. If we here insert a title which has to do solely with the citizens of the United States, and which smacks of the laws of George III, we shall be, in my opinion, taking a long step backward.

I believe in fair play to all concerned. I certainly agree with the gentleman from Alabama [Mr. HOBBS] in his statement that aliens in this country have no right whatever to tell us how to run this Government nor to advocate its overthrow. But I submit to you that so long as we citizens are to have freedom of speech and freedom as individuals some word or thought that we as citizens might express offhand, without intending to violate the law, might be taken under this title to mean something very serious, and a man could be subjected to persecution and to the heavy penalties of this act. I do not think it is right, I do not think it is fair, and I hope that the title proposed as an amendment to this bill will be voted down. I do not believe in meeting intolerance with injustice. I value my liberty as did my ancestors who fought to set this country free.

Mr. WALTER. Mr. Chairman, 5 years ago a special committee was appointed to make an investigation of activities in the United States that all of us are opposed to. As a result of the investigation made by this committee, headed by the distinguished gentleman from Massachusetts [Mr. McCORMACK], a bill was drafted and reported favorably by the Committee on the Judiciary of the House. Just recently that bill was made a part of a bill increasing the punishment for the crime of espionage, which I introduced. After the House accepted this amendment and it was passed by the House our committee concluded that the language in title I, which the amendment offered by the gentleman from Virginia [Mr. SMITH] seeks to put back in the bill, was no longer necessary, and for that reason it was stricken from the bill before it was reported by the committee. We felt that the language adopted by the House in the amendment to the espionage bill met the situation in a much better and more effective way than does the language in title I as introduced by the gentleman from Virginia. We feel that the measure already passed

very adequately meets this situation and that the amendment which the gentleman from Virginia has offered is surplusage, capable and susceptible of almost any kind of interpretation. I sincerely hope that this amendment will not be adopted. The bill as reported by the committee represents the result of months of hard, painstaking work. I am certain that the aliens in my district—and there are a great many of them—do not approve of the classes that are affected by the bill under consideration. In my opinion, they are more bitter toward these classes than is any of us because of the fear that the doing of those things covered by the bill brings to every alien unwarranted suspicion, to say the least.

Mr. McCORMACK. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. McCORMACK: After the word "to", in the second line of section 1 of the Smith amendment, insert the words "knowingly or willfully."

Mr. McCORMACK. Mr. Chairman, in the event the Smith amendment is adopted, I feel that the amendment which I have offered should also be adopted. The special committee of which I was chairman 5 years ago recommended the passage of a law of this kind, but we felt the Government should have the burden of proving that a person "knowingly or willfully" advocated overthrow of the Government by force or violence. We did not feel that a person should be indicted who is a good American citizen and who is distressed, who is out of employment, for example, and saw his wife and children looking to him with longing for something to eat; out looking for a job all day and come home and find them with a look of hope and then be disappointed. If that man got up and said something that might be construed as advocating the overthrow of government by force or violence, when he never meant it, we do not want that man to be subject to indictment and possibly conviction.

A Communist is one who "knowingly or willfully" is committed to a movement which has as its objective the ultimate overthrow of government by any means, legal or illegal, or a combination of both. We all know that the Communist movement has as its ultimate objective the overthrow of government by force and violence or by any means, legal or illegal, or a combination of both. That testimony was indisputably produced before the special committee of which I was chairman, and came from the lips not of those who gave hearsay testimony, but of the actual official records of the Communist Party of the United States, presented to our committee by the executive secretary of the Communist Party and the leader of the Communist Party in the United States, Earl Browder. That was the testimony, the best evidence presented to our committee at that time, that such is the objective of the Communist Party. Therefore, a Communist is one who intends knowingly or willfully to participate in any actions, legal or illegal, or a combination of both, that will bring about the ultimate overthrow of our Government. He is the one we are aiming at, and the Government should have the burden of proving that a person "knowingly or willfully" advocates the overthrow of government and is "knowingly or willfully" a member of an organization that believes in the ultimate overthrow of our Government.

Section 2 of the Smith amendment carries the word "knowingly." Section 3 of the Smith amendment carries the word "willfully." I think the gentleman from Virginia [Mr. SMITH], himself, from a conversation that I had with him, will agree to the acceptance of my amendment.

I am for legislation of this type. Whether this particular amendment should be adopted, in view of what the House has heretofore done, is a matter that I will not pass upon, but if it is adopted, certainly the words "knowingly or willfully" should be inserted in the amendment.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Chairman, I will accept the amendment, as far as I am concerned.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK] to the amendment offered by the gentleman from Virginia [Mr. SMITH].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH], as amended.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 79, noes 32.

So the amendment was agreed to.

Mr. HOBBS. Mr. Chairman, there seems to be some misunderstanding as to the request that the gentleman from Pennsylvania [Mr. WALTER] made a while ago as amended by me. Therefore I ask unanimous consent that the committee amendment, relating to marihuana be inserted after the words "District of Columbia" in the Starnes amendment at the proper place.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOBBS. Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. FLAHERTY. Mr. Chairman, reserving the right to object, I have an amendment to offer.

Mr. HOBBS. I will modify the request, Mr. Chairman, to make it 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS] as modified?

There was no objection.

Mr. FLAHERTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAHERTY: On page 22, line 8, after the word "deported", strike out the word "provided" and the remainder of the proviso ending with the word "act", in line 14.

Mr. FLAHERTY. Mr. Chairman, the purpose of this amendment is to delete the proviso which provides "that the marriage to an American citizen of a female of the sexually immoral classes, the exclusion or deportation of which is prescribed by this act, shall not invest such female with United States citizenship if the marriage of such alien female shall be solemnized after her arrest or after the commission of acts which make her liable to deportation under this act."

Since the Cable Act of 1922, the language which appears in this proviso is obsolete, but it is still contained in the Immigration Act, section 19, of February 1917. Under the Cable Act the marriage of an alien female to an American citizen does not confer upon her any of the rights of American citizenship. She still must comply with the naturalization laws to this extent.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. FLAHERTY. I yield.

Mr. HOBBS. As far as I am concerned, I am perfectly satisfied with the explanation which the distinguished gentleman has made. If this law has been, in effect, repealed, it, of course, ought not to be in this bill, and as far as I am personally concerned, I will be glad to accept the gentleman's amendment.

Mr. FLAHERTY. I thank the gentleman. I think the language is merely surplusage at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: Page 23, line 19, after the word "final", strike out the period and quotation mark and insert a colon and the following: "Provided, That such decision shall be made pursuant to recommendation by the Board of Review, which Board shall have discretionary authority in respect of a deportable alien not racially inadmissible or ineligible to citizenship in the United States, and who last entered the United States prior to January 1, 1937, and who is not deportable under the act of October 16, 1918 (40 Stat. 1008; U. S. C., title 8, sec. 137), entitled 'An act to exclude and expel from the United States aliens who are members of the anarchist and similar classes,' as amended by the act of June 5, 1920, or the act of May 26, 1922, entitled 'An act to amend the act entitled 'An act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909, as amended

(42 Stat. 596; U. S. C., title 21, sec. 175), or the act of February 18, 1931, entitled 'An act to provide for the deportation of aliens convicted and sentenced for violation of any law regulating traffic in narcotics' (46 Stat. 1171; U. S. C., title 8, sec. 156a), and the provisions of the act of February 5, 1917, entitled 'An act to regulate the immigration of aliens and residence of aliens in the United States' (39 Stat. 874; U. S. C., title 8, sec. 156) as such act relates to prostitutes, procurers, or other immoral persons, the mentally and physically deficient, anarchists, and similar classes, having proven good moral character for the past 5 years, (a) to permit such deportable alien to depart the United States to any country of his choice at his own expense in lieu of deportation, or (b) to order suspension of the deportation warrant if the Board shall find that the execution of such warrant would work a serious economic detriment to a dependent citizen or legally resident alien wife, parent, or minor child of such deportable alien; but if any order suspending execution of a warrant of deportation shall have effect more than 6 months all of the facts and pertinent provisions of law in the case shall thereupon be reported to the Congress with appropriate recommendations and the reasons for clemency, which report shall be printed as a public document by the Clerk of the House. Upon the failure of Congress to act or resolve in respect of the case before the next adjournment of regular session after recommendation made, the order suspending deportation shall be vacated and deportation of the alien shall be immediately effected. If by act or resolution the Congress shall direct the deportation warrant to be canceled, the Commissioner of Immigration and Naturalization shall thereupon issue a certificate of arrival as if the alien's last entry had been lawful; whereupon the Secretary of State shall reduce by one the immigration quota of the country of the alien's nationality for the fiscal year then current or next following; and any alien in whose case the Board of Review shall decline to suspend an order of deportation shall be immediately deported. In functioning under this bill, the Board of Review shall act independently as a quasi-judicial body and its decisions and recommendations shall not be subject to the control of any other officer of the Government."

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SMITH] for 5 minutes.

Mr. SMITH of Virginia. Mr. Chairman—

Mr. HOBBS. Mr. Chairman, will the gentleman from Virginia yield?

Mr. SMITH of Virginia. I yield.

Mr. HOBBS. Mr. Chairman, this amendment is thoroughly acceptable and I believe will strengthen the bill. It simply gives the alien "a break" by giving him the right to have his case heard by the regular Board of Review of the Bureau of Immigration. It relieves aliens of the necessity of getting private bills through Congress for their relief. It is a thoroughly well worked out amendment, very carefully drawn, and I believe that it should be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CHAPMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 5138) to make unlawful attempts to overthrow the Government of the United States, to require licensing of civilian military organizations, to make unlawful attempts to interfere with the discipline of the Army and Navy, to require registration and fingerprinting of aliens, to enlarge the jurisdiction of the United States Circuit Court of Appeals in certain cases, and for other purposes, pursuant to House Resolution 257, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

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

Mr. MARCANTONIO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MARCANTONIO. I am.

The SPEAKER. The Clerk will report the motion. The Clerk read as follows:

Mr. MARCANTONIO moves to recommit the bill H. R. 5138 to the Committee on the Judiciary.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 28, noes 149.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The Chair has just counted the membership present. Evidently there is no quorum present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 48, nays 272, answered "present" 1, not voting 107, as follows:

[Roll No. 148]

YEAS—48

Barry	Ford, Thomas F.	Keogh	O'Day
Bloom	Fries	Kirwan	O'Toole
Bradley, Pa.	Gavagan	Kunkel	Pierce, Oreg.
Burdick	Gehrmann	Leavy	Sabath
Casey, Mass.	Geyer, Calif.	Lemke	Sacks
Coffee, Wash.	Havenner	McKeough	Shanley
D'Alesandro	Healey	Marcantonio	Shannon
Delaney	Hill	Martin, Colo.	Sirovich
Dunn	Hull	Murdock, Utah	Tenerowicz
Eberharter	Kean	Myers	Tinkham
Ferguson	Keller	Norton	Voorhis, Calif.
Flaherty	Kennedy, Michael	O'Connor	Wallgren

NAYS—272

Allen, Ill.	Dondero	Johns	Patton
Allen, La.	Doughton	Johnson, Ill.	Pearson
Allen, Pa.	Dowell	Johnson, Ind.	Peterson, Fla.
Andersen, H. Carl	Doxey	Johnson, Luther A.	Peterson, Ga.
Anderson, Calif.	Durham	Johnson, Lyndon	Pittenger
Anderson, Mo.	Dworshak	Johnson, Okla.	Plumley
Andresen, A. H.	Edmiston	Johnson, W. Va.	Poage
Andrews	Elliott	Jones, Ohio	Polk
Angell	Ellis	Jones, Tex.	Ramspeck
Arends	Elston	Kee	Randolph
Arnold	Engel	Keefe	Rankin
Austin	Englebright	Kelly	Rayburn
Barden	Evans	Kennedy, Md.	Reece, Tenn.
Barnes	Faddis	Kerr	Reed, Ill.
Barton	Fenton	Kilday	Rees, Kans.
Bates, Ky.	Flannery	Kinzer	Richards
Beam	Folger	Kitchens	Risk
Beckworth	Ford, Leland M.	Knutson	Robertson
Bell	Ford, Miss.	Kocialkowski	Robinson, Utah
Bender	Fulmer	Kramer	Robison, Ky.
Blackney	Gamble	Lambertson	Rodgers, Pa.
Bland	Garrett	Landis	Rogers, Mass.
Boehne	Gartner	Larrabee	Rogers, Okla.
Bolles	Gathings	LeCompte	Romjue
Brewster	Gearhart	Lewis, Colo.	Rutherford
Brooks	Gibbs	Lewis, Ohio	Ryan
Brown, Ga.	Gifford	Luce	Sandager
Brown, Ohio	Gilchrist	Ludlow	Schaefer, Ill.
Bryson	Gillie	McAndrews	Schaefer, Wis.
Buck	Gore	McCormack	Schiffler
Buckler, Minn.	Gossett	McDowell	Schuetz
Burch	Graham	McGehee	Schwartz
Burgh	Grant, Ala.	McLaughlin	Secombe
Byrne, N. Y.	Grant, Ind.	McMillan, John L.	Sheppard
Byrns, Tenn.	Green	Maas	Simpson
Cannon, Mo.	Gregory	Mahon	Smith, Maine
Carlson	Griffith	Maloney	Smith, Ohio
Carter	Gross	Mapes	Smith, Va.
Cartwright	Guyer, Kans.	Marshall	Smith, W. Va.
Case, S. Dak.	Gwynne	Martin, Ill.	South
Chandler	Halleck	Martin, Iowa	Sparkman
Chapman	Hancock	Martin, Mass.	Spence
Chipherfield	Hare	Mason	Springer
Church	Harness	May	Starnes, Ala.
Clark	Harrington	Michener	Stegall
Clevenger	Hart	Miller	Sumner, Ill.
Cochran	Harter, N. Y.	Mills, Ark.	Talle
Coffee, Nebr.	Harter, Ohio	Mills, La.	Tarver
Colmer	Hawks	Monkiewicz	Taylor, Colo.
Cooper	Heinke	Monroney	Taylor, Tenn.
Corbett	Hendricks	Moser	Terry
Costello	Hess	Mott	Thill
Courtney	Hinshaw	Mouton	Thomas, Tex.
Cox	Hobbs	Mundt	Thomason
Crawford	Hoffman	Murdock, Ariz.	Thorkelson
Creal	Hope	Murray	Tibbott
Crowe	Horton	Nelson	Tolan
Culkin	Houston	Norrell	Van Zandt
Curtis	Hunter	O'Brien	Vincent, Ky.
Darrow	Jacobsen	O'Leary	Vinson, Ga.
Dempsey	Jarman	O'Neal	Vorys, Ohio
DeRouen	Jeffries	Pace	Vreeland
Dirksen	Jenkins, Ohio	Parsons	Walter
Disney	Jensen	Patrick	Ward

Warren	Whelchel	Williams, Mo.	Wolverton, N. J.
Weaver	White, Ohio	Winter	Woodrum, Va.
West	Whittington	Wolcott	Youngdahl
Wheat	Williams, Del.	Wolfenden, Pa.	Zimmerman

ANSWERED "PRESENT"—1

Smith, Wash.

NOT VOTING—107

Alexander	Curley	Lanham	Satterfield
Ashbrook	Darden	Lea	Schulte
Ball	Dickstein	Lesinski	Scrugham
Bates, Mass.	Dies	McArdle	Secrest
Boland	Dingell	McGranery	Seger
Bolton	Ditter	McLean	Shafer, Mich.
Boren	Douglas	McLeod	Short
Boykin	Drewry	McMillan, Thos. S.	Smith, Conn.
Bradley, Mich.	Duncan	Maclejewski	Smith, Ill.
Buckley, N. Y.	Eaton, Calif.	Magnuson	Snyder
Bulwinkle	Eaton, N. J.	Mansfield	Somers, N. Y.
Byron	Fay	Massingale	Stearns, N. H.
Caldwell	Fernandez	Merritt	Stefan
Cannon, Fla.	Fish	Mitchell	Sullivan
Celler	Fitzpatrick	Nichols	Summers, Tex.
Clason	Flannagan	Oliver	Sutphin
Claypool	Gerlach	Osmer	Sweeney
Cluett	Hall	Patman	Taber
Cole, Md.	Hartley	Pfeifer	Thomas, N. J.
Cole, N. Y.	Hennings	Pierce, N. Y.	Treadway
Collins	Holmes	Powers	Wadsworth
Connery	Hook	Rabaut	Welch
Cooley	Izac	Reed, N. Y.	White, Idaho
Crosser	Jarrett	Rich	Wigglesworth
Crowther	Jenks, N. H.	Rockefeller	Wood
Cullen	Kennedy, Martin	Routzohn	Woodruff, Mich.
Cummings	Kleberg	Sasscer	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Dingell (for) with Mr. Reed of New York (against).
 Mr. Hook (for) with Mr. McLean (against).
 Mr. Dickstein (for) with Mr. Thomas of New Jersey (against).
 Mr. Lesinski (for) with Mr. Thomas of New Jersey (against).
 Mr. Cullen (for) with Mr. Shafer of Michigan (against).
 Mr. McGranery (for) with Mr. Fish (against).
 Mr. Celler (for) with Mr. Scrugham (against).
 Mr. Smith of Connecticut (for) with Mr. Darden (against).
 Mr. McArdle (for) with Mr. Satterfield (against).
 Mr. Fay (for) with Mr. Eaton of New Jersey (against).
 Mr. Buckley of New York (for) with Mr. Ditter (against).
 Mr. Curley (for) with Mr. Hartley (against).
 Mr. Pfeifer (for) with Mr. Kleberg (against).
 Mr. Sullivan (for) with Mr. Seger (against).
 Mr. Martin J. Kennedy (for) with Mr. Holmes (against).
 Mr. Fitzpatrick (for) with Mr. Cole of Maryland (against).
 Mr. Somers of New York (for) with Mr. Drewry (against).
 Mr. Merritt (for) with Mr. Flannagan (against).

General pairs until further notice:

Mr. Mansfield with Mr. Wadsworth.
 Mr. Thomas S. McMillan with Mr. Treadway.
 Mr. Lanham with Mr. Short.
 Mr. Bulwinkle with Mr. Taber.
 Mr. Rabaut with Mr. Bolton.
 Mr. Boykin with Mr. Wigglesworth.
 Mr. Caldwell with Mr. Jarrett.
 Mr. Collins with Mr. McLeod.
 Mr. Boren with Mr. Woodruff of Michigan.
 Mr. Summers of Texas with Mr. Pierce of New York.
 Mr. Lea with Mr. Osmer.
 Mr. Magnuson with Mr. Crowther.
 Mr. Cooley with Mr. Stearns of New Hampshire.
 Mr. Nichols with Mr. Ball.
 Mr. Schulte with Mr. Stefan.
 Mr. Patman with Mr. Oliver.
 Mr. Fernandez with Mr. Jenks of New Hampshire.
 Mr. Secrest with Mr. Douglas.
 Mr. Cummings with Mr. Hall.
 Mr. Sutphin with Mr. Cole of New York.
 Mr. Ashbrook with Mr. Rich.
 Mr. Snyder with Mr. Cluett.
 Mr. Hennings with Mr. Eaton of California.
 Mr. Sweeney with Mr. Rockefeller.
 Mr. Izac with Mr. Clason.
 Mr. Connery with Mr. Welch.
 Mr. Duncan with Mr. Routzohn.
 Mr. Massingale with Mr. Bradley of Michigan.
 Mr. Dies with Mr. Alexander.
 Mr. Sasscer with Mr. Bates of Massachusetts.
 Mr. Cannon of Florida with Mr. Wood.
 Mr. Claypool with Mr. Maciejewski.

Mr. SMITH of Washington. Mr. Speaker, I have a live pair with the gentleman from Oregon, Mr. PIERCE. I therefore withdraw my vote of "yea" and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill to make unlawful attempts to interfere with the discipline of the Army, the Navy, and the Coast Guard; to require the deportation of certain classes of aliens; to require the fingerprinting of aliens seeking to enter the United States; and for other purposes."

Mr. HOBBS. Mr. Speaker, I ask unanimous consent, since the adoption of the Smith amendment inserting a new title in the bill, that the numbers of the titles and sections may be corrected to conform with the amendments which have been agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. SABATH. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 277.

The Clerk read the resolution, as follows:

House Resolution 277

Resolved, That the Committee on Ways and Means, as a whole or by subcommittee, is authorized to sit and act during recesses of the Seventy-sixth Congress, in the District of Columbia or elsewhere, and to hold such hearings as the committee may determine, in connection with the consideration and preparation of a bill or bills relating to internal-revenue taxes. For the purposes of this resolution the committee is authorized to employ such stenographic services, to have such printing and binding done, and to incur such other expenses as the committee may deem necessary.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

The resolution was agreed to.

JOHN H. BALMAT

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that the bill (S. 2288) for the relief of John H. Balmat, Jr., may be re-referred to the Committee on Military Affairs.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

A NATIONAL CENSUS OF HOUSING

Mr. NELSON, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 1419), which was referred to the House Calendar, and ordered to be printed:

House Resolution 281

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 2240, an act to provide for a national census of housing. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Census, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

EXTENSION OF REMARKS

Mr. COCHRAN asked and was given permission to extend his own remarks in the RECORD.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain excerpts from the Foreign Service magazine.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. PETERSON]?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two editorials on the Hatch bill.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

Mr. GREEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include some statements of record.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. GREEN]?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein excerpts from letters from my district on the transportation bill.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. COFFEE]?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. GEYER]?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address by the national commander of the Veterans of Foreign Wars, and an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. VAN ZANDT]?

There was no objection.

Mr. CORBETT, Mr. BENDER, and Mr. PATRICK asked and were given permission to extend their own remarks in the RECORD.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Daily Argus Leader of Sioux Falls, S. Dak.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

CORRECTION OF MILITARY RECORD OF OBERLIN M. CARTER

Mr. ANDREWS. Mr. Speaker, on July 6 I reported for the Military Affairs Committee, to the House, a bill (H. R. 4723) to correct the military record of Oberlin M. Carter, formerly captain, Corps of Engineers, United States Army, to show that the judgment of court martial in his case is unlawful and invalid. I ask unanimous consent that this bill may be transferred from the Private to the Union Calendar.

The SPEAKER. Is that request by direction of the committee?

Mr. ANDREWS. It is the request of the majority of the members of the Committee on Military Affairs, who made the report.

The SPEAKER. The Chair suggests that the gentleman withhold that request until he gets authority from the committee. Under the rules that is necessary.

Mr. ANDREWS. I may say that the report was filed on behalf of the majority of the committee.

The SPEAKER. Is the gentleman making the request by direction of that committee?

Mr. ANDREWS. Not by direction of the committee; no.

The SPEAKER. The Chair thinks that is necessary and suggests that the gentleman temporarily withdraw his request.

Mr. ANDREWS. Mr. Speaker, I temporarily withdraw my request.

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole this afternoon and to include certain excerpts from the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. HINSHAW]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include

therein a letter from a gentleman in Atlanta, Ga., and an article from the Atlanta Constitution.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. JOHNSON of Oklahoma asked and was given permission to extend his own remarks in the RECORD.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their own remarks in the RECORD on the bill H. R. 5138.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HILL. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 2879. An act to authorize the posthumous appointment of the late Arthur Mortimer Fields, Jr., to be an ensign of the United States Navy; to the Committee on Naval Affairs.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5375. An act to promote nautical education, and for other purposes;

H. R. 6746. An act to amend certain provisions of the Merchant Marine and Shipping Acts, to further the development of the American merchant marine, and for other purposes; and

H. R. 6984. An act to provide a feasible and comprehensive plan for the variable payment of construction charges on United States reclamation projects, to protect the investment of the United States in such projects, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 5375. An act to promote nautical education, and for other purposes;

H. R. 6746. An act to amend certain provisions of the Merchant Marine and Shipping Acts, to further the development of the American merchant marine, and for other purposes; and

H. R. 6984. An act to provide a feasible and comprehensive plan for the variable payment of construction charges on United States reclamation projects, to protect the investment of the United States in such projects, and for other purposes.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 53 minutes p. m.) the House adjourned until Monday, July 31, 1939, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FOREIGN AFFAIRS

There will be a meeting of the Committee on Foreign Affairs in the committee rooms, the Capitol, on Tuesday, August 1, 1939, at 10:30 a. m., for the purpose of considering

the following resolutions: House Joint Resolution 364, requesting the President to invite the Interparliamentary Union to hold its annual conference in New York in 1940, and authorizing an appropriation to defray the expenses of the conference; House Joint Resolution 336, to provide that the United States extend to foreign governments invitations to participate in the Congress of the International Federation for Housing and Town Planning to be held in the United States in 1941, and to authorize an appropriation to assist in meeting the expenses of the Congress.

EXECUTIVE COMMUNICATIONS, ETC.

1058. Under clause 2 of rule XXIV a letter from the Acting Secretary of the Interior transmitting the draft of a proposed bill for the relief of Roy F. Lassly, acting chief disbursing clerk, Department of the Interior, was taken from the Speaker's table and referred to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SCHAFER of Wisconsin: Committee on Indian Affairs. House Joint Resolution 288. Joint resolution authorizing the Osage Tribe of Indians to submit claims to the Court of Claims; with amendments (Rept. No. 1415). Referred to the Committee of the Whole House on the state of the Union.

Mr. CELLER: Committee on the Judiciary. S. 2478. An act to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases; with amendment (Rept. No. 1416). Referred to the Committee of the Whole House on the state of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 7032. A bill to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases; with amendment (Rept. No. 1417). Referred to the Committee of the Whole House on the state of the Union.

Mr. MANSFIELD: Committee on Rivers and Harbors. H. R. 7411. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; without amendment (Rept. No. 1418). Referred to the Committee of the Whole House on the state of the Union.

Mr. NELSON: Committee on Rules. House Resolution 281. Resolution providing for the consideration of S. 2240, a bill to provide for a national census of housing; with amendment (Rept. No. 1419). Referred to the House Calendar.

Mr. HILL: Committee on Expenditures in the Executive Departments. S. 506. An act relating to mileage tables for the United States Army and other Government agencies and to mileage allowances for persons employed in the offices of Members of House and Senate; with amendments (Rept. No. 1420). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 7420. A bill to amend laws for preventing collisions of vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. ELLIS:

H. R. 7421. A bill to provide for terms of the District Court of the United States for the Western District of Arkansas at Fayetteville; to the Committee on the Judiciary.

By Mr. VAN ZANDT:

H. R. 7422. A bill to amend the Emergency Relief Appropriation Act of 1939; to the Committee on Appropriations.

PETITIONS, ETC.

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

5143. By Mr. MICHAEL J. KENNEDY: Petition of William Mesevich, president, local joint executive board, Hotel and Restaurant Employees' International Alliance and Bartenders' International League of A. M. A., representing 50,000 members in New York City, supporting the works financing bill; to the Committee on Appropriations.

5144. Also, petition of the American Merchant Marine Institute, Inc., relative to the Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

5145. Also, petition of the Retail Dry Goods Association, requesting that the Doughton bill, H. R. 6635, with the Johnson amendments, S. 115, 117, and 126, be favorably reported by the conference committee and passed by the Congress; to the Committee on Ways and Means.

5146. Also, petition of locals Nos. 96, 100, and 109 of the United Federal Workers, urging enactment of pending amendments to the Relief Appropriation Act of 1940; to the Committee on Appropriations.

5147. Also, petition of the Interchemical Corporation, of New York City, relative to the importation of China-wood oil; to the Committee on Ways and Means.

5148. Also, petition of the American Association of Social Workers, favoring support of pending amendments to the Work Projects Administration Relief Act of 1940; to the Committee on Appropriations.

5149. Also, petition of the American Labor Party, favoring enactment of Wagner housing amendments; to the Committee on Banking and Currency.

5150. Also, petition of the New York State Association of Electrical Contractors and Dealers, urging favorable action on the Starnes bill, H. R. 7243, by the Appropriation Committee; to the Committee on Appropriations.

5151. Also, petition of the National Grange, protesting against the enactment of House bill 7120 and Senate bill 2759, providing for the construction and financing of self-liquidating projects; to the Committee on Banking and Currency.

5152. By Mr. KEOGH: Petition of W. C. Schiltuis, chairman, trade and transportation committee, New York Produce Exchange, New York City, concerning Senate bill 2009, the Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

5153. Also, petition of Empire State Truck Operators Association, Syracuse, N. Y., opposing the Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

5154. Also, petition of the American Manufacturing Co., Brooklyn, N. Y., concerning the O'Mahoney bill (S. 2719); to the Committee on the Judiciary.

5155. Also, petition of the New York State Industrial Union Council, New York City, concerning amendments to the Fair Labor Standards Act, amendment of the Social Security Act relative to aliens, and the Smith antialien bill (H. R. 5138); to the Committee on Labor.

5156. Also, petition of W. I. Bolton, president, New York State League of Savings and Loan Associations, concerning House bill 6971 and the Spence amendment for tax equalization; to the Committee on Ways and Means.

5157. By Mr. KERR: Petition of a mass meeting of peanut growers of North Carolina, in respect to the establishment of a schedule of prices in the 1939-40 peanut surplus removal program; to the Committee on Agriculture.

5158. By Mr. PFEIFER: Petition of James F. Keenan, representative, Iron Workers Local 361, Brooklyn, N. Y., urging restoration prevailing wage rate on Works Progress Administration; to the Committee on Appropriations.

5159. Also, petition of Robert E. Blum, secretary, Abraham & Straus, Inc., Brooklyn, N. Y., urging action on the amendments to the Social Security Act; to the Committee on Appropriations.

5160. Also, petition of the Hooker Electrical Co., New York City, favoring the amendment to House bill 7312, the Anti-dumping Act, and Senate Resolution 160, the Borah resolution; to the Committee on Interstate and Foreign Commerce.

5161. Also, petition of the Catholic Central Verein of America, Meriden, Conn., opposing the American participation in foreign affairs; to the Committee on Foreign Affairs.

5162. Also, petition of the National Grange, Washington, D. C., protesting against the enactment of Senate bill 2759 and House bill 7120; to the Committee on Appropriations.

5163. By the SPEAKER: Petition of the German-American League for Culture, Inc., Chicago, Ill., petitioning consideration of their resolution with reference to un-American propaganda; to the Committee on Rules.

SENATE

MONDAY, JULY 31, 1939

(Legislative day of Tuesday, July 25, 1939)

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

The Reverend Duncan Fraser, assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, the foundation of wisdom, whose statutes are good and gracious and whose law is truth. We beseech Thee so to guide and bless this Senate, that it may ordain for our governance only such things as please Thee, to the glory of Thy name and the welfare of Thy people. Through Jesus Christ, Thy Son, 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, Saturday, July 29, 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	Davis	King	Russell
Andrews	Downey	La Follette	Schwartz
Austin	Ellender	Lee	Schwellenbach
Bailey	Frazier	Lodge	Sheppard
Bankhead	George	Lucas	Shipstead
Barkley	Gerry	Lundeen	Slatery
Bilbo	Gibson	McCarran	Smathers
Bone	Gillette	McKellar	Smith
Borah	Guffey	Maloney	Stewart
Bridges	Gurney	Mead	Taft
Brown	Hale	Miller	Thomas, Okla.
Bulow	Harrison	Minton	Thomas, Utah
Burke	Hatch	Murray	Townsend
Byrd	Hayden	Neely	Truman
Byrnes	Herring	Norris	Tydings
Capper	Hill	Nye	Vandenberg
Chavez	Holman	O'Mahoney	Van Nuys
Clark, Idaho	Holt	Pepper	Wagner
Clark, Mo.	Hughes	Pittman	Walsh
Connally	Johnson, Calif.	Radcliffe	Wheeler
Danaher	Johnson, Colo.	Reed	White

Mr. MINTON. I announce that the Senator from North Carolina [Mr. REYNOLDS] is absent from the Senate because of a death in his family.

The Senator from Arkansas [Mrs. CARAWAY] and the Senator from Rhode Island [Mr. GREEN] are absent on important public business.

The Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], the Senator from Kentucky [Mr. LOGAN], and the Senator from Louisiana [Mr. OVERTON] are unavoidably detained.

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

PETITION AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of the annual convention of the Arizona Wool Growers' Association at Flagstaff, Ariz., protesting against the present policy of reciprocal trade agreements, with particular reference to the granting of concessions to countries having low labor standards, and requesting that no concessions in the wool schedule be made in any new trade agreement, which was referred to the Committee on Finance.

He also laid before the Senate a resolution of the annual convention of the Arizona Wool Growers' Association at Flagstaff, Ariz., protesting against the transfer of the Forest Service, or any of its activities, from the Department of Agriculture and its consolidation with any other department of the Government, which was referred to the Select Committee on Government Organization.

Mr. HOLT presented a resolution of the Marshall County (W. Va.) McGuffey Society, favoring inclusion in the commemorative series of stamps issued by the Post Office Department of an appropriate design dedicated to honor William Holmes McGuffey, famous American educator, which was referred to the Committee on Post Offices and Post Roads.

Mr. NYE presented memorials, numerous signed, of sundry citizens of the State of North Dakota, remonstrating against the enactment of the so-called Wheeler-Truman bill, being the bill (S. 2009) to amend the Interstate Commerce Act, as amended, by extending its application to additional types of carriers and transportation and modifying certain provisions thereof, and for other purposes, which were ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. SCHWELLENBACH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1710) to provide for the cancelation of certain notes acquired by the Farm Credit Administration as a result of the activities of the Federal Farm Board, reported it with amendments and submitted a report (No. 1039) thereon.

Mr. LUCAS, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 5764) to provide for the establishment of a cemetery within the Crab Orchard Creek Dam project, Williamson County, Ill., reported it without amendment and submitted a report (No. 1040) thereon.

Mr. FRAZIER, from the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 66) making provisions for the refund of the processing tax on hogs marketed for slaughter by the raisers and producers who in fact bore all or part of the burden of such tax, reported it with amendments and submitted a report (No. 1041) thereon.

Mr. BARKLEY, from the Committee on the Library, to which were referred the following bill and joint resolutions, reported them severally without amendment:

H. R. 6585. A bill to provide for the disposition of certain records of the United States Government;

S. J. Res. 178. Joint resolution authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, D. C.; and

H. J. Res. 208. Joint resolution authorizing the Joint Committee on the Library to procure an oil portrait of former President Herbert Hoover.

LABOR POLICIES OF EMPLOYERS' ASSOCIATIONS—REPORT OF COMMITTEE ON EDUCATION AND LABOR (REPT. NO. 6, PT. 5)

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to submit a report from the subcommittee of the Senate Committee on Education and Labor, pursuant to Senate Resolution 266, of the Seventy-fourth Congress, entitled "Labor Policies of Employers' Associations, Part II, the Associated Industries of Cleveland."

The VICE PRESIDENT. Without objection, the report will be received and printed.