DEATH OF REPRESENTATIVE BOLTON, OF OHIO

The PRESIDING OFFICER laid before the Senate a resolution from the House of Representatives (H. Res. 319), which was read as follows:

House Resolution 319

IN THE HOUSE OF REPRESENTATIVES.

Resolved, That the House has heard with profound sorrow of the death of Hon. CHESTER C. BOLTON, a Representative from the State of Ohio.

Resolved, That a committee of six Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. McNARY. Mr. President, on behalf of the junior Senator from Ohio [Mr. TAFT], who is necessarily absent from the Chamber, I offer the resolution which I send to the desk and ask for its immediate consideration.

The resolution (S. Res. 194) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Senate Resolution 194

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. CHESTER C. BOLTON, late a Representative from the State of Ohio.

Resolved, That a committee of two Senators be appointed by the President of the Senate to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDING OFFICER. Under the second resolving clause of the resolution the Chair appoints the senior Senator from Ohio [Mr. DONAHEY] and the junior Senator from Ohio [Mr. TAFT] the committee on the part of the Senate.

Mr. McNARY. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 1 o'clock and 12 minutes p. m.) the Senate adjourned, the adjournment, being under the order previously entered, until Thursday, November 2, 1939, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 31, 1939

The House met at 12 o'clock noon.

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

O breath of God, we pray that these moments may be heightened by the solemn spirit of reverence. Oh, let the spectacle of the glorious cross be to us like a whisper from the face of the Almighty. We seek Thy guidance into truth; Thy help in counsel; and the blessing of Thy grace. Do Thou inspire us with unselfish and heroic purpose that we may be examples for our people, into whose service we have entered. We thank Thee for the heart-winning words of the Christ; grant us His shadow that prepares for toil; His faith and His vision of a new day. O Thou who hast reigned amid the tempests of the spirit, withhold not Thyself from us. Brood over us, give us more than human wisdom, and gird us with a strength greater than our own. We pray Thee to lift our minds to a high estate where reason is not suffocated nor patriotism smothered. Oh, come to our waking souls, that we may walk in the paths of dignity and honor and where no seeds of discord are allowed to flower, fruit, or foliage. In the dear Redeemer's name. Amen.

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

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech on neutrality by Monsignor O'Grady.

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

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address of the Honorable Harry H. Woodring, Secretary of War, and an editorial from the Washington Times-Herald in connection with the matter.

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

There was no objection.

Mr. STARNES of Alabama. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by the Honorable MARTIN DIES over the Columbia Broadcasting System on Saturday evening of the past week.

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

There was no objection.

THE LATE EATON J. BOWERS

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

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

There was no objection.

Mr. COLMER. Mr. Speaker, I arise this morning to make a sad announcement to the House of Representatives. On the night of October 27, last, the Honorable Eaton Jackson Bowers, a former Member of this distinguished body, died at his home in the city of New Orleans, La.

Mr. Bowers represented the Sixth Congressional District of Mississippi, which I now have the honor to represent. He took up his duties in this body on March 4, 1903, and served until March 3, 1911, through the Fifty-eighth, Fifty-ninth, Sixtieth, and Sixty-first Congresses, voluntarily retiring in 1911 to resume the practice of law at Gulfport, Miss.

Mr. Bowers, during the comparatively short time that he was a Member of this body, rose rapidly, both in the assignment to important positions and in the esteem of his colleagues. It can truthfully be said, without the necessity of drawing the charitable cloak of death about him, that few men who served in the Congress with him were possessed of a keener intellect or a more brilliant tongue. He possessed to a marked degree the rare combination of the two virtues of having the intellect to arrive at a correct conclusion and the mastery of the English language which enabled him to convince all who heard him of the correctness of that position.

At some future date, Mr. Speaker, I hope to have the opportunity to dwell more fully upon the virtues of this truly great statesman. But for the present I am sure that I voice the sentiment of all who knew him when I say that the country has sustained in his death the loss of an outstanding member of the American bar, a great intellect, and a statesman in the truest sense.

Mr. Speaker, a lifelong, warm, personal friend of Mr. Bowers, the Honorable George P. Money, editor of the Gulfport-Biloxi Daily Herald, and himself the distinguished son of the late and lamented Senator H. D. Money, who so ably represented Mississippi in the United States Senate two decades ago, had this to say editorially of his late distinguished friend, Mr. Bowers:

It is with distress and profound sense of loss that we have to announce for south Mississippi, the Gulf coast, and particularly Harrison County, and personally, the death of Hon. Eaton J. Bowers, one of the most dynamic speakers, foremost lawyers and practitioners, one of the most astute political scientists, one of the most influential Congressmen, and one of the best informed and scholarly gentlemen we have known.

His death in New Orleans Thursday midnight came at a ripe age, after he had been admitted to the bar before being of age; after his great success in law and statesmanship; after he had

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reared a family who reciprocated his devotion and loyalty, whose members never wanted for anything that he was able to procure; after he had made thousands of loyal friends, had thousands of admirers, and impressed himself upon the bar and made himself heard with attention in the Halls of Congress.

Mr. Bowers had an exceedingly active mind and lively interest in life. His memory was marvelously accurate and vivid, which gave him command of his vast reading on all subjects and therefore made him an exceptional extemporaneous speaker. His thorough knowledge of law and the aptness of his mind, with his excellent memory, enabled him to answer any question of law instantly, and this faculty was undiminished to the day of his death. He was of great wit which, with his memory, his readiness, and his great love of communion and fellowship, made him unexcelled as a postprandial speaker. Surely we shall not look upon his like again.

His life was filled with activity and brilliant and notable achievements.

Throughout his married life he had a most noble companion—a help indeed most meet for man. The soul of unselfish affection, devoted to her first love and their family, loyal and faithful to the end. Mrs. Bowers, herself the daughter of a prominent lawyer of Bay St. Louis, was his beloved, his comfort, and his stay.

With the bereaved family we bow our heads; and to them we tender our loving sympathy.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject Pertinent Facts on the Neutrality Question.

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

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial appearing in a New Jersey newspaper.

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

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short quotation from the Miami Republican.

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

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial appearing in the Block newspapers.

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

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address delivered by me on September 18, 1939.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

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

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, for today and during the consideration of the neutrality bill, I shall object to anyone proceeding before a session of the House for any length of time, and I shall object at this time to the gentleman from Montana proceeding for 1 minute.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

Mr. RAYBURN. I object, Mr. Speaker.

EXTENSION OF REMARKS

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short letter from a constituent.

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

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article taken from the American Good Government Review.

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

There was no objection.

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

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short memorandum.

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

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter from the Honorable W. B. Swaney, of Chattanooga, Tenn.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject before the House today.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include a letter from the Department of Commerce in reference to the shipment of horses and mules into the war zone—to foreign countries.

The SPEAKER. Is there objection?

There was no objection.

NEUTRALITY

Mr. SABATH. Mr. Speaker, I call up House Resolution 320, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 320

Resolved, That immediately upon the adoption of this resolution, the joint resolution (H. J. Res. 306), the Neutrality Act of 1939, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that the amendments of the Senate be, and the same are hereby, disagreed to and a conference is requested with the Senate on the disagreeing votes of the two Houses.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Illinois yield for a parliamentary inquiry?

Mr. SABATH. Yes.

Mr. RANKIN. To ask whether or not the resolution will shut off the right to offer a motion to instruct the conferees?

The SPEAKER. It will not. The resolution now pending makes it in order to consider such matters as that propounded by the gentleman from Mississippi. If the resolution is adopted, it will in no way prohibit subsequent proceedings, or offering a motion to instruct the conferees, or amendments thereto.

Mr. CASE of South Dakota. Mr. Speaker, I rise to a further parliamentary inquiry.

The SPEAKER. Does the gentleman from Illinois yield.

Mr. SABATH. I yield.

Mr. CASE of South Dakota. If this resolution is adopted, what will be the effect with respect to the offering of amendments? As I understand it, the bill now is in the form of a Senate amendment to the House bill, which will be one amendment. A motion may be offered to instruct the conferees, I presume, but when will we reach the stage of amending in the third degree?

The SPEAKER. The Chair cannot anticipate that that stage will ever be reached, but the Chair will, of course, be glad to answer that parliamentary inquiry at the appropriate time.

Mr. SABATH. Mr. Speaker, may I have the attention of the gentleman from Michigan [Mr. MAPES]? Does the gentleman desire time?

Mr. MAPES. I have requests for time; yes.

Mr. SABATH. Does the gentleman desire time for or against the resolution?

Mr. MAPES. I have not asked all of the Members how they are going to vote.

Mr. SABATH. I yield 30 minutes to the gentleman from Michigan.

Mr. MAPES. Does the chairman intend to yield to anyone opposed to the rule?

Mr. SABATH. I might, though I do not think it will do any good; I do not think it will help any one way or the other.

The SPEAKER. How much time does the gentleman from Illinois yield to himself?

Mr. SABATH. Six minutes.

The SPEAKER. The Chair recognizes the gentleman from Illinois for 6 minutes.

Mr. SABATH. Mr. Speaker, more than 650 speeches have been made on this issue to date. I do not believe more speeches here will change opinions or the vote of any Member. Certainly I am not vain enough to imagine that words of mine might do so, and so I will confine myself to an explanation of the rule itself.

Contrary to the statements of my colleague the gentleman from New York [Mr. FISH], this is undoubtedly one of the most liberal rules that has ever been presented to Congress. It allows more time and gives more latitude for discussion of individual sections of this bill than is usual, and permits voting on each amendment. We do not abridge the rules or deny the right of anyone to present amendments. A motion to instruct the conferees will be offered. An amendment to that motion, and a second amendment, is in order. It permits a substitute and an amendment to the substitute, and on each there is allowed 1 hour's debate for and against. No gag prevents the offering of any amendment, and any implication to the contrary can be only a deliberate misinterpretation of the rule.

The Senate bill before us today represents a comprehensive and thorough study of the entire issue in question, and I am obliged to confess that I believe it to be a better bill than the one we passed in the House. I hope that all the Members will read the comparative report prepared by the Committee on Foreign Affairs. It should give them undeniable reason for supporting the resolution. Let me here quote from the Senate report:

> The committee further reports the purpose of the substitute is to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests. In attempting to accomplish this purpose the committee has written into the proposed substitute definite and mandatory legislation wherever discretion could be eliminated. From a consideration of the text it will be noted that the cash-and-carry provisions of the law which expired by their terms on May 1, 1939, and which have not been reenacted, have been strengthened as to the provisions dealing with the divesting of title of citizens in goods to be conveyed and transferred and exported to belligerent countries. The addition of this language to the paragraph in the old law with regard to the divesting of title, namely that "No loss incurred by any such citizen in connection with the sale or transfer of right, title, and interest in any such articles or materials shall be made the basis of any claim put forward by the Government of the United States," covers any loophole that might have existed in the old provisions as an excuse for demanding of the Government that the Government undertake to collect debts due a citizen. This, however, is not the most important change in the old cash-and-carry law. The provisions of the old law with regard to carry did not prohibit the transfer of contraband, that is, articles and materials designated by warring powers as war materials, to belligerents except the few manufactured articles defined as arms, ammunition, and implements of war, but delegated to the President the discretion to prohibit American vessels from carrying certain articles to belligerents which he could name. The proposed substitute in definite language and in a mandatory manner prohibits American vessels to carry any passengers or any articles or materials to any foreign state named by the President as being in a state of war. The section of the proposed substitute which is intended to accomplish this purpose is found in section 2 (a), which reads as follows:
>
> "SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passengers or any articles or materials to any state named in such proclamation."

Because this is an issue above partisan politics, the resolution has enlisted the support of all outstanding Republicans, such as a former President of the United States, a former Republican candidate for President, and a candidate for the Vice Presidency. They all favor this legislation. Only a small or mean man could consider his political interests above his country's welfare.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SABATH. The gentleman knows that I will not yield to him. I have numerous resolutions from Republican clubs all over the Nation going on record as being in favor of the Senate bill. Mr. Green, of the American Federation of Labor, has also written me that he supports the bill. In fact, so many resolutions have reached me, and so many letters from individuals and organizations that I am sure the sentiment of the Nation has been clearly shown, not only to me but to all Members who must certainly have been the recipients of as many communications as I have had. I am confident, in all the circumstances, that we should have no difficulty in securing early action upon this important measure.

Here before me now I have a letter from William Allen White, a gentleman known to most Republicans. He advises the Republicans to support this legislation. I also have with me letters from religious leaders and outstanding citizens. There can be no doubt that a great majority of thinking Americans is with us, and that they depend upon us to pass this resolution for the good of our country. A joint statement of the clergy, signed by outstanding representatives of all religious faiths, concise and to the point, very aptly expresses public opinion. I want to read it to you:

> We who sign this statement are firmly for repeal of the embargo law, because we cannot be ethically or spiritually indifferent in the face of the present universal menace to man's religious liberties. We support revision, because we believe its safeguards are not only best calculated to keep us out of war but will throw the vast moral and material weight of this country on the side of liberty in which alone religious institutions can flourish.
>
> We, therefore, urge our Congress to stand fast and express the will of the people by revising the present law which puts this country in the false position of supporting wrong, encouraging its spread, and condoning the destruction of all the religious and other liberties that mankind holds precious.

Let me not overlook the fact that I also have resolutions against this proposed measure. One is from Father Coughlin; one from the Socialist Party of America. Many have come from Nazi and Fascist sources. Another is from the German-American National Alliance, whose representatives a few days ago appeared before the Dies committee. I wish you would read the threatening letter they had the audacity to send out against those who dared to vote to repeal the present neutrality law. When will they realize that this Congress will not be intimidated or influenced by threats from alien or other sources? [Applause.]

I will take up no more time. I do not think it is necessary. Those who follow me will more fully explain the bill, and I now yield 30 minutes to the gentleman from Michigan. [Applause.]

Mr. MAPES. Mr. Speaker, I yield 8 minutes to the gentleman from Tennessee [Mr. TAYLOR].

Mr. TAYLOR of Tennessee. Mr. Speaker, it is with a sense of deep humility and with no little trepidation that I approach this subject today, at perhaps the most critical period in our country's history. With three of the great nations of Europe now in the grip of a ghastly war, I think it behooves this membership to approach this subject cautiously and with the greatest possible deliberation.

It is not my intention to discuss the merits of the bill, because on the 28th of last month I took occasion to discuss it at length. I want to say frankly at the outset that I am in sympathy with the principles and objectives of this resolution. However, I am opposed to the rule that has been reported by the Rules Committee and which is under consideration at this moment. As a member of the Rules Committee I opposed this rule because I regard it as arbitrary and more or less a subterfuge. I took the position before the committee, and I take the position here today, that, due to the tremendous importance of this legislation, it ought to be considered under an open rule, with the right to the Members of this body to offer such amendments as to them may seem fit and proper. [Applause.]

I would not characterize or stigmatize this rule as a gag rule, but it partakes of so many of the features of a gag rule that to me it is a distinction without a difference. To me this rule is an infringement upon the authority of this House. It is an abridgement of the rights of the membership of this House to have this measure considered under an open rule and with the right to offer amendments.

Mr. Speaker, I am very jealous of the prerogatives of the House of Representatives. I want to see its prestige, its dignity, and its integrity preserved; but most assuredly these attributes cannot be maintained if we allow this body to be subservient to the other body. Under the Constitution we are of equal importance and authority; and, in the name of God, let us insist on the parity.

I know it will be argued, and has been argued by the distinguished gentleman from Illinois this afternoon, that this is the normal and customary procedure in matters of this kind; but I would remind him also, Mr. Speaker, that these are not normal, ordinary times, and for that reason a most liberal rule should be adopted here which will permit of the registration of the views and sentiments of every Member of this House by the medium of amendments to so perfect the bill as to accomplish the object of the legislation, which is to keep our country out of war.

Mr. Speaker, as I stated at the outset, this is momentous legislation. It certainly is the most momentous that I have been called upon to consider during my 21 years in the House. I think it is the most vital and important piece of legislation that has been considered by the Congress since the declaration of war in 1917. No one can forecast the potentialities of our action on this proposal. It will have its reverberations not only throughout this country but it will have its repercussions throughout the nations of the world; and for that reason we should proceed here today with every possible caution and deliberation, and with an eye single to the welfare of our beloved country. Passion nor partisanship has no place in this debate.

This legislation involves the welfare of this Nation of ours. It affects the hearts and homes and hearthstones of the people of the United States. Their hopes, their aspirations, their security are wrapped up in this legislation, because, Mr. Speaker, 99 percent of the people of this country are opposed to this country becoming involved in that conflagration across the seas. For that reason the people of this country look to this Congress to devise means and ways whereby we will not repeat the terrible tragedy that we committed a little more than 20 years ago, and I have sufficient faith in the wisdom of the Congress to believe we can do it.

I realize that I am not the only Member in this body who is concerned about this legislation and its implications. All of you are deeply concerned about the legislation and you are all just as anxious as I am to pass legislation which will safeguard our Nation against entry into the conflict across the seas. The Rules Committee should have adopted a rule which would have permitted this bill to be discussed at length, a rule which would have permitted this bill to be read paragraph by paragraph and subject to amendment. That is why I oppose the rule which is now before us. I realize, as they say, that we have our methods, as provided in this rule, to, in effect, amend this legislation by way of instructions to the conferees. Let me remind you, however, that that is a very complicated, a very confusing, and a very cumbersome method of treating this legislation.

Another thing, Mr. Speaker, why all this unseemly haste in the House on this important issue? We are the servants of the people. We are hired by the people and paid by the people to come here and transact their business. We are not operating under the Wage and Hour Act. There is no reason why we cannot continue here until Congress meets in January, if necessary; and I think it would be a fine thing, because it would afford a sense of security to the American people that they will not have after this Congress adjourns. [Applause.]

Mr. Speaker, the House passed this so-called neutrality bill on June 30 this year and it went to the Senate. Congress adjourned before the Senate acted on the bill. When we passed the bill in the House, there was, of course, comparative peace in Europe. Now, when we are considering the bill today as it comes back to us from the Senate, a war is being waged in Europe. This, to my mind, very materially changes the situation. The House passed this bill on June 30 last and it went to the Senate. The Congress adjourned before the Senate acted on the bill as it passed the House, and since that time a most devastating war has broken out in Europe. With the expressed hope that Congress might pass a neutrality bill which would secure us against participation in another European holocaust, the President called Congress into extraordinary session to convene on September 21 last. The Senate immediately took up for consideration the House resolution, and, after debating it for more than 4 weeks under the most liberal conditions, struck out all of the House bill, with the exception of the enacting clause, and wrote an entirely new and different measure. It is that measure which is before us today, under this restricted rule, which we are expected to pass after 48 hours' consideration. I dare say that 10 percent of the Members of this body have not even had a chance to read the bill, much less give it careful and serious deliberation. To me, Mr. Speaker, this is an anomalous situation which, if adopted, will be a disappointment to the public generally.

While, Mr. Speaker, as stated at the outset, it is my intention to vote for the bill, nevertheless, I would like very much to see it amended in some particulars. I would like to see section 3 deleted from the bill. This section gives the President the power to define combat areas. I think this is a power which should be exercised by the Congress. I have been observing the exercise of discretionary powers by public officials for several years. It has been my observation that most public officials abuse this privilege. They are too often prone to construe discretion as authority, and hence I am rather skeptical when it comes to vesting discretion. While I cannot conceive of any President willfully performing any act which might embroil our country in war, I can see no good reason or justification for the Congress to strip itself of powers which belong to it under the Constitution.

I would like to see an amendment to this bill which would prohibit the R. F. C., Export-Import Bank, and Federal Reserve bank to directly or indirectly assist in supplying credit for the export of goods to belligerent countries. I would also like to see this bill amended so that the $2,000,000,000 stabilization fund could not be manipulated in a manner to peg foreign credits in the United States.

By voting down this rule we will be afforded an opportunity to materially improve this measure, and I therefore appeal to my colleagues on both sides of the Chamber to vote against the adoption of a rule which to a certain degree hamstrings and strait jackets the deliberations of this body. [Applause.]

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Georgia [Mr. Cox].

The SPEAKER. How much time does the gentleman yield?

Mr. SABATH. I am informed that the gentleman will not require a great deal of time, so I place no limit on it.

Mr. COX. Mr. Speaker, the leadership of this House does not wish to stifle debate and is unwilling to give cause for the charge that Members will be deprived of the opportunity to impress their influence upon the proposed legislation. There is, however, the desire that final consideration shall be expedited as much as possible, and to accomplish this there can be no senseless waste of time.

The Rules Committee, cooperating with the leadership, offers the pending rule, which affords the best opportunity for free and full debate. It is normal procedure. Assurance is given the House that in the event this rule is adopted a motion to instruct conferees will be in order. This motion is subject to amendment under the rules of the House and will afford those wishing to express their views upon the proposed legislation opportunity to do so.

We are all sensible of the great responsibility that rests upon us. We want this matter handled as if it were the

business of all the people, and we want all the people to feel that they are having a hand in it. We know that this is something which involves not only the peace and security of the citizens of the Nation but something which involves the life of the Nation as well.

The American people want peace—peace with honor. It is, as Mr. Jefferson said, "the most important of all things for us except the preserving of an erect and independent attitude." The neutrality bill asks for nothing more than the restoration of the sovereign right to transact our own affairs as a free people. So, Mr. Speaker, let us proceed to undo that which should never have been done, for to fail will invite the scorn of the world. [Applause.]

The SPEAKER. The gentleman from Georgia has consumed 3 minutes.

Mr. MAPES. Mr. Speaker, I yield 3 minutes to the gentleman from Wyoming [Mr. HORTON].

Mr. HORTON. Mr. Speaker, I do not know the plan of procedure on this bill except from what I read in the papers. I read this morning that it is the plan to speed the so-called neutrality bill to conference with the Senate by Thursday; that this was agreed to by the House Democratic leadership yesterday and given the endorsement of the House Rules Committee. Under the procedure outlined, the motion to instruct would come to a vote tomorrow and the bill would reach the conferees the following day and conceivably Congress would be in a position to adjourn the latter part of this week. In no event, leaders forecast, will Congress be in session later than Monday or Tuesday of next week.

So that is what the House is going to have to say on a proposition the right answer to which must be found else this country will be plunged into war.

So that is the answer the leadership of this House gives to the hundreds of thousands of letters and telegrams that have poured in from mothers from all parts of this country requesting that we keep America out of war by remaining in session continuously during this crisis. This was also the charge given us by the American Legion—and those boys know what war means.

The theme song of the American people is "Keep us out of this war. Remain in session and meet problems as they come up." This is the mandate of the American people to us. They trust us and they do not trust anyone else. Are we going to be worthy of this trust? Or are we going to throw them down? This is the only question before the Congress today.

In a few minutes we are going to have the question of the adoption of this rule in our laps for answer. The adoption of this rule means but one thing, and that is that by the end of this week this body, the direct and close representatives of the people, will have placed its stamp of approval on a piece of legislation, the effect of which is to deceive and mislead.

That is the raw, brutal truth, but it is good for us to have. There is not a man in this House who honestly knows where this resolution will lead us and there are no two men who can or will agree as to its interpretation. The adoption of this rule which will be followed by the early passage of this resolution spells war. [Applause.]

My people and your people are not interested in this rule or any other rule that sends us home and lines us up on either side of this war that is trying to get started over there.

There is just one way to keep out of this war, and that is to prevent the real start of the war. The war has not started over there, and it has not started largely because we have not taken sides. Well, if we have delayed war for 2 months by not taking sides, let us continue not to take sides and perhaps we can delay the war another 2 months or 2 years or even prevent it entirely, and if we do that, we have not only saved millions of lives but Christian civilization as well. If we go through with another World War, Christian civilization will have slipped back a thousand years.

What is the hurry? The important thing is not to pass this resolution. The important thing is to keep out of war. Let us kill this rule and stay here and do our job as it becomes necessary to do it. If this war goes on, which I very much doubt if we have enough sense to stay on the side lines, but if it does really start in earnest, then incidents are bound to come up which are going to require our eternal vigilance—incidents and situations which no one can foresee. They have got to be met as they present themselves. There is no such thing as a neutrality code. It is a changeable, variable thing that must be altered to meet conditions, and we must stay on the job to meet them and fulfill the obligation of our position and the trust of our people. The law that we are trying to change now was perfect 2 years ago, but, as General Johnson would say, "Look at the ——— thing now." If proof for the statement I have just made is needed, you have it in the above.

There is still another reason why this war is to date not a war. What about Russia? Without even getting her feet wet she has 60 percent of Poland, without getting her feet wet she has solidified her positions in the Baltic and is even now trying to gain a foothold in Finland, much to the terror of the entire Scandinavian Peninsula. Do you think that she would be permitted to do this if England, France, and Germany were not otherwise engaged? She would not, and you know it. Russia is the hyena, lurking on the outskirts of the pack, to pick the bones of the kill. Do you think she is going to get drawn into this war? No. All she wants is for the powers of Europe to exhaust themselves so that she can overrun civilization, with the ungodly hordes of communism. Strange bed fellows this Hitler and Stalin, each hoping that the other will drop off to sleep first so that the fatal dagger can be driven home. Russia would like to see us in this war; therefore, if this resolution is passed, as it will be if we pass this rule, you may expect sabotage and atrocities in this country made to appear as having been done by Germany. But in reality they will be done by Russia. Russia wants to tear down and destroy; that is her full purpose. For communism thrives best during such disorders. Are we to become a party of such power grabs?

This question before us today is the most serious problem that any Congress has had before it in 150 years, because on our answer depends whether or no we are to be drawn into a conflict that will certainly end up with dictatorship and an economic collapse that will engulf us all.

If it is so important, and it is, what is the hurry? Let us stay on the job so that if and when new legislation needs enacting we will be here to enact it in an intelligent and deliberate way.

Let us vote this rule down. Let us stay on the job. Let us keep out of this war. Let us prevent this war.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, on June 30, 1939, I voted against the lifting of the embargo. Today, as the result of intensive and careful study, I am in favor of the passage of the Neutrality Act as amended by the Senate, which provides for the lifting of the embargo. [Applause.]

My decision in this matter was reached after the most painstaking and exhaustive search of the merits of both sides in the light of the permanent welfare of our citizens and the future security of our nation.

The President, in a radio address on October 26, stated:

> In and out of Congress we have heard orators and commentators and others beating their breasts and proclaiming against sending the boys of American mothers to fight on the battlefields of Europe. That I do not hesitate to label as one of the worst fakes in current history. It is a deliberate setting up of an imaginary bogey man. The simple truth is that no person in any responsible place in the national administration in Washington, or in any State government, or in any city government, or in any county government, has ever suggested in any shape, manner, or form the remotest possibility of sending the boys of American mothers to fight on the battlefields of Europe. That is why I label that argument a shameless and dishonest fake.
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> The fact of the international situation—the simple fact, without any bogey in it, without any appeals to prejudice—is that the

United States, as I have said before, is neutral and does not intend to get involved in war. That we can be neutral in thought as well as in act is, as I have said before, impossible of fulfillment, because, again, the people of this country, thinking things through calmly and without prejudice, have been and are making up their minds about relative merits of current events on other continents.

In my opinion, the words of the President are a complete answer to any argument for retaining the embargo on the ground of the possible involvement of this country in the European war. I was further reassured in my position after reading the recent encyclical of the holy father, Pope Pius XII, which I heartily recommend to the consideration of the membership of this House.

Since the beginning of the year many of my public utterances, as well as my official acts in the Congress, have been directed toward the means of securing lasting peace—peace, the objective of us all. All true Americans love peace and hate war. The CONGRESSIONAL RECORD will show that I frequently suggested official action against war and for peace.

There is another vital matter which must be considered in connection with this issue, and that is the menace of international communism. The alliance of Russia and Germany has put an entirely new face on the European war. No longer is it a war for empire, but it is clash of philosophies—the one "red," revolutionary, irreligious, and degenerating; the other, sane, age-old, encouraging, and our own.

Those who voted for the embargo during the regular session had no suspicion that Russia would side with Hitler. Hitler is a passing phenomenon; Russia is irreligious, anti-christ, and represents the materialism that has ever threatened mankind. The Prince of Peace, in the interest of peace and faith and hope, has called to all Christians against the materialistic dictatorships. Peace is not in their hearts. I am for peace when I vote to lift the embargo, conscious now that the Allies are for a peace entwined in a philosophy that recognizes an Almighty.

Our President has heard from the whole country. He is too clear a judge of American public opinion not to understand it on this great issue. I will accept the leadership of the President in this fight.

Mr. Speaker and Members of the House, the issue before us transcends in importance any other issue affecting our country. The President realized its significance by calling the Congress into special session. Mindful of the position that we occupy in the eyes of the world, as well as the grave responsibility which is ours as Members of the Congress, let our vote on this question be decided solely upon the basis of what we sincerely believe to be best for our beloved country. I shall so vote.

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the chairman of the Rules Committee made the statement that 647 speeches have been made on this proposition and everything possible to be said has been said. I do not believe that is true, and that is why I believe we should have full and free debate in the House.

Mr. Speaker, we have heard many arguments that the repeal of the arms embargo will help France and England, because those two countries control the seas and they can come here and get the things they need, primarily airplanes. Certainly there are very, very few in this country who would want to help Hitler by furnishing him implements of war. I read in the papers that France and England are going to start mass flights of war planes to England to be used by the Allies as soon as the embargo is repealed.

If we repeal the arms embargo and adopt this bill, then we must of necessity sell war planes to Germany if they want them, can pay for them, and can take them away. If France and England can send civilian pilots to the United States to take war planes over to be used by those countries, then why cannot Germany do exactly the same thing? Germany may use the property, security holdings, notes, and other investments of her nationals in this country to get the money. They could buy American bombers and their pilots could take them direct to Germany, or to the Azores, then to Portugal, and thence to Germany.

We might then read in the press a few weeks later that American-made bombers and war planes, than which there are no better anywhere, had blasted and devastated Paris and London. I say to you that that situation can well develop. It is not enough to say that we will not sell to them, because we say we are going to treat everybody alike. If they come and get them, they can take them away. They can use them for their own purposes. How long would the people of this country stand for repeal of the arms embargo as provided in this bill in the face of such a situation as that?

I remember at the time of the Chicago World's Fair seeing that great Italian armada land in Lake Michigan there at Chicago. Do not tell me that mass flights of that sort are not permissible under this law and would not be technically possible.

You may wonder how they are going to get the pilots over here. Well, I do not know of any reason why they could not be flown directly here, or flown down to Portugal, Italy, or to any other neutral country and then come over here on neutral vessels. As a matter of fact, even though there might be something in the way of their landing on our shores, why could they not take delivery of the planes in Brazil and then fly them over the routes that are now being flown by the Germans in conducting a mail service from Brazil to Africa, thence to Germany? Or might they not be flown from our west coast through Alaska and Russia to Germany?

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I think it is very important at the inception of this debate to take cognizance of the fact that we are trying to save this country from becoming involved in a European war rather than trying to elect somebody to office in 1940. [Applause.]

Mr. Speaker, we have heard it charged already in this brief debate, and no doubt it will continue to be charged by those who oppose this legislation and this administration, entrusted by the American people with the solemn duty to keep this country out of the present European war, that this rule under which we are considering this legislation is a gag rule. My chief purpose in asking your indulgence at this time is, as a member of the Rules Committee, to deny that charge. This rule is a fair one. It is an open one. If the rule were not both fair and did not provide for an opportunity for amendment to the legislation, I would not have supported it.

Mr. Speaker, I have never in my time in this House approached the consideration of any proposed legislation with a more open mind and completely free of all partisan and other improper influences. I firmly believe that most of the Members of this body entertain the same position and take the same high patriotic ground. However, I thought I detected the impression of partisan politics being injected in this matter when the application for this rule was being considered. I joined hands with my Republican colleagues on the committee in insisting upon full and adequate debate and ample opportunity for amendment. And when I satisfied myself that this rule would provide that, and that after I had obtained my information from the most trustworthy authority in the House, I refused to go further with my colleagues on the left and supported this rule.

This is not a Republican or a Democratic country. This is a country of Americans for Americans. [Applause.]

Permit me to say to my colleagues that I have great faith in the membership of this body. I sincerely believe that, on a question involving the significance that this legislation does, the membership of the House can and will lay aside all partisan politics and extraneous matters and consider the best way to do the job that the American people expect us to do, namely, to keep this country neutral and thereby prevent its being drawn into the vortex of what promises to be the greatest holocaust of bloody warfare and hell on earth that the world has yet witnessed. America expects the best that we have, and I entertain no doubt but that this Congress will meet that high standard of patriotic consideration of

this measure which it so justly merits. So far as I am concerned, I am trying to place my responsibility on that high plane and to keep it there. If I were to do less, I do not think that I should further enjoy your confidence by remaining a Member of this great representative body.

Mr. Speaker, I would not transgress upon the time of the House at length, even though the brief time which is allowed me to speak on the rule would permit. However, I should like to say in passing that in my opinion the bill which the other body has sent us is a substantial improvement over the bill which we in the House passed and which the Senate has so generously amended. I have never been one of those who believe that legislation could be enacted that would prevent war. This for the obvious reason that such legislation is unilateral in its scope. When we realize that even treaties between nations have been disregarded entirely in recent years, how could the most optimistic person anticipate that this or any other country could, by a simple declaration of law on its own part, control the movements of a possible enemy. It is therefore obvious that the only thing that we can do and the only thing that the American people expect us to do is to write the best possible piece of legislation which in our combined judgment will honorably prevent this country from becoming involved in this unholy maelstrom of mass suicide. Moreover, that legislation or declaration of policy should be the accumulation of the wisdom of the minds of the President, his Secretary of State, and the Congress of the United States, after conferring and debating with the sole objective of attaining such a document. [Applause.]

And in that connection, Mr. Speaker, we have heard many strong statements made about one of the controversial provisions of this legislation, namely, the embargo. It has been repeatedly stated by men in high places that the retention of the embargo, on one hand, would keep us out of war and its repeal, on the other hand, would carry us into war. There are those who take the opposite position that the removal of the embargo would keep us out of war and the retention would carry us into war. I am afraid that those who make these bold statements do so out of the warmth of their advocacy of their particular pet, the retention or the repeal of the embargo. I am in most hearty accord with the President of the United States when he said, in effect, that such argument was false. And I hope that no one will repeat that statement in the progress of this debate during the next few days.

As a matter of fact, if there is a Member of this House who has the superhuman and uncanny power to look into the future and point out with reasonable accuracy and convincing argument that either the retention or the lifting of the embargo on arms and ammunition will preserve the neutrality of this country during the current war, I shall not only follow him but future generations, as well as the present one, shall ever honor him. As a matter of fact, the retention or the lifting of the embargo on arms and ammunition, while it has been and is now being sought to be made the controversial part of this legislation, is in my opinion of secondary importance. Let me point out to you that the restrictions upon the operation of our vessels and the travel of our citizens upon the high seas is the important part of this legislation. If this country becomes involved in this war it will be because of the sinking of American vessels and the destruction of American lives on the high seas. What difference does it make whether an American vessel carrying American citizens has arms and ammunition aboard if it also has such harmless commodities as wheat? Is it not true that under the declared policy and the actual practice of the German Government today that neutral vessels are almost daily being sunk even though they are not carrying such arms and ammunition as it is proposed that we should ban? Therefore, if our ships are to be sunk because they carry foodstuffs, or other articles of as harmless nature as food, it would be immaterial whether they had arms and ammunition or not. The main thought to be considered is that England and France are endeavoring with their fleets to blockade Germany and starve her into submission. The Allies on the one hand seize our vessels and convert the cargo because of the superiority of their Navy. While Germany, lacking such naval power, is unable to seize and carry off the ships and supplies and resorts to sinking them through the submarine and mine. Is it not patent, therefore, to him who reasons most casually that if we keep our ships out of these combat areas—and I would like to go further and keep them out of any probable combat areas—and at the same time keep our American citizens off of the high seas that the paramount and approximate cause of our becoming involved in the war is removed?

Mr. Speaker, this legislation has several important provisions which, in my opinion, would contribute substantially to the goal of keeping this great country of ours neutral. It provides the very things that I have discussed—namely, that our ships and citizens shall be kept out of combat areas, regardless of whether the ships are carrying arms and ammunition or not. It provides penalties for our citizens traveling the high seas in certain instances. It provides for the retention of the declared policy of this country against financing European wars. And these three things—the sinking of vessels, the destruction of the lives of American citizens on the high seas, and the lending of American money to finance European wars—are, as history reflects, the chief cause of American wars. With these provisions written into the legislation, the American people, I believe, can rest assured that the Congress has done all that was humanly possible in a practical manner to grant their prayers by declaring a policy that will continue the coveted neutrality of this country; thereby preventing the loss of untold millions of our mothers' sons and the future aggravation of our economic condition. I shall therefore support the rule and the bill.

Mr. Speaker, I still contend that neutrality is a state of mind between two or more parties and that it cannot be legislated by one of them. I believe that the best neutrality legislation that I have supported has been the millions of dollars of appropriations that have gone into the preparedness of this country so that the war lords of Europe will respect our neutrality.

In March of 1936 in this body, when the House was considering another neutrality bill, I gave my views on the situation as I saw it then. I reiterate those views today in the face of the actualities of war which was then foreseen. That speech, in part, follows:

AMERICAN NEUTRALITY—AN ANSWER TO THE WAR LORDS

Mr. Chairman, there is an old adage to the effect that in times of peace we should prepare for war. I should like to paraphrase this for the purpose of this discussion and say, "In times of peace prepare for peace." With Europe a veritable volcano of war at present, with the war clouds of another gigantic war, the like of which possibly the world has never heretofore witnessed, hanging the lowest on the world's horizon, with the diplomatic endeavors of the Old World statesmen daily changing into kaleidoscopic patterns, with the whole of Europe jockeying for position, it must be manifest, even to him who reasons as he runs, that the enemy of civilization and Christianity, the all-powerful god of war, is busy about his task. War is imminent. Just how far distant it is no man can successfully predict. It may be 6 months; it may be 2 years. At the most it cannot be more than 5 years unless something not now apparent develops. In my opinion, conditions in the world today from the standpoint of imminence of another world war are more pronounced than they were 6 months before an all-powerful German war machine rode roughshod over Belgium in 1914. If you question the wisdom of this statement, I would point out to you the fact that today a powerful, militaristic Italy, under the domination of the war lord, Mussolini, bent upon expansion and conquest, is running at liberty over a weaker and almost defenseless black people in Ethiopia. The yellow race of Japan, for the past decade, under the domination of the war lords of that nation, has been continually building up a powerful military machine, likewise bent upon a conquest of expansion. Russia looks with uneasy expression and apprehensive eyes upon this program of Japan. The Chinese, powerful in potentiality but defenseless in reality, resent keenly and with a smoldering fire of national pride this aggression on the part of her more powerful yellow neighbor. To the west, the mighty British lion paces uneasily but, withal, cunningly and wisely as he watches over his spreading dominions and counts the effect of these aggressive and hostile acts on his own proud kingdom. The ingenious and resourceful Germany, under the leadership of the new war lord of that country, has boldly discounted the Locarno Pact and proclaimed the last vestige of the Treaty of Versailles as but another scrap of paper. France is diligent in her efforts to form new alliances and is emotionally appealing to her neighbors and the other civilized countries to rally to her support in defending the Locarno Pact

and the Treaty of Versailles. America, the New World giant, once far removed from Europe, but now, as a result of scientific advancements in communication and transportation, not so far removed from the Old World; America, a peace-loving Nation, in spite of its suffering from a world-wide depression, with no necessity for expansion—no desire for conquest, rich, and happy in its own ideals of government—is wont to remain aloof from the turmoil and maelstrom of Old World diplomacy and warfare.

The all-important now is, What is America going to do about it? What course shall we pursue? * * *

Somewhere, there must be a sane, sound policy for this country to pursue. To my conception, there is but one answer—armed neutrality. We can be neutral, but we must be strong enough to demand the respect of those warlike nations who profess a desire for peace and at the same time are, with wanton abandonment, bent upon a policy of economic expansion and aggression.

Is it necessary for me to point out to my colleagues here that treaties, pacts, and agreements are worthless in a world of nations who are arming to the limit of their economic ability; when aggression and expansion are the ultimate desires of so many nations of the world? Is it necessary to call your attention to the fact that a peaceful overture of one powerful nation to another today is withdrawn almost before an opportunity for its acceptance has been given? The order of procedure among the nations of the world today is so selfish and so self-centered that one is reminded of a public auction where the highest bidder is the purchaser of the thing sought. A powerful nation through its diplomatic circles issues a strong denunciation today of the encroachment upon the national rights of a weaker nation. A few months later the same powerful nation, when it is either to the economic or strategic interest of that nation to do so, barters or negotiates with the same nation that it has so recently denounced. We have seen treaties, pacts, and agreements thrown overboard, apparently without rhyme or reason other than that might makes right. Apparently, therefore, we are driven to the conclusion that, however desirable and beautiful are world courts, leagues of nations, and international agreements for disarmament in their theory, we are confronted, as peace loving as we are, with the realization that we are dealing with nations, who, like men, have as their controlling factor a selfish desire to prosper at the other fellow's expense.

In this situation are we not driven, driven reluctantly, but nevertheless driven, to a little selfish consideration of our own national preservation? Because of this unfortunate situation our Navy and our Army, and more especially our Navy, must be built up to the point where it will be excelled by none, not even that of Great Britain. Our vast shore lines and outlying possessions must be protected. American integrity and American nationality must be conserved. The heritage purchased by our glorious ancestry, with its institutions and its ideals, must be maintained. When Europe and the rest of the world have awakened to the truth that peace is precious and that the race in armaments and warfare must end, then—and not until then—can America afford to cease its vigilance.

I am confident that no one who is familiar with my record and utterances can rightfully challenge my fervent desire for peace—my hatred of war. National peace and an opportunity to pleasantly travel the road of peaceful pursuits is as zealously coveted by me as any pacifist in this country. I am in no sense a militarist—I abhor war. The memory of 1917 and 1918 is too fresh in my mind, as in yours, for me to be swept off my feet by either the siren song of the pacifist or the jingoism of false prophets of patriotism. Like the four-hundred-and-odd-thousand patriotic American citizens in Mississippi whom I have the honor to represent, I am seeking a means and a policy to maintain that coveted but elusive peace.

The critics of this policy of armed neutrality point with alarm to the tremendous financial cost of maintaining a strong army and navy and attempt to argue the benefits that would flow from the expenditure of the same money in peaceful pursuits. With this argument we have no fault. This argument is academic. If it were humanly possible to convince the European war lords of the logic of the premises of this argument, this, indeed, would be a happy and warless world. But again we must remind ourselves that we are confronted with a present serious reality and condition not of our own choice, rather than a theoretical condition, however desirable and cherished. One might as well argue that a peace officer should not be armed when he attempts to combat a desperate criminal.

We are not unmindful of the fact that an adequate armed force for this country is an expensive necessity, costing as it does millions of dollars to maintain. Neither can we forget that our recent venture into the arena of the World War cost the taxpayers of this country in excess of $50,000,000,000 in money alone, and we have not seen the end yet. But of more moment still, where is the American home that did not feel more keenly the loss or injury of some loved one who was called upon to offer his blood upon the fields of horror in the hellishness of modern warfare?

For America the cost of that war is not yet paid, either in money or in blood. The veterans of that war, many of whom are maimed in body and mind, as well as the taxpayers, are still paying—and will pay for years to come. For them that war is not yet over.

Mr. Chairman, when I first came to Washington I felt it my patriotic duty to make a pilgrimage to historic Arlington Cemetery, just across the beautiful Potomac, and there at the shrine of the Unknown Soldier to make my obeisance and pay my silent tribute to him whom a grateful America has honored as a symbol of the countless thousands of his comrades who, like himself, had made the supreme sacrifice on the altar of the god of war. There in the grim presence of this nameless hero my thoughts were of the necessity of peace. I verily hated war. A few days later I visited the tomb of one of America's greatest statesmen, a man who, by his early training, received in a Christian home, loved and craved peace above every other thing. There in a crypt in Bethlehem Chapel I stood awed in the presence of the tomb of the wartime President, the peerless Woodrow Wilson. My thoughts traveled back to the days of 1916, to those hectic days when Europe was afire with war and intrigue. I remembered then, as you recall now, his vain efforts to keep America neutral and the heroic efforts he made to keep us out of war. There before me in this beautiful cathedral lay the mortal remains of a great apostle of peace. Here lay all that was mortal of the man who, having failed in his noble efforts to keep this country out of war, had gone to Europe at the conclusion of the carnage to force his ideals of peace upon a belligerent world, with the commendable purpose of preventing the horrible spectacle of another great war, such as apparently is in the making today. But, alas, the greed for power and the lust for expansion and conquest of the world diplomats thwarted his plans, and Woodrow Wilson came home sick and disillusioned; another casualty of the war; an idealist crushed by his own ideals.

Not long since, Mr. Chairman, I visited Mount Vernon, the home of him who gave life to the Republic, the greatest patriot, possibly, of them all. I followed the winding brick walk down the slope of the hill until I stood in the majestic presence of the tomb of George Washington, nestling at the foot of the hill, surrounded and shaded by a beautiful copse of woods. I remembered with increasing pride and respect his patriotism, his valor, and his wisdom. There comes back to my mind, as it should be indelibly impressed upon the mind of every American patriot, the wisdom of his farewell message, delivered to the American people when he surrendered the portfolio of office and gracefully retired to private life. From his wisdom, experience, and zeal for the welfare of the country he loved, he enjoined:

"Observe good faith and justice toward all nations; cultivate peace and harmony with all.

"Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies."

Mr. Chairman, let us in the present status of world affairs follow the advice of that great patriot and seer who sleeps at Mount Vernon. Let us maintain a policy of strict neutrality; live up to the letter and spirit of the neutrality law so recently enacted, and thereby serve notice upon a warring world that America desires peace; that she maintains a strict neutrality so long as she is allowed to pursue that course; but that by the means and methods of her perfected armed forces she here and now warns those who would break that peace with her that there will inevitably and surely be but one result, the annihilation of that aggressor. Then, and then alone, will we be able to maintain neutrality and enjoy coveted peace. [Applause.]

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, I should like to say in reply to the gentleman from Mississippi, who has just concluded, that we definitely share his hope that there will be no partisan politics in this particular debate. However, we must not believe for a moment that the minority can be suppressed into silence by the charge that all objections to a given proposal regarding foreign policy are partisan statements. It seems that some would create a protective veil to shut out criticism of the President's foreign policy. I submit to you that the good democracy across the sea definitely recognizes a man whose duty it is to oppose the foreign policies of the Government. We shall, perhaps, have more to say on this issue when we have additional time. I am anxious today to confine myself to consideration of the rule.

Frankly, I believe that the members of the Committee on Rules gave us a fairly liberal rule, and they treated us very fairly when we appeared before the committee yesterday. However, there are two features we ought to consider carefully. First, I would say that there are dozens of men in this Congress at this moment who are not clear on just how this rule will operate. When we add to that the fact that there are millions of people who have written to Members of this Congress expressing an interest in this proposed legislation, I say that in the interest of clarity, in order that they may understand and recognize what is going on, the issues ought to be set up just as clearly and distinctly as is humanly possible. [Applause.]

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, I join the gentleman from Mississippi [Mr. COLMER], who has just preceded me, in his statement that we should not inject partisan politics into

the discussion of this question. I agree wholeheartedly with the President's statement that the question of neutrality transcends all party lines, and that partisan politics should not be injected into its discussion or consideration. The President was right in that statement. I do regret, however, that the distinguished leader from Illinois [Mr. SABATH], the chairman of the great and powerful Rules Committee, saw fit to suggest that because some of us belong to a different political party, that such affiliation might affect our position in regard to this measure. I respect the views of all men, regardless of political affiliation or position, on this problem, in and out of Congress, just the same as you do, and I reserve the right, as I believe every Member on the floor should, to vote on this question according to my best judgment and according to the dictates of my own conscience. Let us not inject party politics into this momentous problem. Although we may differ widely in the manner in which we attempt to solve the problem, we are all trying to reach the same objective, and that is to enact legislation that will be for the best interests of the people of the United States of America, preserve our neutrality, and keep us out of war. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 3 minutes to a member of the Committee on Rules, the gentleman from North Carolina [Mr. CLARK].

Mr. CLARK. Mr. Speaker, I am gratified at the sense of fairness expressed by the gentleman who has just preceded me in regard to this rule. The Committee on Rules believes that this rule will give the House ample opportunity to pass upon every really essential controversial question involved in this proposed legislation.

If the rule is adopted it will immediately be in order for the gentleman from New York, the ranking minority member of the Committee on Foreign Affairs, to move to instruct the conferees. He can put in that motion what he pleases, as long as it is germane to the legislation. Any other Member of this House can move to amend the motion of the gentleman from New York, and any other Member can move to amend the amendment, so there can be three amendments pending. Thereupon a substitute may be offered to the motion of the gentleman from New York, and that substitute is open to one amendment. Therefore, you can have five distinct propositions, if you wish, pending at one time involving changes in this bill.

The debate can go on until the previous question is ordered by the House itself upon the motion to instruct the conferees. It is true that when the Speaker recognizes the chairman of the Committee on Foreign Affairs to move the previous question he may do so if it is at the end of 2 hours, or 2 days, or months; but the question rests with the House as to whether it and when it is ready to order the previous question, and thus terminate the debate. So the House can debate this proposition, if it sees fit to do so, for a month.

It is absolutely without foundation, in fact or in parliamentary law, to stand up here and say that this is anything in the nature of a gag rule. If you will take the trouble to turn to page 246 of your manual you will find there the rulings and the citations to the precedents, which certainly sustain this proposition.

Furthermore, suppose we sit here and change every single line of this bill, or put into it 10 amendments, or one amendment, or 20 amendments? Then what? Then, of course, the bill at last has to go to conference, if we are ever to have legislation. The bill must still go to conference, or the House must agree in toto with the Senate amendments in order to get legislation. So why not do the sensible and the wise thing by taking this question up and instructing the conferees on the changes we want, if any, send the bill to conference, and get through with a subject the American public is getting pretty well tired of hearing about. [Applause.]

[Here the gavel fell.]

Mr. MAPES. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. YOUNGDAHL].

Mr. YOUNGDAHL. Mr. Speaker, may I first address myself to the rule which we are now considering. During the last 5 weeks I have received communications from some 10,000 persons in my district. It is true that some of this expression of opinion has been brought about by the so-called pressure groups. A majority of it, however, is an expression straight from the hearts of mothers and fathers, from professional men and businessmen, from laborers, and from young men and women of draft age. These expressions, I honestly believe, present a true cross section of the opinions of the people in my district.

There are certain things they insist upon; first, that America shall not enter another foreign war; second, that in order to stay out of foreign wars we must insist upon the maintenance of the present arms embargo as contained in our present neutrality law.

As I understand the rule that is being debated here today, we are limited to amendments contained in the bill as passed by this House at the regular session. As I understand this rule, we are not permitted to seek to place in this new bill the same language regarding an embargo as is now contained in our law.

If this is true, I urge the voting down of this rule and the adoption of some procedure under which we may adopt an arms embargo which will guarantee America's neutrality. [Applause.]

And now, Mr. Speaker, may I address myself to that portion of the bill under discussion which provides for, or rather fails to provide for, an embargo on arms and munitions to belligerent nations.

Mr. Speaker, I believe this is the one section of the bill over which there is the greatest controversy. I believe we are all agreed that American ships and American citizens should be kept out of danger zones. There may be some division of thought as to what constitutes a danger zone or who should designate those danger zones.

I believe we are pretty well agreed that American goods should not be sold to belligerent nations on credit and that warring nations should not be allowed to float loans in this country. There may be some division of opinion regarding just what constitutes credit.

The main issue, however, before us now is, simply, Shall we continue to refuse to sell arms and ammunition to all warring nations, or shall we let down the bars and say to all warring nations, "Go ahead, we will give you all the guns, gunpowder, and bombs you want"?

The issue before us is simple: Shall we remain neutral or shall we take sides in Europe's war for supremacy and power?

Last Friday when the Senate passed this bill with its repeal of the arms embargo, newspapers in England hailed that action as a great victory for England and France.

"The United States to sell arms to the Allies," was the headline in the London Express.

"U. S. votes arms for Allies," headlined the London Express.

The London Daily Mirror openly boasted with large headlines, "Allied victory in United States."

The London Observer said editorially, "America's policy is directed by America's interests."

The London Star, a liberal newspaper, printed the story of the Senate's action under this headline, "Better than a battle."

In a special article copyrighted by the New York Times, their correspondent had this to say of the French attitude:

> French satisfaction at the progress toward repeal of the arms embargo by the United States has been greatly increased by the Senate vote.
>
> It was felt here [in Paris] that that vote is of as great importance as what was voted because it was seen as expressing the approval of the American people in the action of the Allies in taking up arms for the defense of the principle of national and individual liberty.
>
> It has shown that the people of the United States are not neutral in their thoughts and that their judgment more than inclines against Nazi rulers of Germany and their methods of war.

Is that neutrality?

Do those headlines sound like America is trying to keep from taking sides in Europe's war?

Repeal of the arms embargo is not neutrality. Repeal of the arms embargo is piecemeal participation in Europe's war.

You will pardon the personal reference, but I am reminded of an incident during my early schooldays. Two boys, one of them my chum and playmate, had a little altercation on the school playground. Both knew the consequences of fighting on the school ground. But the one boy challenged my chum to meet him after school. I urged him to take up the challenge and to fight.

They met at the agreed time and place and started to settle their differences in the centuries-old method of men. I did not attend the fight. I learned the next day a policeman had appeared on the scene, stopped the fight and led the two participants back to the schoolhouse and into the principal's office. There it developed that I had urged my chum to fight.

The next day we were called to the principal's office. The two fighters each received four lashes. I did not fight. I was not even there but I got three lashes because I urged them to fight. I gave moral encouragement.

I was not punished for fighting. I was punished because I was not neutral. I was punished because I took sides in a fight that was none of my business.

And so it is with America today. America will be punished if we take sides in Europe's fight which is none of our business.

Out in my State with its heavy proportion of Americans of Scandinavian extraction we hear much about the ability of Sweden, Norway, and Denmark to keep themselves out of Europe's squabbles and to maintain their own peace and neutrality.

Sweden has an embargo on arms and munitions now. She had one in the last war and in wars before that.

Norway has an embargo on munitions of war. She had one in the last war and kept her neutrality.

Denmark has an embargo on implements of war to belligerents.

Those countries know they cannot traffic in arms and munitions of war without becoming involved in the war. They know there is no safety in being half in and half out of war. They know enough to mind their own business.

Last week there was in my office a man from my own district who had just returned from Europe. He spent 3 weeks in Germany after war was declared. He spent some time in England, in France, and in the Scandinavian peninsula. His most indellible impression of all those countries was that in none of them did the people want war.

Everyone has seen pictures in the press of signs on the French and German lines, "We won't shoot if you don't." Even the official bulletins of the warring governments have admitted this situation.

Everyone knows that up to date the war on the western front has been but a skirmish. There has been no real fighting on either side. Britain announces that she knows enemy troops and supplies are being concentrated on the western front. British planes continue to fly over Germany dropping their loads of leaflets and propaganda, but no attempt has been made to bomb or destroy their concentrations.

German planes have flown over England but outside of dropping a few bombs on British battleships, no efforts have been made to bomb or destroy munitions plants or military centers.

France has done a little skirmishing and night raiding but her airplanes have refrained from doing any great damage to enemy industrial centers.

In comparison with war on the same front as many of us knew it 20 years ago, this war has been but a skirmish.

With the people of these warring nations asking for peace, with the warring governments refusing to launch any intensive warfare, should America take the role of agitator?

Should America stand back and say, in effect, "Go on, boys, start fighting; we'll supply you with all the guns you want"?

Should America say, in effect, "Go on, England and France, blow them off the map; we are with you; we'll furnish the powder"?

Is that the way America wants to keep out of war?

Is that the answer of Christian America?

Is that what we teach our children in churches and schools all over the land?

We have heard much the last 5 weeks about our duty to supply arms and munitions of war to the democracies of Europe.

The democracies of Europe do not primarily want or need our arms or munitions. Their interest in our supplies was graphically illustrated in the 8 months before the present arms embargo went into effect. In that time England, France, and Poland together purchased and exported from this country just $1,000 worth of arms. They did not purchase nor export a single dollar's worth of ammunition, bombs, tanks, grenades, or explosives of any kind. To be sure, England did export some $5,000,000 worth of airplanes and airplane parts. But in the year before, 1938, when war was not imminent, England purchased and exported five times that amount of airplanes and airplane parts from us. England and France are not so interested in our supplies. They are interested in our commitment. They are interested in our changing from a policy of neutrality to one of participation. They would like to have us declare war now. If they cannot get that, they want us so involved that sooner or later we will be forced to declare war.

We have heard it said and often repeated these last 5 weeks that this is a war between Christian democracy and pagan totalitarianism. Such a statement, in my humble opinion, is unfounded.

If this is a war of Christianity versus paganism, of democracy versus totalitarianism, then why have the Christian democracies of Britain and France made an ally of Fascist and Mohammedan Turkey? Why? Because Turkey is the key to the Dardanelles, and the Dardanelles are power.

If this is a war of Christianity and democracy against paganism and totalitarianism, then why did Britain spend months trying to make an ally of the pagan and communistic tyranny of Russia, and why was Britain so disappointed when Russia signed an agreement with Germany? Why? Because pagan Russia was necessary for the encirclement and absolute blockade of Germany and the final crushing of Germany into submission.

Let us be honest about this thing. This is not any war of Christianity versus paganism. It is not a war of democracy versus totalitarianism. It is the same old war for the supremacy of Europe.

Twenty-one years ago it was fought under the banner of a war to end all wars. This time it is trying to get under the banner of antitotalitarianism. But it is still the same old war under any banner.

Repeal of the embargo on arms and munitions to belligerent nations, I firmly believe, not only is the first step toward war but is the first step toward the loss of freedom and liberty and the democratic form of government on this continent.

Four years ago we told the world what our neutrality position was to be. It was a policy adopted practically unanimously in calm and considered deliberation, free from the hatreds and prejudices of war, free from the pressure of other interests and free from the influence of party elections.

It was a policy of strict neutrality with the implements of destruction for no one.

Today I am for that same strict neutrality—not for piecemeal participation in anyone's war.

If America today refuses to abandon her arms embargo, refuses to swerve from her path of strict neutrality, we may, with a clear conscience, again turn our attention to the solution of our own problems here at home—and I might say that we still have plenty of them.

But if America is to manufacture and sell for a few paltry dollars the means and materials for the destruction of millions of human beings; if America is to start taking part in Europe's wars while attempting to hide behind the cloak of neutrality, then I say to you that we have indeed adopted a "sordid procedure."

Mr. MAPES. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I sincerely hope and pray that the House of Representatives, this body composed of Democrats and Republicans from every State in the Nation, who were all elected by the people less than 1 year ago to be their

mouthpiece in Congress, will be allowed ample time in which to amend and debate this Joint Resolution 306 on neutrality; because, Mr. Speaker and Members of the House, I am sure you will agree, as will the great majority of the American people, that this question now before us is by far the most vital and when enacted will have more bearing on the lives of those who live in America today, as well as those yet unborn, than any law which this Congress has passed since war was declared in 1917. Yes; this question now before us might easily be more vital than any law ever passed in American history. True, the Senate has debated this bill at some length, but you must remember ours is a two-house government—let us keep it ever thus. Let us guard the rights of our people.

Now, Mr. Speaker, any attempt to shut off reasonable time for debate and amendments on this all-important question will, you may be sure, meet with the most emphatic disapproval of the American people. I trust, Mr. Speaker, we will have at least 10 legislative days in which to consider this bill. It might even be best for the American people, as well as the people in the rest of the world, if this House would be given months to consider this bill, as from all indications the conflicting forces in Europe are now marking time, the war lords are apparently waiting to see what this body does before they pull the trigger on the starting gun. In view of this fact, why not keep them marking time.

Let us be cautious now. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Speaker, whether or not partisan politics is to play any part in the consideration of this bill, it is probably useless to debate, and whether or not they do will be shown by the vote that is finally taken on the bill proper.

I have heard today and have been reading in the newspapers ever since the body at the other end of the Capitol has had this matter under consideration, time and time again, statements that the lifting of this embargo was going to throw this country into war. Mr. Speaker, I challenge any man to show me where any legislation passed by this Congress, outside of the vote for the war resolution itself, ever affected for 1 minute the time of the entry of this country into war. It seems to me a bit ridiculous to say that the passage of a law by this Congress would affect our getting into war. It is not legislation that sends nations to war; it is the war hysteria that catches the people. It is the effect of propaganda, it is the effect of heated speeches by statesmen and others that get people into war.

Now, I am in hearty sympathy with the motives that inspire differences of opinion on this bill. I am sure that everyone has an honest opinion as to whether or not this embargo should or should not be lifted, but I am not in sympathy at all with screaming that the mothers and fathers of this country are demanding that this not be done because it will keep us out of war.

Neither am I in sympathy with anyone who, in attempting to justify his position either for or against this legislation, proclaims to the world that he is taking that position because of his great love for the mothers of the United States. I yield to no man in my affection for and my deep abiding interest in those people who are the parents of the present generation.

If partisan politics could be kept entirely out of the consideration of this measure there is not a man in this body but that would be given credit for being motivated only by the sincerest desire to do that thing which would best guarantee our staying out of the present conflict.

It will be interesting when the vote is taken on this rule to notice how solidly our Republican brothers stand in opposition to the rule. The fact that they are not in any way guided in their action by partisan politics but only by a desire to protect the mothers of this country and keep us out of war is nothing short of a remarkable coincidence when you discover that for the most part the division of thought as to whether or not the rule should be adopted conforms in such a major proportion to the center aisle of this Chamber, which divides the Democrats and the Republicans.

Mr. MAPES. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Speaker, this is a "phoney" rule on a "phoney" bill [laughter], the neutrality bill that now comes before us. The new part is not neutral and the good part is not new. Thirteen of the eighteen sections are from our present law.

The new bill does not provide cash and carry as the American people understand it. The President has power now to invoke cash and carry if he wants to.

We are to repeal the embargo to help in a holy war. In the name of the Prince of Peace we are to help kill men, women, and children over there. In the name of neutrality we are to enact a law that helps the Allies in six different ways. In the name of open debate, we are to adopt a rule that gives us five chances to say anything to our conferees. In the name of unlimited debate we are to adopt a rule under which an agreement has already been reached by the leaders who are controlling this as to the length of time. Last spring we heard in some way or other that our frontier was on the Rhine. Under this rule, while it does not appear in writing, it appears that the frontier of this debate is tomorrow evening. It seems to me that what we should do is to vote down this rule and let the House take control of its own action, and not have "phoney" consideration of this "phoney" neutrality bill. [Applause.]

Mr. SABATH. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker, through the courtesies of various speakers I have presided over the bill debated here in the House affecting our course when we might be engaged in war and when other nations were at war. For days several years back we discussed a high-sounding measure which was alleged to take the profits out of war. In an emotional spirit the House passed it, and we never heard of it again in the other body. Then came the neutrality act of 1935, which was debated at length, and again in 1937 I sat in the Chair for over 15 hours and heard the present law discussed from every angle. Therefore, I believe that I have a reasonable knowledge of the historic background of these measures.

One afternoon in March 1937, while the present law was in the amendment stage, there arose on the minority side of the House a great statesman, a clear and profound thinker, and above all, a great American, the able and disinguished gentleman from New York [Mr. WADSWORTH]. [Applause.] In 5 minutes he packed more into a speech than could ordinarily have been said in an hour, and although I was not 1 of the 13 who voted against that bill, the soundness of the argument of the gentleman from New York in his opposition to it was unanswerable. I voted for the present law, as did a large number, because, to say the least, it had the appearance of being a beautiful gesture, because I thought at the time it might serve notice to the world of the American desire for peace. I believed then that it was impossible to legislate on such a thing as a future war with all of its far-reaching implications. I did not wait until last June to frankly say, on many public occasions, that I had made a mistake. For over a year I have regretted ever casting that vote. I voted in the Committee of the Whole in June to return to the sane principles of international law. I am in favor of the Senate amendment because I believe, from the bottom of my heart and with all of the sincerity I possess, we are much more liable to keep out of the present conflict in Europe with that proposed law than we are under the present law. Under the Senate amendment we have surrendered cherished American traditions, fought for in the days of John Paul Jones and preserved on down through the decades, but we do that and many other things in our desire and determination to give the Nation a real neutrality program and to wipe from the books our present unneutral statute.

Mr. Speaker, I wish I had time today to discuss both the present law and the proposed changes with all of their well-conceived safeguards.

What about this rule? We have already heard it charged that it is a gag rule. When someone is opposed to anything

and has no other speech to make he comes in and says that the accredited organization of the House has brought in a rule to stifle debate. That is nothing but mere twaddle and tommyrot. We are proceeding here today under the regular rules of the House that have stood the test for years and years. It would be an unheard-of thing, Mr. Speaker, if we did not send this bill to conference. We would then have legislative chaos. A gentleman arose on the minority side a few moments ago and said that this matter ought to be discussed for 30 days or even 6 months. I wonder if that gentleman realizes that during that period when he desires this measure to be discussed our merchant vessels could travel to belligerent ports and belligerent waters carrying contraband of war, with all of its dangers. The American people are looking to us for action and immediate action. [Applause.]

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. MAPES. Mr. Speaker, I yield the remainder of my time to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I have the highest regard for the members of the Rules Committee. I like them all personally. I am proud to be a member of that committee, and I dislike to say what I am about to say, because it differs with the views of those on the majority side. We have been waiting here in this House for 5 or 6 weeks to debate the neutrality bill as acted upon by the Senate. They struck out everything after the name of the bill and the enacting clause that we sent over there last June and rewrote an entirely new bill. They struck out 14 pages and inserted 18 new pages in the bill. There is no criticism of the Senate on my part, they had a right to legislate and did. We have now before us practically an entirely new bill to discuss. I say without fear of contradiction, and I use the word advisedly, and I intend to prove it, that this rule which we are now discussing—and I am going to confine my entire time to the rule and not to the bill—shuts off adequate debate. After 5 weeks there are literally hundreds of Members in this House, 50 or more on both sides, who want to be heard, who are literally burning up because they want to speak and explain their votes, or give their reasons why they are for the bill or against it, and an opportunity to discuss the merits or demerits of the proposal.

This rule, as I said yesterday, and repeat again today, is one of the most vicious gag rules ever written in the history of this House. I do not say it is not the regular order. I admit it is the regular order, but I say that it gags the House. It means that there will be no general debate whatsoever; not one word of general debate. Under this particular rule a Member rises, he is recognized by the Speaker, and he then presents his amendment or motion to instruct conferees, and he is recognized for 1 hour. It may be, if we sit here for several days, there will not be more than 15 or 20 Members who will even get a chance to speak in the House of Representatives. If that is not a gag rule, then I do not know the meaning of a gag rule. That is what the rule calls for. I hope the procedure will be changed later on by unanimous consent. What I am pleading for is simply this: The proposal we are about to consider is probably the most important that has been before the House in 20 years. We have to vote on the consideration of a neutrality bill that may involve us in war. We are gambling with the lives of our people and the security of our Nation. Yet we are told that this bill, as written in the Senate, when it comes back here, cannot be considered by us even in general debate. What I want is to have this rule voted down and then send the bill as amended in the Senate in an orderly way to the Committee on Foreign Affairs. Let them go over the amendments in 2 days' time, bring it back to the House, open it up for 12 hours of general debate, and then 12 hours more under the 5-minute rule. This would be a fair and equitable method. There is no disposition whatever on our side or on any side that I know of to delay the consideration of the bill or to filibuster. We want orderly processes. We want an opportunity not only to discuss the bill but to amend the bill under the 5-minute rule.

Let me read what the Constitution of the United States has to say:

> All legislative powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and a House of Representatives.

If we delegate away our power to the Senate to write this neutrality legislation, then we cease to exist as an independent legislative body. We will be merely a name and a shadow, and a "rubber stamp" and puppet for the Senate or the administration. We have no power whatever under this rule to enter into general debate or a general discussion of the merits or demerits of the Senate amendments, and very limited power, only to offer five different amendments, as I understand it, to the bill. Now, if that is not a real gag rule on the Members of the House, then I would like to know what a gag rule is.

The House too often suffers by comparison with the Senate. I am not willing to concede that the Senate is superior to the House in any respect. It is all right for the older Members of the House, like the gentleman from Georgia [Mr. COX], or the gentleman from Texas [Mr. RAYBURN], or any of the older Members, to vote for this gag rule or vote any way they want to in the House of Representatives. They come from sure districts, but those on both sides who vote for a gag rule on this important piece of legislation, in my humble opinion, are committing political suicide. This is the kiss of political death for those from close districts, if they vote to cut off debate upon the arms embargo and neutrality bill under a gag rule, and turn over our legislative powers to the Senate and the President.

I have served in this House for 20 years. I believe in the House of Representatives. I believe it is a representative and deliberative body. I want, above all, to maintain the power, prestige, dignity, and reputation of the House of Representatives as a representative body, and a separate legislative body that will defend its rights to legislate.

I submit without fear of contradiction that if you vote for this rule we will not be able to properly legislate, that we will have no chance for general debate, and that we cut off from proper consideration of amendments. We are allowed 5 amendments to amend a Senate bill of 18 pages on the most important bill with which this House has ever been confronted. You Democrats have it in your hands. This rule is not a political question. Any Republican or Democrat ought to be able to vote any way he wants to on a rule, but it seems to me that any Democrat could vote for a rule that gives ample time for debate and which sends the bill to the Committee on Foreign Affairs, their own committee, to consider, amend, and report back to the House so that we will have an opportunity to debate and amend the bill further in the proper and orderly way. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the balance of my time to the majority leader, the gentleman from Texas [Mr. RAYBURN].

The SPEAKER. The gentleman from Texas [Mr. RAYBURN] is recognized for 6 minutes.

Mr. RAYBURN. Mr. Speaker, I hope I may be able to make a statement and not later in the debate be accused of lecturing this House.

Throughout the long debate in the Senate on this very important measure the papers were filled with praise of the high plane upon which the debate was pitched, free of personalities, according to every man who spoke honesty of conviction. There were no "boos" in the Senate, there were not accusations of phoney bills. I trust that when this debate is closed the House of Representatives that I so much love, and membership in which I so much cherish, can have the same thing said about it. [Applause.]

Mr. Speaker, not since I have occupied the position in the House organization I now occupy have I asked the Rules Committee to report a closed rule or a so-called gag rule. Let me say in reply to the gentleman from New York [Mr. FISH] that this is the most liberal rule that could be brought in by the Committee on Rules under the circumstances. [Applause.] No man in this House can vote against the

adoption of this rule providing orderly procedure of the bill in the House on the theory that it is anything but a wide-open rule.

The minority leader knows that nobody on this side of the House intends to try to gag this House. I have said from the beginning that I stood for liberal debate upon this measure when it was returned from the Senate, and that is what this rule allows. If my memory serves me correctly I so stated to the minority leader and further stated that if a motion were made to order the previous question within a shorter period than 2 days that I myself would resist the adoption of the motion. [Applause.]

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield at that point?

Mr. RAYBURN. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I wonder if we cannot clarify the situation in order to have orderly debate when the bill is brought before the House.

Under the ordinary rules, if the pending rule be adopted, any Member can be recognized for an hour. The gentleman knows that under such situations there would be more or less chaos and confusion. How can it be arranged so that time for the debate can be divided equally between both sides of the question? Furthermore, I believe the Members should know when a vote is to be had on any of these instructions that may be offered. As I understand the pending rule, under its operation we could vote on an instruction within an hour, or not until the next day. I believe that the membership before they voted on any one of these amendments would like to have some time to discuss it. What are the views of the majority leader on this subject?

Mr. RAYBURN. I may say to the distinguished minority leader that it is my purpose, as he knows—and he and I should always take the House into our confidence—after the adoption of this rule it is my purpose to ask for the remainder of the day, at least, that the time for debate be controlled equally by the gentleman from New York [Mr. BLOOM] and the gentleman from New York [Mr. FISH]. This I believe to be the orderly way in which to conduct this debate.

When the motion to instruct the conferees is made and an amendment to that motion is offered, the amendment is not voted on until the previous question on the amendment is ordered. Debate could run along on any of the amendments until the previous question was ordered on the motion to instruct and all amendments thereto and substitutes therefor. This would allow the Members to know that in all probability votes would not be taken until Thursday afternoon. This is my answer to the gentleman from Massachusetts with reference to procedure. I believe this would be the orderly way in which to do the job. But, back to this rule.

This is an open rule. It gives, and we intend that it should give, liberal debate. No effort was made by anybody in the majority to fix the time and say that we should vote at a specific day and hour, because the matter of ordering the previous question which determines when the vote will come, is entirely in the hands of the House after the rule is adopted and after debate is had. [Applause.] The proper way to proceed, therefore, is to adopt this rule and go into an orderly consideration of this measure. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired; all time has expired.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

Mr. FISH. Mr. Speaker, I ask for the yeas and nays on the previous question.

Yeas and nays were ordered.

The question was taken; and there were—yeas 237, nays 177, answered "present" 2, not voting 12, as follows:

[Roll No. 2]

YEAS—237

Allen, La.	Barden	Beckworth	Boehne
Allen, Pa.	Barnes	Bell	Boland
Arnold	Bates, Ky.	Bland	Boren
Ball	Beam	Bloom	Boykin
Bradley, Pa.	Faddis	Lanham	Rayburn
Brooks	Fay	Larrabee	Richards
Brown, Ga.	Ferguson	Lea	Robertson
Bryson	Fernandez	Leavy	Robinson, Utah
Buck	Fitzpatrick	Lesinski	Rogers, Okla.
Buckler, Minn.	Flaherty	Lewis, Colo.	Romjue
Bulwinkle	Flannagan	McAndrews	Ryan
Burch	Flannery	McArdle	Sabath
Burgin	Folger	McCormack	Sacks
Byrne, N. Y.	Ford, Leland M.	McGehee	Sasscer
Byrns, Tenn.	Ford, Miss.	McGranery	Satterfield
Byron	Ford, Thomas F.	McKeough	Schaefer, Ill.
Caldwell	Fulmer	McLaughlin	Schuetz
Camp	Garrett	McMillan	Schulte
Cannon, Fla.	Gathings	Maciejewski	Schwert
Cannon, Mo.	Gavagan	Magnuson	Scrugham
Cartwright	Geyer, Calif.	Mahon	Secrest
Casey, Mass.	Gibbs	Maloney	Sheppard
Celler	Gore	Mansfield	Sirovich
Chandler	Gossett	Marcantonio	Smith, Ill.
Chapman	Grant, Ala.	Martin, Colo.	Smith, Wash.
Clark	Green	Martin, Ill.	Smith, W. Va.
Claypool	Gregory	Massingale	Snyder
Cochran	Griffith	May	Somers, N. Y.
Coffee, Wash.	Hare	Merritt	South
Cole, Md.	Harter, Ohio	Mills, Ark.	Sparkman
Collins	Havenner	Mills, La.	Spence
Colmer	Hendricks	Mitchell	Starnes, Ala.
Cooley	Hennings	Monroney	Steagall
Cooper	Hill	Mouton	Stearns, N. H.
Courtney	Hobbs	Murdock, Ariz.	Sullivan
Cox	Hook	Murdock, Utah	Sumners, Tex.
Cravens	Houston	Myers	Sutphin
Creal	Hunter	Nelson	Tarver
Crowe	Izac	Nichols	Tenerowicz
Cullen	Jacobsen	Norrell	Terry
Cummings	Jarman	Norton	Thomas, Tex.
D'Alesandro	Johnson, Luther A.	O'Connor	Thomason
Darden	Johnson, Lyndon	O'Day	Vinson, Ga.
Delaney	Johnson, Okla.	O'Neal	Voorhis, Calif.
Dempsey	Johnson, W. Va.	O'Toole	Wallgren
DeRouen	Jones, Tex.	Pace	Walter
Dickstein	Kee	Parsons	Ward
Dies	Kefauver	Patman	Warren
Dingell	Keller	Patrick	Weaver
Disney	Kelly	Patton	West
Doughton	Kennedy, Martin	Pearson	Whelchel
Doxey	Kennedy, Md.	Peterson, Fla.	White, Idaho
Drewry	Kennedy, Michael	Peterson, Ga.	Whittington
Duncan	Keogh	Pierce, Oreg.	Williams, Mo.
Dunn	Kerr	Plumley	Wood
Durham	Kirwan	Poage	Woodrum, Va.
Eberharter	Kitchens	Polk	Zimmerman
Edmiston	Kleberg	Ramspeck	
Elliott	Kocialkowski	Randolph	
Ellis	Kramer	Rankin	

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Alexander	Engel	Kean	Rogers, Mass.
Allen, Ill.	Englebright	Keefe	Routzohn
Andersen, H. Carl	Evans	Kinzer	Rutherford
Anderson, Calif.	Fenton	Knutson	Sandager
Anderson, Mo.	Fish	Kunkel	Schafer, Wis.
Andresen, A. H.	Fries	Lambertson	Schiffler
Andrews	Gamble	Landis	Seccombe
Angell	Gartner	LeCompte	Seger
Arends	Gearhart	Lemke	Shafer, Mich.
Ashbrook	Gehrmann	Lewis, Ohio	Shanley
Austin	Gerlach	Luce	Shannon
Barry	Gifford	Ludlow	Short
Barton	Gilchrist	McDowell	Simpson
Bates, Mass.	Gillie	McLean	Smith, Conn.
Blackney	Graham	McLeod	Smith, Maine
Bolles	Grant, Ind.	Maas	Smith, Ohio
Bradley, Mich.	Gross	Mapes	Springer
Brewster	Guyer, Kans.	Martin, Iowa	Stefan
Brown, Ohio	Gwynne	Martin, Mass.	Sumner, Ill.
Burdick	Hall	Mason	Talle
Carlson	Halleck	Michener	Taylor, Tenn.
Carter	Hancock	Miller	Thill
Case, S. Dak.	Harness	Monkiewicz	Thomas, N. J.
Chiperfield	Harrington	Moser	Thorkelson
Church	Hart	Mott	Tibbott
Clason	Harter, N. Y.	Mundt	Tinkham
Clevenger	Hartley	Murray	Tolan
Cluett	Hawks	O'Brien	Treadway
Coffee, Nebr.	Healey	O'Leary	Van Zandt
Cole, N. Y.	Heinke	Oliver	Vorys, Ohio
Connery	Hess	Osmers	Vreeland
Corbett	Hinshaw	Pfeifer	Welch
Costello	Hoffman	Pierce, N. Y.	Wheat
Crawford	Holmes	Pittenger	White, Ohio
Crowther	Hope	Powers	Wigglesworth
Culkin	Horton	Rabaut	Williams, Del.
Curtis	Hull	Reece, Tenn.	Winter
Dirksen	Jarrett	Reed, Ill.	Wolcott
Ditter	Jeffries	Reed, N. Y.	Wolfenden, Pa.
Dondero	Jenks, N. H.	Rees, Kans.	Wolverton, N. J.
Douglas	Jensen	Rich	Woodruff, Mich.
Dowell	Johns	Risk	Youngdahl
Dworshak	Johnson, Ill.	Robsion, Ky.	
Eaton	Johnson, Ind.	Rockefeller	
Elston	Jones, Ohio	Rodgers, Pa.	

ANSWERED "PRESENT"—2

Kilday Taber

NOT VOTING—12

Bender	Curley	Marshall	Taylor, Colo.
Buckley, N. Y.	Darrow	Smith, Va.	Vincent, Ky.
Crosser	Jenkins, Ohio	Sweeney	Wadsworth

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Taylor of Colorado (for) with Mr. Taber (against).
Mr. Kilday (for) with Mr. Marshall (against).
Mr. Wadsworth (for) with Mr. Bender (against).
Mr. Crosser (for) with Mr. Jenkins of Ohio (against).
Mr. Smith of Virginia (for) with Mr. Darrow (against).
Mr. Buckley of New York (for) with Mr. Sweeney (against).

General pairs:

Mr. Vincent of Kentucky with Mr. Curley.

Mr. TABER. Mr. Speaker, is the gentleman from Colorado, Mr. TAYLOR, recorded?

The SPEAKER. He is not recorded.

Mr. TABER. Mr. Speaker, I had a pair with the gentleman from Colorado, Mr. TAYLOR. I voted "nay." He would have voted "yea." I now withdraw my vote and change it to "present."

Mr. BLAND. Mr. Speaker, I desire to announce that my colleague the gentleman from Virginia, Mr. SMITH, is seriously ill. He has a pair. If present, he would have voted "yea."

Mr. KILDAY. Mr. Speaker, on this roll call I voted "yea." I have a pair with the gentleman from Ohio, Mr. MARSHALL, so I withdraw my vote of "yea" and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution.

Mr. FISH. Mr. Speaker, I ask for the yeas and nays on agreeing to the resolution.

The yeas and nays were refused.

The resolution was agreed to.

The SPEAKER. The Chair is prepared to appoint conferees.

Mr. RAYBURN. Mr. Speaker, if this is the proper time, I desire to prefer the unanimous-consent request to which I referred a moment ago.

The SPEAKER. The Chair is of the opinion that if any motion is to be offered on this question it should be presented at this time.

Mr. SHANLEY and Mr. FISH rose.

Mr. SHANLEY. Mr. Speaker, I send to the Clerk's desk a motion to instruct the conferees.

The SPEAKER. The gentleman from New York [Mr. FISH] is entitled to be recognized if he so desires.

Mr. FISH. Mr. Speaker, I gladly yield to the gentleman from Connecticut [Mr. SHANLEY] because he has a similar motion. I yield to him to offer the motion to instruct the conferees.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. SHANLEY moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on House Joint Resolution 306 be instructed to insist upon the following as section 2:

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

"(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

"(c) The President shall, from time to time, by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include bombs, torpedoes, poison gas, flame throwers, and the other articles enumerated in the President's proclamation No. 2337 of May 1, 1937, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

"(d) Whoever, in violation of any of the provisions of this act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than $10,000, or imprisoned not more than 5 years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the act approved June 15, 1917 (40 Stat. 223–225; U. S. C., 1934 ed., title 22, secs. 238–245).

"(e) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

"(f) Whenever, in the judgment of the President, the conditions which have caused him to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same, and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed or forfeitures incurred prior to such revocation."

Mr. MAPES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Connecticut yield to the gentleman from Michigan for a parliamentary inquiry?

Mr. SHANLEY. I yield, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MAPES. Mr. Speaker, the question has been frequently asked whether subsequent motions to instruct the conferees shall take the form of amendments to the pending motion or whether, if this motion should be either voted up or voted down, separate motions may be made to instruct the conferees on other provisions of the legislation.

The SPEAKER. In answer to the parliamentary inquiry of the gentleman from Michigan, the Chair will state that under the rules of the House only one motion to instruct the conferees is permissible, but that motion is subject to amendment.

Mr. MAPES. So the answer of the Speaker is that other Members who desire to have the conferees instructed in other respects must present their motions in the form of amendments to the pending motion?

The SPEAKER. Or in the form of a substitute to the original amendment.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Connecticut yield to the gentleman from Mississippi for a parliamentary inquiry?

Mr. SHANLEY. I yield, Mr. Speaker.

Mr. RANKIN. How much time for debate do we have on this motion, and how is the time to be controlled?

The SPEAKER. Under the present situation in the House, the gentleman from Connecticut is entitled to 1 hour.

Mr. MAPES. Mr. Speaker, may I submit a further parliamentary inquiry?

The SPEAKER. Does the gentleman from Connecticut yield for that purpose?

Mr. SHANLEY. I yield, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MAPES. There seems to be an idea in the minds of some that the amendments that can be offered to this motion are limited to four in number. I do not know where that idea comes from. My own thought is that, of course, the number that can be pending at any one time is limited, but as one amendment is disposed of, further amendments can be presented indefinitely.

The SPEAKER. The Chair is confident that the gentleman from Michigan can answer his own parliamentary inquiry, because he is a very capable parliamentarian.

Mr. MAPES. My answer would not be official, and I wanted to have it official.

The SPEAKER. The Chair will read into the RECORD, in answer to the inquiry, Rule XIX of the Rules of the House, "Of Amendments":

When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is per-

fected, but either may be withdrawn before amendment or decision is had thereon. Amendments to the title of a bill or resolution shall not be in order until after its passage and shall be decided without debate.

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Connecticut yield to the gentleman from Massachusetts?

Mr. SHANLEY. I yield to the gentleman from Massachusetts, Mr. Speaker.

Mr. MARTIN of Massachusetts. For the information of the House, is it correct that an amendment to the motion to instruct conferees offered by the gentleman from Connecticut is in order at any time until the previous question is ordered?

The SPEAKER. If a Member gets recognition to offer an amendment and it is germane to the subject matter of either the House or Senate bill.

The Chair thinks it important in construing the rules, for the information of all Members of the House, to state that it must always be remembered that an amendment must be germane to the subject matter under consideration. In this instance it means the amendment must be germane to some provision in the Senate amendment to the House joint resolution or in the House joint resolution itself.

The Chair may state, in order fully to clarify this matter so there may be no misunderstanding or confusion about the rights of Members—and there is no legitimate ground for confusion on this question—that now that a motion has been offered by the gentleman from Connecticut to instruct the conferees, an amendment to that motion will be in order if germane, and to that amendment an amendment may be offered if germane. To the original amendment to the motion a substitute may be offered and an amendment to the substitute may be offered, as declared by the rule which the Chair has just read, and all five of those propositions may be pending at the same time. The rule provides, however, the method in which they shall be called for disposition.

Mr. HEALEY, Mr. RAYBURN, and Mr. MAPES rose.

The SPEAKER. Does the gentleman from Connecticut yield, and if so, to whom?

Mr. SHANLEY. I would prefer to yield to the majority leader, because he has been on his feet during the last five colloquies.

The SPEAKER. The Chair did not know that the gentleman from Texas was seeking recognition.

Mr. RAYBURN. I was not seeking recognition, Mr. Speaker, because other Members were submitting parliamentary inquiries. I am somewhat confused now about what the situation will be with regard to my proposed unanimous-consent request dealing with a division of the time. The gentleman from Connecticut now has an hour in his own right. I intended to ask unanimous consent that debate for today on the motion to instruct be equally divided.

The SPEAKER. If the unanimous-consent request which the gentleman from Texas has in mind is agreed to, it will change the rule and the right of the gentleman from Connecticut to use 1 hour.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that debate on the motion to instruct the conferees and amendments thereto may be equally divided and controlled by the gentleman from New York [Mr. BLOOM] and the gentleman from New York [Mr. FISH]. I make that request for today, Mr. Speaker.

Mr. SABATH. Reserving the right to object, Mr. Speaker, the gentleman from Connecticut has offered a motion to instruct conferees and has the floor.

The SPEAKER. The Chair is of the opinion that the unanimous-consent request would govern the gentleman from Connecticut.

Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The gentleman from New York under the unanimous-consent agreement just made may now yield to the gentleman from Connecticut such time not exceeding an hour as he desires to yield.

Mr. MAPES rose.

The SPEAKER. The gentleman from New York is entitled to recognition at this juncture.

Mr. FISH. Mr. Speaker, if I have the time, I would like to yield first to the gentleman from Michigan [Mr. MAPES] for a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan is recognized.

Mr. MAPES. Mr. Speaker, I will put it in the form of a suggestion. It would seem to me that to clarify the situation the Speaker should supplement his statement by adding a further statement to the effect that after any substitute and pending amendments are disposed of, if the substitute is not adopted, other amendments may be suggested.

The SPEAKER. They may, of course, be offered, if germane, unless the previous question has been ordered.

Mr. HEALEY. Mr. Speaker, a parliamentary inquiry.

Mr. FISH. Mr. Speaker, I have not yielded to anyone as yet. I yield to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Speaker, will the Chair now inform us of the parliamentary status? In other words, how much time has the gentleman from Connecticut [Mr. SHANLEY] allotted to him on his amendment, and how much total time will the House have to debate the amendment offered by the gentleman from Connecticut?

The SPEAKER. In answer to the inquiry, a motion is now before the House offered by the gentleman from Connecticut to instruct the conferees. The gentleman from New York, under the unanimous-consent agreement, controls one-half of the time for debate today on that motion. How much time does the gentleman from New York yield the gentleman from Connecticut?

Mr. FISH. Mr. Speaker, I yield the gentleman from Connecticut one-half hour.

Mr. SHANLEY. Mr. Speaker, the amendment which the Clerk has just read places the so-called arms, ammunition, and implements of war embargo in the Pittman bill with the additions of poisonous gases, flame throwers, and so forth, the entire gamut of which all pass the acid-test question of acceptability, Do they strengthen our neutrality?

I am for any change which will augment and buttress our neutrality. I am for the Wolcott amendment, for example, because it will add a further bulwark to the Johnson-McReynolds embargo on loans to debtor nations. I venture to say that added prohibition against financial transactions with any foreign government in default on its obligations to us is necessary for any study of Public Resolution No. 151 in the Seventy-third Congress will disclose the opening in the legislation which does not cover such agencies as the Export-Import Bank. I am obviously opposed to the contemplated Vorys amendment as that must be judged as a weakening of this instant amendment, especially when the purpose is to permit the sale of aeronautical implements and peacetime airplanes, with full knowledge that they may be converted for war purposes when dismantled abroad.

It is ridiculous to say that we cannot change our rules once war starts. To believe in that would amount to a virtual foreclosure of the use of our diplomatic weapons. We who champion what we consider the historic principles and precepts of our contributions to international law know that it is in wartime especially that rules must be changed when our neutrality is threatened.

We wish to be sincerely neutral because we also realize that the best post for our America is that of a possible peacemaker—a prospect that will be jeopardized by a manifest course of unneutrality such as the Pittman bill entails.

The utterance that has had the most tragic aftermath in all spoken language was that of the noblest-intentioned leader in American history, Woodrow Wilson. He had said in 1914:

> Once lead this people into war, and they will forget there ever was such a thing as tolerance. To fight you must be brutal and ruthless, and the spirit of ruthless brutality will enter into the every fiber of our national life, infecting the Congress, the courts,

the policeman on the beat, the man on the street. * * * Yes; it means that we will lose our heads along with the rest and stop weighing right and wrong. * * * It means an attempt to reconstruct a peacetime civilization with war standards, and at the end of the war there will be no bystanders with sufficient power to influence the terms. There won't be any peace standards left to work with. There will only be war standards.

Unforgettably, too, he had with that rare oratory and equally rare felicity of expression stated that:

My fondest dream for America is to so conduct herself that when the time comes for peace we may be ready to assist in a way that will permit the utmost use of our immense reservoir of natural advantages, prestige, and influence.

Mr. Speaker, in my humble judgment we forswear that ideal if we defeat this amendment.

Two profound international authorities have characterized the Pittman bill thusly:

The manipulation of American governmental control already established through a statutory embargo with the deliberate design of aiding a particular group of warring powers by an effort that takes cognizance of their relative supremacy at sea is a deliberate taking of sides, which marks an intervention in the conflict. Such intervention is not impartial in spirit and is not abstention from participation in the war. It is, on the contrary, a specious form of interposition sought to be disguised under a cloak of professed equality of treatment of the opposing contenders. Yet the real character of such conduct shines out like a lighthouse in the fog.

Mr. Speaker, when the President signed his proclamation that meant being neutral to me in all its ramifications, implications, and fullest sincerity. Whatever efforts I had sanctioned and furthered in the sincere, militant efforts of the administration to prevent the outbreak of war were a thing of the past. My duty as I saw it was to fulfill all the historic implications of the Neutrality Act.

In the second paragraph of his proclamation the President said:

Whereas the United States is on terms of friendship and amity with the contending powers, and with persons inhabiting their several dominions * * * and whereas the laws and treaties of the United States * * * impose the duty of impartial neutrality during the existence of the contest, and

Whereas it is the duty of a neutral government not to permit or suffer the making of its territory or territorial waters subservient to the purposes of war * * *

The President then set out the laws of neutrality and he enjoined upon us this personal duty that—

No person within the territory and jurisdiction of the United States shall take part, directly or indirectly, in the said war, but shall remain at peace with all of the said belligerents, and shall maintain a strict and impartial neutrality.

I would ask you to think over this Executive injunction, remembering that we have done everything possible—with obvious exception—for the promotion of international cooperation since the World War but I think we ought to remember the admonition of George Washington and contrast it with the advice of President Wilson 118 years later and ask yourself how much more would the former have stood for his doctrine under the conditions of the latter. Here are the two quotations:

In his Farewell Address to the American people, President Washington said:

With slight shades of difference, you have the same religion, manners, habits, and political principles.

That was on the 19th of September 1796.

On August 18, 1914, President Wilson said:

The people of the United States are drawn from many nations, and chiefly from the nations now at war. It is natural and inevitable that there should be the utmost variety of sympathy and desire among them with regard to the issues and circumstances of the conflict. Some will wish one nation, others another, to succeed in the momentous struggle. It will be easy to excite passion and difficult to allay it.

Such divisions among us would be fatal to our peace of mind and might seriously stand in the way of the proper performance of our duty as the one great Nation at peace, the one people holding itself ready to play a part of impartial mediation and speak the counsels of peace and accommodation, not as a partisan, but as a friend.

He said further:

I venture, therefore, my fellow countrymen, to speak a solemn word of warning to you against that deepest, most subtle, most essential breach of neutrality which may spring out of partisanship, out of passionately taking sides. * * * I feel sure, that this Nation neither sits in judgment upon others nor is disturbed in her own counsels and * * * keeps herself fit and free to do what is honest and distinterested and truly serviceable for the peace of the world.

Woodrow Wilson went further than all others—far beyond the national into the international sense. What had happened since the war?

In his book, American Problems of Today, Prof. Lewis M. Hacker, in speaking of the election of Warren Gamaliel Harding, said:

On the issue of joining the League of Nations, it was difficult to understand where the Republican candidate stood. In one breath he denounced the treaty and all its works; in another he spoke of amending the Covenant of the League "so that we may still have a remnant of the world aspirations of 1918 builded into the world's highest conception of useful cooperation"; in still another he spoke of our participation in some vague "association of nations."

Observers agreed that it was not so much a victory for the platitudes and ambiguities of the Republican candidate as a vote in rejection of everything Wilson had stood for.

I know as well as you that the ultimate ideal of a League of Nations has so quickened the imagination of all that even the Republican standard bearer, Warren Harding, straddled the issue. I voted against Warren Harding in 1920. I was hopeful that Wilson's noble precepts might capture the unselfish imaginations of continental and far eastern sovereigns. I have been as disillusioned as many of you. With some interest I watched the heroic attempt of Kellogg and Briand in 1928 in the multilateral pact, of Stimson and Hoover in the Manchurian crisis to attempt the resurrection. Yes, I even watched with you as our own leader unfortunately attempted to help it in 1935 in Abysinnia.

Too poignantly I saw its utter hopelessness in a world of intrigue and deceit. I fought it when I came back in 1936; fought it because the nations who would benefit most were recusant to their chances. They had foresworn the inviting blue of a diplomatic sky. Then I realized as never before as Bemis has said in his study "A Diplomatic History of the United States":

There is no possibility for the United States ever being in that brotherhood of men until it becomes certain that the other great powers are surely willing to make unselfish sacrifices to keep the peace of the group. I am afraid that time will never come until there has been much more suffering by the human race. It must come at length or European civilization as we know it will perish from the earth.

There had been a victory and there had been a peace conference but the two decades since that victory have been years of increasing chaos, selfishness, engendered hatred, revanche, and bitterness. Does a victory with an enforced peace pay?

The most recent statement on this same concept of peace is in the encyclical of Pope Pius XII, the first of his pontificate where he says:

The hour of victory is an hour of external triumph for the party to whom victory falls but, it is, in equal measure, the hour of temptation. In this hour the angel of justice strives with the demons of violence; the heart of the victor all too easily is hardened; moderation and far-seeing wisdom appear to him weakness; the excited passions of the people, often inflamed by the sacrifices and sufferings they have borne, obscure the vision even of responsible persons and make them inattentive to the warning voice of humanity and equity which is overwhelmed or drowned in the inhuman cry, "Vae victis—woe to the conquered." There is danger lest settlements and decisions born in such conditions be nothing else than injustice under the cloak of justice.

No, venerable brethern; safety does not come to peoples from external means, from the sword, which can impose conditions of peace but does not create peace. Forces that are to renew the face of the earth, should proceed from within, from the spirit.

In the same encyclical the supreme Roman Catholic pontiff plead for—

A new order of the world, of national and international life, * * * resting no longer on the quicksands of changeable and ephemeral standards that depend on the selfish interests of groups and individuals. * * *

He hoped—

that they must rest on the unshakable foundation, on the solid rock of natural law and Divine revelation.

"The nobler a soul is the more objects of compassion it has," said Novalis; and to my mind the noblest political panorama of loftiest grandeur is that of the role of redresser of wrongs. It has only one superior parallel, the pluperfect precepts and practices of the Prince of Galilee. To a nation situated as we are on a pleasant promontory, relatively safe in our view of the horrendous sufferings of millions removed from us only in physical distance, this vista of a civilized role of political Samaritan challenges the imagination. "To govern men, you must appeal to their imagination," observed Napoleon. "Appeal to their souls, and you electrify their enthusiasm." The lure of a knight errant flows from every princely heart. Poland prostrate, Austria subverted, and Czechoslovakia betrayed, burden every man's allotment of civilized compassion.

I would hate to yield to any man in such feelings. Some corpuscles there may be, I hope, in me of a nation that invented romance to supplant lust that rose from an Iliad of woes to realize that it had given from its own threatening Celtic twilight the Arthurian legend—one of the world's rhapsodies in political brotherly love.

From time immemorial the speculations of men of intellectual attainments have been preoccupied in their search for the elusive elixir of international peace and cooperation. Plato tried—so did Plotinus, More, and Campanella, in a national sense—and in our age and generation Woodrow Wilson tried. But I leave those noble efforts now and I seek to impress upon you our duties under the neutrality proclamation—to my mind, a solemn promise to the world that we will adhere to the sincerest principles of strict and impartial neutrality.

Now, I do not ask in the words of that Victorian political liberal, William E. Gladstone:

> Is America so uplifted in strength above every other nation, that she can with prudence, advertise herself as ready to undertake the general redress of wrongs? * * * Is any power at this time of day warranted in assuming this comprehensive obligation * * * that she not encourage the weak by giving expectations of aid to resist the strong, but should rather seek to deter the strong by firm but moderate language from aggression on the weak?

Whether she is or not is not the question as I see it now after that September 5 proclamation. The question is, What is strict and impartial neutrality?

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

Mr. SHANLEY. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman from Connecticut states that this restores the present law to the bill. Does it interfere with those provisions adopted by the Senate to keep American ships and American citizens out of the war zone?

Mr. SHANLEY. Absolutely not.

Mr. RANKIN. It merely adds to those provisions?

Mr. SHANLEY. That is all.

Mr. BARTON. Will the gentleman yield?

Mr. SHANLEY. I yield to the gentleman from New York.

Mr. BARTON. I am very gratified at the remarks of the gentleman from Connecticut. He will recall that he and I voted last spring and made precisely the same argument which he is making today. He has quoted some very eminent authorities in support of our position and I think I should quote also the eminent authorities in this House, including the ranking member of the Committee on Foreign Affairs, the gentleman from Texas, who made the statement that if we took this action before the war started we would be committing an unneutral act. The gentleman from Pennsylvania [Mr. ALLEN] said, "The minute we change the existing provisions of any act after warfare has started we have changed the rules in the middle of the game, and we have then committed an unneutral act."

Mr. LUTHER A. JOHNSON. Will the gentleman yield, since my name has been mentioned as an authority?

Mr. SHANLEY. I yield to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. In an effort to keep war from breaking out in Europe, which we thought would not happen and which the speaker now addressing said in his judgment would not happen, I tried to have the House pass an adequate neutrality law at the last session of the Congress. In using the various arguments that we thought might be effective, I did say it might be charged that if we waited until after war broke out it would be unneutral and just what I predicted then has happened. I did not say at anytime that it would be unneutral. War has broken out and it is now being charged that we are unneutral. I do not agree, however, it is unneutral. [Laughter.]

Mr. FISH. Will the gentleman from Connecticut yield?

Mr. SHANLEY. Yes; certainly.

Mr. FISH. I just want to finish the statement read by my colleague the gentleman from New York [Mr. BARTON], as made by the gentleman from Pennsylvania [Mr. ALLEN]. He stopped his reading with the words:

> We have committed an unneutral act.

The statement, however, goes on:

> An unfriendly act towards one of the belligerents. That is a very dangerous possibility and would probably result in war for us.

Mr. SIROVICH and Mr. ALLEN of Pennsylvania rose.

Mr. SHANLEY. I yield to the gentleman from New York, the elder statesman.

Mr. SIROVICH. I believe the gentleman from Connecticut will agree with me that honest neutrality must be true neutrality in principle and in application. If it is not true in principle and if it is not true in application it is unneutral. If we adopt the principles the gentleman has suggested, it would simply mean a military and naval blockade by the Government of the United States against England and France for the benefit of Germany.

Mr. SHANLEY. That is right.

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

Mr. SHANLEY. I yield to the gentleman from New York.

Mr. BARRY. With reference to the question of the gentleman from Massachusetts [Mr. MCCORMACK], as to which side is benefiting under present law, is it not true that England and France, and not Germany, are the nations that are now receiving everything except the actual finished weapons? We are not sending Germany anything by any affirmative act of ours. In 1937, when we passed this law, we told the whole world that in order to keep out of it we would not send the finished product to either side, so that actually under the present law help is going to Britain and France, whether we change the law or not.

Mr. HEALEY. Mr. Speaker, will the gentleman yield for a brief question?

Mr. SHANLEY. I yield to the gentleman from Massachusetts.

Mr. HEALEY. In the judgment of the gentleman, if we repeal the embargo now would it adversely affect one set of belligerents?

Mr. SHANLEY. Unquestionably.

Mr. HEALEY. Is not that the test of neutrality or unneutrality?

Mr. SHANLEY. The test of neutrality, as I see it, is the intent with which you change the law. If you sincerely try to change your law so that you will implement, improve, and strengthen rather than weaken your neutrality, that is all right.

No better definition of strict neutrality has ever been given than that of Borchard and Lage, in Neutrality for the United States, in these words:

> Neutrality is an old institution, which finds its source in candor, in the obligation to hold the scales even, to remain a friend of both belligerents, to lend support to neither, to avoid passing judgment on the merits of their war. It assures both belligerents that they are dealing with a friend, not a disguised enemy. The belligerents must know who is in the war and who is not. In return for obligations assumed by a neutral, the belligerents undertake to respect his rights as a neutral, including the right to remain out of other people's wars.

It was my intent last June, if we succeeded in returning to international law, to place this preamble as a declaration of policy by Congress:

> To rededicate our foreign policy to the principles and precedents of international law as enunciated in the historic practices of America;

to solemnize the realization that America should be the most militant guardian of neutral rights; to foster all efforts to restate international law; to modernize international law so as to obtain certainty in its rules and administration; to thus avoid fluctuations domestically and suspicions abroad from belligerents; to preserve this Nation from Old World antipathies and jealousies; to encourage the use of diplomatic measures to protect our interests under international law; to reiterate our opposition to entangling alliances or advance commitments; to pledge our aid for any and every effort to reduce or limit armaments by call of a world conference hereby requested of the President to reemphasize our confidence in the peaceful effects of world trade and of political independence and our unwillingness to shackle our foreign policy so as to render it impotent or dependent upon the acts of other nations, yet at the same time hereby to give notice of our implicit faith in the heritage of international law and our traditional policy of neutrality.

But let us review our historical principles. That was where real neutrality was born.

Historically after 1776 the United States enjoyed to a considerable extent separation from European influence. Yet despite that separation and that immunity it played a far more important part in the development of international law than perhaps at any other period. As a matter of fact, the regulations in regard to neutrality issued in 1793 enunciated the principles which subsequently became recognized and accepted. One of the outstanding authorities on international law has this to say:

The policy of the United States in 1793 constitutes an epoch in the development of the usages of neutrality. There can be no doubt that it was intended and believed to give effect to the obligations then incumbent upon neutrals. But it represented by far the most advanced existing opinions as to what those obligations were; and in some points it even went further than authoritative international custom has up to the present time advanced. In the main, however, it is identical with the standard of conduct which is now adopted by the community of nations.

From the very beginning our battle has been for freedom of commerce and navigation. Our contribution toward the development of exclusive rights on rivers, harbors, and gulfs, and other bodies of water had been epochal. We have believed consistently in the freedom of trade groups, the open door, and the development of every possible inlet and outlet of trade and commerce. In another field we have protected our citizens in their legitimate rights of trade and travel against oppression. In our liberalization of the rules of the sea and the land our efforts have been a distinct asset to international good will. In the last of these contributions outstanding has been our insistence and persuasion in the matter of international disputes and arbitration.

Foreign relations, especially interferences with the internal affairs of other nations, were at a low stage in our colonial days. Stimulating revolts and international disorders were part and parcel of the interfering propaganda of the day. Here is what an authority has to say:

Except for loss of a needed ally no state has ever been known to grieve at the political break-up of another. Thus England and France had assisted the Dutch and the Portuguese revolts against Spain; thus Great Britain furnished secret aid to the Corsican insurrectionists; thus France intrigued with the Irish; thus Prussia, Austria, and Russia meddled in the domestic politics of unhappy Poland, and partitioned that independent kingdom among themselves—to cite only a few obvious illustrations.

At the expense of their neighbors they sought as best they could—by alliances and by wars, by inimical and subterraneous intrigues and espionage in times of peace—to advance their vital interests: Great Britain, sea power, expanding colonial dominions, and spreading maritime commerce.

Spies were the order of the day, and in our pre-Constitutional days, yes, right during the Revolution, too, the British had sent over their secret No. 1 man, Paul Wentworth, to Paris, to ferret out information from Franklin and Deane. As a matter of fact, Dr. Edward Bancroft, the secretary to Deane, from the time of his arrival in France, was a secret-service operative of the British Empire. Deane did not know it, nor did Benjamin Franklin, when later Bancroft became a secretary to Franklin himself. None knew it but the British until a century later. Even after the treaty of peace, paid agents were retained in this country, the most famous of which was Maj. George Beckwith. He cultivated Alexander Hamilton.

Hamilton, the leader of this party, in effect had told Beckwith that in case the British had any trouble with Jefferson they could get around the Secretary of State to the President through him, the Secretary of the Treasury. Hamilton was pro-British in sentiment, because he realized the success of the United States Government, under the Constitution of 1787, depended more than anything else on financial credit.

Even at the time of the Genet affair we know that the British Minister was well informed by Hamilton of the situation here, while Thomas Jefferson began by giving some friendly advice to the French Minister, but the latter's excesses embittered Jefferson. Later Jefferson resigned in anger because of Hamilton's intermeddling in his Department. Hamilton saw a break with England as harmful, and Hamilton's conduct was a sore trial to all at that time, especially during the Jay treaty negotiations.

You will recall, as Bemis says:

Jay felt that he had obtained the best terms possible; but scholars who have since been able to review the documents, for a long time not open to perusal, now see that Hamilton's intimacy with the British Minister in Philadelphia, Hammond, enabled Lord Grenville to press Jay to the utmost line of concession. The new Secretary of State, Edmund Randolph, had instructed Jay to consult with the Swedish and Danish Ministers at London as to possible common action to be taken diplomatically against British maritime policy. Sweden and Denmark, in fact, did sign in April 1784 a new armed neutrality and invited the United States to come in. This invitation arrived after Jay's departure. Washington's Cabinet decided not to accept on the ground that it might be an entangling alliance. Hamilton told this to Hammond, who immediately relayed it to Grenville, who was very nervous about such a possibility. Thus reassured, he made no great concessions to Jay on the score of maritime rights. In addition to Hammond's sources of information from Hamilton, Grenville had a copy of the secret cypher of the Department of State.

Later, too, we know that the French Minister Adet, angered at the possible ratification of the Jay treaty, recommended that the French Directory should give some sign of disapproval of a reelection of President Washington.

They did it in the most flagrant attempt in history to influence an electorate—a vicious interference in the internal affairs of another nation. But the Directory had made one mistake. Washington did "not choose to run." Even Monroe made disloyal utterances advocating Washington's defeat which Washington later suspected. It ought to be said that the French had the same doubts about Jefferson. Their estimate of him is to my mind one of his epochal sentences of praise as well as of all patriotic Americans—

Jefferson is an American and as such cannot sincerely be our friend. An American is an enemy of all the people of Europe.

Thus the background of the Farewell Address is not one of isolation only, for Washington's experiences with foreign affairs, with the tie-ups with the French, and every contact abroad taught him to steer clear of foreign entanglements.

Washington excoriated foreign alliances, attachments, intrigues, overgrown military establishments, the open door to foreign influence and corruption through party passions, and permanent inveterate antipathies against particular nations or passionate attachments or habitual favors for others. He warned against ruining ourselves by artificial ties in the ordinary vicissitudes of her purity or the ordinary combinations and collisions of her friendships or enmities.

Steer clear of permanent alliances though we may safely trust to temporary "alliances for extraordinary emergencies" but only taking care to keep ourselves by suitable establishments on a "respectable defensive posture." His hope was a grown nation with a neutrality, scrupulously respected, so that belligerent nations would not lightly hazard provoking us.

It is evident how realistic Washington was about the possibility for "temporary alliances for extraordinary emergencies." He knew the price we were compelled to pay for the support of the French in 1778 for he realized the extraordinary emergency that had arisen. Even here he warns that such alliances should be but "temporary."

Again the realism of our first President is recognized when we read of his powerful plea for adequate defense. In his fifth annual address he says:

I cannot recommend to your notice measures for the fulfillment of our duties to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defense and of exacting from them the fulfillment of their duties

toward us. The United States ought not to indulge a persuasion that contrary to the order of human events, they will forever keep at a distance those painful appeals to arms with which the history of every other nation abounds. There is a rank due to the United States among nations which will be withheld if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.

But the Congress was aware of these thoughts, too.

Thus, on June 12, 1783, it passed a resolution which reads in part:

The true interest of the States requires that they should be as little as possible entangled in the politics and controversies of European nations.

In 1780, John Adams had expressed a common sentiment when he wrote from Paris to the President of Congress:

Let us remember what is due to ourselves and to our posterity, as well as to them (European nations). Our business with them, and theirs with us, is commerce, not politics, much less war: America has been the sport of European wars and politics long enough.

The true concept of neutrality was expressed by one of our Federal courts in a famous case, often quoted:

The idea of a neutral nation implies two nations at war, and a third in friendship with both.

Or as John Quincy Adams expressed it, when Secretary of State, in a set of formal instructions to the United States ministers:

By the usual principles of international law, the state of neutrality recognizes the cause of both parties to the contest as just—that is, it avoids all consideration of the merits of the contest.

This may be abhorrent doctrine to the pure moralist or the agitated sentimentalist, but anything short of it points toward intervention—a course of conduct which is tantamount to belligerency and also certain involvement in war.

There is an ecclesiastical parallel for this in these words:

We might have much peace, if we would not busy ourselves with the sayings and doings of other people, and with things which concern us not. How can he long abide in peace who entangleth himself with other people's concerns; who seeketh occasions abroad; who little or seldom recollecteth himself interiorly? Blessed are the single-hearted, for they shall enjoy much peace.

No higher tribute to the statesmanship of Washington and his advisers could be paid than that rendered by Mr. Canning in 1823 in a speech before the House of Commons against the repeal of the British Foreign Enlistment Act of 1819. "If I wished," he said, "for a guide in a system of neutrality, I should take that laid down by America in the days of the presidency of Washington and the secretaryship of Jefferson." In later years an eminent writer on international law, Mr. W. E. Hall, gave the following estimate of the high standard of neutral duty adopted by the United States:

The policy of the United States in 1793 constitutes an epoch in the development of the usages of neutrality. There can be no doubt that it was intended and believed to give effect to the obligations then incumbent upon neutrals. But it represented by far the most advanced existing opinions as to what those obligations were; and in some points it even went further than authoritative international custom has up to the present time advanced. In the main, however, it is identical with the standard of conduct which is now adopted by the community of nations.

In 1803 war again broke out between France and England. The Republicans had come into power, but there was no clamor for an alliance with France. In his message to Congress on October 17, 1803, Jefferson expressed his "gratitude to that kind Providence which, inspiring with wisdom and moderation our late legislative councils while placed under the urgency of the greatest wrongs, guarded us from hastily entering into the sanguinary contest." He then proceeded to outline the attitude of neutrality which the Government intended to pursue.

In the course of this conflict let it be our endeavor, as it is our interest and desire, to cultivate the friendship of the belligerent nations by every act of justice and of innocent kindness; to receive their armed vessels with hospitality from the distresses of the sea, but to administer the means of annoyance to none; to establish in our harbors such a police as may maintain law and order; to restrain our citizens from embarking individually in a war in which their country takes no part; to punish severely those persons, citizens or aliens, who shall usurp the cover of our flag for vessels not entitled to it, infecting thereby with suspicion those of real Americans and committing us into controversies for the redress of wrongs not our own; to exact from every nation the observance toward our vessels and citizens of those principles and practices which all civilized people acknowledge; to merit the character of a just nation, and maintain that of an independent one, preferring every consequence to insult and habitual wrong. Congress will consider whether the existing laws enable us efficaciously to maintain this course with our citizens in all places and with others while within the limits of our jurisdiction, and will give them the new modifications necessary for these objects.

Prof. Charles G. Fenwick, who has labored long, sincerely, and strongly before our committee for legislation penalizing the aggressor, has this to say in his excellent book, The Neutrality Laws of the United States, about neutrality. He quotes from the April 22, 1797, proclamation by George Washington on neutrality and we find that the Father of his Country enjoined upon every American citizen "that they should with sincerity and good faith adopt and pursue a continued friendly and impartial attitude to the belligerent powers."

It is interesting also to know that on page 23 of Professor Fenwick's book, in speaking of the legislation that was necessary in 1793, he said, "It was evident, however, that legislation on the part of Congress was necessary to complete and strengthen the measures taken by the administration." It is pertinent that "strengthening neutrality" is one of the two prime requisites during a period of war.

Jefferson's great thoughts are:

I have ever deemed it fundamental for the United States never to take an active part in the quarrels of Europe. Their political interests are entirely distinct from ours. Their mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government, are all foreign to us * * *. On our part, never had a people so favorable a chance of trying the opposite system of peace and fraternity with mankind, and the direction of all our means and faculties to the purpose of improvement instead of destruction * * * Jefferson, 1823.

President Jefferson to the appointed Minister to France (R. Livingston):

MONTICELLO, *September 9, 1801.*

Shall two nations turning tigers break up in one instant the peaceable relations of the whole world? Reason and nature clearly pronounce that the neutral is to go on in the enjoyment of all its rights, that its commerce remains free, not subject to the jurisdiction of another, nor consequently its vessels to search, or to inquiries whether their contents are the property of an enemy, or are of those which have been called contraband of war.

On December 26, 1816, President Madison communicated the following message to Congress:

It is found that the existing laws have not the efficacy necessary to prevent violations of the obligations of the United States as a Nation at peace toward belligerent parties, and other unlawful acts on the high seas, by armed vessels equipped within the waters of the United States.

With a view to maintaining more effectually the respect due to the laws, to the character, and to the neutral and pacific relations of the United States, I recommend to the consideration of Congress the expediency of such further legislative provisions as may be requisite for detaining vessels actually equipped, or in a course of equipment, with a warlike force, within the jurisdiction of the United States; or, as the case may be, for obtaining from the owners or commanders of such vessels adequate securities against the abuse of their armaments, with the exceptions in such provisions proper for the cases of merchant vessels furnished with the defensive armaments usual on distant and dangerous expeditions, and of a private commerce in military stores permitted by our laws, and which the law of nations does not require the United States to prohibit.

The Secretary of State (J. Q. Adams) to the British Minister (Canning):

WASHINGTON, *June 24, 1823.*

SIR: By the Law of Nations, when two nations conflict together in war, a third remaining neutral, retains all its rights of peace and friendly intercourse with both. Each belligerent acquires, indeed, by war the right of preventing the third party from administering to his enemy the direct and immediate materials of war, and, as incidental to this right, that of searching the merchant vessels of the neutral on the high seas to find them.

The Secretary of State (Clay) to the Appointed Delegates to the Congress at Panama (Anderson, Sargeat):

WASHINGTON, *May 8, 1826.*

GENTLEMEN: In almost every age, some one has had the complete mastery on the ocean, and this superiority has been, occasionally, so great, as to more than counterbalance the combined maritime force of all other nations, if such a combination were practicable. But

when a single nation finds itself possessed of a power everywhere which no one, nor all other nations, can successfully check or countervail, the consequences are too sadly unfolded in the pages of history. Such a nation grows presumptuous, impatient of contradiction or opposition, and finds the solution of national problems easier and more grateful to its pride, by the sword, than by the slow and less brilliant process of patient investigation. If the superiority be on the ocean, the excesses in the abuses of that power become intolerable.

The Jay treaty and neutrality must be considered together if the temper of the times is to be understood. "If our neutrality be still preserved, it will be due to the President alone," writes the younger Adams from Europe. "Nothing but his weight of character and reputation, combined with his firmness and political intrepidity, could have stood against the torrent that is still tumbling with a fury that resounds even across the Atlantic * * * If this system of administration now prevails 10 years more will place the United States among the most powerful and opulent nations on earth * * * Now, when a powerful party at home and a mighty influence from abroad are joining all their forces to assail his reputation and his character I think it my duty as an American to avow my sentiments." (J. Q. Adams to Bourne, Dec. 24, 1795; writings, J. Q. A., Ford, 1, 467.)

"The great nations of Europe," he writes, "either impelled by ambition or by existing or supposed political interests, peculiar to themselves, have consumed more than a third of the present century of wars." The causes that produced this state of things "cannot be supposed to have been entirely extinguished, and humanity can scarcely indulge the hope that the temper or condition of man is so altered as to exempt the next century from the ills of the past. Strong fortifications, powerful navies, immense armies, the accumulated wealth of ages, and a full population enable the nations of Europe to support those wars."

Problems of this character, Marshall explains, must be solved by European countries, not by the United States. For, "encircled by no dangerous powers, they [the Americans] neither fear, nor are jealous of their neighbors," says Marshall, "and are not, on that account, obliged to arm for their own safety." He declares that America, separated from Europe "by a vast and friendly ocean," has "no motive for a voluntary war," but "the most powerful reasons to avoid it."

Marshall declares that he is for American neutrality in foreign wars, and cites his memorial to Talleyrand as stating his views on this subject:

"The whole of my politics respecting foreign nations are reducible to this single position: * * * commercial intercourse with all, but political ties with none * * * buy as cheap and sell as dear as possible * * * never connect ourselves politically with any nation whatever."

While our foresighted militant fathers were ready to fulfill our duties as neutrals in all the subtle, comprehensive, nondiscriminate phases of strict neutrality they were just as anxious to fight for the rights of all neutrals—the often neglected features of sovereign nations—in peacetime as well as in wartime.

The first definite American statement on these questions appears in the so-called treaty plan of 1776. On June 12 of that year the Continental Congress named a committee composed of John Dickinson, Benjamin Franklin, John Adams, Benjamin Harrison, and Robert Morris, to prepare a plan of treaties to be proposed to foreign powers. The committee's report, drafted by John Adams, was adopted by Congress on September 17 in a form to be proposed to the King of France.

In this treaty plan the American Congress made a definite statement on four important questions in regard to neutral commerce: (1) It was provided in article 26 that when one of the nations was at war and the other was neutral, the nationals of the neutral could trade with enemies of the belligerent, not only from enemy ports to neutral ports, but also from port to port of the enemy; (2) article 26 also provided that, in the same case, free ships should "give a freedom to goods," with the exception of contraband; (3) contraband was strictly limited by article 27 to arms, munitions of war, and horses; and it was specifically stated that food and naval stores should not be classed as such; and (4) neutral goods in enemy ships were liable to confiscation, according to article 17.

That is the starting point of the historical heritage from the founders of our country. In the Napoleonic wars Jefferson both in theory and practice fought for the same rights and Madison later carried on, both seeking to place in treaties the high prerogatives of peace. Chief Justice Marshall did his part in the Nereide and Atlanta cases. In every projected treaty with our Latin-American friends we attempted to incorporate these neutral principles, and we even went so far in Adams' time to propose immunity for all private property. The immunity of private property, however, was not a successful venture, and we were compelled to go back to the principles of the plan of 1776 in relation to neutral commerce.

Secretary of State Van Buren pushed these principles to the utmost, though later, in the War with Mexico, there were few precedents except in the matter of blockades. The generality of the language of our blockade did excite alarm among neutrals. Subsequent explanations served to remove the annoyance to neutrals.

On the whole, our neutral rights were well protected in the Crimean War, and until the invitation to America to join the declaration of Paris of April 16, 1856, there was little of moment in the international field. The four principles of that great declaration were—

1. Privateering is, and remains, abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

We were most enthusiastic about the second and third and, of course, approved the fourth, though we claimed it was such elementary law it was unnecessary to state it, but we refused to abolish privateering because that would have given the supremacy of the seas to the nations with large navies. We were too realistic about the advantages of a privateer to surrender its benefits. Secretary Marcy said that the right to employ privateers was as clear as the right to use "public armed ships" and as "incontestable as any other belligerent right."

Right at this point it is interesting to include an article by Prof. Philip C. Jessup on American Neutrality and International Police:

With the outbreak of the Civil War, the United States suddenly found itself in the position of a belligerent with much the stronger navy. It therefore could not look with sympathy upon the British plea for abolishing privateering. Secretary Seward instructed Mr. Adams, the American Minister in London, to press for the acceptance of the American plan for total immunity of private property, but if this could not be obtained, to arrange for the acceptance of the Declaration of Paris as it stood. The same instructions were sent to Paris. The French and British Governments were quite willing to have the United States adhere to the declaration, but pointed out that they could not, consistently with their declarations of neutrality, agree to consider Confederate privateers as pirates during the course of the war. On the other hand, the United States was willing to reverse its position only if it could obtain advantages in the current struggle. The negotiation accordingly came to naught.

I think it is very apposite because it shows what happens when the shoe is on the other foot.

While it is true that we were a belligerent in that instance attempting to change a rule it is helpful to show how alert and how militant the other neutrals were. From then on until the Hague conferences our efforts were to place into treaties clauses providing that in case of war between the parties, private property, not contraband, should be exempt from seizure, but that this exemption should not extend to vessels and their cargoes which might attempt to enter a port blockaded by the naval forces of any of the said powers.

The best diplomatic treaty in this respect was that with Italy signed on February 26, 1871.

We attempted to apply principles of the Italian treaty which had also been incorporated in the Prussian and Bolivian pacts and intended to be placed in the permanent law of the First Hague Conference but no action was taken on the subject although a resolution was incorporated in the conference expressing the wish that the proposal for inviolability of private property in naval warfare might be referred to a subsequent conference for consideration. On June 27, 1900, the United States Naval War Code was proclaimed and its contribution has been of inestimable benefit to the world at large. It became a guide stick for use in the Russo-Japanese War.

The Congress of the United States in a resolution on April 28, 1904, expressed the opinion that it was desirable for the President to endeavor to bring about an understanding among the principal maritime powers with a view of incorporating into the permanent law of civilized nations "the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerents."

We attempted to get the resolution across at the Second Hague Conference but again failed. In the London Naval Conference of 1909—the Declaration of London—we failed in our major object once more, but the conference as a whole was so successful that it may be said to have reached the high-water mark in our attempts to fight for neutrals.

We had therefore come into the World War with high hopes for that Declaration of London. Certainly we had much to expect in this latest development from the high purposes of the Hague Conventions and Declarations of 1899 and 1907. That Declaration of London had been the result of great compromises, but so anxious were the participants to effect a workable set of rules that they were willing to undergo these surrenders. In 1914, after a long patient attempt, however, we finally abandoned the attempt to have England win Germany and Austria in the acceptance of the declaration.

In the opening phases of the World War perhaps nobody has stated the real problem better than Charles Callan Tansill in his book, America Goes to War:

> Within a few weeks after the outbreak of the World War it became apparent to competent military observers that victory for either side would largely depend upon the possession of adequate supplies of munitions of war. The nation that labored under the greatest handicap in this regard was Great Britain, whose assistance to France in the early months of the war was sharply limited because of a glaring deficiency in effective artillery and in high explosive shells. Although the production of British factories could be rapidly increased, there would remain an alarming shortage of supplies necessary for the conduct of successful warfare. The only means of meeting this situation was through the importation of munitions of war from neutral nations. European neutrals, however, soon placed embargoes upon the shipment of war materials, so the British Government was forced to look to America as the only important neutral that could supply her needs.

Shortly after the war Maj. Gen. Sir S. B. Donop, the chief of ordnance of the British Army, cautiously inquired of Col. G. O. Squier whether the American Government would care to sell a large number of rifles and some 5,000,000 rounds of ammunition. The issue was being formed.

Once again it was indicated that "a citizen of the United States can sell to a belligerent government or its agent any article of commerce which he pleases." He is not prohibited from doing this by "any rule of international law, by any treaty provision, or by any statute of the United States." For the Government of the United States in its official capacity to sell to a belligerent nation would be an unneutral act, but—

> For a private individual to sell to a belligerent any product of the United States is neither unlawful nor unneutral, nor within the power of the Executive to prevent or control. (Foreign Relations, 1914 supplement, pp. 573–574.)

Before I enter into the real problem of munitions embargo I would place in the record what seems to me as fine a statement of neutrality as one can find not made by an American or a Frenchman but by a British scholar, J. M. Spaight. It is a study of "War Rights on Land." In it is a preface by one of England's most trusted men, Francis D. Acland. He warns—

> That there are also certain particular reasons which make a strict observance of these rules for the future a matter of great importance. Great Britain undertook at The Hague, in 1907, to issue instructions to her troops on the subject of war law, and to pay an indemnity for any breaches of war law committed by them.

He continues—

> Thus, if in the future our troops do not know and observe the laws of war (and on some occasions, as Mr. Spaight shows, we did not know and observe them during the war in South Africa), their fault will appear in War Office Estimates, and will be felt in the taxpayer's pockets. This country also bound herself at Geneva in 1906 to bring the rules of the Geneva Convention to the notice of the population at large.

Dr. Spaight observes in his introduction "any nation can at any time throw war laws to the winds. But no nation does." This was written in 1911. The logical supplement to the Golden Rule which warns us that "as we do, so shall we be done by, is the chief motive for the compliance of civilized states with the usages of war." This was also written in 1911.

In a remarkable defense of the moth-eaten charge that there is no international law, Dr. Spaight not only refutes that charge but takes the offensive himself and shows the complete dependability of mankind on it. He admits that belligerent states may violate it but they never challenge its existence and authority, rather "they try to justify their actions by a reference to the principles of the particular law. * * *" Ministers are ultimately answerable in constitutional states for the actions of the national troops, and if the "big endians" are in power, the "little endians" will not be slow to make political capital out of any lapse from correct international usage committed by the country's forces. Would that the nonconstitutional states had the same checks and balances.

It is chapter XV dealing with the neutrality convention that Dr. Spaight comes nearest to our problem. He defines neutrality in this manner:

> It must stand aside; the fight is not its concern * * * the neutral state, as such, must stand rigorously, aloof, from the conflict. In other words when two nations settle their differences by trail of battle, third parties—other nations—must not break the ring. A neutral power must extend no aid or assistance, in any way whatever, to either belligerent. It must not lend either party money or hire out its troops to him, or sell him munitions, or suffer him to cross its frontiers, for a strategical purpose. * * * It must take reasonable steps to insure that a belligerent suffers no prejudice from its acts or omissions * * * neutral governments have a heavy responsibility laid upon them to abstain from interfering, in any way whatever, in an international struggle, to which they have no desire to become active parties. There is no halfway house between belligerency and neutrality. Benevolent neutrality, as Lord Granville pointed out to Count Bernstorff, the North German Ambassador in England, in 1870, is a conception incompatible with the nature and idea of neutrality; in fact it is not neutrality at all. If the neutral fails in its obligations the aggrieved belligerent can call it to account.

As a matter of fact on October 4, 1915, the Department of State announced that citizens of the United States were not prohibited by statute, by treaty, or law from selling any article of commerce to a belligerent government. It, of course, set out the right of belligerents to seize contraband. On January 20, 1915, Secretary of State held that the duty of a neutral to restrict trade in munitions had never been opposed by municipal law or statute. To keep the record straight, on April 21, 1915, Secretary Bryan told Ambassador von Bernstorff that the placing of an embargo on the trade in arms would be a direct violation of the neutrality of the United States, as it would unequally affect the relations of the United States with belligerents.

The Austro-Hungarian Government came back on June 29, 1915, and insisted that it was the duty of the United States to maintain an attitude of strict parity with respect to both belligerent parties, in regard to the exportation of munitions.

Secretary Lansing at this time saw an opportunity to educate the public. In his reply Secretary Lansing stated that—

> Although the principle urged by the Austro-Hungarian Government related only to arms and ammunitions, if this principle were sound, it should apply to all articles of contraband. A belligerent controlling the high seas might possess an ample supply of arms and ammunition but be in want of food and clothing. On the "novel principle" that equalization was a neutral duty, neutral nations would be obligated to place an embargo on these articles because one of the belligerents could not obtain them through commercial intercourse.

Do not let anybody think that we were altogether altruistic and have been prompted by only idealistic methods throughout the decades by our fights for neutral rights. Our leaders have known as they know today that we are going to be a neutral far more often than we are going to be a belligerent. Hence our fight for neutral rights is a fight for the normal post of America. There is a certain amount of selfishness dominated by national interest but when we know the overweening arrogance and avariciousness of belligerents we must realize that our selfishness is as nothing at all compared to belligerents' cupidity.

I do not think there is anything more evident in the documents of the World War than that of the all-powerful interest of the Allies to prevent us as a neutral from lifting the embargo on munitions. It is easy to say now that the instigation of this request came from the Teutonic powers, but that begs the question. The Allies were just as insistent that we retain the embargo, and I have already pointed out that today the insistence that we repeal the present embargo comes from our Government per se. As a matter of fact, 20 years from now we may well discover that the British and French also have indicated their desires in documentary form.

I have just pointed out that the Secretary of State opposed the German contention that we place an embargo on munitions on the ground that it would be unneutral. On September 16, 1915, Secretary Lansing had made a brief report on the practice of other nations with regard to the sale of munitions. He stated that during the existing war Brazil, China, Denmark, the Netherlands, Norway, Spain, and Sweden had prohibited the exportation of munitions. It is significant that he said "he had been unable to ascertain whether the real ground for the embargoes was to conserve supplies, to avoid enmity of belligerents, to retaliate against some 'vexacious measure' of belligerents, or to maintain strict neutrality."

At about the same time Secretary Lansing was also worried about the change in policy in regard to loans to belligerents. He must have felt it so impinged on his arguments on neutrality that he emphatically pointed out that the war loans in this country had been disapproved at first because inconsistent with the spirit of neutrality, but there was a clear, defined difference between the war loan and the purchase of arms and ammunition. He went on to elaborate at length to justify the distinction. That logomachy is, however, important only because of the motive and not for the attempt at the subtle distinction.

I add here the prior paragraph of Secretary W. J. Bryan to Ambassador Bernstorff, which certainly must have had the approval of Counselor Lansing:

This Government holds, as I believe Your Excellency is aware, and as it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war, would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its actions.

Later Secretary Lansing, in writing to Ambassador James W. Gerard, repeated the famous statement of the President of the United States:

But in any event our duty is clear. No nation, no group of nations, has the right while war is in progress to alter or disregard the principles which all nations have agreed upon in mitigation of the horrors and sufferings of war; and if the clear rights of American citizens should ever unhappily be abridged or denied by any such action, we should, it seems to me, have in honor no choice as to what our own course should be.

From another angle it ought to be said that when Senator Gilbert M. Hitchcock's bill to prohibit the export of munitions of war was presented that the British Government was deeply alarmed. Sir Edward Grey protested to Ambassador Page that any legislation of that type would be "unneutral" and would constitute a departure from a long-established American custom. The British Ambassador in Washington wrote to an intimate friend that he believed there was small chance that the American Government "would reverse her previous policy in regard to the sale of contraband in the middle of a war to please one party."

Professor Tansill has pointed out that the financial circles of this country were absolutely against the placement of the embargo, all asserting how unfair it was to change the rules during war.

C. Hartley Grattan, in Why We Fought, has a very interesting extract on the attempt of Senator Hitchcock to provide for an embargo on munitions sales. Obviously the Allies were opposed to this resolution and Ambassador Page telegraphed on the 11th of December 1914 to this effect:

Sir Edward Grey unofficially expressed the hope to me that the bill introduced by Mr. Hitchcock in the Senate will not pass, aimed to prohibit the exportation by private firms of munitions of war to any belligerent. He calls attention to the fact that this would be special legislation passed while war is in progress making a radical departure from a long-established custom, and that for this reason it would appear an unneutral act toward the belligerents that can profit by it.

In his book Woodrow Wilson and the World War, Prof. Charles Seymour, now president of Yale University, in speaking of the mistakes of the embargo, at page 44 said this:

It was easy to allege that the export of arms, since they went to the allied camp alone, was on its face unneutral. Several Senators approved the embargo, among them the chairman of the Senate Foreign Relations Committee, William J. Stone, of Missouri. Against the proposed embargo Wilson set his face steadfastly. He perceived the fallacy of the German argument and insisted that to prevent the export of arms would be itself unneutral. The inability of the Central Powers to import arms from the United States resulted from their inferiority on the high seas; the Government would be departing from its position of impartiality if it failed to keep American markets open to every nation of the world, belligerent or neutral. The United States could not change the rules in the middle of the game for the advantage of one side. The perfect legality of Wilson's decision has been frankly recognized since the war by the German Ambassador.

When the McLemore resolution was being considered in the House, President Wilson wrote to Senator Stone, chairman of the Foreign Relations Committee on the subject of change to this effect:

But in any event our duty is clear. No nation, no group of nations, has the right, while war is in progress, to alter or disregard the principles which all nations have agreed upon in mitigation of the horrors and sufferings of war; and if the clear rights of American citizens should very unhappily be abridged or denied by any such action we should, it seems to me, have in honor no choice as to what our own course should be.

In a monumental work, International Law Chiefly as Interpreted and Applied by the United States, Prof. Charles Cheney Hyde, in volume 2, at page 751, says in discussing the same situation as Von Bernstorff does with Secretary Bryan:

It declined, moreover, to accede to the suggestion that there was any obligation to change or modify "the rules of international usage" on account of special conditions confronting a particular belligerent. It declared that a neutral state was not burdened with the duty of applying a theory of equalization to the utilization of the resources of its territory. According to the Department of State, the only ground justifying a change of the rules, as set forth in the Hague Convention, was the necessity compelling a neutral power to do so in order to protect its own rights. The right and duty to determine when such a necessity existed rested, it was said, with the neutral and not with a belligerent. It was maintained that if, therefore, the neutral power did not avail itself of that right, the belligerent was not privileged to complain, "for in doing so it would be in the position of declaring to the neutral power what is necessary to protect that power's own rights."

Professor Hyde quotes also the preamble of the Hague Convention to this effect:

Seeing that it is, for neutral powers, an admitted duty to apply these rules impartially to the several belligerents; seeing that, in this category of ideas, these rules should not, in principle, be altered, in the course of the war, by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power.

In a more telling statement and certainly more germane to the present discussion, Professor Hyde ends his later section on "Qualified neutrality" by this conclusion:

It remains, however, to observe that the law of nations does not contemplate that a state not at war shall fix or alter its obligations as a neutral according to its interest in the success of one belligerent rather than another. When a nonparticipant undertakes to do so, it must be normally deemed to accept responsibility for the harm which its action inflicts upon the state subjected to discrimination. The United States has vigorously advocated respect for this principle.

He quotes also the rules of the Treaty of Washington, which require due diligence on the part of a neutral to prevent violations of neutrality.

In the very authoritative, formal, and official Policy of the United States Toward Maritime Commerce in War, Carlton Savage, Division of Research and Publication of the State Department, has these extracts on this subject.

In the documentary appendixes to this work he says:

From no quarter, then, can there come any question of the right of the American Government to prohibit through the issuance of an embargo that enormous exportation of war implements that is openly carried on, and besides is commonly known to be availed

of by only one of the parties to the war. If the Federal Government would exercise that power it possesses it could not lay itself open to blame if, in order to keep within the requirements of the law of the land, it adopted the course of enacting a law. For while the principle obtains that a neutral state may not alter the rules in force within its province concerning its attitude toward belligerents while war is being waged, yet this principle, as clearly appears from the preamble to the Thirteenth Hague Convention, suffers an exception in the case "ou l'experience acquise en demontrerait la necessite pour la sauvegarde de ses droits" (where experience has shown the necessity thereof for the protection of its rights).

At page 365 we find this statement from a letter from the Secretary of State, Robert Lansing, to President Wilson, August 6, 1915, concerning the Austrian desire to impose an embargo:

The argument might, and I have no doubt would, by pro-German sympathizers be construed as you suggest by your question. But, if we do not mean it, do we not run the risk of resting our whole case on the principle that to change our laws in time of war would be unneutral, and also on the past usage of nations, and especially the practices of Germany and Austria?

In the same letter it might be interesting to note that there is a statement about aggressors:

Would it be advisable, if this portion of the argument remains, to insert a paragraph disavowing any purpose of insinuating that Austria and Germany were aggressors? I enclose such a paragraph for consideration.

Officially Secretary Lansing replied to the famous Austrian proposal by a letter to Ambassador Frederick Courtland Penfield asking him to present a note to the Royal Foreign Office in the following answer:

The Government of the United States notes with satisfaction the recognition by the Imperial and Royal Government of the undoubted fact that its attitude with regard to the exportation of arms and ammunition from the United States is prompted by its intention to "maintain the strictest neutrality and to conform to the letter of the provisions of international treaties," but is surprised to find the Imperial and Royal Government implying that the observance of the strict principles of the law under the conditions which have developed in the present war is insufficient, and asserting that this Government should go beyond the long recognized rules governing such traffic by neutrals and adopt measures to "maintain an attitude of strict parity with respect to both belligerent parties."

To this assertion of an obligation to change or modify the rules of international usage on account of special conditions the Government of the United States cannot accede. The recognition of an obligation of this sort, unknown to the international practice of the past, would impose upon every neutral nation a duty to sit in judgment on the progress of a war and to restrict its commercial intercourse with a belligerent whose naval successes prevented the neutral from trade with the enemy. The contention of the Imperial and Royal Government appears to be that the advantages gained to a belligerent by its superiority on the sea should be equalized by the neutral powers by the establishment of a system of nonintercourse with the victor.

* * * * * * *

The Government of the United States in the foregoing discussion of the practical reason why it has advocated and practiced trade in munitions of war, wishes to be understood as speaking with no thought of expressing or implying any judgment with regard to the circumstances of the present war, but as merely putting very frankly the argument in this matter which has been conclusive in determining the policy of the United States.

* * * * * * *

Manifestly the only ground to change the rules laid down by the convention, one of which, it should be noted, explicitly declares that a neutral is not bound to prohibit the exportation of contraband of war, is the necessity of a neutral power to do so in order to protect its own rights. The right and duty to determine when this necessity exists rests with the neutral, not with a belligerent. It is discretionary, not mandatory.

The Government of the United States, in the foregoing discussion of the practical reason why it has advocated and practiced trade in munitions of war, distinctly disavows any purpose to suggest that Austria-Hungary and Germany are aggressive powers inspired with purposes of conquest. It makes this disavowal in order that no misconstruction may be placed upon its statements and that it may not be credited with imputations which it had no intention of making.

Even the Austro-Hungarian Minister of Foreign Affairs, Baron von Ragecz Stephen Burian, admitted the principle that a neutral state may not alter the rules during war unless necessity demands it for the protection of its own rights. This statement will be found in official document No. 99 in Carlton Savage's Policy Toward Maritime Commerce in Wartime.

President Wilson, in a letter to the Secretary of State, had said that we were "absolutely unanswerable in our position that these things cannot be done while a war is in progress as against the parties to it."

In addition the President had also written to the members of the Foreign Affairs Committee in the House that "any action moving to interference with the right of belligerents to buy arms here would be construed as an unneutral act."

At that time in August 1915 Lansing had succeeded William J. Bryan as Secretary of State, and he had added his emphasis to this principle in his reply to the President. Secretary Lansing made that even stronger in his letter to our Ambassador in Austria-Hungary, Frederick C. Penfield.

Later when the question of armed merchantmen arose Lansing was so aware of this principle that even though he felt that his great compromise principle of January 18, 1916, was necessary, it will be recalled that he advanced it as a modus vivendi, conscious that our Government could not change the rules during the war unless both sides of belligerents accepted the change. I quote the pertinent parts of his letter to the diplomatic officials in European countries:

I said to the press men yesterday that the Government admitted that merchant vessels have legal right to arm for the sole purpose of defense; that, as the Government is impressed with the reasonableness of the argument that a merchant vessel is presumptively armed for offensive purposes if it carries in these days an armament which makes it superior offensively to the submarine, which is now a recognized naval weapon, it feels that the present rule of international law permitting belligerent merchant vessels to arm ought to be changed; that, nevertheless, the Government does not feel that during the war it can change or disregard the established rule without the assent of the contending belligerents.

It is significant that the Naval War College, in its International Law Situations for 1936, brings out the unneutrality threat in 1916:

Attitude on munitions sale, 1916: Numerous complaints were made to the Department of State in regard to the failure of the Government to restrict or forbid exports of munitions. It was pointed out to the Department of State that the geographical relations of the belligerents in Europe tended to make the transit of arms from the United States more easy to the Allied than to the Central Powers. It was intimated that to permit freedom of trade in munitions, etc., would under these conditions be unneutral. The Counselor of the Department of State, Mr. Polk, on August 18, 1916, said of this matter:

"If any American citizens, partisans of Germany and Austria-Hungary, feel that this administration is acting in a way injurious to the cause of those countries, this feeling results from the fact that on the high seas the German and Austro-Hungarian naval power has from the commencement of the present war been inferior to the British. It is the business of a belligerent operating on the high seas, not the duty of a neutral, to prevent all trade in contraband from reaching an enemy. Those in this country who sympathize with Germany and Austria-Hungary appear to assume that some obligation rests upon this Government in the performance of its neutral duty to prevent all trade in contraband, and thus to equalize the difference due to the relative naval strength of the belligerents. No such obligation exists. It would be an unneutral act on the part of this Government to adopt such a policy if the Executive had the power to do so. If Germany and Austria-Hungary cannot import contraband from this country, it is not, because of that fact, the duty of the United States to close its markets to the Allies. The markets of this country are open upon equal terms to all the world, to every nation, belligerent or neutral.

"There is no power in the Executive to prevent the sales of munitions of war to the belligerents. The duty of a neutral to restrict trade in munitions of war has never been imposed by international law or municipal statute. It has never been the policy of this Government to prevent the shipment of arms or ammunition into belligerent territory, except in the case of neighboring American republics, and then only when civil strife prevailed. Even to this extent the belligerents in the present conflict, when they were neutrals, have never, so far as the records disclose, limited the sale of munitions of war. It is only necessary to point to the enormous quantities of arms and ammunitions furnished by manufacturers in Germany to the belligerents in the Russo-Japanese War and the recent Balkan wars to establish the general recognition of the propriety of the trade by a neutral nation.

"It may be added that on the 15th of December 1914 the German Ambassador, by direction of his Government, presented a copy of a memorandum of the Imperial German Government which, among other things, set forth the attitude of that Government toward traffic in contraband of war by citizens of neutral countries. The Imperial Government stated that 'under the general principles of international law no exception can be taken to neutral states letting war material go to Germany's enemies from or through neutral territory.'" (Foreign Relations, United States, 1916, supplement, p. 9.)

To emphasize the stated intent of our leaders during the World War I add these extracts. How much we left these high principles of neutrality may be gaged from our own

subsequent history, but none can deny that in this particular phase of munitions embargo we drew upon every argument in our diplomatic and international arsenal to beat down the attempts of those who would change. Were we sincere?

In an official State Department document, No. 131, written by the Secretary of State, Robert Lansing, to Ambassador Page in Great Britain, we find this statement:

This task of championing the integrity of neutral rights, which have received the sanction of the civilized world against the lawless conduct of belligerents arising out of the bitterness of the great conflict which is now wasting the countries of Europe, the United States unhesitatingly assumes and to the accomplishment of that task it will devote its energies, exercising always that impartiality which from the outbreak of the war it has sought to exercise in its relations with the warring nation.

That was written in 1915, October 21 to be exact, and is the last in a series of 35 paragraphs detailing the interference of Great Britain with the neutral commerce of America.

In a letter to Ambassador Gerard in Germany Secretary Lansing quoted President Wilson's thought on surrender of neutral rights:

For my own part I cannot consent to any abridgement of the rights of American citizens in any respect. The honor and self-respect of the Nation is involved. We covet peace and shall preserve it at any cost but the loss of honor. To forbid our people to exercise their rights for fear they might be called upon to vindicate them would be a deep humiliation indeed. * * * Once accept a single abatement of right, and many other humiliations would certainly follow, and the whole fine fabric of international law might crumble under our hands piece by piece.

I am speaking, my dear Senator, in deep solemnity, without heat, with a clear conscientiousness of the high responsibilities of my office as your sincere and devoted friend. If we should unhappily differ, we shall differ as friends; but where issues so momentarily momentous as these are involved we must, just because we are friends, speak our minds without reservation.

Another State Department draft instructions to chargé in England September 22, 1916, excoriating British delays, "If the British Government is expecting an attitude of benevolent neutrality" on our part—a position which is not neutral and which is not governed by the principles of neutrality—they should know that nothing is further from our intention. (Not sent on orders by President Wilson.)

In the American Journal of International Law we find these principles stated:

If it were not true that a neutral state may add to or modify its rules during the course of a war, it would be necessary for states to enact in time of peace elaborate and practically omniscient legislation covering every conceivable contingency. In regard to newly developed instruments of warfare this would be impossible. States could scarcely have enacted, say, in 1910, adequate neutrality laws to cover all questions raised during the World War in regard to submarines, aircraft, and radio.

The neutral state which takes action under this article may be required to bear the burden of showing that the change in its rules was induced by its own neutral necessities and not by the desire to aid one or the other belligerent. The practice of states does not indicate the existence of a belief in any general legal principle which would require a neutral state to adopt all its neutrality regulations before war breaks out and to maintain them without modification during the course of the war.

When the preamble of the Thirteenth Hague Convention was under discussion at the conference, it appeared that many of the delegations held the view that a neutral state might tighten up its rules, but might not relax them. In the first draft of the convention the preambulatory statement appears as follows:

"They (i. e., the high contracting parties) recognize that the impartial application of this law to all the belligerent parties is the very principle of neutrality and that from this principle falls the reciprocal inhibition of changing or modifying their legislation on this subject while a war exists between two or more of them, except in the case where experience might demonstrate the necessity of adopting measures more rigorous in order to safeguard the rights of neutrals." (3 Proceedings of the Hague Peace Conferences: The Conference of 1907, p. 719.)

From the evidence available it seems to be true that some of the European neutrals did change their rules because of belligerent pressure. In doing so, however, some of them at least appear to have been animated not by a desire to aid the belligerent's cause but by a desire to avoid the retaliatory belligerent pressure upon their economic life which they believed would have resulted from a refusal to yield.

It is remarkable how few citations there are in this debate from the most recent example of this whole question, the proposed oil embargo in the Italo-Abyssinian war. I will include a column by Walter Lippmann so that the background of this affair may be recognizable in its germaneness to present-day discussions:

TODAY AND TOMORROW

(By Walter Lippmann)

BAD LAW FROM A HARD CASE

When, on November 15, 1935, Secretary Hull declared that "certain commodities, such as oil, copper, trucks, tractors, scrap iron, and scrap steel * * * are essential war materials," and that "this class of trade is directly contrary to the policy of this Government," he took a position which is of such importance that it must be challenged even by those who in the end may find themselves disposed to agree with it.

The first thing to note about Secretary Hull's declaration is that it radically changed the rules of neutrality after Italy had gone to war, and that it changed them radically to the disadvantage of Italy. For in August Congress had specifically declined to put an embargo on raw materials. We have to ask ourselves, therefore, whether we believe that it is wise to establish the precedent that in future wars, especially great wars, the United States may, at the discretion of the President, change the rules at any time so radically that the decision may give the victory to one side rather than to another.

It seems to me clear that such a procedure is wholly inconsistent with the ideal and the practice of neutrality. For if it is known that in a war we may or may not be willing to sell necessary supplies, is it not obvious that by exercising that right to discriminate we make ourselves the arbiter of the balance of power? The United States is by all odds the largest reservoir of war supplies on the face of the earth. To open or close access to that reservoir after war has begun, or to have different rules for some wars than for others, means simply that, at the discretion of the President, the immense weight of the United States would be used to help one side or the other. Such a policy would be regarded as a virtual alliance by the beneficiary and almost as bad as outright belligerency by the victim. It would mean that, since the United States reserved the right to discriminate and thus perhaps to decide the outcome of the war, the United States would be entangled at all times in one way or another in the shifting alinements of the European world. It would mean that the Government would be subjected to every kind of diplomatic pressure from abroad, that American opinion would be subject to every kind of propagandist pressure, that the American electorate would be divided in accordance with its European sympathies.

These considerations are sufficient, it seems to me, to exclude as unwise and impracticable a policy which would change the rules of neutrality after war has begun or just before it breaks out. Whatever the rules are to be they must be rules that are known in advance and are sincerely applied.

It may be assumed that this will be the decision of Congress and that this decision will accurately reflect the sentiment of the American people. If we take this for granted—that Congress will give the President administrative discretion but no substantial power to discriminate in important matters of neutral policy—then we may ask whether the President and Secretary Hull really desire to establish as the fixed rule of the United States that the export for war purpose of "essential war materials" is "directly contrary to the policy of this Government." Essential war materials, in any realistic sense, include not merely oil, copper, iron, and steel, but cotton and food as well. An army cannot fight without weapons. It cannot shoot without cotton. It cannot move without fuel. It cannot exist without food and clothing.

Now suppose we refuse these supplies to Italy. Suppose Congress puts the policy into the law, prohibiting the export not only of weapons but of "war materials." Then suppose Italy goes to war with the British Empire and with France. Or suppose Germany goes to war with France and Britain. Is the United States to close its markets to virtually the whole of Europe and to Canada as well? Is it not evident that if we apply to all belligerents the policy we are now applying to Italy, that we shall ruin ourselves and them; that if, on the other hand, we do not apply it to them, then we are flagrantly unneutral in spirit and in practice, and liable to almost any kind of reprisal?

The present maneuvers to deny oil to Italy may look like "cooperation" with the League against an aggressor: the same policy applied in a great war would endanger if it did not destroy the powers who are the backbone of the League. We should be cutting our own throats by stopping practically all our exports and the British and French throats as well.

As a matter of fact, it is an impossible policy. The American people have a very small stake in the Italian war trade: The October oil exports amounted to less than $1,000,000. But the export trade with the British Empire is a wholly different thing, and a policy which stopped that trade would produce a devastating depression in the United States. It is not likely that Congress would actually, when the copper and cotton and oil piled up at home, permit the embargo to be enforced. But if it did not, the United States would have ceased to be neutral, having changed the rules for the benefit of Britain.

Surely it is not wise to make a rule of neutrality that cannot be lived up to except at an intolerable cost and cannot be changed without ceasing to be neutral.

It seems to me that having applied the congressional embargo against weapons, having announced on October 4 that war trade would not have diplomatic protection, the administration, then, on

October 10, took a path which it cannot follow through to the end. It made the mistake, I venture to believe, of letting the broad policy of the United States be determined by the very peculiar, the very exceptional, and the very temporary circumstances of the Ethiopian war and the League's half-hearted sanctions. It set out to stop the export of oil to Italy partly because it did not wish to be accused of breaking down the League's sanctions, partly because it did not wish to find itself responsible for a League blockade to stop American oil from reaching Italy.

But it overlooked the fundamental fact, I think, that the United States cannot have one neutral policy for Italy in the Ethiopian war and a different policy if there is a war between Italy and Great Britain, or between Germany and the League. It has proceeded to develop a policy which, though it may seem suitable while the League is dealing mildly and reluctantly with Italy, would be absolutely disastrous to ourselves, and to the League as well, in the event of a great European war.

There is an old adage among lawyers that hard cases make bad law. The League's experiment with Mussolini is a hard case, a very peculiar case, and we are in considerable danger of making out of it some very bad American law.

The noted scholar, L. H. Woolsey, has this to say:

Another important factor is that of sentiment. There is always sympathy for the underdog, particularly if he has been inoffensive. It is manifest in the current conflict. There is also sympathy for the difficulties of peoples of the same race, customs and ideals, other things being equal. Undoubtedly, this feeling actuated a large proportion of the population of the United States during the World War. The economic injury of embargoes or the ruthless killing of Americans, although traveling at their own risk, are likely to cause a revulsion of feeling. Such feelings cannot be allayed by legislation or by the admonitions of the Government. Injury and deprivation and perhaps insult would not tend to make the American people maintain neutrality and like it. Could our Government successfully deprive the people of such essential articles as rubber, nickel, tin, etc., from a belligerent in reprisal for our own embargo?

The extra legal effort of the administration to hold down the exportation of petroleum and other articles to Italy to normal peacetime shipments was clearly an attempt to change the rules during the game. Congress had declined to take or confirm such a step. To be a neutral means to take no sides. The alternative is to pay damages. In harmony with this doctrine, the last joint resolution eliminated the optional "may" in respect of embargoes on subsequent belligerents and discarded neutrality under certain conditions in respect of Latin-American countries. During the World War certain Latin-American countries assumeda benevolent neutrality toward the United States as a belligerent before they became belligerents themselves. It was deemed necessary, therefore, to insert article 439 in the Versailles Treaty exempting them from damages for their unneutral acts. When, in the World War, the control of the seas made the sale of munitions by American concerns fall unequally upon the belligerents, the United States denied that it could then offset the inequality by prohibiting the sale to both. This illustrates the international law on the subject which cannot properly be modified by unilateral legislation. It is no answer to say that the laws of neutrality have been violated so often that they cease to exist. In the past, damages have many times been collected for such breaches. It is, therefore, quite impossible to obtain an impartial application of the rules of neutrality in the beginning of a war, and illegal as well to try to achieve it by subsequent changes in those rules. Moreover, the last joint resolution recognizes the inequalities of neutrality when it comes in conflict with our special interests, as, for example, the interests served by the Monroe Doctrine.

A third fallacy in regard to neutrality is that a country may be neutral and at the same time exercise discretion in determining the moral issues of a war; that is, in determining the aggressor, applying sanctions, or discriminating in the application of neutrality laws. Such discretion is the antithesis of neutrality. The two ideas are as immiscible as oil and water. This view was quite properly upheld by Congress in the joint resolutions. The subsequent threat of "sanctions" against Italy through suasion and direct intimidation of American citizens and concerns was a misconception of the rules of neutrality as well as its spirit. It may, of course, be a fair question as to whether the policy of the United States should be based upon neutrality or partiality, but it cannot be based upon both. To apply the moral criterion to war and to take measures against the aggressor is an unfriendly act leading to participation in the war. It is purely a taking of sides. The sanctionists believe that everyone should stand for what is conceived to be the right and that therefore neutrality is immoral since it fails to distinguish between the right and the wrong. On the other hand, a practical consideration is that the moral concept will lead countries to strive for self-sufficiency, to become armed camps, to prime the gun for another conflict.

In the American Journal of International Law, Phillip Marshall Brown makes the same reference in an article entitled "Malevolent Neutrality," anent the attempted changes by the State Department in the Italian-Abyssinian dispute:

In spite of official disclaimers, it should be abundantly clear that instead of sedulously adopting a policy of strict impartiality and of nonparticipation in the war between Italy and Ethiopia, the United States is actually taking sides against Italy and thus exposing this country to the accusation of being not merely unneutral but also of being an enemy. Italy might well object that this is war, even though it may have to abide its time in demanding a reckoning, as did the United States in the case of the *Alabama*.

Senators CLARK and NYE were quite sound in formally warning Senator PITTMAN, chairman of the Senate Committee on Foreign Relations, that—

It will be impossible for Congress to form a policy later without incurring representations that such a new policy involved the taking of sides against one particular belligerent. * * * As your committee is aware, every embargo after a war is declared affects belligerents unequally.

And Congressman Maverick, of Texas, was also right when he said:

If the President is delegated optional power to declare embargoes, * * * he is, in effect, given the power to declare war.

If the policy advocated and applied by the present administration toward Italy be qualified as neutrality, it is necessary obviously to revise all previous notions of neutrality. It would rather appear to be an idealistic form of international opportunism which might better be qualified as malevolent neutrality. Italy certainly could not regard it as benevolent in character.

It is interesting at this time to recall the statement of President Wilson as given by Professor Seymour:

We are champions of peace and of concord, and we should be very jealous of this distinction which we have sought to earn.

Professor Seymour comments by saying:

Wilson's determination was strengthened by his obvious failure to distinguish between the war aims of the two sides. He did not at first see the moral issue involved. He was anxious to "reserve judgment until the end of the war, when all its events and circumstances can be seen in their entirety and in their true relations." When appeals and protests were sent to him from Germany, Belgium, and France dealing with infractions of the law and practices of nations, he was willing to return a response to Germany, which had confessedly committed an international wrong, identical with that sent to Belgium, which had suffered from that wrong. Wilson has himself confessed that "America did not at first see the full meaning of the war."

Mr. RANKIN. Will the gentleman yield?

Mr. SHANLEY. Yes.

Mr. RANKIN. As a matter of fact, Woodrow Wilson's principles were laid down in the 14 points.

Mr. SHANLEY. That is correct.

Mr. RANKIN. In his message to Congress in 1917. The Versailles Conference overruled Mr. Wilson on those 14 points, and if those 14 points had been reenacted into the Versailles Treaty, Europe would probably have been at peace all of these years, and this war would not be going on.

Mr. SHANLEY. As a matter of fact the same selfish impulses prevented the experimental changes that Mr. Wilson wanted in that pact, but that pact was never as he wanted it. Wilson wanted what Jefferson and Franklin wanted. In my estimation the three men in all American history—Franklin, Jefferson, and Franklin D. Roosevelt—know more about foreign affairs than any three men in our history.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield.

Mr. ALLEN of Pennsylvania. In the Hague Conference of 1907, regarding a change of rules during the conduct of war, these sentiments were declared:

These rules should not in principle be altered in the course of a war by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power.

A neutral nation has the right to decide whether or not a change inheres to its own benefit?

Mr. SHANLEY. Positively, but there is a history behind that Hague statement which does not help your cause.

Mr. ALLEN of Pennsylvania. And not the belligerent?

Mr. SHANLEY. Positively.

Mr. ALLEN of Pennsylvania. We have a right at any time, in our own defense or for our own welfare, to change the rules in the middle of the game?

Mr. SHANLEY. We have a right, provided we are sincerely attempting to strengthen our neutrality.

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

Mr. SHANLEY. I yield.

Mr. HAWKS. Was it not the leadership of those very same nations to which we are supposed to be sentimentally attached, that destroyed any opportunity for permanent peace in this world after the last World War?

Mr. SHANLEY. I believe that is true.

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

Mr. SHANLEY. I yield.

Mr. HINSHAW. May I reply to the gentleman who propounded the question a moment ago, by reading from an approved convention of a research on international law——

Mr. SHANLEY. Well, I do not want to go into that.

Mr. HINSHAW. It is just one sentence.

Mr. SHANLEY. Very well.

Mr. HINSHAW (reading):

> A neutral state which takes action under this article may be required to bear the burden of showing that a change in its rules was induced by its own neutral necessities and not by the desire to aid one or the other belligerent.

[Applause.]

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

Mr. SHANLEY. I yield.

Mr. RANKIN. At least 99 percent of the House and Senate say that they want to keep America out of this war. For that reason many of them prefer the Senate bill to the House bill, because the Senate bill provided for keeping American ships and American citizens out of the war zone. If the present law is simply added to the provisions of the Senate bill, will that not put us in a stronger position to keep us out of this war?

Mr. SHANLEY. I agree.

I do not know of a single military expert who says that this war can end in anything but a stalemate. I want this country to be in a position to act as peacemaker, because as Pope Pius XII yesterday said, and I have already pointed out—

> War never decides anything. War produces revenge. War gives to the victor failure to exercise those views which one has.

Martin Luther in his Table Talks remarked—

> War is one of the greatest plagues that can afflict humanity; it destroys the state; it destroys families; it destroys religion. Any scourge is preferable to it. If Adam had seen in a vision the horrible instruments his children were to invent, he would have died of grief.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield to the distinguished gentleman from Texas.

Mr. LUTHER A. JOHNSON. Did I understand the gentleman correctly to say that if we had repealed the arms embargo before the war started in September there would have been no war in Europe at this time?

Mr. SHANLEY. I said that was my humble opinion, and I believe the gentleman agrees with me.

Mr. LUTHER A. JOHNSON. The gentleman denominates his opinion as humble, but I believe the gentleman in that statement is correct.

Mr. SHANLEY. I know the gentleman agrees with me, and I know that he is sincere. I know that many Members in this House, including the distinguished gentleman now in the chair, marveled at the grasp our President had of the situation. Let me tell you that when the time for peace comes our President is going to be able to use his influence, and I do not want to see him do it in this way, by way of the Pittman bill.

Mr. Speaker, I was honored last May, along with our distinguished Speaker, William Bankhead; our able majority leader, Sam Rayburn; the great Secretary of State, Cordell Hull; our Foreign Affairs Committee chairman, Sol Bloom; my colleague, James Richards; and the State Department technician, Carlton Savage, in being invited to the White House. I was convinced then in the conference with these men and the President that a repeal of the embargo might well contribute to universal peace. As a matter of fact, I announced that I was against embargoes, anyway, as my 5 years' experience in the committee had convinced me of the futility of attempting to anticipate reality by advanced guesses as to what the next war would need in the way of embargoes. Hence I was eager to go along with the administration's desire to sweep out the arms embargo. I wish, however, to go on record in supporting the announced convictions of my colleagues that we might well stop the World War by such conduct. I think that my colleagues on the committee will endorse my statement that then was the time to wipe out the embargo, else it would be too late when war broke out. Perhaps I should say "if" instead of "when," for none of us probably anticipated that eventuality.

Yet to say that since we started to eliminate the embargo before the war commenced that desire might carry over after the war is to forget that what we intended to do was to deter one set of belligerents, if not to bulwark our neutrality. Once war did break out, our action was limited by that war, the historic principles of neutrality, and our proclamation of neutrality. When the motive only existed to deter, we could not accept another to discriminate and still honor the principles of strict and impartial neutrality.

I know one authority so anxious to preserve a semblance of neutrality that he is willing to go so far as to say that even if the motive in a contemplated change were unprovable, it would be unneutral if the obvious effect is to help one side particularly. Of course, in the instant case, the overwhelming weight of popular support would answer that the motive was to help one set of belligerents. I challenge any man to say that this is not the expressed and implied motive. I know that none will accept it because hypocrisy is too heinous a crime in international relations to endorse it.

Along with Professors Hyde and Jessup, Prof. E. M. Borchard, of Yale, has said:

> It is the relaxation plus the discrimination knowingly intended to be discriminatory which condemns the lifting of the arms embargo as illegal. * * * No one can have a clear conscience about lifting of the arms embargo as a neutral act. It is avowed by practically everyone concerned as designed to aid one particular group of belligerents. Those who do not avow it simply add disingenuousness to illegality.

Nothing is more dogmatically admitted in the realm of international law than the prohibition against a government per se sending out contraband. Since the United States Government in its official capacity cannot sell arms and munitions it certainly seems to follow that it cannot take pains to have its law changed so as to permit that sale after war has broken out. Remember it is the Government which is so zealously seeking this change in the law to repeal the embargo at this time.

The same distinguished Yale professor of international law in another place pointed out how neutrality had obtained the benefits from four centuries of experience in a precarious and harassed world:

> That experience had taught that if war breaks out in this world of motley nations it is better to limit the area of combat, to regulate and humanize its conduct, to keep out of war as many nations and peoples as possible, to cultivate philosophic detachment and impartiality toward the struggle, to aid neither side, to permit nonparticipants to continue the processes of life and thus enable the warring nations the sooner to recover from their orgy and restore normal relations. Every addition to the number of belligerents makes more destructive the course of a war and more difficult the conclusion of a sane peace.

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

Mr. SHANLEY. Yes; I yield to my distinguished chairman.

Mr. BLOOM. I believe the gentleman stated that it was a horrible thing to send all these planes and munitions to Europe. Is that right?

Mr. SHANLEY. I did not say that.

Mr. BLOOM. What did the gentleman say, then, about the shipping of these things to Europe?

Mr. SHANLEY. I said that under international law we had that right.

Mr. BLOOM. Mr. Speaker, will the gentleman yield further?

Mr. SHANLEY. Certainly.

Mr. BLOOM. Under international law this country would have the right to ship all of these things to Europe just as the legislation now pending before us calls for, would it not?

Mr. SHANLEY. Under the Pittman bill?

Mr. BLOOM. Yes. The legislation this House has under consideration right now. Under international law this country could send and do everything that is called for in this legislation, could it not?

Mr. SHANLEY. Absolutely, provided it was done before the war starts.

Mr. BLOOM. There is no proviso in my question. I just say that under international law we could do it.

Mr. SHANLEY. Before the war started.

Mr. BLOOM. Mr. Speaker, will the gentleman yield further?

Mr. SHANLEY. Gladly.

Mr. BLOOM. The gentleman knows the question. I am not assuming a time before or after war starts, I am just asking a plain question and I know the answer that the gentleman should give. Under international law this country would have the right to send to any part of the world the things specified in the pending bill, and do everything that is called for in this legislation we have under consideration.

Mr. SHANLEY. Why that is elementary. I did not think you were leading up to that. I submit that the gentleman forgets the essential fact that it is international law however which prevents the change during war by a neutral to deliberately help one side. Obviously international law does not care whether you impose embargoes or not. Shipments of munitions are the privilege and prerogative of the national involved. But when you do place an embargo or do not, as the case may be, international law will watch the motive by which you change either way. I think that is a primary tenet. You, yourself, asked a witness who was distinctly favorable to all administration efforts to penalize aggressors and he said that it would be unneutral to change the rules after hostilities commenced.

Mr. ALLEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield.

Mr. ALLEN of Pennsylvania. The point which I believe has not been clarified yet is that a neutral nation for its own defense has the right to change the rules in the middle of a game. If this Government feels that it will react to our own benefit, increase our own security, it has the right under international law at any time to change the rules, even though it does affect a belligerent. The gentleman's own amendment changes the rules, for it contains provisos not in existing law.

Mr. SHANLEY. That question is just what I welcome at this time. We have a right to change during war, for it is during war that the necessity for change is apt to be most pressing.

I dislike to repeat this thought because it ought to be most obvious that our changing must be with the sincere intent to strengthen or perfect our neutrality; never to weaken. Motive must be helpful though motive is often obscure. The old legal maxim that even the devil knoweth not the heart of man is most pertinent. However, the motive behind the present bill is so clear, so notorious, and so emphasized that one need not worry about subjective intent. Even if motive is not ascertainable, there are those who believe that when the purpose is so evident motive ought to be implied. One might well speculate what would happen if a cleverly concealed plan was perfected to change a law, but the motive was so cushioned that you could not put your finger on it from official sources. It is submitted that it would be difficult to conceal it, for the people in the street would know the answer and that would be too notorious for official hypocrisy.

Mr. ALLEN of Pennsylvania. In the gentleman's opinion it strengthens our neutrality.

Mr. SHANLEY. Yes.

Mr. ALLEN of Pennsylvania. But that is not capable of proof. In the opinion of the majority of the Senators of the United States it does not strengthen our neutrality. It is this Government which has the right to decide that.

Mr. SHANLEY. John Bassett Moore, the dean of international law, the foremost international authority, wrote me a letter in response to an inquiry. You know who John Bassett Moore is. You have profound respect for him. John Bassett Moore for over a half century has been the leading international jurist of the world. He said in this letter, which I will put in the RECORD, that this is absolutely unneutral.

Mr. ALLEN of Pennsylvania. I agree it would have been far more preferable to have changed this law last summer when we had it before the House, but there is no danger in doing it now and we are within our neutral rights in so doing. If we delay again it may be impossible at some future date for us to make a change.

Mr. SHANLEY. I cannot go along with that thought. The gentleman cannot quote a single man under those specifications who will agree with him. Look at Jessup, look at Hyde, Borchard, Moore, to cite a few. My heart bleeds for Czechoslovakia, Poland, and those other countries. My people for 300 years have been able to send men all over this world to fight for liberty, but today in this land of ours I want neutrality because our country is the only citadel that can preserve neutrality. [Applause.]

Mr. Speaker, I do not want to get emotional, but I am stirred just as much as anybody here about the ravages of the dictators in Europe.

I wish to say that no statement has done so much to complete the argument of those who oppose repeal as did that made jointly by Professors Jessup and Hyde in their scholarly letter to the New York Times, September 20, 1939, in that paper's great forum:

> To put it differently, the Congress must first consider and decide whether any legal duty rests upon the United States as a neutral not to remove the embargo.

That summary of the first point in all this discussion heads their thought. They add:

> While peace reigned no international obstacle hindered Congress from legislating as it might see fit. With the outbreak of war, however, the situation changed overnight. The United States found itself, and still finds itself, as a neutral burdened with a number of well-recognized duties toward all of the warring states.

That is what I would stress more than anything else—the fact that we have well-recognized duties toward belligerents, the violation of which might and will subject us to damages and repercussions. We cannot shift, alter, or change these duties at will so long as we pretend to mantle our policy under the aegis of international law. Let me quote again:

> The fact that these duties are owed to a belligerent with whose policies it has no sympathy does not change the duties; it merely makes it extremely hard for the nation to keep its balance and to be guided by its head rather than its heart.
>
> Its government must remain strictly impartial, whatever be the feelings of the people; it must not itself furnish aid to any belligerent; it must not take sides in the war; it must not directly or indirectly assist a favored belligerent at the expense of its foe.
>
> It is true that international law does not normally oblige a neutral state to prevent its citizens from exporting munitions of war from its territory. Yet the freedom from such an obligation vanishes when once the government of the neutral has itself undertaken, as by its statutory law enacted in time of peace, to forbid exportations to belligerents and has made the matter of exportation one of government control. Thereafter, when war ensues, it requires affirmative governmental action to permit exportations of previously forbidden articles from neutral territory.
>
> Hence, relaxation of embargoes after the outbreak of war may, in fact and in law, amount to governmental participation in the conflict.

Here again we must not allow the heart to dictate.

The next passage is important because it stresses the difference between subjective and objective neutrality.

> This is obvious if or when the reason for removing a particular embargo is to aid the cause of one or more of the fighting states which will vastly profit from such action because of their command of the seas. In such a situation the neutral purveyor becomes the special support or prop of the favored belligerent, and the government as well as the people of the neutral becomes in reality a participant in the conflict. Such conduct is under such circumstances unneutral and is contemptuous of the legal duty which the law of nations imposes upon every neutral sovereign.

These two scholars, Professor Hyde and Professor Jessup, continue in this timely article or letter.

Because of the announced intent to change in favor of help to England and France—we are virtually an ally of

them—we will not give them the men to handle the guns but we will give them the guns.

Hyde and Jessup say this is illegal and unneutral and if done will prove most embarrassing and hypocritical.

On purely technical grounds the reason is given by them as:

The precise ground of objection would be that our Government, having in time of peace asserted control over and forbidden the exportation of munitions in wars which might ensue, cannot relax its grip without affirmative congressional action; and that such relaxation, being the direct expression of a notorious desire to help a particular cause, constitutes a governmental taking of sides which is unneutral and illegal.

Thus these two factors—the governmental control already achieved by an act of Congress and a governmental desire to relax and control so as to help France and England—would combine to produce a result that the opposing belligerent Germany would pounce upon to establish the unneutral aspect of embargo-removing legislation.

I wish to conclude with statements from what I consider one of the best codifications of international law ever made or proposed. It is a draft convention with comment of the Rights and Duties of Neutral States in Naval and Aerial War, prepared by the research branch in international law of the Harvard Law School.

The work was done under the auspices of the faculty of the Harvard Law School under the direction of Manley O. Hudson. The reporter was the distinguished authority, Philip Jessup, and his executive and advisory committee are a galaxy of the most brilliant stars in the field of international law. I suppose that there were many compromises in this preparation and many disagreements, but to find a draft prepared before the present war came with all its problems, prejudices, and personalities is to come close to discovering international law in a vacuum bereft of individual ideological influences and kindred drawbacks.

Here are salient extracts:

[The American Journal of International Law, sec. 2, vol. 33, No. 3, July 1939]

NEUTRALITY IN NAVAL AND AERIAL WAR

Article 4

A neutral state, in the exercise of its neutral rights and in the performance of its neutral duties, shall be impartial and shall refrain from discrimination between belligerents.

Article 5

A neutral state shall abstain from supplying to a belligerent assistance for the prosecution of the war.

Article 6

A neutral state shall use the means at its disposal to prevent within its territory the commission of any act the toleration of which would constitute a nonfulfillment of its neutral duty; the use of force for this purpose shall not be regarded as an unfriendly act.

Article 11

Subject to the provisions of article 4, a neutral state may, for the purpose of conserving its own supplies or of safeguarding its neutrality:

(a) Place prohibitions upon the shipment or departure from or transit through its territory of arms, ammunition, and implements of war.

(b) Place prohibitions upon the shipment or departure from or transit through its territory of articles or materials other than arms, ammunition, or implements of war.

(c) Place prohibitions upon the granting of loans or credits by persons subject to its jurisdiction.

Article 13

A neutral state, for the purpose of better safeguarding its rights and interests as a neutral or of better fulfilling its duties as a neutral may, during the course of a war, adopt new measures or alter the measures which it has previously adopted; provided, however, that the new measures adopted do not violate any provision of this convention.

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COMMENT ON ARTICLE 4

It is believed that the most essential element in neutrality is impartiality, and it is this principle which is therefore selected to receive the emphasis given it by this position. * * * The principle itself is inherent in the nature of neutrality. * * * The United States in 1793 committed itself to the doctrine of impartiality, thus strengthening the precedents set by the Italian states a few years before (3 Martens, Recueil (2d edition), pp. 24, 47, 53, 65, 75), and by the members of the Armed Neutrality of 1780.

(Jefferson to Pinckney, September 7, 1793, 1 American State Papers, Foreign Relations, p. 239)

So long as a neutral nation shall confine itself to strict measures of impartiality, allowing no benefit to one belligerent, not stipulated by treaty, which it shall refuse to another, no cause whatever is afforded for exception or complaint. (Special committee of the United States Senate, 3 ibid., p. 297.)

The impartiality required of a neutral is a technical rather than a factual lack of discrimination; it is subjective rather than objective. During the World War, for example, the United States declared to Austria-Hungary that it was not lacking in impartiality "in continuing its legitimate trade in all kinds of supplies used to render the armed forces of a belligerent efficient, even though the circumstances of the present war prevent Austria-Hungary from obtaining such supplies from the markets of the United States * * *." (United States Foreign Relations, 1915, Supplement, p. 795.)

In 1870 Lord Granville informed the Prussian Minister, Count von Bernstorff:

"That such a doctrine (as benevolent neutrality) is untenable will not be universally admitted; while it must be as generally admitted that it would be a real departure from neutrality for a neutral to change, without general consent, its practice * * * because such practice might incidentally be more or less favorable to one of two belligerents." (61 British and Foreign State Papers, p. 876.)

Whether changes in neutral practices may be made during war for other reasons is considered infra in the comment under article 13.

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COMMENT UNDER ARTICLE 13

As already indicated in the comment under article 4, the impartiality required of a neutral state is a technical rather than a factual impartiality; the neutral state is under no duty to attempt to equalize conditions thrown out of balance by geographical factors or by the relative power of the contesting parties on the sea, in the air, on land, in supplies of raw materials, or in industrial equipment. The task confronting the neutral state which takes action under this article is to make certain to itself and clear to other states that the motive inducing the adoption of a new rule or regulation, during the course of a war, is the product of its concern to act strictly in accordance with the laws of neutrality and not the result of a desire to aid one or the other belligerent.

If it were not true that a neutral state may add to or modify its rules during the course of a war, it would be necessary for states to enact in times of peace elaborate and practically omniscient legislation covering every conceivable contingency. In regard to newly developed instruments of warfare, this would be impossible. States could scarcely have enacted, say in 1910, adequate neutrality laws to cover all questions raised during the World War in regard to submarines, aircraft, and radio.

The neutral state which takes action under this article may be required to bear the burden of showing that the change in its rules was induced by its own neutral necessities and not by the desire to aid one or the other belligerent. The practice of states does not indicate the existence of a belief in any general legal principle which would require a neutral state to adopt all its neutrality regulations before war breaks out and to maintain them without modification during the course of the war.

When the preamble of the Thirteenth Hague Convention was under discussion at the conference, it appeared that many of the delegations held the view that a neutral state might tighten up its rules but might not relax them. In the first draft of the convention the preambulatory statement appears as follows:

"They (i. e., the high contracting parties) recognize that the impartial application of this law to all the belligerent parties is the very principle of neutrality and that from this principle falls the reciprocal inhibition of changing or modifying their legislation on this subject while a war exists between two or more of them, except in the case where experience might demonstrate the necessity of adopting measures more rigorous in order to safeguard the rights of neutrals." (3 Proceedings of the Hague Peace Conferences: The Conference of 1907, p. 719.)

From the evidence available it seems to be true that some of the European neutrals did change their rules because of belligerent pressure. In doing so, however, some of them at least appear to have been animated not by a desire to aid the belligerents' cause but by a desire to avoid the retaliatory belligerent pressure upon their economic life which they believed would have resulted from a refusal to yield.

Mr. Speaker, I have quoted too often the Curtiss-Wright case on this floor to repeat it at this time. I approve a singular statement that was made by the President himself in his Chautauqua speech of August 14, 1936, where he said:

The effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of the President and Secretary of State.

But I believe that our historic policy of neutrality has been accepted as a restriction on the President's action in foreign affairs.

I believe that our people are anxious to have a strict and impartial neutrality and because I believe that I oppose the repeal of this embargo. I am not one of those who believe that we will be brought into war because of this repeal, but I am one of those who believe that if subsequent steps are taken beyond this repeal that we will be stepping on dangerous ground.

I am confident that the President of the United States has the greatest opinion of any leaders in the world to so channel our actions that when the time for peace comes we can offer an impartial but firm and wise assistance, but I am aware also that such a course is not without its dangers and it behooves the American people to study all its implications.

Mr. RANKIN. The gentleman does not contend, as I understand, that the adoption of the Senate amendment to keep American ships and American citizens out of the war zone would be an unneutral act?

Mr. SHANLEY. No. That strengthens our neutrality; that is absolutely right, though I have been against cash and carry. I said that when a war breaks out you have two sets of belligerents. Both sets of belligerents are just jungle cats. They want to fight and they are going to spread their fight all over the world. It is the duty of a neutral, and it is our duty particularly, to prevent them from doing that and to quarantine them, you might say, within their own area, to prevent them from encroaching on our rights. If we do that we will be neutral. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLOOM. Is the time to be allotted alternately between the sides?

The SPEAKER. The Chair will recognize the gentleman from New York [Mr. BLOOM] is he desires recognition.

The gentleman from New York is recognized for 1 hour.

Mr. FISH. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. BLOOM. I yield.

Mr. FISH. Mr. Speaker, I have not lost any of my rights as to distribution of time?

The SPEAKER. The gentleman controls all the time on his side during the entire day, unless that order is changed.

Mr. BLOOM. Mr. Speaker, I shall first try to explain to you something about the bill, and then I should like to answer my good friend the gentleman from Connecticut [Mr. SHANLEY], after I have made my statement with reference to the bill.

Mr. Speaker, the House once more faces the duty of taking measures which, in the best judgment of Congress, will keep the United States out of war.

The aim of all neutrality legislation has been to keep the country out of war.

No matter how many points are covered, no matter what is put in or left out, no law is good if it falls short of what law can do to keep us out of war. The best that any country can do is to deal with realities and shape its course accordingly, for the purpose of maintaining its peace.

Regardless of differences of opinion as to details, Congress reflects the determination of the people to avoid war. It is fortunate that differences of opinion as to details have not divided Congress or the people on this fundamental question.

We can now take up the changes made by the Senate to House Joint Resolution 306, with the certain knowledge that both Houses of Congress are agreed upon the single purpose of avoiding war. By conceding that good faith has been observed by all, we can more easily adjust the disagreement between the two Houses and accomplish what all of us and the people themselves desire.

When House Joint Resolution 306 was passed by this body last June there was peace in Europe. It was an uneasy peace, I admit, but at least it was not war. There was great hope in all countries that war would be avoided. Many men in both Houses of Congress believed that war would not break out. They were advised by some of their leaders, who claimed to have special information, that war would not occur this year.

Members of the House dealt with the joint resolution in view of the world conditions that then prevailed. The resolution was framed to insure the neutrality of the United States by revising the act of 1937 so as to include new provisions made necessary by changing conditions. These provisions restricted the travel of American citizens, curtailed the usual practices of commerce and the financing of commerce, and otherwise limited the exercise of unquestioned American neutral rights for the sake of avoiding war.

It was contended at that time that repeal of the embargo upon arms, ammunition, and implements of war would have a tendency to encourage foreign war into which the United States might be drawn. Members of the House were urged to take no action upon what was described as a controversial question. They heard such arguments as this: "There is no war. We are assured that there will be no war if all countries exercise caution and patience. Let us not stir up anything. Let well enough alone. Do not disturb foreign countries by changing our policy just now. Let the embargo stand, and there will be no war."

Undoubtedly many Members of the House voted to retain the embargo in the belief that they were helping to maintain peace in Europe. Some of them did not approve of the embargo. They knew that it was contrary to American policy as established by George Washington and continued for nearly 150 years. They wanted to return to the true neutrality that had kept us out of many foreign wars. But they reasoned that perhaps it was better to let the embargo stand so long as there was still peace in Europe rather than take the risk of stirring up bad feeling in countries that seemed to be trying to keep the peace.

Unfortunately for these Members, and unfortunately for the world, war did break out. The retention of the embargo did not stop it. The United States cannot be accused of starting the war, nor can it be claimed that retention of the embargo delayed the war by a single day. The theory that Europe would be dissuaded from war if the United States would keep an embargo upon arms was thoroughly exploded.

The work done by this House in the direction of more certain neutrality was not effective. The outbreak of war abroad made the situation dangerous for us. The President accordingly called Congress into extraordinary session to complete the work of buttressing American neutrality.

When we met, the Senate was confronted with a situation entirely different from the situation that faced the House last June. Instead of peace, there was war. Instead of having helped to postpone war by keeping an embargo on arms, it was evident that the embargo had had nothing to do with discouraging foreign war. The danger of disaster to American ships, crews, and passengers was immediate—and that danger faces us now and will face us until this neutrality resolution is a law.

The Senate took up House Joint Resolution 306 and discussed our problem more than a month. We all know that the discussion was very thorough. The outcome was the passage of amendments to the joint resolution, in which the concurrence of the House is requested.

Although the Senate proposes many changes in the resolution, these changes are in fact of secondary importance, with the exception of the repeal of the embargo upon arms.

The aim of these amendments is substantially the aim of the joint resolution as passed by the House; that is, to keep the United States out of war.

The heart of this legislation is the desire of both Houses, acting in obedience to the will of the people, to hold in abeyance the exercise of some legally established neutral right of the United States to carry on commerce on the high seas, regardless of war.

In this legislation the United States does not abandon its rights, but for the sake of its own security and peace it requires its citizens and ships to refrain from entering areas

where there is danger. This is a voluntary concession to peace. It is a costly concession, but peace is worth the cost. American commerce will suffer, and American citizens will be subjected to inconvenience, but the danger of becoming involved in war will be reduced—and that is what we all desire.

The United States, in adopting this policy, is acting in its own interest, without asking the advice or consent of any other nation. Its rights remain inviolate. It is not discriminating against any other nation when it limits the movements of American ships and travelers. It is not taking sides in the foreign war. Foreign nations may fight or remain neutral, as they please. All of those nations are acting according to their own interests, without regard to the United States. It is our duty to legislate strictly in our own interest. When we guard American territorial waters against the intrusion of belligerents we keep war at a distance. When we keep our ships and citizens out of war areas we keep them at a distance from war.

To those who contend that the United States is going too far by holding in abeyance the exercise of its right-of-way on the high seas I submit this question: Do not all of us, every day, hold in abeyance the exercise of our rights for the sake of safety and peace? At every street corner and at every country crossroad we are careful not to insist too rigidly upon our lawful right-of-way. To do otherwise is to invite collision and death. In certain circumstances it is wrong to exercise a right. Perhaps you are familiar with what happened to a certain individual who was overzealous in defending his rights. The story and the moral are told in this epitaph upon his gravestone:

Here lies the body of Richard Ray,
Who died defending his right-of-way;
He was right, dead right, as he sped along,
But he's just as dead as if he'd been wrong.

Where a part of the world has gone mad, where laws and rights are trampled upon, it is folly for the United States to expect its ships and citizens to be safe in exercising their rights. They will not be safe. They will be slaughtered. The United States would go to war as a consequence, and in that war thousands of other lives would be sacrificed.

If the pending legislation provided for nothing else than prohibition of American shipping and travel in areas where laws do not exist, where death awaits the peaceful traveler, I would support it as the most effective means of keeping us out of war.

There are remote belligerent territories and ports which seem to be unlikely to be the scene of warfare. The Senate proposes that American vessels should be permitted to carry on commerce in those regions, except in arms, ammunition, and implements of war as listed in the President's proclamation.

It is also proposed that ordinary commerce with Canada shall be permitted. These provisions seek to prevent undue and unnecessary limitations upon peaceful American commerce. They will receive careful consideration by the House conferees.

Other Senate amendments intended to make more effectual the safeguards of House Joint Resolution 306 will be examined.

One of the Senate amendments provides for repeal of the Neutrality Acts of 1935 and 1937, including the embargo upon arms, ammunition, and implements of war.

I hope the House will not instruct its conferees to insist upon the retention of section 2 of House Joint Resolution 306, as passed the House, which places an embargo upon export to belligerents of arms and ammunition.

If there was any reason to hope that the embargo would tend to prevent the outbreak of war in Europe, that hope no longer exists. We are now dealing with actual war conditions abroad. We are trying to avoid being drawn in. We are keeping all American ships and citizens from the areas of warfare.

I conclude my remarks by repeating that the aim of all neutrality legislation has been and is now to keep the United States out of war.

Let us now examine the amendment to House Joint Resolution 306 as proposed by the Senate.

Section 1, pertaining to the conditions under which this act shall become operative, is the same as the first section of the joint resolution which passed the House on June 30, 1939.

Section 2 contains provisions relating to American shipping and to transfer of title to goods exported to belligerents. With respect to shipping, it shall be unlawful for an American vessel to carry passengers or articles or materials to a belligerent state. Exceptions are provided for in respect to belligerent territory far removed from the area of active hostilities. For instance, American vessels are permitted to carry any articles or materials—except arms, ammunition, and implements of war—to South Africa, New Zealand, and India. The transfer-of-title provisions of section 2 provide that it shall be unlawful to export or transport from the United States to belligerent territory any articles or materials—except copyrighted articles or materials—until all right, title, and interest therein shall have been transferred to a foreign purchaser. However, whenever exported articles or materials are shipped in American vessels to belligerent territory far removed from the area of active hostilities, transfer of title is not required. For instance, American vessels could carry raw materials from the United States to South Africa without transfer of title.

Section 3 provides that whenever this act shall become operative and the President shall thereafter find that the protection of citizens of the United States so requires, he shall by proclamation define combat areas, and thereafter it shall be unlawful, except under such rules and regulations as may be prescribed, for any citizen of the United States or any American vessel to proceed into or through any such combat area.

Section 4 provides that under certain conditions transportation to belligerent territory by vessels under the direction of the American Red Cross shall be permitted.

Section 5 provides that it shall be unlawful for American citizens to travel on vessels of belligerent states, except in accordance with such rules and regulations as may be prescribed. This is essentially the provision of the existing law.

Section 6 provides that it shall be unlawful for any American vessel engaged in commerce with a foreign state to be armed.

Section 7 provides that it shall be unlawful for any person within the United States to make any loan or extend any credit for a belligerent government.

Section 8 carries the provision of the existing law that persons within the United States shall not solicit or receive any contribution for or on behalf of the government of any belligerent state.

Section 9 embodies the provision of the existing law relating to the American republics.

Section 10 embodies the provision of the existing law on restrictions on the use of American ports, and carries an additional provision relating to alien seamen.

Section 11 contains the provision of the existing law with regard to submarines and armed merchant vessels.

Section 12, relating to the National Munitions Control Board, is essentially the same as in the existing law.

Section 13, with regard to regulations, contains the provisions of the existing law.

Section 14 contains a new provision that it shall be unlawful for any foreign vessel to use the flag of the United States for deceptive purposes.

Sections 15, 16, 17, and 18 are essentially the same as in the existing law.

Section 19 provides for the repeal of the existing neutrality law. However, this repeal shall not affect the validity of the proclamation of May 1, 1937, defining the term "arms, ammunition, and implements of war," which proclamation, until it is revoked, shall have full force and effect.

Section 20 provides that this joint resolution may be cited as the "Neutrality Act of 1939."

This joint resolution constitutes permanent legislation except for subsections (f), (g), (h), and (i) of section 2, which subsections expire at the end of the existing European war. These subsections contain exceptions to the provisions of section 2 pertaining to the carriage of goods by American vessels to belligerents and to the transfer of title to goods exported to belligerents.

CHANGE OF NEUTRALITY POLICIES IN TIME OF WAR

Mr. Speaker, I would now like to call attention to certain statements made with reference to what the gentleman from Connecticut referred to a few moments ago with respect to neutrality policies in time of war.

The preamble to the Thirteenth Hague Convention of 1907, concerning the rights and duties of neutral powers in naval war, contains the following statement:

These rules should not, in principle, be altered, in the course of a war, by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power.

This statement relates to the rules of neutrality covered by the convention. It recognizes that the parties may change these rules for the protection of their rights.

In a memorandum of April 4, 1915, the German Government suggested that to follow the "spirit of true neutrality" the United States place an embargo on the trade in arms. This, in effect, was a suggestion that the United States, during the course of the war, alter its policy at the behest of a belligerent. In his reply of April 21 Secretary Bryan stated:

This Government holds, as I believe Your Excellency is aware, and as it is constrained to hold in view of the present indisputable doctrines of accepted international law, that any change in its own laws of neutrality during the progress of a war which would affect unequally the relations of the United States with the nations at war would be an unjustifiable departure from the principle of strict neutrality by which it has consistently sought to direct its actions, and I respectfully submit that none of the circumstances urged in Your Excellency's memorandum alters the principle involved. The placing of an embargo on the trade in arms at the present time would constitute such a change and be a direct violation of the neutrality of the United States. (Foreign Relations, 1915 Supp., 162.)

The position of the United States was clarified in a note on the subject, sent to Austria-Hungary on August 12, 1915. After referring to the preamble to the Thirteenth Hague Convention of 1907, Secretary Lansing stated:

Manifestly the only ground to change the rules laid down by the convention, one of which, it should be noted, explicitly declares that a neutral is not bound to prohibit the exportation of contraband of war, is the necessity of a neutral power to do so in order to protect its own rights. The right and duty to determine when this necessity exists rests with the neutral, not with the belligerent. It is discretionary, not mandatory. If a neutral power does not avail itself of the right, a belligerent is not privileged to complain for in doing so it would be in the position of declaring to the neutral power what is necessary to protect that power's own rights. (Foreign Relations, 1915 Supp., 797.)

In assessing the position of the United States during the World War on this subject it is important to consider this statement of August 12, 1915, which indicates that the Government stood by the principle set out in the preamble to the Thirteenth Hague Convention. In this statement it was made clear that a neutral may change policies during wartime to protect its own rights, and that the neutral, not the belligerent, is to judge when a change is necessary for this purpose.

Secretary Hull in 1936 made a statement clearly in line with the principle set out in the Hague Convention cited above. He stated before the Senate Committee on Foreign Relations:

Another viewpoint maintained is that a neutral nation under all rules and laws of neutrality applicable to modern war conditions has a perfect right at any stage of a war to modify its policies of neutrality, provided they are based solely on considerations of domestic safety or the right of the neutral and not upon any external or international considerations, and provided that the neutral in question applies such modified policies with impartiality toward each belligerent alike. (Neutrality hearings before the Senate Committee on Foreign Relations, 74th Cong., 2d sess., 146.)

A few days ago Secretary Hull made another statement on the subject. In a press statement on September 21, 1939, he said:

I think that you will find from a careful analysis of the underlying principles of the law of neutrality that this Nation, or any neutral nation, has a right during a war to change its national policies whenever experience shows the necessity for such change for the protection of its interests and safety. I do not mean to be understood as saying that such action may be taken at the behest or in the interest of one of the contending belligerents, it being understood, of course, that any measures taken shall apply impartially to all belligerents.

In this statement Secretary Hull referred to an additional point to be kept in mind. He made clear that the proposed repeal of the arms embargo had been notified to the world, had been discussed in Congress, and that legislation on the subject was pending in Congress. His statement was as follows:

There has never in our time been more widespread publicity and notice in advance of the outbreak of war of a change in our policy than there has in this instance. This Government has given notice for well-nigh a year—at least since the first of the present year—that such a change of policy was in contemplation. Numerous bills were introduced in Congress, long hearings were held in both Houses, and it was generally understood when Congress adjourned that this subject would be on the agenda when it again convened. The President gave notice through a public statement, which would hardly be supposed to have escaped the attention of all governments and people, that if war should occur he would reconvene the Congress for the purpose of renewing consideration by it of the neutrality legislation that was pending as unfinished business when Congress adjourned.

Mr. Speaker, I believe when we are looking for information and advice we should take it from someone who is responsible to us for such advice. We have here statements from the Secretary of State which define very clearly the situation on the change of neutrality policies in time of war. This advice, coming from the Secretary of State, is the advice that should govern us in acting upon this legislation. [Applause.]

Mr. Speaker, I reserve the balance of my time.

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Speaker, thus far I have not opened my mouth on this most important question of so-called neutrality. My views, I am sure, are not the views of the average Member of the House. I do not mean, by this, to say that I excel in ability to draw a finer distinction, but I do mean to say that I have studied this bill, and I have studied it conscientiously, in an effort to do what I conceive to be the right thing toward my God and my country.

Now, you take a fellow who is getting to be as old as I am, and he had better look out just a little when it comes to voting on a matter of such importance as this bill is to the people of the United States.

In my judgment, this proposed bill, which is known as the Senate amendments, is just as unneutral as the law of 1937 was unneutral, and I believe both of them are wholly unneutral. I do not know just what my vote is going to be on this matter yet, and I am not going to make up my mind on it until I see the very last letter and word that is put into this Pittman bill.

Being a Democrat, naturally, I want to go along with my party if I can, but as a citizen of the United States, and in an effort to discharge the duties of the office that I hold, as I see it, I do not care anything about party politics. It would be a pleasure to me if I could go along with the bill, but I am going to vote as I feel I must vote as an American citizen, and as a Member of Congress, trying to represent the will of the people of this country. [Applause.] If I were to ask you what is paramount in the minds of the common men and women of the United States on this question, every one of you would say that the paramount thing is to so vote as to keep America out of this war, would you not? That is the only thing that they have been writing to me about. They are fond of the President of the United States and so am I, but I want to tell you what they want to do now, if you do not know it. The only thing that concerns

them deeply is that they want to keep this Government of theirs out of this war in Europe.

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

Mr. MASSINGALE. I have not the time. That is a thing that concerns them, and the only thing that concerns them, and I want to tell you this also: I cannot vote for my own idea of what this Congress ought to do, but I am going to give you what I think the Congress ought to do. I think this Congress ought to have the guts to declare an American policy that is a real policy, and that we ought to keep our ships on the high seas and take care of our commerce and not slink away simply because we fear that somebody might sink one of them and get us into trouble. I believe I have learned something from those totalitarian fellows in Europe. Their idea is this: Show me a gun, and I will pull my hat off to you, I will respect you. I believe that the policy of the Government of the United States ought to be to forget Hitler, to forget Stalin, to forget Mussolini, and think only of the United States of America and what the people of this country want. [Applause.] I do not care whether it suits England or whether it suits France or whether it suits Germany or any other country. The thing for me to determine before I cast my vote is what is in my honest and considered judgment best for the common men and women of the United States of America. I tell you, we have many ills and we perhaps have done many wrong things in a legislative way, but there is no use of making an error here. Why can we not put that arms embargo into the Senate amendment and go along and make the best assurance that we can give the American people that we will not involve this country in the holocaust that is now consuming Europe. The consequences are too grave to take any chances on it. I do not believe that I am a coward. We should look out for this Government of ours, and when I get ready to cast my vote on this measure I shall vote to restore to the Senate amendment the provision putting an embargo upon the shipment of arms and ammunition to the warring factions of Europe. You do that, and in my judgment you will have taken a step that is best calculated to keep the Government of the United States out of that controversy in Europe. [Applause.]

Oh, yes; I would like to go along with my President on that. Frankly, if I cannot get that done, then I shall do the next best thing, and I believe the next best thing is to vote for the Pittman bill. I do not want it that way. I want it as I believe the American people want it. They want an embargo against the shipment of arms and ammunition to warring countries. I do not care very much about what England wants or very much about what France wants or any other country. So far as I am concerned, I am going personally to the only source of correct information that I know anything about in this world. I am going there for my guidance as best I can if He will listen to me, and I believe He will listen to all of us. I am going there for information and my guidance, and if I am correct in my estimate of the importance of the question for consideration here, I am going to stay by it. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BLOOM. Mr. Speaker, I now yield 15 minutes to the gentleman from Pennsylvania [Mr. ALLEN].

Mr. ALLEN of Pennsylvania. Mr. Speaker, for a few moments I would like to discuss the problem which was propounded earlier in the afternoon relative to changing our rules of neutrality after war has commenced. Charges of inconsistency have been made against me on my present stand. I would like to clarify this particular point. It is true that after war has started in any part of the world it is more difficult for a neutral nation to change its neutrality laws than if there had been no restrictive or pending legislation previously enacted. It would have been far more consistent if we had changed this legislation last summer than now. There are circumstances under which it would be dangerous to change rules of neutrality. There are laws which we might formulate which would be dangerous to enact after war has started but no such situation as that obtains now. We have, under international law, every right to change our neutrality legislation as long as that change strengthens our own defense and increases our own security and so long as it applies to both belligerents equally.

I was surprised a little while ago to see those who have said that there is no such thing as international law, that it is a mere figment of the imagination, that there is no international code, applauding the gentleman from Connecticut [Mr. SHANLEY] during his speech. Of course, there is international law. Of course, many of the things which the gentleman from Connecticut [Mr. SHANLEY] said are absolutely true, but the gentleman today, along with many who are opposed to this bill, want the cash-and-carry provisions enacted in this new bill. I want to remind Members of this House that the cash-and-carry provision of the old law expired last May, and to enact cash and carry today is just as much a change of the rules in the middle of the game as repealing the arms embargo.

Furthermore, anyone familiar with international law knows that a belligerent has the right, during the course of a war, to change the rules and to change the list of contraband in particular. Therefore any legislation enacted by a neutral nation must be flexible enough to meet the change of rules by a belligerent.

It may be emotionally effective to charge inconsistency today, but inconsistency or flexibility is absolutely necessary when dealing with international problems and international situations. Circumstances over which a neutral nation has no control may force her, in defense of her own nation and her own people, to change the rules after war has started, to conform to the change enacted by the belligerent nations.

Those who are so solicitous of what Germany, for example, may think of any change in our neutrality law, might bear in mind this fact, that the German Government itself changed the rules three times during the Italio-Ethiopian War. They asked England to change in the Franco-Prussian War, and they asked us to change the rules during the course of the World War, while we were still neutral.

The gentleman from New York [Mr. FISH], the minority leader of my committee, charged me with inconsistency a few minutes ago. This charge I have answered. Certainly the last person in the world to accuse anybody of inconsistency is the gentleman from New York [Mr. FISH]. I remember very well 2 years ago when the bill, which he now defends and has been fighting for so vociferously, was before this House for final vote. The gentleman from New York [Mr. FISH] offered a motion to recommit the bill which he now defends, and that motion failed to carry. On final passage, the gentleman from New York [Mr. FISH], rather than vote for the bill to which he is now wedded, walked out of this Chamber, unsung, unheralded, and unrecorded. He opposed the present law 2 years ago, why is he so enamoured of it now? Inconsistency. The gentleman from New York epitomizes that word.

Actually, Congress is not changing the neutrality rules of this Government after war has commenced. You will recall that this body passed a neutrality bill last summer. That bill went to the Senate for its consideration, but the Senate refused to take action at that time and subsequently adjourned. By this procedure the Senate merely suspended its consideration of the Bloom bill; it did not kill it. Therefore, the Bloom bill had been pending on the Senate agenda for several months and was finally disposed of last week. From a parliamentary viewpoint, therefore, we are not changing our neutrality laws in an unneutral manner. We are merely finishing unfinished business held over from the last session of Congress. Furthermore, the President and the Secretary of State have on frequent occasions announced that it is the policy of their administration to repeal the unneutral arms embargo as soon as possible. This intent was broadcast to the world last summer before war broke out in Europe. It is an extravagant

statement and without foundation in international law to say that under all these circumstances the United States cannot enact with impunity a new law which will strengthen our neutral status and enhance our security. To argue otherwise is to suggest that this greatest of all nations has become so impotent that we cannot act as wisdom and justice dictate in time of emergency. That is an untenable condition which no American can endure.

The arms embargo, of course, is the crux of this whole debate. It is absolutely indefensible and hypocritical as it now stands. Much has been said and written on this subject, but it might be well to recapitulate for just a few moments the situation as it exists today. Those who champion the arms embargo are in an untenable position. They are deceiving themselves and the American people, because in the final analysis there is no difference between a completely processed munition, an assembled armament, and the materials which go into the manufacture of that armament.

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

Mr. ALLEN of Pennsylvania. Not now. I will be glad to yield in a moment.

The theory of the arms embargo is just this: We say to the nations of the world, "In times of peace come to us for anything that you need—machine guns, bombs, flares, flame throwers, and cannon; come to us and arm yourselves to the teeth in times of peace, even though you may be secretly preparing for war. Come to us and get all the devilish instruments of destruction which you can buy. We will sell them to you. We will prepare you for the aggression and destruction which you are planning. We will arm you so that you can demolish the peace of the world whenever you wish." Then, when the moment comes for the aggressor to strike, our isolationist friends, with the false smile of benign neutrality on their faces, say to the defenseless nations who have been trying to pursue a policy of peace, who have been shaving down their armaments rather than building them up, "No; you cannot buy from us the implements with which to defend yourselves." Oh, the aggressor nation. Those nations which have been arming to the teeth for the past 2 years can, in time of peace, buy anything they want under this arms-embargo policy; but the defenseless victims of those nations cannot buy one instrument with which to defend themselves. Is that morality? It is moral isolation; that is what it is. The American Nation has for 150 years of constitutional history insisted on the right to purchase arms for its own defense; and, to be consistent, they have equally insisted upon the right to sell arms during time of war.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Pennsylvania. Not yet. I shall be pleased to yield a little later when I have finished my statement.

So when the aggressor decides to strike he immediately decides our foreign policy. Not our State Department, not this Congress, but some foreign power declares by its own ruthless act what our future course must be. We have done something that no other nation in the world has ever done; we have surrendered to an aggressor nation who provokes war the right to decide our foreign policy, because the moment he strikes under the present arms embargo we must prohibit the sale of arms, munitions, and implements of war to the aggressor and his victim alike. I believe that the American people do not under any circumstances intend to surrender such power over their own foreign affairs.

Under the arms embargo we cannot sell a finished armament but we will give engineering advice, we will show a belligerent nation how to make these engines of destruction. This all smacks of the hypocrisy of the old prohibition days when the sale of beer was prohibited, but down the main street and side streets of every town and city in America one could buy hops and malt, and if nobody happened to be listening one could have whispered instructions thrown in. Such prohibition was hypocritical and self-deceptive. Equally defenseless is the arms embargo in which so many innocents have been seduced to place their faith.

Any student of this situation well knows that the belligerents today are not so interested in arms, munitions, and instruments of war as they are in raw materials. There is hardly a nation at war today which does not have lower labor costs than we. They can buy raw materials and make their own armaments in their own countries far cheaper than they can buy them here; yet those who try to bring out this distinction between armaments as such and raw materials are deluding the American people into a sense of false security by saying that there is no danger in selling raw materials, that it is only the sale of finished armaments which involves danger.

On the subject of the immorality of selling arms, munitions, and implements of war, I wish to call attention to a radio speech delivered Sunday night by the gentleman from New York [Mr. FISH]:

> The sale of arms to belligerent nations for sake of blood money—

Oh, how often we have heard that phrase—

> The sale of arms and ammunition to belligerent nations for sake of blood money and war profits is an utterly immoral, un-Christian, and vicious system, turning the United States into a slaughterhouse to kill people with whom we are at peace, and dragging us into wars all over the world.

Mr. Speaker, if it is immoral to sell arms to a defenseless people to enable them to defend themselves, but is moral to sell arms in time of peace to aggressors so that they can kill, slaughter, and destroy these very victims, then I say the time has come for us to make new definitions for the words "morality" and "immorality." Perhaps our isolationist friends can do it.

Furthermore, if it be immoral to traffic in arms then the greatest characters in the history of this Nation have been immoral men, and I include in this category George Washington, Thomas Jefferson, Theodore Roosevelt, Henry Clay, Pickering, Secretary of State under Washington. Every one of these men, if the premise of the gentleman from New York [Mr. FISH] be true, have been immoral men, because they have all insisted on the right of this Nation to sell arms, munitions, and implements of war to belligerents or to nations at peace.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Pennsylvania. I am sorry, I must decline to yield.

Theodore Roosevelt said that those who opposed the sale of munitions of war were committing the greatest possible offense against the cause of international right and the interests of humanity.

Thomas Jefferson said:

> Our citizens have always been free to make, vend, and export arms. It is the constant occupation and livelihood of some of them.

Alexander Hamilton said:

> The purchasing within, and exporting from, the United States, by way of merchandise, articles commonly called contraband, being generally warlike instruments and military stores, is free to all the parties at war, and is not to be interfered with.

And I could go on and on quoting authority after authority on this subject. For a hundred and fifty years our greatest statesmen have maintained this right. They have done so because they have realized that it was in our own national interest and that if we refused at any time to sell arms to warring nations we would be turning this world, transforming it, into an armed camp. Obviously if those nations cannot buy implements of war from the great industrial countries of the world it is only natural they will, in time of peace, build their own armament factories, will develop their own manufacturing concerns for their own defense. The world will be an armed camp if the theory of the arms embargo prevails.

I would like for a moment to quote another part of the speech made by the gentleman from New York [Mr. FISH], Sunday night. I quote:

We are the biggest saps and pushovers for foreign propaganda when the bands begin to play and our emotions run away with our reason.

Mr. Speaker, if the American people are saps and pushovers, then we had better enact even more binding and restrictive legislation than we have now before us; but I for one do not agree that the American people are such morons as the gentleman from New York [Mr. FISH] seems to think. I firmly believe that in their determination to keep America out of war, to increase our security, to preserve peace, our people will strengthen their characters and their determinations as we chart our course through troubled waters, and as crises occur, these people will conduct themselves as patriots and not as saps.

I can well understand why the gentleman from New York, on the premise that the American people are saps and pushovers, is anxious to enact binding, restrictive, and handshackling legislation of the arms embargo variety.

Referring now to those who claim that the sale of arms plunged us into the last war, let me state to the Members these few facts: In the first place, only 10 percent of our sales to belligerent nations during the World War were arms, ammunition, and implements of war. We had no ammunition plants in this country in 1914 to speak of.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. ALLEN of Pennsylvania. Mr. Speaker, we were so lacking in manufacturing facilities when we entered the World War that we had to trade raw materials with England for arms and guns with which to defend ourselves and equip our own soldiers. It can be proved by the record that our sale of arms during the World War had nothing whatsoever to do with our final involvement. It is false to believe that American boats carrying arms or the sinking of American boats carrying arms finally involved us in that war. Let me read a few excerpts from the papers of that day. I quote from the New York Times of March 23, 1917. Please listen to these few excerpts:

The American steamer *Healdton*, bound from Philadelphia for Rotterdam with petroleum, was torpedoed without warning at 8 o'clock last night.

That ship carried petroleum, not arms, ammunition, and implements of war. On March 14 of the same year the steamer *Algonquin*, bound from New York for London with a cargo of foodstuffs, not cannon, not bombs, but foodstuffs, was sunk.

On March 19—

Reports of the sinking of three American ships by German submarines will be read by the people of the United States this morning, the *Vigilancia*, the *City of Memphis*, and the *Illinois*.

These were west-bound in ballast, carrying absolutely nothing in their holds but ballast. They were returning home with no cargo whatsoever. Therefore it was not armament, it was not munitions, it was not implements of war that involved us in that last conflict. It was the ruthless sinking of our boats on innocent missions. It was the violation of our neutral rights which involved us in the last war.

Today, instead of preparing to defend our neutral rights, we are doing what this Nation has never done in all its history. We are prepared to make a supreme sacrifice by suspending our neutral rights in advance of trouble. We are suspending those rights instead of running the risk of having to protect them in the months to come.

I say to the membership of the House that this bill may not be perfect, but it is an attempt to protect the interests of the American people and the welfare of this Nation without at the same time imposing too great economic hardships, the impact of which we could not stand or our people themselves would not tolerate. Those who insist on retaining the arms embargo to be consistent must be complete isolationists. They must consider as contraband all items on our export lists, because we agree, I believe, that there is no difference, from a belligerent's viewpoint, between arms and the stuff with which arms are made; and this Nation, dependent as she is for essential raw materials, such as rubber, tin, nickel, and manganese, cannot afford to isolate herself in any sense of the word, because we, ourselves, are dependent on other parts of the world for essentials to our own welfare and our own economies.

Mr. CHIPERFIELD. Will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Illinois.

Mr. CHIPERFIELD. If I understood the gentleman correctly, he stated that the cash-and-carry provision expired on May 1, 1939. Is it not true that the cash provision of the 1937 act did not expire but was contained in section 3 of that act and is still in existence today? The only thing that did expire was some carry provision in section 2.

Mr. ALLEN of Pennsylvania. I think that is substantially right.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Last summer the gentleman said:

The minute we change the existing provisions of an act after warfare has started we have changed the rules in the middle of the game.

Then the gentleman further said:

This is a very dangerous possibility and would probably result in war for us.

Now the gentleman apparently backs off that sweeping statement, which is upheld by every expert in international law.

Mr. ALLEN of Pennsylvania. That is not right.

Mr. VORYS of Ohio. And makes distinctions between the types of changes. Now, would the gentleman say that for us to start to sell arms when only one side can get them, and would the gentleman say that to repeal our arms embargo is not a change in the existing provisions of any act?

Mr. ALLEN of Pennsylvania. Why, certainly it is a change in the provisions of the existing law, but we are doing so in defense of our own Nation and because we believe that our neutral rights will be more secure than they are now. May I remind the gentleman it is a neutral nation which has the right at any time to pass a neutrality law in its own defense, and by that same right it can change a neutrality law if its own interests are at stake. It is not the belligerents, it is the neutral nation which has the right to decide its own foreign policy.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. RAYBURN. Will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Texas.

Mr. RAYBURN. Is it not also true, and should this not be taken notice of by all people: We knew and the world knew that this Congress had in the process of revision the so-called neutrality law. The House of Representatives had passed a bill which went to the Senate and that body simply adjourned consideration of it until January. Everybody in the world knew that that measure was going to be taken up in the Senate committee for consideration not later than January, even had this special session of the Congress not been called.

Mr. ALLEN of Pennsylvania. I thank the gentleman. No nation could have given wider notice to other nations in the world of a contemplated change than we gave in regard to the arms embargo.

Mr. JARMAN. Will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Alabama.

Mr. JARMAN. I am sure the gentleman heard our distinguished colleague from Connecticut with very clean hands

say that if we had passed this legislation last June there would have been no war, or there probably would have been no war. Does the gentleman agree with that statement?

Mr. ALLEN of Pennsylvania. I believe it might have had a deterring effect on the aggressive policies of the totalitarian powers.

If we were to carry out the principles inferentially agreed to by the gentleman from Ohio [Mr. VORYS] we would be giving the belligerent nation the right to decide our foreign policy at any time. That is the point I want to emphasize at this time. If we are to be intimidated by what Mr. Hitler thinks, or what Mr. Chamberlain or any other representative of a foreign power thinks, we are automatically giving them the right to decide our foreign policy. [Applause.]

There has never been a time in our history or the history of any other nation when a neutral during wartime has not reserved the right to change its laws to meet emergencies and crises as they arise. Of course, it is our neutral right to do that as long as the applications of the change apply equally to both belligerents, as they do in this case.

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

Mr. ALLEN of Pennsylvania. I yield to the gentleman from Alabama.

Mr. PATRICK. Following that logic, is there any reason for us to know that a war would not be declared and last a hundred years, and freeze us in our tracks, helpless, if we were to follow such logic and policy?

Mr. ALLEN of Pennsylvania. That is absolutely right. There has never been a time when a nation has attempted to legislate against unpredictable and unforseen circumstances with impunity, and we cannot do it now. [Applause.]

The bill which the Senate passed last week is as neutral as any legislation of this nature can be neutral. Neutrality, however, is only one step toward a greater goal and that goal is the security of this Nation. This bill is a great improvement over existing legislation, and for that reason I am heartily in favor of it. I still believe, however, that a return to international law would be the wisest course to follow and in the long run would give us the greatest security.

[Here the gavel fell.]

Mr. CHIPERFIELD. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Speaker, as a lawyer it has been my experience that whenever I was confronted with an issue I could always find a precedent to sustain my point of view. I do not question the precedents of the gentleman from New York [Mr. BLOOM], and I do not question the precedents of the gentleman from Connecticut [Mr. SHANLEY], but I know that if I happened to be fighting an opponent and someone came along in the middle of the fight and handed my opponent a club with which to hit me, I certainly would not regard that fellow as a neutral. [Applause.]

If this measure is solely in the interest of American peace, solely in the interest of our welfare, why all this talk about aggressor nations and victim nations? I do not believe the American public subscribes to the theory that it is our responsibility to police the world. I do not believe the American public subscribes to the theory that it is our policy to preserve religion all over the world. I do not feel that the American public believes it is our obligation to preserve democracy all over the world. My sole interest in approaching this question is how is it going to keep this country at peace. If we have any precedent for the situation of our country at this time, certainly the last war should be a case in point for us.

At the beginning of the last European war Woodrow Wilson told us to be neutral in thought. William Jennings Bryan, our Secretary of State, was a pacifist. At the time of the outbreak of the war opinion in this country was divided. The majority were in sympathy with the Allies, but there was a substantial number of people who were in sympathy with the other side, and also a substantial number of people who were indifferent to the outcome of the war; yet, in spite of this feeling, we got into the war at the end of 2 years and 8 months.

Contrast that situation with the situation existing today. President Roosevelt is unneutral in thought. He has so expressed himself time and time again. Have you forgotten that he wanted at Chicago to quarantine aggressor nations? Have you forgotten that he wanted to help out the victims as against the aggressors, short of war? Our Secretary of State, judging by everything he has said, concurs in his viewpoint. In addition, the American people today are not neutral in thought. Every poll taken shows that the overwhelming majority of the American people, anywhere from 85 to 95 percent, are in sympathy with the Allies. In view of this situation, we are in far graver danger today than we were twenty-odd years ago.

Let us now look at this arms embargo. How will repealing it keep us away from this war? By lifting it we know as an actuality it will work out with one side receiving arms and ammunition and the other side not receiving them. What happened when that occurred during the last war, where we did not change any law but where, as a matter of fact, by virtue of the Allied blockade only one side got the arms and ammunition from us? Only this morning the newspapers carried the story of the Black Tom explosion and the reparations Germany owes us. Have you forgotten that an ex-German Army officer tried to blow up a bridge between the United States and Canada? Do you think the Germans are going to sit supinely by and take this? I know that as an American that if we were fighting Mexico, for example, and if Mexico had a fleet and we had no fleet, and in the middle of the war England or Germany, which had an embargo, lifted it so that Mexico could get guns and ammunition to fight us, we would not stand by and take it and regard it as neutrality. Certainly I would not, and no red-blooded American would.

I want to place in the RECORD the voice not of a partisan in the heat of debate but of an American historian who looked back on what occurred and wrote these paragraphs before the present situation arose. He wrote this in his study, analyzing the situation as a scientific mind would and looking back at the sequence of events that led us into the last war. This is from W. E. Woodward's A New American History. Woodward is an American historian, born in the South. This was written years before the present crisis and years after the last war. He states:

The World War began in August 1914, and the American Nation was a participant in the war on the side of the Allies within a week. To contend that the United States did not enter the fight until April 6, 1917—2 years and 8 months after the war started—is merely to juggle with realities. America's neutrality was nothing but a sham from the beginning. In the first month of the war Charles M. Schwab, president of the Bethlehem Steel Co., returned from Europe with the largest order for shells and other war material that had ever been given up to that time to any munitions-making concern in the world's history. The buyer was the British Government. In a few weeks the Du Ponts, of Delaware, got an order, also British, for 100,000,000 pounds of gunpowder at a dollar a pound. The peacetime price was 55 cents a pound.

All that was just a beginning. As the months rolled by the purchases of the Allies—Great Britain, France, Russia, and the smaller nations—increased enormously. Millions of people were employed, one way or another, in furnishing munitions, foodstuffs, clothing, motorcars, mules, and horses to Germany's enemies.

Notwithstanding this obvious fact, the attitude of the United States as a so-called neutral was formally correct. The State Department defined the American position in January 1915 in these terms:

"Those in this country who sympathize with Germany and Austria-Hungary appear to assume that some obligation rests upon this Government, in the performance of its neutral duty, to prevent all trade in contraband, and thus to equalize the difference due to the relative naval strength of the belligerents. No such obligation exists; it would be an unneutral act, an act of partiality on the part of the [United States] Government, to adopt such a policy if the Executive had the power to do so. If Germany and Austria-Hungary cannot import contraband from this country, it is not, because of that fact, the duty of the United States to close its markets to the Allies.

"The markets of this country are open upon equal terms to all the world, to every nation, belligerent or neutral."

This statement expresses a truth, but, like so many diplomatic announcements, it does not give the whole truth. The "markets of this country" were, indeed, "open upon equal terms to all the world," but for every practical purpose Germany was completely

excluded from them. The wholesale cooperation of American citizens in the furnishing of vast quantities of munitions and supplies to Great Britain and her Allies certainly made the United States, for all essential purposes, an enemy from the beginning.

My readers will understand, I am sure, that in setting forth this continuity of circumstances I am not taking sides, but am trying to show how, by gradual and successive developments, we were drawn into a war which was purely European in character, and which had no point of contact with American affairs, except insofar as American interests were represented by profiteers in war supplies and the lenders of money to Germany's enemies.

There is not to be found in the whole panorama of modern history a more perfect example of a great and powerful nation being used as a cat's-paw. When we finally went into the war in a military sense, after having been in it all along in an economic sense, the Allied chestnuts were burnt to a crisp, and, of course, everyone knows that the American paw was badly singed in pulling them out of the fire. After it was all over there was not even thanks, to say nothing of the paying of debts. As the homely philosopher, Abe Martin, says, "All we got out of the war was out."

Mr. Speaker, this European war is a war over real estate and power and not any idealistic war. Do not let us follow the same road today that we followed twenty-odd years ago. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, I yield 15 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, regardless of individual viewpoints, we all approach this very serious problem with the same desire in our hearts, and that desire is to keep our country neutral, to have it remain out of armed participation in this European war, and to prevent the sending of our boys across the seas to such a foreign conflict.

We are engaged in the consideration of a proposal of national policy which was recommended by the administration before this war began. Personally, I have been inclined to deplore, somewhat, the extended discussion with reference to it, in the fear that it might likely lead some foreign nations to suppose we are divided. There are, of course, differences of opinion among us as to the terms of the law which should be enacted, but in the sentiment of remaining neutral and preventing our boys from donning again martial regalia for a European contest, we are not divided.

We have heard extended discussion, pro and con, with reference to the two proposals before us. Some have said that the repeal of the arms embargo will get us into the war, and others have been equally insistent that its retention will have a similar effect. Let us not be deceived, Mr. Speaker. There are nations across the seas that do not wish us to become engaged in this war but, if they should decide to make the attempt to provoke our participation, they would not, for one instant, stop to peruse our laws or consider the statutes on our books. They do not operate that way. [Applause.]

What law could Poland have had that would have prevented its invasion? What law could Czechoslovakia have had that would have prevented its invasion? We argue much here about tweedledum and tweedledee. If certain of the belligerents decide to take steps which may so arouse our animosity as to bring about propaganda for our entering this war, they will do it regardless of the nature of our laws.

All any neutral nation can do is to have a law of neutrality, or to operate under the neutrality of international law. There is, and there can be, no such thing as neutrality in spirit and in thought when one is familiar with the details of a contest. We are engaged, at present, in an effort to get a law of neutrality, but every man knows that the overwhelming sentiment of the people of the United States is favorable to one class of the belligerents. And is there anyone who supposes for one moment that there is a neutral nation anywhere under the sun whose people do not have in their hearts, however strict the national law of neutrality may be, the desire that one belligerent or the other should be the victor?

It has been contended by some in this debate that the adoption at this time of the policy of repealing the arms embargo would be a reversal of policy since we were recently assembled in a regular session of this Congress. I repeat that we are dealing with a national policy for our own country which was proposed before this war began. In the communications of the President and the Secretary of State, and the introduction of the measure suggested, due and ample notice—actual notice, if you please—was given to the nations of the world as to what was contemplated by the United States of America in a neutrality statute. And who would be so bold as to declare that nations did not take notice of that proposal? Let me remind you that we are operating in the same Congress, and that we are proceeding with reference to the same legislation. The measure is now in the natural and orderly process of enactment, and there has been no change in the policy and attitude of the administration from the time this law was proposed before the war until this good day and, in my judgment, it is your duty and mine to enact it.

I call attention to the fact that in matters pertaining to our own citizens in our domestic affairs we often go to the extent of passing laws with retroactive features. In this regard I quote a statement from the opinion delivered by Mr. Justice Vandevanter of the Supreme Court, on the 11th day of January 1937, in passing on the Silver Act, in the case of *The United States* v. *Hudson* (299 U. S. 498). See if you cannot detect an analogy here:

> As respects income-tax statutes it has long been the practice of Congress to make them retroactive for relatively short periods so as to include profits from transactions consummated while the statute was in process of enactment, or within so much of the calendar year as preceded the enactment; and repeated decisions of this Court have recognized this practice and sustained it as consistent with the due-process-of-law clause of the Constitution.

And I recommend, also, for your perusal concerning such retroactive provisions the opinion of Mr. Justice Stone in the case of *Welsh* v. *Henry* (305 U. S. 134).

In other words, in dealing with our own citizens, we have passed retroactive laws dating back to the time when the message proposing them was submitted to the Congress of the United States, and even antedating the submission of such message, as stated by Justice Vandevanter, to the beginning of the calendar year in which the proposals were made. The justification for this is found in the fact that the laws were known to the people of the United States as being in prospective enactment and that during that process no advantage should be taken by contravention of their terms and stipulations.

Let me reiterate that we now have before us a proposal that was made by this administration in the regular session of the present Congress, in this same year, and before the beginning of hostilities among nations abroad. In the same Congress we are in the process of enactment of that same measure and that same policy. Shall we give to foreign nations upon the basis of such captious arguments as have been advanced to all Representatives in this House, through channels of propaganda, advantages and privileges which we do not even accord to the citizens of our own country?

I favor the lifting of the embargo and the adoption of the cash-and-carry plan for several reasons. In the first place, no nation under the sun, insofar as I have been able to inform myself, has had a permanent law imposing an embargo on arms. You have all heard the discussions on the floor with reference to the rights and privileges of such shipments under international law. Some nations have adopted such an embargo as a temporary policy, and of course there are some small countries whose very limited resources for the manufacture of arms have led them to ban export in the interest of national conservation.

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

Mr. LANHAM. I am sorry, but my time is quite limited. I certainly have no desire to be discourteous, but there has been a great deal of talk for a month or more on this subject by many Members of the Congress, and this is the first time I have essayed to speak on the floor. I prefer to use the time alloted me in discussing in logical sequence the thoughts I have in mind. Interruptions would make such a course impossible.

Why should we embark upon a policy in opposition to international law and the practice of neutral nations through

the history of the world and of our own traditional practice since the days of George Washington to put a permanent law of an arms embargo upon our statute books?

I am in favor of the adoption of the administration's proposed plan, because I think it is also the best possible present assurance of keeping this country out of war and preventing the sending of American soldiers abroad. [Applause.] What leads me to such a conclusion? For 6 years and more one of these belligerents has been devoting all of its energies and economic strength to preparation for this war, and everyone here realizes that. Not only is this true, but I think it is a very fair assumption that through our exports we have sent to that belligerent from this country many of the materials that have gone into the manufacture and production of those arms and munitions now being used in the European conflict. How long have the other belligerents been engaged in such preparation? Looking forward to no such catastrophe as that into which Europe has been plunged, they have had a little over 1 year, just since Munich. Here is this great disparity in sinews of war to which we have so contributed through 6 years of preparation on the one hand and 1 year of preparation on the other, and it is an incontrovertible fact that the overwhelming sympathies of the people of the United States are favorable to the belligerents that have had the 1 year to prepare. Do you not know, and do I not know that if these belligerents thus handicapped in equipment of matériel begin to suffer defeat in this conflict by reason of that disparity in munitions and arms, propaganda is going to follow in this country, not necessarily started and stimulated from abroad but from within the hearts and minds of sincere and patriotic American citizens, to the effect that we must heed the Macedonian cry and go over and help them and send our boys to the carnage? I do not want that to happen. So I say let us, under the neutrality of the pending measure, protect ourselves and obviate this disparity and allow these belligerents to fight on an equal basis of opportunity and thereby diminish, if not entirely prevent, the likelihood of propaganda arising over here among our citizens to get us embroiled in this war. And so, I repeat, to my way of thinking, the adoption of the plan proposed by the administration is the best present assurance we can have under neutrality of keeping out of this war and keeping our boys at home.

Are we not all aware that, if we continue to follow in the wake of this arms embargo law which has been on our statute books for such a short time, we are going to have the incident of the *City of Flint* many times multiplied and greatly intensified and aggravated? Would not the disasters of such a course prove a far greater stimulus toward provoking this country to enter the war than to have purchaser nations come over here in their own bottoms, pay the money, and take the goods home in their own ships? From that angle, also, the proposal of the administration is the best assurance we can have.

It cannot be successfully denied that our present law is distinctly partial to one belligerent, and it is distinctly partial to that belligerent with which the great majority of the American people are not in sympathy.

I read in the newspapers a day or two ago, as did you, that in this conquered land of Poland—not eventually conquered, I trust—there is such difficulty——

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. BLOOM. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. LANHAM. I thank the gentleman. I do not wish to intrude upon the time of others who wish to speak.

In that country of Poland, which, as you know, is very largely a country of the Catholic faith, there arose after its dismemberment such difficulty and danger in the right of the freedom of personal worship, and such indignities heaped upon those who had charge of the conduct of public worship, that the Pope from his high office was pleading to some of those belligerents that those people might have the right, which should be inalienable, to worship their God according to the dictates of their own consciences. And this condition of deprivation of religious worship applied to those of various faiths. We in this country love and cherish the religious principle. It has been a cardinal doctrine of our liberty. We love religious freedom, the personal right to worship as we choose. We love liberty and all its manifold blessings. We love the right of freedom of speech. We love fraternity. Shall we go on through the arms embargo being partial to belligerents that are evidently seeking to wipe from the face of the earth forever those things that we cherish and that are so dear to the American heart? Let us, since we can do it under neutrality, since it will diminish the likelihood of our entrance into this war, cease this partiality, lift the arms embargo, and sell goods for cash, to be taken away in foreign bottoms, that this conflict in Europe may be waged upon an even basis of matériel. I say it is a plain matter of self-defense for us.

Our problem is an economic problem as well as a martial or military one. We cannot forever be isolated from the trade of the world. We cannot be expected to abandon all trade relationships and be isolated, too, from the world's commerce when normal conditions are restored and this war is over. Let me propound this question: As a matter of fact, has not a narrow view of economic nationalism been a potent factor in bringing about this very war that is today raging across the sea? We of the Western Hemisphere have a right to trade with the world. The world needs that trade, and will need it when hostilities cease. It is impossible to isolate ourselves completely in commerce, either in time of war or in time of peace. For our own security in this time of conflict we are making the sacrifice of placing certain restrictions in the pending measure on our rights of trade. Surely that is as great a sacrifice as we can now justly be called upon to make. But we are willing to make it to prevent the disasters that may happen to our shipping under the existing law and the involvement such disasters might bring in the war abroad.

Let us see to it also that in this liberty-loving land of ours we prepare ourselves adequately for our national defense. It may be that through the genial influence of example we may not successfully teach the world the blessings of freedom that are ours, but we can have a force in this country that will protect them for America against invasion and aggression from those abroad who would seek to undermine or overthrow them. [Applause.]

I am very anxious today, above all things, to keep America for Americans. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I asked the gentleman from Texas [Mr. LANHAM] if he would yield to me, but due to the lack of time he was unable to do so. I do not hold that against him in any way, but I wanted to correct some statements he made.

There is not a single nation in Europe or America that sells arms and ammunition to any of the belligerents. I want that clearly understood by this House. No matter how you vote, you have a right to know the facts. There is not a single nation in all of this world that sells any arms or ammunition to any of the belligerent nations in Europe and there are other nations that have written into law virtual arms embargoes or restrictions on selling arms and ammunition.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. FISH. No. I only have 3 minutes. I cannot yield.

Furthermore there are nations that have written that into permanent law and many nations that have written into their executive law by regulations and prohibitions against the shipments of arms and munitions of war.

Mr. Speaker, we are asked here to repeal the arms embargo that we wrote in time of peace to keep us out of war, to act as a barrier, an obstacle, to keep us from getting into war, and to maintain our neutrality. Now we are asked to repeal it and to say that we will be unneutral and take sides, for that

is exactly what you are trying to do. You are asking us to do something that no other nation in the world does—to sell arms and ammunition to the belligerent nations in Europe.

I do not intend to speak at any length now, but merely propose to answer the gentleman from Texas, who just yielded the floor. He made an able speech and is a particular friend of mine, but the answer is: No nation is selling any arms or ammunition to England, France, or Germany, and why should we? [Applause.]

Mr. Speaker, I now yield such time as he may desire to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, my interest in the Arms Embargo Act dates from its consideration by the House Committee on Foreign Affairs in 1935 and 1936. I was a member of that committee when the hearings were held, when the arguments were presented for and against the arms-embargo provision. Every argument that has been presented to this extraordinary session of the Congress was presented back in those days when the committee was holding hearings, and the arguments were rejected both by the committee and the House of Representatives; and in time of peace, free from emotionalism and the prejudice of the present moment, the Foreign Affairs Committee recommended and the House of Representatives passed the Embargo Act by a vote of 373 to 13.

Mr. Speaker, here was an overwhelming decision on the part of this body in favor of the very act we are now asked to repeal.

What argument is presented by the proponents for repeal of this Embargo Act?

Why, Mr. Speaker, they say we must repeal this Embargo Act in order to remain neutral. I say to you, sir, that a more unneutral act could not be conceived them to repeal this legislation, now that a war has begun among three or more countries of Europe.

What is the real purpose in repealing this embargo on the sale of arms and munitions of war to belligerents? Is it in order to maintain an attitude of absolute impartiality between the belligerents? It is not, and every Member of this House within the sound of my voice at this moment knows that. To the contrary, the purpose concealed under the proposed repeal of this Embargo Act is to benefit and to give added advantage to some belligerent countries as against their adversaries.

Why, Mr. Speaker, this whole question has been befogged, the efforts to confuse the public mind have been so intense and deliberate, that actually there seems to be some question of what really comprises true neutrality. Let me go back to an unemotional, unprejudiced, and actual definition of neutrality as given in the Law Dictionary and Encyclopedia by John Bouvier.

Here is what neutrality is:

> Neutrality. The state of a nation which takes no part between two or more other nations at war with each other.
>
> The relation of neutrality will be found to consist in two principal circumstances: Entire abstinence from any participation in the war, and impartiality of conduct toward both belligerents.
>
> * * * They remain the common friends of the belligerents, favoring the arms of neither to the detriment of the other.
>
> * * * Duties. Passive duties. In all matters relating to the war a neutral must abstain in its official capacity from giving any help to either belligerent; it must not furnish troops or give or sell arms or munitions to either belligerent, nor make presents or loans of money, nor purchase belligerent ships, nor decide in its courts upon the validity of belligerent captures, nor give expression to its sympathy for either party.

Mr. Speaker, I ask any Member of this House to rise in his place who believes that this proposal to repeal the Arms Embargo Act fits this definition of neutrality.

Now, what is war?

War, Mr. Speaker, is a renunciation of civilization. It is the complete abandonment of faith in the supremacy of spirit for a faith in the forces of evil. Its operations are always ruthless and unjust, its results are always destructive.

There is a parallel to be found in the course of the present administration in its foreign relations and the course of the Wilson administration in its foreign relations, so accurate and complete that a book has been written about it called The Deadly Parallel. But there is one feature in which there is no parallel between the Wilson administration and the present administration. President Wilson urged upon the people of this Nation time and again that they be neutral in their thinking and in their personal attitudes.

Who is there, who can say that the leaders in the present administration themselves have been neutral in their thinking, in their attitudes, or in their public assertions?

There is not a single circumstance existing today that was not foreseen in its essence back in 1935 when we were considering this original legislation, and again was that the case in 1937.

This legislation was decided upon and passed by the House of Representatives to fit exactly such a situation as the present one. It is never necessary to pass a law to constrain or prevent an action in cases where there is no incentive to impartiality or unneutrality. Why, we passed this act in this House in 1935 because we realized that the time would come in the future when it would be difficult to be neutral in our thinking. Back in those days of coolness and sanity we said in advance, "Let us lay down this rule of action by which to govern ourselves if a time should come when our sympathies will tend to impel us to an unneutral act or attitude."

Now, Mr. Speaker, would we be sitting here in an extraordinary session considering the repeal of this Arms Embargo Act if its repeal would give added advantage to the German, or the Russian side of this armed conflict in Europe?

Would we be sitting here in extraordinary session considering the repeal of the arms embargo if Russia and Turkey were at war, or if Russia and Japan were at war, or, if you please, if Japan and China were at war—as they now are and have been for 2 years or more?

Would we be here in extraordinary session considering the repeal of this Arms Embargo Act if civil war prevailed in Spain? That question answers itself. Past history holds the negative to that.

Not only were we not called into special session to repeal the Arms Embargo Act under some of these conditions, but we were called upon to amend and strengthen the arms embargo so that its terms would apply to civil war in Spain.

Mr. Speaker, one of two positions only can be consistent with honesty, decency, and fairness with the American people, and with morality in natural thinking. Either we should face the fact frankly, and say so, that we are contemplating the repeal of this arms embargo in order to give advantage to the parties on one side of an armed conflict over the parties of the other, or else we ought to say that we have abandoned every definition of neutrality that stands today in any dictionary or any lawbook.

Let us go back to 1936 and see what my warm and able friend the gentleman from Texas, the Honorable LUTHER A. JOHNSON, had to say of the arms embargo then:

> The proposed legislation on neutrality is another evidence of our desire to prevent war, and is designed to eliminate or minimize the hazard of our country becoming involved in a war between other countries.
>
> * * * It discourages war between other countries by our Government refusing to furnish arms, ammunition, or implements of war and also credit. No war can be successfully carried on without these, and a bill that prohibits our country or its citizens from contributing these essentials of war is a substantial discouragement to the conduct of war by other countries.

Mr. Speaker, what circumstances exist today differing from those foreseen in 1935 and 1937 that could possibly justify the repeal of this Embargo Act? When the act was being discussed at a time when our late lamented colleague, the Honorable Sam D. McReynolds, was presiding as chairman of the Foreign Affairs Committee, we had another gentleman appear before the committee who for a number of years was an able and distinguished Member of this House, the Honorable R. Walton Moore, of Virginia, who during the consideration of this legislation, in January 1936, was Assistant Secretary of State and remains so today. At that time the exact situation that prevails today was foreseen,

and it was to maintain strict neutrality by an embargo upon the arms, implements, and munitions of war under such circumstances as prevail today that the act was passed.

Let me go back for a moment to the hearings before the Committee on Foreign Affairs, and let me quote another gentleman who was a member of the Foreign Affairs Committee, the gentleman from Massachusetts, the Honorable GEORGE TINKHAM.

The gentleman from Massachusetts [Mr. TINKHAM] said at one point:

I should like to make a statement, now that Mr. Moore is here, that I have already made to the committee. Mr. Moore, if the President is given discretion to wait until after a war has started to declare an embargo, he might wait 6 months. That presents a danger. Let us take, as an example, the present situation, in relation to the contest in the Mediterranean between England and Italy. England being in command of the seas, could come here and get what she wanted or what she thought she might want. Italy would be prevented from doing so because of England's command of the seas.

In that observation, Mr. Speaker, we have exactly the situation which exists today, except that in the place of Italy stands Germany. And for the exact reason that we passed the Embargo Act in 1935, we are now asked to repeal the Embargo Act.

Although he has since expressed regret for this action, it still remains a fact that the President not only approved the neutrality legislation on August 31, 1935, but he went further and saw fit to issue a public statement, in which he said in part:

I have given my approval to Senate Joint Resolution 173—the neutrality legislation which passed the Congress last week.

I have approved this joint resolution because it was intended as an expression of the fixed desire of the Government and the people of the United States to avoid any action which might involve us in war. The purpose is wholly excellent, and this joint resolution will, to a considerable degree, serve that end.

Mr. Speaker, we have a singular contradiction of view and expression which, regrettable as it is, must, in fairness, be called to the attention of the American people, because in this issue of the repeal of the arms embargo may be bound up the issue of life and death for millions of our citizens.

On October 30, 1935, the President of the United States, in a statement on neutrality in the conflict between Ethiopia and Italy, said:

This Government is determined not to become involved in the controversy and is anxious for the restoration and the maintenance of peace.

However, in the course of war, tempting trade opportunities may be offered to our people to supply materials which would prolong the war. I do not believe that the American people will wish for abnormally increased profits that temporarily might be secured by greatly extending our trade in such materials; nor would they wish the struggle on the battlefield to be prolonged because of profits accruing to a relatively small number of American citizens.

The President went even further than this. At Chautauqua, N. Y., in an address on August 14, 1936, he said in part:

It is the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship betwen debtor and creditor was destroyed.

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and other articles to belligerent nations, the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

Now, Mr. Speaker, I want to quote from the President's address of September 21, 1939, to the joint session of the Congress in which he said:

These embargo provisions, as they exist today, prevent the sale to a belligerent by an American factory of any completed implements of war, but they allow the sale of many types of uncompleted implements of war, as well as all kinds of general material and supplies. * * *

From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there, when we could give employment to thousands by doing it here? Incidentally, and again from the material point of view, by such employment we automatically aid our own national defense. And if abnormal profits appear in our midst, even in time of peace, as a result of this increase of industry, I feel certain that the subject will be adequately dealt with at the coming regular session of the Congress.

Mr. Speaker, the answer to that statement was given at Chautauqua, N. Y., in 1936. The answer to that statement is fool's gold.

Now, my colleagues, let us face this situation for exactly what it is. We are asked to repeal the arms embargo for two reasons. One, because it will—unneutral as it is—give England and France added advantages over Germany in the war now in progress; and, especially, as I have just quoted, it will tend to relieve a serious economic problem in this country and will bring profits—abnormal profits, if you please—which the Government later through this Congress can take away from the private citizens and put in the coffers of the Treasury to be spent as the public moneys have been spent for the past 6 years.

Mr. Speaker, as one who had a part in the making of the law of this embargo law, as a former member of the Committee on Foreign Affairs, I am in position to know with what force and eloquence, with what fervor and arguments, and with what patriotic appeal the passage of that law was demanded. It was to be permanent legislation. Both Houses of Congress adopted it almost unanimously and the President signed it. It gave notice to every nation on earth, in advance, what our position would be if they went to war. We were definite that we would not furnish the instruments and the tools of death. I believe the American people as a whole applauded our action. It had my whole-hearted support including an address on the floor of this House.

Let me repeat that now we are asked to repeal the step we took then. As yet not one single fact has presented itself that was not known and foreseen at the time the bill was enacted. We are now asked to take a step that we refused to take in 1914, that is, to change our position as a nation after war was begun. That in itself, Mr. Speaker, is not only an utterly unneutral act, but it is an unfriendly act to that side—no matter which one—which may be adversely affected by our action. The present proposal is not to maintain America in a neutral position, but, as frankly admitted on the floor of another body, it is to take sides, to furnish the sinews of war to France and England because they control the seas.

If this is America's war, then the position of those who want to repeal this act, would be sound. This is not America's war, so why take the step that may involve us in it?

It is not possible that we are so blind that we cannot see the purpose of this proposal to repeal the arms embargo. It is not possible that we are so blind that we cannot see the inevitable effects which must follow a repeal of this arms embargo.

If two men are fighting in the street and you are standing nearby and give one of them a knife, are you neutral?

The Nation unquestionably stands in the position of a referee in a football game who wants to change the rules of the game after the game has begun in order to give one side an advantage over another.

If the ships of Germany were able to come to our ports to buy arms and ammunition, would we hear this cry, "Repeal the embargo and be neutral"? Ah, no.

Mr. Speaker, I wish I had it in my power—I wish I had the gift of words to impress upon this House the gravity of this action which it is proposed that we take.

We are here today considering an action that may again send the flower of our young manhood across the seas to give up their lives, to have their bodies blasted into the mud of the battlefields, to go through the hell of sleeplessness and fatigue, to endure the horrors of the rat-infested trenches. We are here contemplating an act that may result in human

agony that cannot be expressed in all the volumes in yonder Congressional Library.

We are here contemplating, Mr. Speaker, an action that may plunge this Nation into a bloody carnage, into a madness from which we may not and probably could not emerge as a free constitutional republic.

If we do this, and if we become involved, on our hands here today will be the blood of a civilization that may not survive. The Embargo Act is a bright and shining page in our history. I will help neither to erase it nor to tear it out, nor shall it be by any act of mine blurred or blotted, dimmed or tarnished.

Mr. BLOOM. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON] to answer the gentleman from New York.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. CRAWFORD] such time as he may desire.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I suggest to the Members of the House that they study very carefully the State Department releases showing the dollar value of the exports of materials to Germany, England, France, Italy, Russia, and Japan during the past several years, that they get the comparative figures and not depend entirely upon what was said a few moments ago.

Mr. Speaker, I shall be delighted to support the amendment to maintain the embargo which is now before the House.

TO BE NEUTRAL OR NOT TO BE, THAT IS THE QUESTION

Mr. Speaker, for some 3 or 4 weeks I have listened to the people of this country express their horrors of war and their intent and desire to keep out of the present European conflict. These expessions have come through letters, articles in the press, over the radio, from the pulpit and the lecture platforms. The Representatives of the people in the Congress have spoken—in both Senate and House. Almost to the last citizen these expressions have said, "We must avoid war;" "we must be neutral." And I at this moment accept these expressions as a statement of fact.

Three hundred and twenty years almost have passed, Mr. Speaker, since the pilgrims of the Mayflower fled Europe in disgust and left behind them the quarrels and brawls of that war-torn area. At the time, they must have had very good reasons for their exit. But what was that reason? Does it hold today?

Twenty-two and one-half years have passed, Mr. Speaker, since we entered that other great conflict—the World War. Mr. Wilson was then our President. Today Mr. Roosevelt is our President. More than a score of years—two Presidents—and the spirit, the tone, the methods I ask, have they changed? Can international conflicts be settled by diplomatic questionnaires? Can they be settled by sermons?

Can it be said today that "We are of more value to humanity as neutrals than as belligerents?" Was not that question asked in 1914–1917? Does not neutrality more nearly conform to Holy Scriptures? Did not our people realize and believe this in the latter months of 1916 and early months of 1917 "before" the Congress declared war on Germany?

It is in substance now said, "We are of more value to humanity as neutrals than as belligerents." This was said in the period of 1914–17, but the fact remains that under the messages of Mr. Wilson we were led into the devastating World War. We are reminded that "man proposes and God disposes." So, 22 years ago it came to America to make war. It came to us under Mr. Wilson largely by his terrible misstatements of fact and his multiplied public declarations on the English blockade, German torpedoings, conditions of the armistice. These arguments of Mr. Wilson, which were witnessed by the whole world, obtained results exactly contrary to those proposed. We threatened to declare war on England but later entered into the blockade with more vigor than the English themselves. We did not wish to go to war with Germany, but everyone knows the appalling results. The Presidential campaign of 1916 was an outbidding of neutrality, but on the 5th of April 1917 the declaration was made by this body. With regard to our wanting an armistice in 1918, Col. E. M. House has been quoted as having said:

> Let the military say what it will. It is their affair and not ours.

We might with advantage refer to the rigorous conditions exacted by General Bliss and compare them with General Foch. But oh, those telegrams of Mr. Wilson! They set loose the mechanism. Intercurrent dialogs, Mr. Speaker, cause men and nations to diverge from their intended course. It may be well for us to watch with great interest how the argument which the President presents on one occasion will become the obligation of the next. We have some interesting history to which we can go for reference. There are precedents of record, plenty of them.

Let us go back to the debates of Senators Stone, Hitchcock, Smith, and others. Did they indicate any love for England? Did they propose that our nationals be kept off the armed commercial ships of England? Indeed they did. Let us review the promises of neutrality made by Mr. Wilson in his 1916 campaign for the Presidency. What was the cry of the Democrats about "He kept us out of war"? Would any of those who voted in the general election of 1916 have voted, at that time, for war? I do not think so. Strange—but how does it happen that America always goes to war under the leadership of pacifist Presidents?

We should bear in mind that Mr. Wilson was good at keeping his ears to the ground. He had that rare quality of being able to know "what the people are thinking about." He knew the pulse of the public. That made him stronger than his party. And now, how about President Roosevelt? He was trained, you know, by Mr. Wilson.

At this time America, without question, wishes for peace throughout the world. Let us refer to Mr. Roosevelt's message to Chancelor Adolf Hitler of last April 14, when the President said:

> I am sure that throughout the world hundred of millions of human beings are living today in constant fear of a new war, or even a series of wars. The existence of this fear—and the possibility of such a conflict—is of definite concern to the people of the United States for which I speak, as it must also be to the people of the other nations of the entire Western Hemisphere. All of them know that any major war, even if it were to be confined to other continents, must bear heavily on them during its continuance and also for generations to come.

So, as in the time of Mr. Wilson, Mr. Speaker, we begin to scent possible dangers. The President went on to say that—

> On a previous occasion I have addressed you in behalf of the settlement of political, economic, and social problems by peaceful methods and without resort to arms.

The President, seeking a statement of policy, then submitted a straightforward request in the following language:

> I am convinced that the cause of world peace would be greatly advanced if the nations of the world were to obtain a frank statement relating to the present and future policy of governments. Because the United States, as one of the nations of the Western Hemisphere, is not involved in the immediate controversy which has arisen in Europe, I trust that you may be willing to make such a statement of policy to me as the head of a nation far removed from Europe in order that I, acting only with the responsibility and obligation of a friendly intermediary, may communicate such declaration to the other nations now apprehensive as to the course which the policy of your Government may take.

The President went so far as to ask the Chancelor:

> Are you willing to give assurance that your armed forces will not attack or invade the territory or possessions of the following independent nations: Finland, Estonia, Latvia, Lithuania, Sweden, Norway, Denmark, The Netherlands, Belgium, Great Britain, Ireland, France, Portugal, Spain, Switzerland, Liechtenstein, Luxembourg, Poland, Hungary, Rumania, Yugoslavia, Russia, Bulgaria, Greece, Turkey, Iraq, the Arabias, Syria, Palestine, Egypt, and Iran?

The procedure of Wilson to have moral principles cover political debate has been revived by Mr. Roosevelt. There was charm in the formulas of Mr. Wilson. In considering

the crime of war, Mr. Roosevelt has approached the subject from a moral viewpoint. He has touched upon the economic and social considerations of the ruins which war inflicts, even on neutrals in the Western Hemisphere. And may I say the political considerations of the noninevitability of war have not been overlooked.

May I at this moment ask, Mr. Speaker, if the disinterestedness of the United States and its independence was or now is as pure as that which the President's message would indicate? Did we then have clean hands for serving a tattered Europe either as mediators or as intermediaries? The President has said "the most dangerous enemies of American peace are those who, without well-rounded information on the whole broad subject of the past, the present, and the future, undertake to speak with authority, to talk in terms of glittering generalities, to give to the Nation assurances or prophecies which are of little present or future value." The President says that he has of necessity a complete picture of what is going on in every part of the world and "it is, of course, impossible to predict the future. I have my constant stream of information from American representatives and other sources throughout the world." Referring to the people of this country the President said, "you are subjected to no censorship of news, and I want to add that your Government has no information which it has any thought of withholding from you." All of this, Mr. Speaker, I accept as fact, although the President declined to give me any of the information I requested in a formal letter addressed to him under date of October 11, 1939: But may I ask this question, Mr. Speaker, with the President supplied on the thirteenth day of last April with "well-rounded information on the whole broad subject of the past, the present, and the future" why did he send the message of April 14 asking the chancelor for assurance of no further attack or invasion? Did the President expect to impale the Chancelor through forcing him to answer "yes" or "no"? Did the information then before the President dealing with all that had gone before in the last 22 years in Europe lead the President to believe the chancelor would give him a "yes" or "no" answer? I do not believe it did.

We should also bear in mind, Mr. Speaker, that on April 14 last, Germany did not have arrayed against her the overwhelming proportion of Europe which she did have in 1917 when Mr. Wilson was releasing his messages. We should also bear in mind that in the messages of Mr. Wilson he did not magnify our concern over South American countries and our interests in the Far East as does Mr. Roosevelt. Mr. Roosevelt talks of South American countries and the progress made there by certain aggressive European nationals. He concentrates the fleet in Pacific waters, but Europe would pay more attention if Mr. Roosevelt talked of European interests and directed our fleet to Atlantic waters. So the messages of Mr. Roosevelt may produce less effect than did those of Mr. Wilson, and this due to the difference in approach and the forces that now control.

Now and then the American press develops loose talk about the Huns; about how the pressure of the Rome-Berlin axis will not decline until it comes to the point where it encounters a serious resistance. What is meant by this? Is the way being prepared for our entrance into the war? Mr. Wilson was a pacifist, and so is Mr. Roosevelt. Are the American people more ready for war now than they were in 1917? I do not think so. I do believe at this moment they are determined not to make war.

Let us go back to our history of neutrality and mediation. Germany talks of war today. A few months ago so did Italy. Did the English and the French want war? They talked peace. They requested negotiations. They tried to conciliate. Does America now want to get into the war? At the moment I do not think so. Is Russia threatening war? Does Russia say she wants to go to war? No. But if Russia can assist all of the other European powers, including England, into war and have them fight until they are exhausted economically, materially, and physically, then what of Russia? Would she not also be glad to have us again become involved in a war along with Germany, England, and France? I think she would.

I am mindful of the fact, Mr. Speaker, that the President keeps our minds securely anchored to the problems of Europe. September 3 last the President said:

> This Nation will remain a neutral Nation, but I cannot ask that every American remain neutral in thought as well.

Again, on October 26, in the President's broadcast, he said:

> The United States, as I have said before, is neutral and does not intend to get involved in war. That we can be neutral in thought as well as in act is, as I have said before, impossible of fulfillment because, again, the people of this country, thinking things through calmly and without prejudice, have been and are making up their minds about relative merits of current events on other continents.

But why did we make war in 1917–18? Was it to save democracy or to defend ourselves? For what purpose in our own minds will we go to war again but to defend ourselves? When Mr. Roosevelt adjures our citizens to defend democracy just what does he mean? Last January he said:

> An ordering of society which relegates religion, democracy, and good faith among nations to the background can find no place within it for the ideals of the Prince of Peace. The United States rejects such an ordering and retains its ancient faith.

Just what did the President mean by that word "rejects"? The President further observed:

> We know what might happen to us of the United States if the new philosophies of force were to encompass the other continents and invade our own. We, no more than other nations, can afford to be surrounded by the enemies of our faith and our humanity. Fortunate it is, therefore, that in this Western Hemisphere we have, under a common ideal of democratic government, a rich diversity of resources and of peoples functioning together in mutual respect and peace.

In the same message the President said:

> Our neutrality laws may operate unevenly and unfairly—may actually give aid to an aggressor and deny it to the victim. The instinct of self-preservation should warn us that we ought not to let that happen any more.

And then, on September 21 last, with his January message having previously been delivered, and with his message to the Chancelor of the German Government having been made as late as April 14, the President said:

> The essentials for American peace in the world have not changed since January.

Well, Mr. Speaker, I am sure we are safe in saying that at the moment there are millions of American people who would not voluntarily walk up and say, "I want now to die for the immortal principle of democracy." At the same time, Mr. Speaker, when the President, when any President of this country, comes before the Congress and makes a statement such as President Wilson made, and which I now quote:

> It is a distressing and oppressive duty, gentlemen of the Congress, which I have performed in thus addressing you. There are, it may be, many months of fiery trial and sacrifice ahead of us. It is a fearful thing to lead this great peaceful people into war, into the most terrible and disastrous of all wars, civilization itself seeming to be in the balance. But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other—

And then simply says to the American people: "Will you defend yourselves? Will you defend your country? Will you defend your homes?" We know what the millions of Americans will say to that sequence of questions. And so does the President. And so do the British and French know what the American people will say. When the American people are convinced that the Reich is bringing England and France to their knees, that world power is shifting

rapidly to Germany, that the end to American security is coming up over the horizon, that the penetration is to begin in Latin American; and when the American people feel that the encirclement of the Yankees is to follow, Mr. Roosevelt knows exactly what the American people will say and do. At that time it will be opportune for another message. And who at this moment knows just how much the ground will be prepared for just that kind of a message to be delivered, say in January 1941?

Now, Mr. Speaker, if with the information that has been before the President all these months, that is before him now, and that flows to his desk in a constant and increasing stream there is proof that this country is in serious danger, that we shall have to fight for our existence, for the preservation of our rights as a world power, why does the President hesitate to put that information on the table before the Congress and let public opinion in this country "now" say what it wants the Congress to do? On the basis of the meager information the President has made available, the people have said in person, in letters, in telegrams, and through their Senate and now through this House, "we want to stay out of this war; we want to remain neutral; this is not our war." With the full facts before them, their attitude might be different and this Congress would not be straddling, as it must, at the moment.

Does the President understand that this country is in danger? Must he deliver himself to contortions in order to have the measures of national safety enacted by the Congress? Is the President supplied with the facts which indicate that if we actually declared war today against Germany, peace would be in the offing, and a devastating war for the whole world avoided? If the President had the information last January to the effect that our flirting with neutrality would eventually lead to the prosecution of war by Germany against England and France, eventually involving us in actual fighting, did he withhold that information from the country and the Congress for political reasons? If he at that time felt that our country was in danger why did he not so state? If the President had information to the effect that an authorization by Congress to him to say to England and France "I am with you," would prevent the declaration of war in Europe, why did he not give it to the people and the Congress? Can it be that Germany would have committed suicide? Has the President put himself in prison where he cannot talk, where he cannot state actual conditions, where he cannot speak with frankness because it is politic to be neutral? The people of this country can "take it," whatever "it" may be. Has the President committed verbal violence? Has the President irritated the dictators? Has he led us into the ways of terrible tragedies? Has he increased international tension which he so clearly outlined to the Chancelor? Have the democracies been incited to illusions that may prove fatal? Is the President and his administration now camouflaging the help he hopes to give to England and France through the enactment of this bill now before this House? Can the President only serve his country by violating the Constitution, and are those violations to occur after this session has adjourned and we have gone on our way home? The people of this country have never required their President to resort to initiatives leading to a bewildering timidity; and they do not do so now.

THE ALLIANCES OF EUROPE

Europe resuscitates the period of alliances which existed prior to the World War. Everywhere and in all directions alliances are signed, and this in spite of the fact that it was conceded in 1919 that alliances contributed to wars. The tranquil years of Europe, however, were accompanied by alliances. Some claim that had we not attempted to be neutral, that had we gone along with some kind of an alliance with the other great democracies—England and France, that the totalitarian or dictator countries would not have precipitated or forced the war now raging. We have in mind the League of Nations was formed. But observe the departures therefrom, and remember the United States never entered the League. We witnessed the departure of Brazil, Japan and Germany, Italy, and Switzerland. Spain, Ethiopia, Austria, and Czechoslovakia have in other ways ceased to figure in the management. It is of interest for us to look at the falling away of the few alliances concluded after the Treaty of Versailles, and I refer to the Franco-Belgian, the Franco-Polish, the Franco-Czechoslovakian, and the Little Entente.

In 1933 the signing of pacts and alliances began in earnest. In 1934 we witness the signing of the 10-year nonaggression pact between Germany and Poland, which no doubt weakened the ties between Poland and France. There followed the consummation of the Balkan Entente, consisting of Rumania, Yugoslavia, Greece, and Turkey, and later there came into operation the little Baltic Entente arranged between Estonia, Latvia, and Lithuania. Germany proceeded to repudiate the Locarno Pact, and along with Japan executed an anti-Communist pact, and this was later broadened to include Italy and Hungary. Although Great Britain and France had gone to war in the interest of Belgium in 1914, the latter fearing growing Nazi strength demanded release from the Locarno Pact, and today it is necessary for us to await the passing of time to accurately appraise the relations existing between Belgium and England and France.

While England may have moved rather slowly she did finally begin to make alliances, although she had frowned upon them in the past. We witness the British-French alliance, and those made by Britain with Turkey and Poland. There came the struggle of Britain to form an alliance with Russia. And, too, the French awoke to what was going on, but the anemic alliances with Poland, Russia, and the Turkish accord failed to fully blossom and ripen.

We observe that primarily there were two groups of alliances, as of old. England and France in one group and Germany, Italy, and Russia in another. With interest one can compare Imperial Germany with Hitlerian Germany. Hitler lost Alsace, Lorraine, Schleswig, Danzig, the old Prussian Poland. But then what happened? He regained German Austria, Bohemia, Moravia, Slovakia, Poland, and Danzig. Italy—she has picked up Albania and Ethiopia; while Austria-Hungary has primarily increased the size of Hitlerian Germany and Italy. Japan has gone a long, long distance to form a working arrangement with Germany.

We are reminded of those aliances of years gone by between Japan and England.

We saw what happened as between these two countries in 1921. If it proves to be true that England and France have not in actuality lost Italy as an ally, that will, of course, alter the situation as against that which existed some months ago. From 1915 to 1935 these last three named countries were allied and the tie was broken through sanctions. Japan was in need of an European ally and having lost London, when the world situation began to tighten she sought another at Berlin. This constituted a great loss to England and France.

Why did the proposed British-Russian alliance fail? To what extent could either England or France reliably depend upon Russian bolshevism, and the economic and military disorganization assumed to exist in Russia? Would treason have developed in due course? What about the pact with France which was signed by Maxim Litvinoff? Why did his star decline and was there ever a firm proposition submitted for the acceptance of Mr. Chamberlain? We need only refer to the statements of Mr. Chamberlain before the House of Commons to obtain light on the question. While Maxim Litvinoff was given his dismissal by one Josef Dzhugashvili, called Stalin, the significance of the change is not clear. We can only ask if it is to be profitable to Germany. To what extent will his dismissal and the change of both personnel and methods benefit the great democracies? Everywhere we read of Russian personalities, but the important question is, What is to be the policy of the Soviets?

We could believe that on the one hand Russia is intent on unchaining the revolution in those countries which are non-Fascist. We can believe that the Soviets might go so far as

to provoke war for that purpose. At the same time we can assure ourselves Russia will not participate in the war so provoked. Ah! the Soviets would not be so dumb as to follow such a course. But, if the Soviets can precipitate the capitalistic states into a war of exhaustion it will then be so much easier to promote revolution. Since the Russian Revolution took place let us go and review the liquidations, the deportations, the assassinations that have occurred in Russia. What has happened to the original leaders? Must not the revolution propagate itself abroad? Is not that what is being promoted here in the United States?

Dealing with central and western Europe alone, let us for a moment gaze upon the field of action. Russian communism was suppressed in Germany, Austria, Czechoslovakia, and Spain. In Yugoslavia, Bulgaria, Greece, Turkey, and Poland it has not succeeded. It is now nonexistent in England, Belgium, Holland, and the Scandinavian countries. In France there may be found a semblance of practice and experimentation. If we can run the Federal debt to seventy-five or one hundred billion dollars; if we can indefinitely maintain from five to ten million heads of families on relief; if we can go into another devastating war and let follow its close the washing out of the capitalistic system and have substituted therefor a dictatorial form of planned economy, what a feast we will set for the revolutionist.

Soviets know their weakness. They have some conception of the weakness of others also. Following the recognition of Russia by President Roosevelt and the trade arrangements arranged by the latter with one Maxim Litvinoff and the sale of good American airplanes, we are not informed about the number of qualified Russian aviators. What is the capacity of Russia's heavy industries? What is Russia's organization, political and military? Do the Soviets dare let the Russian Army leave the interior? What would the civilian population do if the army went to the front? If the Soviets want to make war, why have they been so passive with regard to Japan's encroachment in China? Did not Russia act in Poland after Germany advanced? Was Russia operating in Spain, in Bohemia, in Slovakia, at Memel? Russia, being wise, she lets other countries do the actual fighting. We have also observed that Russia has not opened her gates to the refugees from Spain or from Germany. It would be enlightening if we could obtain more information with reference to the depopulation program Russia now has under way in certain areas. We do observe with interest her willingness to sign alliances, pacts, arrangements, and agreements with all the countries; in doing so, she does not have to execute with anyone. Mr. Speaker, as best I can measure the war aims of Russia, she is not interested in the present imperialistic war except that "it may touch all the world except Russia."

Observing at a distance the alliance-making that has been going on, the revolutionary tactics that have been promoted in the United States by agents of Moscow, the insults the Russian press has heaped on England and France, the accusations of Stalin against the self-styled great democracies for having conspired to throw Germany to the east, I wonder why the democracies thought Russia could be depended upon to help save Poland or Rumania. Who is so credulous as to depend upon a companion in battle when they know that companion is assiduously preparing civil war against them, on their own soil? Are we to fear Russia only because she promotes civil war in our own territory? Let those who will go look at the record and bear in mind that Russian bolshevism has made that country, for the time being, a power of limited interest. And as for China, and our long nurtured Philippine Islands, let us not forget. The day may come when Russia will have business there.

WHAT IS OUR POSITION IN THE PRESENT WAR?

What role shall America play in the present war? For the moment our people want peace, noninvolvement, neutrality: There is no doubt about that. But as so clearly pointed out in debate in the Senate and the House, we proceed to take sides; to make this our war, to boldly state that we must now go to the aid of France and England and all so that democracy may be saved and our encirclement prevented. With repeal of the embargo and the steps that will naturally follow, how long will we remain neutral in action? The same question, mind you, could be appropriately submitted with the embargo in effect. We hear those voices claiming that Germany and Russia are stronger than France and England.

Let us try to look upon the scene now as compared with the situation in 1914. We do know that the Anglo-French position is much stronger than in 1914. From the standpoint of colonial advancement and general strengthening with more manpower, more industrial development, and more ability to produce foodstuffs, we know great progress has been made by both England and France. The shipping position of the two countries as compared to that of Germany is far better than in 1914. Furthermore, their internal organizations are prepared for war as months of planning peceded the recent declaration of war. Immediately, the financial resources were mobilized, foodstuffs were rationed, taxes were increased, and altogether there was not the hesitancy which governed in 1914. The financial strength of England and France at this time as compared with Hitlerian Germany is, of course, very much in the former's favor. Germany's distress has long ago been announced by her augmentation of debt and the issuance of bonds. The ability of France and England, through control of the seas, the increased production of foodstuffs on their home soils, the strengthening of their empires industrially and agriculturally places them in position to revictual their forces, but Germany must depend so much upon Russian uncertainty.

There is a political unity of defensive interest between England and France just now which did not exist in 1914. The alliance between the two countries this time preceded the declaration of war—it did not have to come after war was on. Can we appraise the moral and intellectual relationship between Germany and Russian uncertainty? We cannot. But look at the situation as between England and France. Do we find ill feeling there? We do not. We find a unity of action, a singleness of purpose that far transcends that which existed in 1914. We hear of no conflicts whatsoever as between England and France; their visits are friendly; there is no encroachment. But we cannot say that about Germany and Russia or Germany and Italy or Russia and Japan. We should also be mindful of the fact there are no religious or political forces operating against the singleness of purpose of England and France; but, on the other hand the church takes official cognizance of the great moral forces the Allies support.

Upon what soundness of theory can we assert the Monroe Doctrine, and forever be going to Europe to make war? Until 1917 we had kept faith with the principles of the Monroe Doctrine. At that time we broke faith. Upon what grounds can we now justify a second breaking of faith? Shall the United States content itself with being an international policeman for all of Europe? Not if we are to have any peace.

Why did the Pilgrim Fathers flee Europe? Was it for the purpose of having the power to judge Europe? Are we the born arbiters of our European ancestors? If not, why do we, when we apply ourselves to international affairs always begin to judge, take sides, and want to act as the great policeman? Our interference invariably brings about results exactly contrary to that which we advocate.

We are cognizant of the new force which has implanted itself in Europe, and I refer to the changed Russia. Prior to the coming of her present regime the very bulk, area, and population of Russia was a stabilizing influence throughout Europe. If one of the factions became too great and powerful the other could always go to Russia, form an alliance, and prevent the first from attaining supreme command. But now, with Russia under the command of a leadership which is in conflict with that of all the other leading powers of the world, we can rest assured that the absence of her old status is keenly impressive. Perhaps the

time has come when England, France, Italy, the Netherlands (and may I also say the United States) all must count on themselves—and no longer rely on the balancing influence of Russia. Even if Russia should agree to furnish military assistance to Germany, what would it be worth? Russia might defend herself, like China, by retreating; but to aggressively offend, I do not think so. Stalin has liquidated too much of the intelligence of Russia.

So, Mr. Speaker, we must now act on the bill before us. As I have stated, I am convinced that at this moment our people want to stay out of the war. But those who advocate the repeal of the embargo grow more bold in their contention that repeal must be effected in order to assist Britain and France. They have now drifted away from the thought of neutrality—their new doctrine is we must not let England and France be defeated; therefore, let us repeal embargo and proceed to ship goods as fast as they can be fabricated. Is this the first real step toward our actual participation? Accepting the arguments as they have been and are being presented, I must come to the conclusion that is exactly the new proposal. In the drafting of this bill now before us, some master mind has calculated that the provisions of this bill will reconcile the desires of our people; that is, that we keep out of the war and that a German victory be prevented. To repeal the embargo will, in the words of those who advocate repeal, strengthen the hands of England and France. The repeal step is to be taken deliberately, for this specific purpose of aiding the latter-named countries—not in order that we shall be neutral. If this be true, there will be spread over this land propaganda and arguments to convince the people of this country that we should ally ourselves with England and France, first, in the manner here proposed, secondly and later by extending credit in order to promote our economy, thirdly that when the crucial hour arrives we must furnish manpower to the extent necessary. That, Mr. Speaker, is the logic of this whole proposal. So, Mr. Speaker, if at some future time the disposition of our people is to the effect that we should make this our war, that we should furnish materials, then money and credit, and, last, manpower and the full strength of the Nation—and no longer even claim our neutrality—at that time the Congress will act in response to the will of the people. But at the moment, Mr. Speaker, our people are demanding neutrality, the proponents of repeal are claiming neutrality, and, therefore, I shall vote to maintain the embargo and remain as neutral as possible and without choosing sides as to who shall win or who shall lose, leaving that choice to the American people to be expressed at some future time and in accordance with developments now unpredictable. The relative merits of current events on other continents may be the controlling factor after our people have had the time to think things through.

Mr. FISH. Mr. Speaker, I yield 15 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, first let me compliment the leadership of the House, particularly our able Speaker and our majority leader, for giving us a chance to express our views upon the many questions presented in this bill. May I not say at the outset that I do not pride myself on believing or feeling that I can shed any new light upon the matters that have been discussed in the other end of the Capitol and over the radio for nearly 6 weeks and, indeed, in this body itself for the last 3 weeks.

The resolution before us contains many provisions that are worthy, meritorious, and no doubt will lead toward peace. Regardless of whether or not the embargo on arms is retained or lifted, the President of the United States was more than justified in calling the Congress in extraordinary session to strengthen and improve our position.

Looking back, I am convinced that we became involved in the World War some 22 years ago because our people and our banking institutions had theretofore extended almost an unlimited credit to some of the belligerent nations. Also there were two other strong contributing factors. A number of our people suffered the loss of their lives by being passengers on American ships which found their way into danger zones and were sunk. The third reason was the sinking of our merchant ships. Those, in my opinion, were the happenings which caused us to enter the other war.

This resolution is a fairly good guaranty against a situation which might lead to a recurrence of that disastrous step which we took when we sent our boys to be slaughtered on foreign soil in World War No. 1.

I use the phrase "fairly good guaranty" advisedly for two reasons: First, under the provisions of section 7 I see nothing to prevent a person or citizen, as those two terms are defined in the bill, from going into Canada, or Mexico, and trading in any way they see fit in belligerents' securities, or the extension of credit to belligerent nations, as long as the transaction takes place outside of the United States. They may also buy all the securities they wish if they are dated prior to date of proclamation.

In my opinion, the conferees should be instructed by the Members of the House to substitute such language as will prevent citizens from going anywhere to buy, sell, or exchange bonds, securities, or other obligations of a belligerent nation named in the proclamation, and also prevent citizens and persons from trading in such securities within the United States, regardless of when issued.

I want the Members to read section 7, page 23, dealing with financial transactions. You will observe we can buy foreign securities under the provisions of this bill, provided they antedate the signing by the President of the proclamation of war. In other words, if I had money, which, of course, I have not, I could buy all of the securities of the belligerent nations in Europe which bear date prior to the time of the issuance of the war proclamation by the President of the United States. Moreover, under that same section you could go over to Canada and buy and sell any securities offered by any foreign nation to anyone. A citizen of the United States may do that. In my opinion, Mr. Speaker, the American people believe that we are legislating to prevent the issuance of credit and buying foreign securities and thereby tying ourselves into these foreign belligerent nations in financial transactions which would lead us into the insane war going on now in Europe.

I sincerely hope that when the time comes we will be able to instruct our conferees to take a position to tighten and strengthen this section 7 so that American citizens cannot go over into Canada or into Mexico or any other foreign country and buy foreign securities, and that we will take the position that our citizens cannot buy foreign securities regardless of the date they are issued.

Mr. MARTIN of Colorado. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Colorado.

Mr. MARTIN of Colorado. I suggest the provision the gentleman is discussing was inserted in the Senate bill. It was not in the original bill. The Senate became convinced that ought to go into the bill.

Mr. O'CONNOR. I do not care how it got into the bill. We do not want to extend any credit to the European belligerent nations, not one dime of credit, because that is the principal thing that got us into the other war. You cannot deny the fact that it was through investments made by the international bankers of the city of New York that caused, ultimately, the American boys to die on foreign soil.

Mr. CURTIS. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Nebraska.

Mr. CURTIS. Referring to section 7, subsection (b) says:

> The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of such proclamation.

At the present time the law forbids the exportation of arms and munitions, but it does not forbid or prohibit the purchase upon credit by any foreign government of arms and munitions at this time. If this arms embargo is repealed, what is there to prevent a foreign government buying arms and munitions,

leaving them in this country at this time, and then after the proclamation renewing the indebtedness?

Mr. O'CONNOR. Not a thing.

If this proposed legislation is amended in this regard, in my opinion it will go a long ways in keeping this Nation out of this European war. I do not believe the retention or lifting of the embargo on arms, munitions, and implements of war means either war or peace. Neither do I believe that anything which we may write into the laws of this country means either war or peace. I agree with the distinguished gentleman from Texas to that extent. It might be well said that you cannot control the taking of lives, the sinking of ships, the explosion of bombs, and the shooting of bullets by words, however well intended.

All we can do by legislation is to inhibit such activities of our citizens as have heretofore placed this country in such a position that it had to act in order to preserve its rights. A repetition of such acts on the part of our citizens might again cause our people to be whipped into such a state of fury that we would again be provoked into making the terrible sacrifice.

It may also be said, parenthetically speaking, that this proposed measure has to do only with internal affairs in this country and in nowise affects, as a nation, this Nation's rights under the law of nations. There is no question in my mind but what the rights of our Nation will be many times transgressed by all of the belligerent nations. War is war. The only thing we can do is to build the most effective barrier of words against bombs, sinking of ships, bullets, and so forth, as is possible, but, my colleagues, this so-called word barrier embargo, in or out, will not of itself keep us out of war.

The people of the United States may go a long way in keeping this Nation at peace if they will remain neutral in spirit as well as in fact, hold their heads, and "keep their shirts on."

I also want to call to your attention, as I did last June, when I was privileged to address you here on the so-called Bloom bill, to the powers of the President of the United States.

In my opinion, in the hands of the Chief Executive, outside of the people themselves, rests the greatest power to preserve peace. In that connection I want to call your attention to article II, section 2, of the Constitution of the United States. I also desire to call your attention to a decision rendered by the Supreme Court of the United States known as the *Chaco* case, found in the American Journal of International Law, volume 31, 1937, beginning at page 334.

I ask your indulgence to repeat now some of the pertinent parts of this Supreme Court decision.

I quote again in review:

Not only, as we have shown, is the Federal power over external affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate, and manifold problems the President alone has the power to speak or listen as a representative of the Nation. He makes treaties with the advice and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude, and Congress itself is powerless to invade it. As Marshal said in his great argument of March 7, 1800, in the House of Representatives, "The President is the sole organ of the Nation in its external relations and its sole representative with foreign nations." (Annals, 6th Cong., column 613.)

The Senate Committee on Foreign Relations, at a very early day in our history (February 15, 1816), reported to the Senate, among other things, as follows:

"The President is the constitutional representative of the United States with regard to foreign nations. He manages our concerns with foreign nations and must necessarily be most competent to determine when, how, and upon what subjects negotiations may be urged with the greatest prospect of success. For his conduct he is responsible to the Constitution. The committee considers this responsibility the surest pledge for the faithful discharge of his duty. They think the interference of the Senate in the direction of foreign negotiations calculated to diminish that responsibility and thereby to impair the best security for the national safety. The nature of transactions with foreign nations, moreover, requires caution and unity of design, and their success frequently depends on secrecy and dispatch." (U. S. Senate Reports, Committee on Foreign Relations, p. 24.)

Mr. Speaker, I will ask the Members to read the *Chaco case* decided by the Supreme Court of the United States, cited herein.

You will observe that the President is the sole organ of the Nation in its external relations and its sole representative with foreign nations. Mr. Speaker, with this almost unlimited and plenary power in dealing with this foreign tragedy, the President of the United States can preserve peace or lead us into war. At this point I desire to say to you that if it is possible and if it can be done with some little degree of national pride left and without surrendering all of our international rights under the laws of nations, that our President will preserve peace.

Really, Mr. Speaker and my colleagues, the only real hold Congress has on the entire situation is that it alone has the power to declare war. Again speaking parenthetically, as long as I am a Member of Congress I shall not vote to send our boys to fight in foreign lands unless we, as a Nation, are about to suffer complete destruction of our rights and unless I receive a clear mandate from the people to do otherwise.

Let us not mistake the situation today. The people of this country are almost unanimous against taking any hand in this madman's war in Europe and want no part of it.

Mr. Speaker, as to the embargo feature of this resolution, in my opinion it does not ascend to the height of importance which caused, without abatement, unparalleled furious debate for 4 weeks in the other end of the Capitol. I have heard it said in the Senate that its retention or repeal will mean war or, conversely, peace. With either statement I cannot agree. Its repeal would be restoring a right our people have, subject to certain restrictions and regulations, a matter that is purely internal with which no nation has the legal right or the justification of attempted interference. The writing of this bill, in its entirety, is purely an internal matter. The mere fact that England and France appear at the moment to be the beneficiaries of this contemplated repeal of the embargo is simply incidental to the spirit and presumable purpose of this resolution.

I want to say a word contrary to what the distinguished gentleman from Texas said when he stated this law was unfair and impartial because Germany was the beneficiary under its terms. If that is the fact, it should not be controlling for its repeal, because if it favors Germany, that is simply incidental to the purpose and the spirit of the law, namely, to preserve the peace of this country. On the other hand, if repeal favors England and France, that is simply incidental to the purpose and spirit of the law.

Positions of nations on what constitute neutrality, many times depends upon whose ox is being gored. Great Britain in late 1914 and early 1915, took the position that during the progress of a war an embargo should not be placed on the exportation of arms, declaring such action to be unneutral. Germany, believing that it would be advantageous for such an embargo to be placed, advocated that such legislation should be adopted, and took the position that it would not be an unneutral act to write such legislation when a war was going on. Now each nation is contending, as I understand it, the opposite view. So, after all, are not we to judge for ourselves? What right has either nation, under international law, to say that we cannot, without becoming unneutral, write any statute we see fit, regulating or restricting the rights of our own people, and concerning our own internal affairs?

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the gentleman 4 additional minutes.

Mr. O'CONNOR. Mr. Speaker, the statement has been made that there is little, if any, difference between the materials out of which guns and bullets may be made, and the finished article. That argument is not persuasive. For instance, steel and copper may be used to make implements of war and they may also be used for legitimate and lawful purposes. Under the common law I think the rule is that there is a presumption, where an article may be used for

an unlawful and a lawful purpose, that it will be used for a lawful purpose.

However, Mr. Speaker, I think it is well to recall that this Nation outlawed war as an instrument of national policy by the provisions of the Briand-Kellogg Pact, and it may properly be said that in view of such action on the part of this Nation, and in view of our traditional peace-loving policy, that this country should not directly or indirectly aid in the continuance of the terrible war in Europe by furnishing munitions of war to either or both belligerents to be used in the destruction of innocent men, women, and children whom we do not know and against whom we hold no grudge, but, on the contrary, for whom we entertain the kindliest of feeling. Let us not forget that all belligerents may buy our implements of war in case the embargo is repealed.

I wish to also state that Congress will be in regular session within approximately 60 days. If a mistake is made here, it can then be corrected.

Mr. Speaker, my only desire is, as God is my judge, to keep this country at peace. That is the mandate we have received from the four corners of these United States. Remember, our people want no part of this European war.

Mr. Speaker, to my way of thinking, the real enemies confronting America today are, first, a staggering national debt of $45,000,000,000, and, second, the haunting specter of millions of men out of work. These two conditions are more frightening to me than a war going on in Europe, 3,000 miles removed from our shores. I cannot help but recall the words uttered by the distinguished gentleman from Texas, the chairman of the Judiciary Committee of the House, Judge HATTON SUMNERS, when he was speaking of matters of this kind, he stated that "We are at the crossroads," and that it was going to require the complete cooperation of all Members of Congress, the executive and the judicial branches of the Government to save this country. Perhaps he had in mind not only these conditions, but likewise the boring from within by many enemies of our form of government. Now, supposing we entered into this war. We can safely add at least from fifty to seventy-five billion more of national indebtedness, and, besides, millions more of dead and unfortunate human wrecks would follow this war. We would emerge from World War No. 2 a nation of broken, weary, despairing people, easy prey for the heel of the lurking dictator. We must take no chance in this matter.

Mr. Speaker, I would remind the House of the words spoken recently by the newly elected national commander of the American Legion, Mr. R. J. Kelly, when he accepted office. He said at that time:

> Now, as never before, we must save our youth from being dumped into the bubbling cauldron brewed of Old World poisons.

He has been there. He knows whereof he speaks. He knows the poisons in the minds and hearts of those nations. He knows that for centuries they have fought over boundary lines, over trade, money, and power. He knows they will continue to fight. He knows the youth of America have no place in their recurring wars. Let me quote briefly again from Mr. Kelly:

> As your national commander I pledge myself to go from this convention and make known to our fellow citizens your mandate to keep our Nation out of any armed conflict overseas. Here we have conscientiously advised our fellow countrymen of the vital necessity of their maintaining a realistic neutrality policy. Attempting to cloak our neutrality with a biased belligerency must inevitably lead us straight into war.

Many of these American Legion boys tasted the horror, the bitterness, the tragedy, the futility of our last efforts to save democracy in Europe and to end war. Ask any ex-service man if he wants to drink again from that same cup of sorrow.

We have, Mr. Speaker, a fight ahead of us—a fight against our own immediate enemies of debt and unemployment, and we have a fight to stay out of Europe's war. I am confident that America is big enough and great enough to win both of these fights. I know Congress will do its level best for victory.

Mr. MURDOCK of Arizona. Will the gentleman yield at this point?

Mr. O'CONNOR. I yield.

Mr. MURDOCK of Arizona. Did I understand the gentleman to say that, in his opinion, no matter how we pass this law, this country will not be drawn by this legislation into the present European war?

Mr. O'CONNOR. That is correct. That is my feeling and view.

Mr. MURDOCK of Arizona. The gentleman and I have similar views on so many matters I wonder if we are not agreed on many phases of this problem. On June 30, last session, before war started in Europe, and at a time when we thought there would probably be no war immediately, we both voted not to lift the embargo on arms and ammunitions. My vote at that time was largely a protest vote. Now to me the whole matter is changed. I may be willing to lift the embargo on guns and ammunitions, but I do not want to lift it on poison gases. I wonder if the gentleman has the same feeling in the matter.

Mr. O'CONNOR. The gentleman from Arizona has expressed my view and indicated my intent as to poison gas.

Mr. MURDOCK of Arizona. When the gentleman from Montana stated his convictions so positively about our keeping out of war he indicated exactly my feeling and intent. I assume from the gentleman's remarks that he feels that the enactment of this legislation will not only not get us into war but will tend better to keep us out of war. Does the gentleman from Montana wish to give notice, as I do, that no matter how he votes on this bill his vote is not to be considered as a pledge of further legislation to help any of the belligerents, even though his vote on this measure may indirectly have that effect at the moment? As for myself, I hope to have the opportunity to vote directly on the issue of lifting the embargo on poison gas, in which case I shall vote "no."

Mr. O'CONNOR. Whatever we do, Mr. Speaker, let us do it in the spirit of Commodore Decatur, who uttered this famous toast:

Whatever we do, Mr. Speaker, let us do it in the spirit of Commodore Decatur, who uttered this famous toast:

> Our country! In her intercourse with foreign nations may she always be in the right; but our country, right or wrong!

[Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut [Mr. BALL].

Mr. BALL. Mr. Speaker, it is with an humble spirit that I approach the problem which confronts the Congress and the country at this critical time in our Nation's history.

Deliberately, dispassionately, I have done my best in my own simple way to think this thing through. I have listened to many speeches, some of them stirring, some of them dull, but all of them sincere. I have read the many letters that have come to me from high and low, from rich and poor, from the learned and the unlettered, all of them crammed with the insistence that this country hates war and desires to do everything humanly possible to avoid war. I have read everything that I could find that had any bearing on the subject, and I have written to those whom I believe to be wise, and sane, and sensible so that I might have the benefit of their better brains, and now—after due and deliberate consideration, and deeply sensitive of the seriousness of the situation—I have made my decision. I will support the bill, as amended in the Senate, firmly believing that it charts the best course for our country to follow.

During the last several weeks much has been said in debate, over the radio, on the platform, and in the press that is misleading and confusing. The opponents of the repeal of the arms embargo have made, not once but many times, the statement that a vote for repeal is a vote for war. That statement is not only untrue, it is ridiculous. They have said that those who would vote for repeal are influenced by the makers of munitions of war. Anyone who knows the men

who make up the membership of this body knows this is preposterous. They have done much to inflame the people of this country against her friends and former Allies. They have done almost everything to defeat the pending measure, but most of them have failed to face the issue squarely and consider the legislation on its merits.

It is somewhat unfortunate that the proposition before us should have become known as the neutrality bill. True neutrality is a state of mind—a thing of the spirit—that can never be achieved by man-made law. It would seem to me better to call this measure the American safety and security law, for it is an attempt to keep the United States out of war—not to get them in. It is a straightforward and honest attempt, and as such should receive the acclaim of the country. It is nonpartisan in spirit, or should be, and has the approval of the distinguished Secretary of State, Mr. Hull, and his eminent predecessor, Mr. Stimson. If enacted into law it will enable us to look the world in the face, firm in the support of what we know to be right and confident that the ideals of our forefathers will be cherished and preserved for all time. [Applause.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. ALEXANDER] such time as he may desire.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and include therein a letter from a constituent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ALEXANDER. Mr. Speaker, I have received over 5,000 messages from citizens in Minnesota regarding the problem now under discussion—neutrality. Among the various groups and individuals who have interested themselves in this great subject none has been more devoted to the cause of preserving peace and to the pursuit of patriotic ideals as they see them than the group of American citizens in Minneapolis and vicinity who call themselves The American Scrutineers.

I do not know anything about this group, except as I have come to know them through their efforts in the interest of peace, in which we are all interested. In that connection they have asked that I place their views on record, and I gladly insert same herewith in the form of a letter from Mrs. Agnes Rosa, their secretary:

THE AMERICAN SCRUTINEERS, INC.,
Minneapolis, Minn., October 28, 1939.

Hon. J. G. ALEXANDER AND ALL MEMBERS OF CONGRESS:

In dealing with the issue which is now before the House—namely, doing away with the arms-embargo provision of our present neutrality laws—kindly bear in mind that you are the representatives of the American people because of the esteem your constituents had for you at the time of your election.

To betray their confidence at this crucial time would be un-American.

To endeavor to discuss this issue, pro or con, by mail would be useless, but we feel it our duty, after careful deliberation, to express in a few brief words our decision.

Lifting the arms embargo would be our first step proving that we do not intend to stay neutral, and we cannot hope to gain either financially or morally by so doing.

By lifting the arms embargo we will eventually become embroiled in another world war with nothing to gain and everything to lose, even to the extent of forfeiting all our cherished rights as guaranteed by the Constitution, for which many of our forefathers died and for which there are many loyal American citizens willing to fight to defend.

We are convinced that our President is not motivated by any idealism in conniving for this repeal, but is proving beyond any question of a doubt that to him place and power are his ambition.

The Members of the House of Representatives have no reason to be misled and deluded. We are aware of the fact you do not have access to all records and secret treaties to date, but the records you have of the war of 1917 should be a safeguard for the people. Do not wait another 20 years before you acknowledge the facts. This is no war to safeguard Christian principles. England and France are no more concerned about that than Germany. There is no more dependence upon the honor of England or France than Germany. This is a war to retain an iniquitous financial system which has proven to be the greatest hazard to the well-being of man. George Bernard Shaw said, "If our own military success were at stake we would violate the neutrality of heaven itself."

Were you not an enlightened body of men you could not be blamed, but with the knowledge you have of secret and underhanded methods employed, the insidious act of voting to lift the arms embargo would be a betrayal of the confidence reposed in you and make you traitors to yourselves, your families, your fellowmen, and to your God.

To any loyal American a vote to lift the arms embargo is little short of treason, yet there were 63 Senators willing to let their names go down in history as favoring such action. It is a pity that everyone who votes for war or causes which lead to war does not sign his own draft.

On the action in the House depends whether we will be merchandisers of war materials, whether or not we will again sacrifice our youth on foreign fields, whether we will be strangulated by the "industrial mobilization plan" and lose every vestige of our liberty. The American people are not willing to give to any one man such dangerous power however much he may desire it. Let Congress keep and exercise the powers vested in them by our Constitution. Relinquishing these powers is a forerunner of a revolution and if that time comes antisemitism which today is a mere myth in the United States will become a reality. We are still willing to do and dare all for the cause of truth and humanity.

We beseech you to be prudent and cautious. One-third of our Nation is still ill-housed, ill-fed, and ill-clad.

Stop looking to Europe. Give democracy a chance to work here.

Remember your duty is to safeguard our country and your country, our Constitution and your Constitution, and all the people in our country worthy of being classed as American citizens. Remember men will sacrifice their lives for a country which protects them and their families, but not for a racket.

Hoping that some miracle will save us from the horrors of another war and eventually eliminate want in the midst of plenty and ensuring permanent security for all our citizens and thus set an example for all foreign nations to follow.

We never want to pay another foreign country for graves where our American boys rest. Keep the arms embargo on tight.

Respectfully yours,

AMERICAN SCRUTINEERS,
AGNES ROSA,
Corresponding Secretary.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Indiana [Mr. LUDLOW] such time as he may desire.

Mr. LUDLOW. Mr. Speaker, 163 years ago the Liberty Bell rang out, proclaiming liberty, independence, and freedom to all of our land and all of the inhabitants thereof.

Today we have need of another liberty bell to ring out a clarion warning to the people of America that the liberty, independence, and freedom for which our forefathers so nobly fought on the battlefields of the Revolution, are jeopardized by the well-meant but dangerous bill now pending as the special order in the House.

In historical sequence and implications the House of Representatives in Washington is linked with Independence Hall in Philadelphia and will be so linked in the receding vista of the centuries. It seems a far cry from Independence Hall in 1776 to the Hall of the House of Representatives in 1939, but they are but scenes of different episodes in the age-old struggle for human freedom. Our ancestors fought and died to separate America from alien influences that trampled on all of the rights of man and enslaved the human spirit. It was their holy aim to establish in the New World, completely detached from the Old World, a citadel of freedom that would endure and bless mankind forever. The opponents of the pending neutrality bill are fighting today to sustain and perpetuate the policy of the founding fathers; to keep America forever free from the corroding and enslaving Old World influences and conditions which our forefathers fought so valiantly to escape.

We are fighting to keep America forever out of Europe and Europe forever out of the Western Hemisphere. It is an epochal, history-making fight that is now being waged in the House of Representatives.

It is a fight that should excite our highest patriotic emotions, because of its tremendous significance for the future of our country, and in it there should be no criminations and recriminations, no trace of bitterness. Let every Member of this body freely concede, as I certainly do, to every other Member the same sincerity and good faith he claims for himself. With that fundamental feeling of confidence, one for another, we shall start with the right premise for the serious consideration of the gravest question that has ever confronted the House in your day or mine. Let us sit down and reason together, and let us pray to God that we will not make an awful mistake.

TWO QUESTIONS POSED

Let us consider, in a purely objective way, the issues involved in this so-called neutrality measure, which is not neutrality at all, but a plain effort to help one set of combatants in a foreign war. Let us pose two questions:

(1) What will happen if we stay out of the European mess, by defeating this effort to repeal the arms embargo?

(2) What will happen if we repeal the embargo and thus let down the floodgates to furnish the lethal instruments of death and destruction to one set of European fighting powers?

The answer to the first question is that if we stay out we, of course, will stay out. If we maintain the existing neutrality law, and do not repeal the munitions embargo, there are ninety-nine chances to one that we will keep out of the European war, and America may then proceed to the immense undertaking of economic rehabilitation at home, to the end of finding employment under happier surroundings to the 10,000,000 or 12,000,000 now unemployed, ill clothed, ill fed, and too often on the verge of starvation. No one will contend that the existing neutrality law is getting us into the war. On the contrary, it is keeping us out, and will continue to keep us out.

OPPORTUNITY TO REAFFIRM MONROE DOCTRINE

But in further answer to the first question, let me say that in my opinion by far the most important effect of our action if we stay out of Europe's war and refuse to repeal the embargo, will be a twentieth century reaffirmation of the Monroe Doctrine. That is what is needed now more than anything else—a twentieth century reaffirmation of the Monroe Doctrine—and the House of Representatives has now the ideal and perfect opportunity to reaffirm that doctrine in a clean-cut way that will stand out as an object lesson to the world for all time to come. You will remember that under the Monroe Doctrine we closed the Western Hemisphere against the aggression of European powers, but you will also recall if you study the philosophy back of the Doctrine and the debates on the subject that this carried with it the reciprocal obligation on the part of America to stay out of Europe's affairs. "America to stay out of Europe and Europe to stay out of the Western Hemisphere" was the keynote of the doctrine which is so closely and basically intertwined with the history and traditions of America. If we ourselves violate the spirit of that tradition by becoming the munitions arsenal and provisioner for one set of fighting powers in a war between European belligerents, will that not put us in a most difficult position, at least as far as logic is concerned, when it comes to defending the Monroe Doctrine against future aggression by European powers? I wish the advocates of embargo repeal would think that matter over very carefully, for I believe it is an important point.

WHOLE WORLD IS WAITING

The whole world is waiting for the verdict of the Congress of the United States on this neutrality bill. What we do here on the roll call on this bill will fix the future status of America in world relationships. By our action we will either stand on the Monroe Doctrine and plant America squarely on that doctrine, reaffirming our pledge to keep America out of Europe and our determination to keep Europe out of the Western Hemisphere for all time to come, or by letting down the bars and becoming a partner in the strife in Europe we will undermine our national peace and security and invite reprisals against the Monroe Doctrine which are bound to come. Is not the policy of Washington and Jefferson, as fixed in the history and ideology of our country by Monroe, by far the safer policy? The House of Representatives will make a historic decision on this bill, the soundness and justice of which no one can deny, if it will just envision America standing unshakable on the Monroe Doctrine in its pure and undiluted form, armed so completely that no foreign nation dare even to think of attacking the Western Hemisphere.

REPEAL WILL PUT US IN THE WAR

Some brief comment now on the second question I posed at the beginning of this discussion and I am done. What will happen if we repeal the embargo and thus let down the floodgates to furnish the lethal instruments of death and destruction to one set of European fighting powers? It does not require a seer or a soothsayer with a crystal sphere to answer that question. On the day this bill is passed and signed we will be in the European war. We will be the arsenal and provisioner and credit supplier for one set of fighting powers; and if that does not put us definitely in the war, I do not know what would. I loathe the dictators, but I am for America first, last, and all the time, and I think we should keep out of foreign entanglements. I do not think that we should try to wipe out the sins of the dictators with the blood of our precious American boys. Already the British newspapers are using glowing phrases in hailing us as their supporter. We will go in as a noncombatant ally of one set of powers and our status will be likely to change at any time to that of a combatant as pressures are applied and the exigencies of the war situation develop. We will go half way in at the start, and if we do not go all the way later on it will be by the grace of God, and despite a law masquerading under the name of neutrality that exposes us in a hundred different ways to entanglement and involvement. Soon American-made instruments of mass destruction will be pouring across the ocean and our manufacturers will feel the jingle of the profits of blood money in their pockets; and when the Allies' cash gives out, there probably will be an effort to liberalize the credit provisions of the law, and the Reconstruction Finance Corporation very likely will be called upon to furnish the money of the American taxpayers to enable the foreign nations to carry on their war. I am opposed to American financing of any European war campaign.

WE SHOULD THINK OF OUR OWN UNFORTUNATES

My office is swamped these days with heart-rending appeals from W. P. A. workers who were dismissed under the 18 months' rotation provision, and who are now in desperate straits of hunger and deprivation. These people are our own citizens. They are our own flesh and blood, and as far as I am concerned I intend to see that they are adequately taken care of before I vote the taxpayers' money to carry on foreign wars. Instead of using money to buy instruments of destruction for nations that have been fighting over boundary disputes for a thousand years and that will be fighting for a thousand years to come, and that never will cease fighting, I think it should be used at home to put food in hungry stomachs, clothing on naked backs; to provide milk for poor, anemic children.

WHERE IS OUR CHRISTIAN FAITH?

It makes me heartsick to think that we have so far forgotten our Christian faith that we are willing to become the world's greatest arsenal to furnish the instruments of mass slaying. I have always been immensely proud of America as the premier nation of the world, but I never dreamed that she would strive for primacy in furnishing the means of mass killing. Dispatches from a foreign capital say that in anticipation of the passage of this bill a deal already is under way to purchase 5,570 American planes, at a cost of $360,000,000.

It is a horrible thought that soon these planes may be raining death from the skies in a foreign land and that among their victims it is certain there will be some innocent women and children.

ONE OF MANY BATTLE SCENES

During the debate on the neutrality bill in the Senate Senator BORAH read the following gruesome description of a scene of battle after the modern instrumentalities of death had done their work:

> Chunks of human flesh were quivering on the branches of the trees. * * * A half dozen houses were burning. * * * Mules and horses were pawing in their own entrails. * * * The whitewashed church was bespattered with blood and brains. * * * Men were running about howling with insanity, their eyes protruding from their sockets. * * * One woman was sitting against a wall trying to push her bleeding intestines back into her abdomen. * * * A man lay nearby, digging his teeth and his fingers into the ground. * * * A child sat on a doorstep whimperingly holding up the bleeding stumps of its arms to a dead woman whose face was missing.

Scenes like this are multiplied over and over again in every modern war, and if we are to scatter over Europe death-dealing instruments inscribed, "Made in America," who is there to contend that it will not be an awful indictment against us at the throne of Him who said, "Blessed are the peacemakers."

Think how thrilled we will be when we read in the dispatches about the devastating work done by a squadron of bombing planes "over there," with an estimate of the number of women and children killed and maimed and the vast destruction to property, concluding with the information that "these planes came from America." Or when we read a heart-rending account of the strangulation of boys by poison gas, with the concluding information that "this gas was made in Pittsburgh." Oh, what has become of our Christianity?

LET US THINK BEFORE WE ACT

I know that there is not a single Member of this House who wants to do anything wrong, so let us think before we act. I concede to every proponent of the bill honesty and good faith, but I personally believe that it is wrong in principle and that it probably will deprive our country of the opportunity to be the great factor for righteousness in the reconstruction of the world out of the ashes of carnage. I am so profoundly convinced that it is dangerous to the future peace and security of America and so destructive of the precept and example that America should set in a world of strife that I will vote against it if I stand alone. [Applause.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. BLACKNEY] such time as he may desire.

Mr. BLACKNEY. Mr. Speaker, the basic neutrality policy of the United States was laid down by Washington, Thomas Jefferson, then Secretary of State in President Washington's Cabinet, Monroe, Adams, and other great leaders of the early history of our country.

Washington advised the United States to avoid "entangling alliances" with European powers and to avoid "interweaving our destinies with those of any part of Europe" and thus "entangle our peace and prosperity in the toils of European ambition, rivalship, interests, humor, or caprice."

Adams enunciated this doctrine:

> We ought to lay it down as a first principle and a maxim never to be forgotten, to maintain entire neutrality in all future European wars.

Jefferson insisted that it was the solemn duty of one neutral nation "to prohibit such acts as would injure one of the warring powers"; continuing, he said:

> No succor or assistance should be given to either party in a foreign war (unless stipulated by treaty) in men, arms, or anything else directly serving for war.

Jefferson also said:

> Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe and, second, never to suffer Europe to intermeddle with cis-American affairs.

For centuries the idea of a neutral nation, as implied by its very name, has been: Two nations at war and a third in friendship with both. In all the understandings of recognized law for many decades, the neutral has undertaken to recognize that he has obligations to mind his own business and to acknowledge the cause of both belligerents as legally just. In history, in philosophy, and in law the establishment of genuine neutrality and acceptance of its privileges and responsibilities has, until the last quarter century, been considered a victory for civilization over brute force and for law over anarchy.

In 1911, 3 years before the outbreak of war in Europe, Sir Thomas Barclay, eminent British international lawyer, said:

> Neutrality is the most progressive branch of international law, in which the practice of self-restraint takes the place of the direct sanctions of domestic law most effectively. * * * While the right of war was simply the right of the stronger, there was no room for neutral rights. * * * It is the growth of neutrality through the modern possibility of concerted action by neutral states which is bringing about improvement.

Professor Borchard, of Yale, in his work on neutrality, says:

> A strong neutral is the trustee for civilization in a shell-shocked world.

Our American neutrality policy, as set forth by the distinguished men above quoted, has been the actuating motive of the United States from the inception of our Government to the outbreak of the World War. It has been the policy that could be summed up as follows: We will keep out of Europe; Europe keeps out of America.

Our traditional policy toward Europe has been isolation from their politics, quarrels, and wars, but maintaining relations on the issues of commerce, peace, and friendship. Our American system of government, which is so deeply cherished by liverty-loving Americans, is the result of our neutrality policy. The history of Europe for centuries has been a history of continuing wars and conflicts in which the great nations of Europe, playing power politics, have endeavored to add to their domain. America should have nothing to do with this principle.

We are interested in our republican form of government, created by our forefathers in 1787, through the American Constitution, the greatest political document ever penned by man. The so-called democracies of Europe are democracies in name only. The United States has all that she can do to solve her own domestic problems without becoming involved in European entanglements.

On April 20, 1915, Woodrow Wilson, as President of the still neutral United States, declared that he was vitally interested in preserving neutrality, "Because there is something so much greater to do than fight; there is a distinction of absolute self-control and self-mastery." One of the greatest tragedies that ever befell the world occurred when Wilson changed his mind to pursue the will-o'-the-wisp—world Utopia.

The present neutrality law was passed in 1935, amended in 1936, and reenacted in 1937. It was passed at a time when the world was at peace. Congress gave to the passage of the neutrality law its best philosophical judgment, which was approved by the President, and ratified by the American people. This neutrality law served notice to the nations of Europe and the nations of the world that it was our definite American policy.

Now, after another European war has begun, we are asked to change this law by removing the embargo therein imposed, and substituting therefor a cash and carry. It has been one of the vital principles of international law that to change an existing neutrality law in time of war, in such a way as to affect belligerents unequally, would be an unneutral act.

Roscoe Pound, former dean of the Harvard Law School, is quoted as:

> Warning, that America, if it changes its Neutrality Act so as to assist one belligerent, will in effect be in the war.

In 1914, Senator Hitchcock, of Nebraska, proposed in the Senate of the United States, that we should establish an arms embargo after the World War was already under way. British experts immediately told us that such an act would be unneutral, and Sir Edward Grey so informed Ambassador Page at London. The American Government agreed with Sir Edward Grey. It resisted all efforts to change the rules in the middle of the game in a fashion unequally affecting belligerents.

Now, however, we are asked to remove an embargo which was imposed in time of peace and which, it is conceded, would not equally affect the belligerents in the present war. Such an act, then, would be unneutral under international law and under the ruling of our American Government in 1914.

The proponents of the administration's neutrality bill have used the magic words, "cash and carry," as a soporific that will lull the American people into a feeling of security. Where are the European nations to get the money to pay cash for the war supplies which the President would permit them to obtain in the United States? They have not been able, so they have stated, to pay their old war debts for years, and

have financed gigantic armament programs, largely with borrowed money.

It is true some of these European nations have certain large amounts of American securities which they can convert into cash. They can get some war loans from international bankers, but when all these resources have been exhausted—as they would be in a comparatively short time—when the belligerents are in the very midst of war, what then? Will the World War history repeat itself? Will the administration at Washington, dreading collapse of such a bubble of apparent prosperity, follow in Woodrow Wilson's footsteps and arrange, either openly or privately, extension of first, private, then public, credits to those nations which it makes no secret about favoring in the current European war?

The vital interests of the United States must not be jeopardized by any feeling of sympathy for any nation or group of nations or by any personal feeling of dislike or hatred for other nations or their policies.

If the cash-and-carry principle is adopted, this country will become, almost overnight, the greatest munitions-manufacturing country in the world. The death-dealing products of our munitions and accessories plants will be in demand by every nation on earth, and we—a peace-loving people—will become the greatest factor in the prolongation of the senseless European conflict.

Wars are not launched by the people. They are started by leaders—leaders looking for power and fame; but first they must fan the fires of prejudice and hate in order that the people will follow. Americans are determined this time not to be swayed, either by the propaganda of the warring nations or by the excitements of those at home, who cannot keep their heads.

We are an emotional people and deep and quick in our sympathies. All too frequently in recent years we have been beguiled in our domestic affairs by appeals to our hopes and to our fears. In our international outlook, we have been in constant danger that frantic appeals to our prejudices and equally frantic appeals to our sympathies would breed a tension or intolerance or an unreasoning devotion to causes abroad that would bring into our country all the hates and the cleavages of sympathies which underlie the appalling situation in Europe.

In a world in which many sins are being committed in the name of democracy, we must distinguish between real democracy and the sham and pretense which seeks to masquerade under democracy's cloak.

We must not forget that for centuries Europe has been torn by the wars engendered by power politics; that the touchstone of the foreign policy of every European nation always has been national self-interest.

We must not forget that the history of Europe is a sordid story of broken pacts, reversed policies, secret treaties, and hidden treacheries.

We must not forget that the United States entered the World War without Congress or the people having any knowledge of the secret treaties which existed among the Allies.

We must not forget that fighting Europe's battles is not the best way to preserve our civilization, and we must no longer delude ourselves with the vain hope of making the world safe for democracy, but realize that we are facing the grim necessity of keeping democracy safe in the United States.

Charles A. Beard, one of America's leading historians, says:

> President Roosevelt's foreign policy is as clear as daylight. He proposes to collaborate actively with Great Britain and France in their everlasting wrangle with Germany, Italy, and Japan. He wants to wring from Congress the power to throw the whole weight of the United States on the side of Great Britain and France in negotiations, and in war if they manage to bungle the game. That using measures short of war would, it is highly probable, lead the United States into full war must be evident to all who take thought about such tactics.
>
> From the point of view of the interest of the United States as a continental nation in this hemisphere, the Roosevelt policy, in my opinion, is quixotic and dangerous. It is quixotic for the reason that it is not based upon a realistic comprehension of the long-time history of Europe and Asia and of the limited power which the United States has over the underlying economies and interests of those two continents. It assumes that the United States can in fact bring those continents into a kind of stable equilibrium, assure them the materials of a peaceful economic life, and close their history in a grand conference of the powers—perhaps as successfully as Locarno. It assumes that somebody in the White House or State Department can calculate the consequences likely to come out of the explosive forces which are hidden in the civilizations of those immense areas.
>
> Does anyone in this country really know what is going on in Europe behind the headlines, underneath the diplomatic documents?

The historian further adds:

> The destiny of Europe and Asia has not been committed, under God, to the keeping of the United States; and only conceit, dreams of grandeur, vain imaginings, lust for power, or a desire to escape from our domestic perils and obligations could possibly make us suppose that Providence has appointed us His chosen people for the pacification of the earth.

Based upon my reading of history and the philosophical ideologies that prevail throughout the world, I am convinced that the United States owes her first primal duty to the people of our country; that in order to "insure domestic tranquillity, provide for the common defense, and secure the general welfare of the United States" our country should avoid all entangling alliances with European powers; that we should be neutral in the best sense of the word; that our present neutrality laws should be continued or, if changed, strengthened and not weakened; that we should rid this country of subversive interests hostile to our American form of government and disloyal to American institutions; that not one American boy or one American dollar should be sent across the ocean to participate in a quarrel that is not ours; that our first thought and our last thought should be to improve our own country in order that the republican form of government created by our forefathers in 1787 may continue and spread the blessings and benefits of our Government not only throughout our country but, by example, throughout the civilized world.

In that fateful August of 1914 Sir Edward Grey said:

> The lamps are going out all over Europe; we shall not see them lit again in our lifetime.

And now, 25 years later, his words come back to us with added significance as we confront another world tragedy. Every sensitive American is heartsick as he watches the lamps of the Old World—the lamps of peace, of liberty, of security, of justice—flicker and go out one by one.

It is America's problem to see that the lamps of our own country shall not go out, and that peace, liberty, security, and justice shall continue in the United States. [Applause.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Montana [Mr. THORKELSON] such time as he may desire.

Mr. THORKELSON. Mr. Speaker, I challenge the constitutional right of this House to bring any rule for debate on the Neutrality Act of 1939 similar to the rule that was employed in the first session of the Seventy-sixth Congress, when the reorganization bill was under debate.

The gentleman from North Carolina [Mr. WARREN] said, in speaking of that rule, that it was "pig tight, bull strong, and horse high." I concede that the gentleman was right, but in considering the Neutrality Act of 1939 let us forget the lower animal kingdom, for we are now considering the lives of human beings.

The Neutrality Act of 1939 differs only from the Neutrality Act of 1935 and the Bloom Neutrality Act in that it gives more power to the President of the United States and to his appointees to plunge this country into an unnecessary and unwarrantable war. The people have a perfect right to rebel against this legislation. The Members of Congress have a perfect right to insist that the same or a proportionate time be set aside for the discussion of the Neutrality Act of 1939, as compared to the time utilized on the other side of the Capitol.

Those who favor Great Britain should know that shipload on shipload of war materials are leaving the eastern seaboard today for Great Britain and France, so there is

no reason for hurrying this legislation on that score. I also call your attention to the fact that 26 American ships have been seized by Great Britain, and many of them unloaded and their cargoes confiscated. Nothing has been said about that in our daily papers. No condemnation has been visited upon Great Britain for this unwarrantable imposition on the rights of our merchant marine to trade with neutral nations. Is it possible that our own Government connives with Great Britain in clearing our ships to neutral nations so they may be seized by Great Britain and cargo used for her own purposes?

The reason certain interests want this legislation hurried is due to the fact that responsibility for loss in shipping and lives must now be assumed by the administration. If this Neutrality Act of 1939 is enacted, Congress alone will be responsible for the loss of ships and cargo, and destruction of lives. In other words, as the law now stands, when ships are captured or sunk, the Federal Government has violated the neutrality law. When this act is passed, the administration will be absolved of blame, and Congress alone will be responsible, not alone for the loss of shipping, but also for the deaths of crew and passengers.

It is for this reason that I demand that the Neutrality Act of 1939 be discussed fully before the membership of this House, so that the Members and the people throughout the country will have an opportunity to express themselves on this very important legislation now before us.

The title "Neutrality Act of 1939" is a misnomer, for the act is the antipode of such desirable object. The only thing neutral of this act is the word "neutrality," the remainder being nothing else than an alliance with Great Britain and declaration of war against such nations as may be involved on the other side. I have already discussed this, and ask the Members to read two articles I inserted in the RECORD, October 30, 1939, page 1067 and in the Appendix of the RECORD, page 578.

Mr. Speaker, this House has the right to "determine the rules of its proceedings, punish its Members for disorderly behavior, and, with concurrence of two-thirds, expel a Member."

The right to formulate such rules is not questioned, but I do challenge the right of this House to formulate rules that restrict debate and free expression by every Member of this House on a subject that may mean the life and death of thousands of our citizens between the ages of 18 and 30, and even the destruction of the Republic itself. There is no provision in the Constitution that gives either House the right to enact the kind of legislation that has been enacted for the past 35 years, and I refer those who challenge this statement to conditions that exist today, which are incontrovertible evidence to sustain my statement. It is time that the Members of both Houses begin to act like statesmen, for, whether you believe it or not, it is statesmen that we are supposed to be, although there has been no evidence of that for several years.

The people in the United States are tired and disgusted with congressional leadership that allows legislation to be enacted which deprives the people of their rights, inhibits operation of private industry, setting the Federal Government in direct competition with industries owned by the citizens of the United States, for the people have reserved the right to operate business to themselves. To refresh your memory, I again quote:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

In case there is any question as to the limitation of power granted to Congress, I refer you to article IX. I quote:

> The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

If my colleagues will bear this in mind, you must realize that Congress has no right to grant anyone the power given in the Neutrality Act of 1939. In the first place, we cannot enforce it, and, in the second place, it is not within our constitutional right to grant such power to the President and his appointees. If the President should attempt to enforce this legislation either by arming our merchant ships, by sending them forth under the protection of the Navy, or by clearing such ships with contraband cargo to nations at war, such action on his part will bring about destruction of shipping and loss of life. That is liable to bring the United States into war, and responsibility for that will rest squarely upon the membership in this House that votes for the Neutrality Act of 1939 as it is now drawn.

It is not a question of protecting the American flag. We will protect that; but it is, instead, a question of using common sense instead of prejudice.

I want to remind the Members of the House that Great Britain consistently and deliberately imposed on international understanding by using the flag of the United States on her ships during the World War.

There is no power in the world that has been so high-handed in regard to neutral nations as Great Britain. Is it now unreasonable to expect that nations opposed to Great Britain and France in this war will not resort to the same tactics as Great Britain is now employing in her blockade? Certainly not. The opposing powers are going to employ exactly the same unmerciful blockade, which means nothing else but the sinking of all merchant ships that carry contraband cargo to nations at war, their allies, or territories.

Let us not forget, however, that if we arm our merchant ships, as is now contemplated, with "peaceful" 5- and 6-inch rifles, the striking distance of which is from 8 to 10 miles, all our merchant ships, even those bound to neutral nations, will be treated as armed vessels and subject to be sunk without warning. I fear this, because it may be employed to sway public opinion or the opinion of those who do not understand that we alone are to blame for such losses to shipping, property, and lives. It is the law of war and the same law we would enforce were we at war with any other power.

I repeat again that the danger in the Neutrality Act of 1939 is in the unconstitutional power given to the President and his appointees. There is no provision in the Constitution that gives Congress the right to pass this legislation, and certainly no law, national or international, that gives Congress the right to enact legislation and enforce such laws outside of the 3-mile limit.

Why not adopt a real neutrality act, which is concise and easily understood? The present Neutrality Act is drawn purposely to confuse and befuddle the public, as well as Members of Congress. This legislation is not evidence of practical legal ability. It is instead an obscure shifting of sections and subsections in such manner that, after reading it, one is apt to overlook the real intent of the legislation. This act is no different from other legislation that has been introduced in the past, for it all springs from the same legal talent. The act is not drafted by any Member of Congress. It is a repetition and rehatching of the Neutrality Act of 1935, and that act was drafted to help the invisible government to conduct the "red" revolution in Spain. This act was drafted by attorneys favorable to or in the employ of the same invisible government, only at this time our neutrality legislation is drafted so that we may help the invisible government of Great Britain to restore its domination in such countries as have ejected the money changers. To me it is strange that Members of Congress cannot understand that in passing this kind of legislation, "we are cutting our own nose off to spite our face."

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. PFEIFER], a member of the Committee on Foreign Affairs.

Mr. PFEIFER. Mr. Speaker and Members of the House, I have read the debate that took place in the Senate and have sat here patiently today listening to the pros and cons concerning this neutrality legislation. I wish to state that I am in full accord with the sentiments of the Senate insofar as the amendments are concerned, but I sincerely regret the absence of the embargo provision and for that reason I shall vote against the bill.

Mr. Speaker, the gentleman from Texas [Mr. LANHAM] has used the phrase "Keep America for America." I agree with the gentleman as to that statement and I therefore wish to call to the attention of the House that our sole purpose here is to legislate for the security of America and not for the security of any foreign nation. [Applause.] Therefore, let us do our duty. We certainly are not if we repeal the embargo provision.

The other gentleman, the gentleman from Pennsylvania [Mr. ALLEN] stated that he sees no difference in the shipment of raw material and that of the finished product. Does he not know that raw materials are essentially used as constructive measures and the finished products, as guns, cannons, bombs, poisonous gases, and so forth, are destructive measures. Certainly there is a great difference, as every child knows.

The sole purpose, from the debate so far, seems to me to be inclined toward giving aid to England—aid in a sense just short of war. This is not the first time that she has asked for help. Such incidents go back to the early days of Washington's administration, when he was appealed to to send aid to England to settle her differences with France. The famous Washington proclamation is well known to us, as at that time the Continental Congress issued and circulated a coin—1787—a 1-cent piece, a specimen of which I hold in my hand. It is known as the "Fugio" cent. It is a copper piece the size of our present 50-cent piece. On one side there is a chain of 13 links, in the center of which reads: "We are one"; and on the other side a sun dial and below it the common phrase "Mind your business." This is a very apt reminder for us in these eventful times. I hope and pray that we will legislate for the security of our people and not for the security of any foreign nation.

When war broke out 22 years ago my family then did not hesitate to send its sons to war, for three brothers volunteered immediately and fought for the safety of America, because then we thought liberty itself was at stake. That is not so today. Mr. Speaker, I wish to again inform this House that I shall vote against the bill if the embargo provision is eliminated. [Applause.]

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their own remarks in the RECORD on House Joint Resolution 306.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Speaker, I yield 10 minutes to the gentleman from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. Mr. Speaker, the situation of this legislation reminds me of the story about the Arkansas traveler, when a wayfarer rushed into his house for shelter during a heavy rainstorm. When he got in he found the roof was leaking like a sieve and it was just about as wet inside as it was outside. So he said to the Arkansan, "Why don't you fix this roof?" "Well," he said, "I can't fix it when it is raining like this." "Well, then," he said, "Why don't you fix it when it isn't raining?" "Well," he said, "when it's not raining it don't need it." [Laughter.] That is a good deal the way it is with our international roof. When we were in session last summer there was no emergency and it did not need fixing, and now, when it needs fixing very badly, it happens to be raining.

Mr. Speaker, a few days ago I crossed over on the ferry in my car from the Army base in Brooklyn to Staten Island. The car was parked at the front end of the boat, and I noticed a man sitting on a box at the open bow. He had on a thin coat and no vest or tie, and his shirt was open at the throat, and there was a heavy cold wind blowing. I thought that he must be acclimated to that sort of thing. After a bit he apparently noticed the congressional tag on my car license, and he came back to the window and asked if I were in Congress. When I said yes, he asked how I stood on the neutrality bill. I told him that I had already voted to repeal the Neutrality Act and would do so again. He said if it was repealed thousands of the fellows around there would get jobs. I asked him if he was a sailor, and he said, "Yes; I am on a ship over here and I have got some paint and I am going to paint the flag on her." I asked him what kind of ship it was, and he said it had a cargo of oil bound for a European port.

As he went back and sat down on his box I could not help thinking of the difference between his lot and mine with respect to the embargo. I was coming back here to a seat in the House to cast a vote on it, but he was going into the submarine- and mine-infested waters of Europe in the bowels of an oil tanker, of all vessels that sail the seas. I have thought of him a good many times since. I have thought of him as the type of man who put the flag on the seven seas, as the type of spirit that put the United States on the map of the world. There was no yellow in him or his paint. [Applause.]

One such thought leads to another, the thought of what John Paul Jones would think if he were sitting up there in the gallery listening to a lot of things said down here in the Well of the House; John Paul Jones, with his defiant, "We have just begun to fight," with his decks awash. And if alongside him were the dying Lawrence, "Don't give up the ship!"; Stephen Decatur, fighting France and the Barbary pirates in European waters, even in the Mediterranean. Commodore Perry on Lake Erie defeating the British with his little picked-up fleet; Farragut in Mobile Bay, "Damn the torpedoes, go ahead!"; Captain Semmes, who anticipated by half a century the exploits of the *Emden* in the World War; Dewey in Manila Bay, "You may fire when ready, Gridley"; Commodore Schley and "Fighting Bob" Evans at Santiago. I wonder what would be the feelings of these heroic shades listening to this haul-down-the-flag stuff on the floor of the American Congress. It is enough to make them turn over in their graves.

I wonder what the American Navy thinks of it. No; I do not. And I know what the American merchant marine think. They think they are going on relief. Already the papers are talking about W. P. A. projects for the merchant marine during the period of the war; and, they might add, after the period of the war. W. P. A., here we come.

Every little maritime nation in Europe: Belgium, Denmark, Holland, Norway, Sweden, Finland, all the tramp steamers of the world, will come to our ports and take this abandoned traffic and haul it to whoever pays for it. When they come I hope the merchant marine will not be on exhibition. I hope it will be bottled up where they cannot see it. It might be a good idea to take it out and sink it like we did the Navy in another noble experiment in 1922. It would be good target practice.

I shall support the Senate bill as is. It is at least an improvement over the original Senate substitute for the House bill. In the original Senate bill we were going to get off all the waters of the earth, but in course of passage the bill was improved somewhat, it was Americanized in some degree. We are only going to get off part of the waters of the earth. We are going to divide up with Germany. The Sunday New York Times carried the blackout of the North Atlantic. It looked like an eclipse of the sun reaching from Maine to Africa. Imagine Atlantic seaboard Congressmen voting against the bill because it is not black enough. It may be black enough for them before it gets lighter. It may blackout some of their jobs.

Believe it or not, we owe this enlargement of American rights—or shall we say privileges—on the high seas to isolationist leaders in the other body. They lifted out the whole Pacific, which could contain all the land of the earth, with some ocean left over—lifted it out, just like that. The operation performed on the Atlantic was more difficult, requiring the establishment of tangents and corners on the trackless sea; and may the Lord help the luckless skipper who skids over the line or fails to make an inside turn at the corner. "The gobble-uns 'll get him ef he don't watch out." I am a little troubled by the reflection that all this new sea geography will create an open season in these exempted areas for whatever raiders and submarines Mr. Hitler can spare for the sport.

While this bill is well supplied with new geography it appears to be lacking in vital definitions. Should it not carry definitions of arms, of munitions, of implements of war, of absolute contraband, of conditional contraband, of noncontraband? Around these categories the whole question of sea traffic will revolve. Impracticable, you say. Agreed. And out of this impracticability will grow causes for war. They would not agree with Hitler's definitions anyhow, and his definitions will govern. He will announce them after the fact accomplished.

The war in Europe is said to be phony. It could be no phonier than the war over neutrality in America. It is and has been from the start only the first skirmish in the campaign of 1940, and when it is over it will have no more effect on the next election than the fighting so far on the western front will have on the next peace treaty.

Maybe after all this bill will not make Germany as mad as some Members fear. I can imagine the German war lords putting a map of the world up on the wall and checkerboarding it off with a copy of the bill before them, showing where America can go and where it cannot go, what it can do and what it cannot do, and then just standing back and laughing.

I fear, however, that even such an act of appeasement as placing an arms embargo in the bill would fail to buy us pardon in the face of the decision rendered Monday by Justice Roberts, of the Supreme Court, awarding $50,000,000 damages against Germany on findings that the Imperial German Government was responsible for blowing up the Kingsland and Black Tom munition plants when the two countries were at peace. The dastardly impudence of it.

The present occupant of the Embassy, where these and other outrages were plotted, is reported to have asked the State Department to quash the judgment on the ground that it was the action of a "rump commission" and that the acts of the Justice as commissioner were "illegal." We ought to get a laugh ourselves over the representative of the present German Government talking about illegality or insincerity. It is a wonder he does not claim we blew them up ourselves.

If, as pleaded by leaders for the embargo in both Houses, the stage is set for the repetition of such outrages against American industry in the event we arouse the dictator, the sooner we find it out the better. This country cannot exist on the sufferance of a madman or a mad nation. If we are to be governed in the management of our own affairs by such considerations, we deserve and will receive the contempt of the dictators and can expect nothing else. Personally I am not convinced of the efficacy of appeasement. The umbrella man tried that. Now, after feeding the beast raw meat, he has his back to the wall.

What can we do to be saved? Read Mr. CARTER GLASS' clarion blast in the Monday papers. He said the things I would like to say. It was the voice of America.

Government organs in Berlin, Moscow, and Rome register opposition to the lifting of the arms embargo. The totalitarians know what they want. Only the Americans are divided. Whose country is this? [Applause.]

Mr. FISH. Mr. Speaker, I yield such time as he may desire to use to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, since the significant question of determining what America's attitude shall be toward the question of either economic or military involvement in the present European war is now before this House, I believe that every American should read the clear-cut analysis of this problem which appears in the Appendix of the RECORD, beginning on page 592. This analysis is made by one of the most thoughtful and profound Members of this body, the gentleman from New York, the Honorable BRUCE BARTON, for whom I am sure every Member of Congress has the greatest respect, both for his good judgment and his sincere patriotism.

Inasmuch as I addressed this House on October 5, pleading that the importance of this decision demanded that this House be given the right of unlimited amendments and unstifled debate on the Senate bill, I am naturally gratified that the gentleman from New York, Mr. BRUCE BARTON, has expressed the same desire. But more important than that is the fact that the gentleman from New York [Mr. BARTON], who is excelled by no Member in this House in his knowledge of international law and international attitudes, has announced that while he voted for repeal of the embargo last summer he will this time vote to keep the embargo, because to do otherwise jeopardizes the peace of America. His remarks so nearly represent my own point of view and so clearly and cogently state the case for peace that I want to take this opportunity to recommend their careful study to every peace-loving citizen in this country. I am sure that every American can find food for thought at this time in Mr. BARTON'S stirring and soul-searching address, entitled "For Cash and Carry and the Embargo." [Applause.]

Mr. FISH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. SHAFER] such time as he may desire to use.

Mr. SHAFER of Michigan. Mr. Speaker, I am against the repeal of the embargo on the arms and munitions of war because I am against selling to any people to use against another people poison gas that will eat out the lungs of men, women, and children, or flame throwers that will sear the flesh of writhing soldiers. I am against selling bombs to one nation to use against the helpless men, women, and children of another nation; to blast churches, hospitals, orphanages, if you please; to blow up water systems, sanitary systems; to cover the whole of the European Continent with the plagues of disease and epidemic and death.

Mr. Speaker, if ever the United States of America is to demonstrate the civilizing influences and the enlightenment brought by that sacred Bill of Rights which was written into the Constitution of this Nation by the blood of our fathers, now is the time to demonstrate such enlightenment. Now is the time, Mr. Speaker, for us to take our stand and say that we will not sell our precious heritage of good will and enlightenment and civilization for a mess of profits.

What are the circumstances that exist today that did not exist in 1935, when the Congress overwhelmingly passed this Embargo Act?

What condition of affairs, Mr. Speaker, exists today that was not foreseen then in every phase? The answer is, "None." The distinguished gentleman from Massachusetts [Mr. TINKHAM] and others pointed out during the hearings before the Foreign Affairs Committee of this House back in 1935 and 1936 that the only reason then for not passing the embargo, the only reason then why there was some opposition to it, was because to have free munitions trade, if you please, with England and her Allies meant that, with her superior naval strength and her superior credit facilities, she could come to us to get arms and munitions when her adversaries could not. It was to prevent exactly that sort of thing—it was to prevent this Nation being made the arsenal of poison gas and flame throwers and bombs and shells and airplanes for England and her Allies that this Congress overwhelmingly passed this Embargo Act in the first instance.

Again in 1937, as we studied the causes which lured us into the last World War, we strengthened this Embargo Act. For what purpose? To meet exactly that situation which we knew would arise. To meet exactly the situation that obtains today. We knew back in 1935, Mr. Speaker—I say we knew, I should say you knew, because I was not then a Member of this honorable body—you knew back in 1935 that because this very situation would arise when emotionalism, prejudice, and propaganda would all be played upon and used again to lure us in on one side or the other of an armed conflict, to meet that situation the Congress said in those cool moments of sanity and calm deliberation, let us now prescribe a rule of action which we know is safe and sane, which we know will keep this Nation out of wars, in order that we may follow that rule of action when emotionalism and prejudice and propaganda and pressure all are conspiring to blind us, to confuse us, to lure us away from the path of safety and of rectitude and of international morality and to start us down the road to war.

Why, now, I ask, Mr. Speaker, are we being pressed to repeal this Embargo Act? Is it because we cannot maintain an impartial attitude toward all belligerents by refusing to sell to any of them the munitions of war by which to destroy the lives and the bodies and the minds and the works of men? No. Is it because any nation has attacked us? No. Is it because any nation has attempted to invade any territory which lies within our sphere of influence? No. Then, Mr. Speaker, why is it, I say, that we are being pressed to repeal this Embargo Act? It is purely and simply and wholly for the purpose of giving England and France an advantage by reason of their superior naval strength over their adversaries in this present armed conflict. This is unneutral, Mr. Speaker. Any ordinarily bright school boy or school girl knows that is the antithesis of neutrality.

Not only will the repeal of this Embargo Act be an unneutral action, not only will it be an unfriendly action, but, in my opinion, Mr. Speaker, it will operate, in all probability, to loose upon England and France a campaign of frightfulness—the bombing from the air of men, women, and children—which otherwise might never take place.

Let me analyze that statement. The supremacy of England and France on the seas is undisputed and admitted even by the Germans. Germany has, however, acquired access to new supplies of vital raw materials which will enable her to hold out much longer in a world war than otherwise would have been the case. But, Mr. Speaker, Germany is faced with this situation: If this Embargo Act is repealed, and England and France can utilize the billions of dollars their nationals have invested in this country for the purchase of airplanes until they have supremacy of the air, as they now have supremacy of the seas, time runs against the Germans. In other words, common sense tells us that if the Germans sit still behind the Siegfried line while England and France are being armed in the air by us, the military experts of both sides can calculate almost to the week, if not the day, when Germany will have to surrender or be blasted out by the roots.

Now, Mr. Speaker, if you were in control as the commander in chief of the armed forces of Germany, what would you do under those circumstances? Knowing that time was inexorably running against you, knowing that every day that passed meant that your adversaries—England and France—were growing stronger in the air, what would you do? The chances are that you would do what I believe the Germans will do if we repeal this act. You would conclude that since time alone would defeat you, the sooner you moved against your enemies while you were still stronger than they in the air, the sooner you made your superior air strength count, the sooner you blasted England and France loose by the roots, if you could, and won peace on your terms, the better.

Now, Mr. Speaker, I do not want to be misunderstood in this matter. What I say is in no sense to be taken as approval of anything that one or the other of the belligerents has done. I am not addressing myself to the merits of the controversy between England and France on the one side and Germany on the other. But I will say this, that I hate dictatorship and oppression, I hate the oppression and violation of the rights of minorities, whether that dictatorship or oppression be in Germany or Russia or Italy or the United States.

But, Mr. Speaker, this is not our war. No fair-minded person can read the intimate history of the last war and not realize that to repeal the arms embargo in order to create special advantages for England and France against Germany is just the first step down the road to war for us. Just as certainly as we are in this Chamber discussing it, sooner or later the repeal of the embargo will be followed by a demand that we extend credit to England and France, and then, if and when they are weary with fighting, there will come the demand and the propaganda for us to send our men and our money across, just as it did in the last war.

I hate war, and I do not here today want to go into the horrible details of what war means, but on April 24 of this year I called the attention of this House and the Nation to the realities of war. Not only do I hate war, Mr. Speaker, not only do I want to keep this Nation out of war for the sake of those whose blood must be poured out and whose bodies must be mangled, and of those both at home and on the battlefield whose minds must be wrecked by the horrors of war, but I have a further purpose in opposing the repeal of this embargo, because, in my opinion, it does constitute the first step down the road to war. If we repeal the embargo, I can foresee, Mr. Speaker, that time not far distant when the Chief Executive will be coming before a joint session of the Congress urging us to pass, without debate and without delay, the validating legislation putting in force that secret plan called the Industrial Mobilization Plan. I have studied the Industrial Mobilization Plan, Mr. Speaker, and I say to you and the Members of the House and the citizens of this Nation that the moment there is an emergency declared due to the imminence of war, democracy becomes extinguished in this Nation, the Bill of Rights becomes but a memory, the operations of constitutional law are supplanted by the operations of military regulation. Why, Mr. Speaker, talk about repealing this embargo in the interests of democracy? The minute we even think of going to war for democracy the first thing we will do will be to bury democracy so deep under a military despotism that I doubt if we or our children or our children's children would be able ever to resurrect liberty in this Nation again. Now, Mr. Speaker, if there is any Member who doubts what I say I will be glad to show him, by paragraph and line, proof that the plans now are laid in detail in the 1936 mobilization plan, to place this country under an absolute military despotism the moment the President declares an emergency to exist by reason of the imminence of war, and I will prove by the 1939 revision of the mobilization plan that the plans are now laid for continuing that military despotism for so long a time after the war may end as the military despot—the Chief Executive, whoever he may be at that time—may decide is necessary.

Mr. Speaker, every philosopher since the world began has recognized that most men love power so much that once they have it within their grasp they will struggle to the last ditch against giving it up.

Therefore, I am unwilling, if it possibly can be avoided, to set up a military despotism in the United States of America. To avoid setting up such a military despotism we must keep this Nation out of war. In order to keep this Nation out of war we must maintain an attitude of absolute impartiality and neutrality, and in order to do that we must not, since the war has begun, since the purpose of repeal is so plain, we must not, Mr. Speaker, repeal this arms embargo legislation.

Let us keep this Nation a constitutional republic. Let us stay free and clear of war. Let us give the youth of this country their chance for life and happiness and not lay them, a bloody, mangled sacrifice, upon the altar of Europe's intrigues and jealousies. Let us turn to solving our own domestic problems; let us make democracy work here; and, unexhausted by war, untouched by the great madness, let us keep ourselves strong and ready to bind up the wounds of the world when the war has ended, and, by precept and persuasion, lead men back into the ways of peace and the blessings of genuine democracy under a real sisterhood of nations. [Applause.]

Mr. FISH. Mr. Speaker, I yield myself 30 seconds to call attention to the fact that the gentleman from Colorado [Mr. MARTIN], who has just recently spoken, had this to say on June 30 in the CONGRESSIONAL RECORD:

> When you pass a neutrality act you fix and publish to the world the rules under which you will play the game and which must remain fixed after the game starts. To change the rules then would be an unneutral act.

[Laughter and applause.]

Mr. Speaker, I now yield 10 minutes to the gentleman from Ohio [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, now that the Senate has completed its debate on the Pittman bill, and the issue has been

turned back to the House, everything should be clear. There has been a month of debate in the Senate, in addition to that which had already been heard in the House. Surely that should be enough to bring out every argument and to clear up every disputed point.

But if we depended upon this debate, the issue would be utterly and hopelessly confused. From the debate alone any Member of this House would be justified in wondering at times whether he was a member of the House of Commons, representing a constituency in Great Britain, or a member of the Chamber of Deputies, charged with serving a district in France.

I came back to Washington for this extraordinary session of Congress, at the call of the President, to pass upon neutrality legislation for the United States. I assumed that neutrality legislation would be legislation to keep the United States out of the war.

Yet the honorable Senators who are proponents of the bill which we are asked to pass have used millions of words, backed up by columns of newspaper material and innumerable radio speeches, to convince us that it is our duty, first of all, to do something to save Great Britain and France, and, secondly, to do something to help defeat Hitlerism.

If I have not become completely addled by all this oratory, I recall that I was elected by the voters of the Ninth Congressional District in Ohio to represent them, and to look after the interests of the people of the United States.

I swore allegiance to the United States when I assumed office. There was nothing in that oath about protecting Great Britain or France.

Now, there is only one condition under which it would be right and proper for this Congress to seriously consider doing something to help England and France defeat Hitler.

That would be, if this were our war, and England and France were fighting our battle. But if such were the case, would there be all this talk of cash and carry? Should there be all this talk of not sending American soldiers to Europe? If it were our war, it would be our duty to consider every possible means to victory. If it were our war, we could not demand payment for the arms we handed our Allies to defend our interests, and the United States would be ashamed if its own men did not bear these arms themselves.

However, if this is not our war, and I believe there has been little argument on that score, if no set of belligerents is fighting our battles, then it is our duty to maintain strict neutrality.

A neutral country cannot change its laws or make new ones for the expressed purpose of aiding one group of belligerents, and maintain its neutrality. Because by so doing, it intervenes in the war. It creates a cause for war, and gives to the offended belligerent justification for whatever reprisals that offended belligerent may consider proper or possible.

A neutral country considering action which would cause it to surrender its neutrality should not be blind to the risk it incurs.

If there is one thing which stands out in all this confusion of claims and counterclaims, charges and countercharges, it is this: The people of the United States, the people of my own district back there in Ohio, the people of all the districts in this broad land which we represent, are very serious about not wanting to get into this war. First, last, and always, they want representation in Congress which will see to it that they do not become enangled in the present conflict.

Since this is the case, I think it is about time that we, as Members of Congress, really begin to think about what the people of our districts want.

Let us forget for a little while what England wants; let us forget what France wants; let us forget all the thousands of high-sounding words that have been used to try to point out an obligation we are supposed to have to see that England wins another war.

Let us devote a little time to the interest of the people of the United States.

These people, who elected us to represent them, do not want war. Therefore it is our job to see that they are not drawn into a war, either by direct action or by indirect action.

In my opinion, there is no such thing as going a little way into a war. We cannot hand one of the combatants a blackjack and say, "Go ahead and hit the other fellow; we would like to, but we are neutral."

Unless we are willing to admit that we are in the fight, we should keep our blackjack in our own pocket. The fellow who gets hit might easily misunderstand and take a swing at us. Then we would either have to run or be in the middle of the fight.

If the time ever comes—and I sincerely pray that it does not—when we decide conditions are such that we must interfere in Europe; that it is up to us to throw the weight of our resources and manpower on one side, then will be the time to debate how we may help the side to whose aid we have decided to go; then will be the time to decide how much of our manufacturing resources we are willing to donate to the cause of war—whether we will risk sending our young men to Europe. Until that time comes I say it is the utmost folly to talk about giving help to either side in the present war.

We may rant all we please about neutrality. But if we deliberately, by legislation or otherwise, make the resources of this country available to the armed forces of one group of belligerents, we are entering their war. We may seek to fool ourselves. We may even fool a portion of the people who elect us. We will not fool the diplomats of Europe or the warring nations of Europe.

I am not an isolationist. I believe that this country will, and should, continue to carry on a normal trade with all other countries. That trade may logically increase due to war conditions.

But I am opposed to any dealing in war munitions. Those who anticipate prosperity through the making and selling of implements of war to the belligerent nations are doomed to a terrible disappointment. Any such unhealthy boom by its very nature must collapse and leave this country in a depression worse than any we have had to date. We want none of it. Manufacturers and industrialists in my district are alive to this danger, and many of them have written me that they do not want to turn their factories into munition plants.

Since the Senate has given the House so little choice in the matter, I urge that this House instruct the conference committee against agreeing to that section of the Pittman bill which would repeal the embargo on arms. I favor barring American ships from danger zones and I favor cash and carry on all normal commodities sold to belligerents. [Applause.]

Mr. BLOOM. Mr. Speaker, I yield 20 minutes to the gentleman from New York [Mr. SIROVICH].

Mr. SIROVICH. Mr. Speaker, ladies and gentlemen, every great nation on earth is ruled from the grave by one political philosopher or another, whose theories of government have secured the intellectual foundations and shaped the political destinies of the various states. Japan, alone among the great powers, remains to the present day the sole exception to this order of things, for the Japanese Mikado, as the direct descendant of the sun-god, is entitled to rule by virtue of his exalted pedigree alone, and hence requires no philosopher to guide him. In the religious sphere Japan is under the dominion of Shintoism, a national offshoot of Buddhism, but in the political sphere it is literally a nation without a philosopher.

The states of the Western World, however, governed as they are by men of earthbound pedigree must draw upon the political philosopher for ideological inspiration. Thus the present Nazi German state represents an extraordinary synthesis of the political thought of a philosophical triumvirate, Friedrich Hegel, Friederich Nietzsche, and Oswald Spengler. The main political ingredient has been furnished the Nazi state by Friedrich Hegel, who taught that the state is the highest good, the beginning and end of all things. It represents the noblest development of human creativeness, a superglorious end in itself, which men must serve with blind

devotion and invariably obey without doubt or question. Its second ingredient was supplied it by Friedrich Nietzsche with his dogma of the superman, a notion which the Nazis have exploited in justifying the figure of the ruthless fuehrer—the superman—who is to mold the human herd to his omnipotent will as he might model so many lumps of clay. Its third ingredient was provided it by the right Hegelian, Oswald Spengler. "Man is a beast. I say it again and again," he roared cynically in his penultimate work, Years of Decision, published shortly before his recent death. Barbarism is an ideal, he preached, and despotism, or as he styles it, Caesarism, is the only fitting and logical order of things. This unholy three of force idolators, Hegel with his all-powerful state, Nietzsche with his all-powerful superman, and Spengler with his all-powerful barbarian has become the philosophical cornerstone of the Nazi state.

The Italian Fascist state draws its primary inspiration from another source; its first founding father being the renowned Niccolo Machiavelli. "Any means whatsoever justifies the end," he sloganized. Ethics, he proclaimed, must be completely divorced from politics, and has no share in it. "All is fair in politics," was his ruling motto, and hence every form of deception, treachery, theft, rapine, and murder are available and permissible for the use of him who is lustful after power. Although the Fascist state also draws upon Hegel and Nietzsche for political guidance, there is forever lurking in its background the sinister figure of Niccolo Machiavelli.

The Russian Communist state too, is one of the political legatees of Friedrich Hegel, though his influence is exercised through his disciple, the left Hegelian, Karl Marx, who preached the doctrine of the dictatorship of the poletariat and the necessity of the classless state. Hegel and Marx, however, are not the only political progenitors the Communist state ever had. It should not be forgotten for an instant that its current ruler, Stalin, has proven himself to be one of the incomparably gifted and accomplished pupils of old Niccolo Machiavelli.

It is significant to point out that the Nazi, Fascist, and Communist states not only rest on political foundations but have also assumed a variety of religious trappings and trimmings. Each state cherishes its own Bible and each worships its own god. The Bible of the Nazi state is Mein Kampf, and its god Adolf Hitler. The children of Germany in every school every morning recite the Lord's Prayer: "Our lord, Adolf Hitler, give us this day our daily bread." The Bible of the Communist state is Das Kapital, and its god Karl Marx. The Bible of the Fascist state is Machiavelli's The Prince, reconditioned, brought up to the minute, by the doctoral dissertation written on it by the Fascist god, Benito Mussolini. These three states stand alone in the modern era for having devised their own Bibles and manufactured their own gods.

When we come to the French and English states, we discover that their political inspiration pours from a different fountainhead altogether than do Germany's, Italy's, and Russia's. To the present day the intellectual cornerstone of the French state remains Jean Jacques Rousseau, with his doctrine that political sovereignty resides with the people. Although several men before him, notably Hubert Languet, Jean Bodin, and Thomas Hooker, gave first expression to this notion, it was Rousseau who extended it to its ultimate and logical political conclusions. As sovereignty abides with the people, Rousseau argued, the government is a mere trustee, and the ruler an agent ever subject to the people's will. This popular will, which affords the only legitimate ground for political action, thereby establishes the rule of the people, or democracy, as the backbone of every political institution. It is relevant to recall in this connection that when the Thirteen Colonies rose up against Great Britain and proclaimed their independence they rested its intellectual foundations upon the notion of the inalienable rights of the people, which no human being can give away and no king or despot take away. This doctrine, which remains to the present day as the first principle of our democratic Government, is the political legacy of Jean Jacques Rousseau.

The British state intellectually is animated by a different set of political philosophers altogether than the continental European states. Twentieth-century Great Britain represents a synthesis of the philosophies of two illustrious seventeenth-century personalities, Thomas Hobbes, the conceptual fountainhead of political despotism, and John Locke, the intellectual powerhouse of modern democracy.

Hobbes expressed his political speculations in his celebrated opus, Leviathan, a work published in 1651 for the purpose of lending legal color to the Roundhead regime of Oliver Cromwell. "Homo homini lupus" is the first principle of Hobbes' Leviathan: "Man is a wolf to his fellow man," and hence needs the authority of the state to curb him. By nature man is "solitary, poor, nasty, brutish, and short," and in his original state, which Hobbes calls the state of nature, he is a bellicose being whose hand is lifted against every man's and every man's against his. The state of nature is a cockpit in which every man is a plundering and devouring beast to his fellow; a state governed by the law of the sword, with force and fraud proclaimed as its superlative virtues. Driven to desperation at last by this brutish existence, these tortured and tormented creatures called men cast about them for some thoroughfare of escape from this nightmare of terror and wretchedness. Whereupon these warring yet suffering creatures came together and sealed a covenant with "some one man" by which they transferred to him, his heirs and legal successors, forever, all of their individual rights and powers, in consideration that they be checked evermore from relapsing into their natural state of beastliness and wolfhood. The "Leviathan," or state created by this contract, must have absolute power or sovereignty over the actions of the governed, while the latter, by virtue of the unilateral social contract to which they have subscribed, have purged themselves everlastingly of the power and even the very right to question or resist the authority of the ruler.

This ever-ravenous and rapacious Leviathan, having first wolfed down the individual man, then proceeds to devour the individual state. Man being a wolf to his fellowman, his state becomes a wolf to its fellow state.

Thomas Hobbes, by affirming the international realm to be one of perpetual conflict and everlasting warfare, has been the first intellectual figure of modern times to supply a philosophical backbone for power politics, a theoretical authority for the usage of force and fraud in the affairs of the nations. Hobbes' Leviathan is a conceptual reservoir which the dynamic states of the modern world have freely drawn upon in support of their imperialistic policies.

John Locke, the second philosophical underprop of modern Britain, composed his illustrious Treatise of Government with a view to justifying the revolution of 1688, in which James II had to abdicate the British throne and William and Mary being crowned in his stead. Man is not a wolf to his fellowman, Locke taught, and the state of nature is not a war of all against all, as Hobbes maintained. It is a state of "good will, mutual assistance and preservation"; in short, a state of peace in which justice and the spirit of brotherhood are the noblest virtues. To assure themselves that right would prevail over might, these peace-loving men executed a contract, a social contract, with one of their number by which they transferred to him the right to rule in return for his promise to preserve and protect their life, liberty, and property. This bilateral contract, by which mankind passed from the state of nature to the civil state, is not an indenture of bondage, but a charter of freedom; not an indenture of bondage for the individual. It is not the unilateral contract executed by Hobbes' man who has irrevocably transferred away all of his rights to the sovereign, who, in turn, assumes no affirmative obligation toward him. Locke's social contract is bilateral in character, obliging the sovereign to protect life, liberty, and property, and to govern for the benefit of the community from whom alone his authority is derived. Should he breach his covenant the community reserves unto itself the right to cancel the contract by whatsoever means it may deem most fitting, even by force of arms and revolution, if necessary.

Thomas Hobbes has grown to be the spoiled darling of the power-politics practitioners, while John Locke has proven a running river of inspiration to the devotees of democracy and self-government who rank the rights of man above the rights of the state. Yet, strange though it may seem, the British Empire has waxed fat and grown great by pursuing at one and the same time the conflicting and utterly polaric philosophies of both Thomas Hobbes and John Locke. The ruthless imperialistic policy which Great Britain pursued until the opening of the twentieth century, a policy which had served to make its name the very embodiment of strong-arm tactics and political perfidy—force and fraud—was consummated under the impulse of Hobbes' Leviathan and his notion that man is a wolf to his fellowman. The democratic design that it has carried out in its internal affairs during the last century, which has made Great Britain's social and economic legislation a source of inspiration and a very model to its sister democracies, was accomplished under the influence of John Locke and his notion that man is essentially good by nature.

British internal policy since the commencement of the nineteenth century has regularly swung like a pendulum, from right to left and from liberal to conservative, being systematically swayed by the particular right or left tendency then prevailing upon the continent. It is as singular as can be that the final impetus for the bulky catalog of liberal legislation, political, social, and economic, which the British Parliament has enacted within the past 100 years, most often has come to it from foreign lands.

Since the days of Napoleon's downfall the successive British ministries have tended to shape their domestic policies according to the state of the political weather prevailing in the countries of continental Europe. When the forces of blind reaction ruled the roost on the continent, England, in turn, became a buzzing beehive of political fundamentalism; and when liberal forces were on the march and regime-shattering revolutions overswept the face of Europe, the particular British party in power promptly became the true-blue champion of liberal legislation, the sponsor of political and social reforms. In these latter instances it did not appear to matter much if the liberal or the conservative party was in power; if legislation of a liberal character was indicated, liberal and conservative ministries alike hastened to enact it. A brief survey of the domestic history of England during the nineteenth and twentieth centuries will quickly establish the extraordinary extent to which the dynamic political forces of continental Europe have shaped and influenced its internal democratic policies.

With the final downfall of Napoleon in 1815 the spirit of liberalism was driven underground, with the forces of absolutism and reaction having their way in every country of continental Europe. During the following 15 years, and longer, the potentates of France, Spain, Portugal, Austria, Prussia, and Russia granted no quarter in their brutal life-and-death struggle with the forces of liberalism and democracy. In every single one of these lands personal liberties were suppressed and the rights of freedom of speech, press, and assembly were ruthlessly strangled. These hard-shell sovereigns strived desperately to rule over their unhappy subjects by the pre-French Revolution plan, having apparently learned nothing and forgotten nothing out of their bitter experiences of the Revolutionary era.

This spirit of black reaction was also imported into England. The Tory ministers, who governed it under the direction of Lord Castlereagh and the Duke of Wellington during the years 1815–30, assumed a sinister view of any proposed reforms of politics or society. Vigorously they battled to conserve every existing institution and to preserve the status quo ante unchanged and intact. If sometimes it appeared that they were checkmating the efforts of continental reactionaries, as their positive refusal to fly to Spain's aid in recovering her lost American colonies might indicate, they were rather motivated by commercial considerations of trade with these lands, than stirred by any inborn love for democracy or devotion to the rights of man. At home the die-hard Tory politicians who dominated Great Britain throughout this decade and a half were as inflexibly determined to maintain the eighteenth century conditions as was the cynical Prince Metternich in Austria or the counter-revolutionary Charles X in France.

This period of blind reaction on the European Continent extended until the year 1830, when the political pendulum made an altogether unlooked-for swing from right to left. In that year the July revolution broke out in France, the reactionary, divine-right ruler Charles X being deposed and put to flight, with the self-styled liberal, Louis Philippe, Duke of Orleans, mounting the throne by popular acclaim. The abruptness and success of this political earthquake dispatched a sympathetic tremor throughout the whole of Europe. Reactionaries grew alarmed, liberals took heart. Belgium, Italy, Poland, Switzerland, and Germany felt the shock of upheaval, with even that certified model T reactionary, Prince Metternich feeling himself compelled to call off his political witch hunting for a time.

No sooner did the news of the successful revolt of the French middle classes arrive in London than it brought to a head then and there all the political discontents which had been brewing beneath the surface against the reactionary regime of the Duke of Wellington. The Iron Duke's Government fell almost forthwith to be succeeded by a Whig ministry pledged to reform and headed by Earl Grey. After a bitter battle extending over a period of 2 years during which the Whig ministry resigned and then again returned to power, the British Parliament enacted the reform bill of 1832, the first measure of political reform in modern English history, which among other innovations doubled the size of the qualified electorate.

This political reform movement extended itself by and by into the social sphere. In 1833, after a parliamentary inquiry had been conducted into factory conditions, a Tory reformer, Lord Ashley, persuaded the Parliament to enact the Factory Act of 1833, a measure for which the reformer, Robert Owen, had propagandized in vain during the preceding period of reaction. We may appreciate in full the appalling and inhuman working conditions which faced the British laborer a century ago when we learn of the circumstances which prevailed even after the reform was effected. Even then children under the age of 9 who were employed in the spinning and weaving factories had a 9-hour working day, and "young persons" between the ages of 9 and 18, one of 12 hours. The Factory Act of 1833, pathetically inadequate though it sounds to the twentieth century ear, nevertheless was the first measure of social reform enacted in England and was to become the cornerstone of the structure of social legislation to follow.

The revolutions of 1830 miscarried in most of the continental countries in which they had raged, whereupon the forces of reaction entrenched themselves once more. Nevertheless, by the last years of the thirties and the early years of the forties, popular discontent had grown so widespread in France, Germany, Austria, and Italy that new and even more potent revolutionary gases were being generated in these lands. This state of affairs impelled the party in power in England, this time, oddly enough, the Conservative Party, under the leadership of Sir Robert Peel, to enact additional legislation of a liberal character. The self-same Sir Robert Peel who once had so bitterly fought the passage of the reform bill of 1832 now found it expedient to turn champion of social legislation. Under his sponsorship Parliament enacted the Mines Act of 1842 which prohibited underground labor for children below the age of 10 as well as for women, and the Factory Act of 1844 limiting the working day of the adult woman employed in textile factories to 12 hours and that of children to 6. Three years later the working day of the adult woman employed in textile factories was bobbed to 10 hours. At last, in 1846, by virtue of Sir Robert Peel's sponsorship, Parliament repealed the corn laws which by imposing a heavy duty upon imported wheat had inflated the cost of bread and had brought untold misery to the poor.

Meanwhile in France, the nineteenth century incubator of revolutions, a fresh one broke out—the Revolution of 1848. In double quick time it had extended itself to Italy, Germany, Austria, and Hungary, where within a few brief months one rebellion after another was crushed with an iron fist. The severe blow administered to the cause of liberalism on the continent was all the signal that the ruling British Conservative Party required for its guidance. During the following 19 years, not a single significant reform of a social or political character was enacted.

The outcome of the American Civil War furnished the impetus for the passage of the next great reform measure in England, the electoral reform bill of 1867. During the Civil War the English ruling classes had sympathized with the landowning and slaveholding aristocracy of the South, while the working classes, in spite of the unemployment and suffering provoked by the loss of the American cotton supply had openly expressed their sympathies with the democratic North. The final victory of the northern armies encouraged the British laboring classes to stage gigantic demonstrations and mass meetings in all their important industrial centers, calling for universal manhood suffrage. In this crisis, the Conservative Party, under the leadership of Benjamin Disraeli, enacted the Reform Act of 1867, which again doubled the British electorate for the second time. In so doing, they accounted a liberal political program to be a deed of political discretion.

The next wave of political reform prompted from abroad came in with the rise of the Independent Labor Party in 1906. The Russian Revolution of the preceding year had sharply spurred the activities of the socialist movements in every country on the continent, and even commenced to stir the British workingman's class consciousness. The outcome was that in the 1906 election, the Labor Party for the first time in its history polled upward of 300,000 votes and elected 29 members to the House of Commons. By this extraordinary achievement, it transformed itself into a brand new and potent force in British politics. The Liberal Party which had been swept into office by the same election, sniffing the new quarter out of which the political winds were blowing, wisely renounced the laissez faire policy it had ardently espoused for several decades preceding, to become the latter day champion of social legislation in Great Britain.

During the following 6 years it enacted a comprehensive program of social legislation which included:

First. Trade Disputes Act of 1906, which protected trade unions against damage suits, and expressly permitted trade-union pickets to employ methods of peaceful persuasion in strikes.

Second. Education Act of 1906, which enabled local boards of education to furnish free meals to undernourished school children.

Third. Workmen's Compensation Act of 1906, which required of every employer that he insure his workmen against accidents and certain industrial diseases.

Fourth. Old Age Pensions Act of 1908, which required of the state that it pay every needy and aged person a subsidy.

Fifth. Children's Act of 1908, which provided for free medical attendance at child birth, and free medical examinations to those families too poor to pay for such facilities.

Sixth. Labor Exchange Act of 1909, which set up a system of free public employment bureaus.

Seventh. Housing and Town Planning Act of 1909, which authorized the public authorities to condemn and tear down unsanitary dwellings, to be replaced with parks and model homes.

Eighth. Trade Boards Act of 1909 which established special boards, composed of representatives of employers and employees in equal numbers, empowered to fix a minimum wage in sweated industries.

Ninth. National Insurance Act of 1912 which compelled the employer and the employee to contribute to a fund to which the State also made a special contribution, thereby providing health insurance for virtually every industrial worker, as well as of certain specified categories of workmen against unemployment.

This program of economic, social, and political legislation, relating to unemployment insurance, old-age pensions, slum clearance, recognition of the rights of labor unions, and free public employment bureaus is a blue print of Great Britain's "new deal" and remains in effect to the present day, although it is the Conservative Party which is in power. A whole generation was to pass before a comparable program of enlightened social and economic legislation on behalf of our submerged and underprivileged fellow citizens was to be enacted as the law of the land by the Congress of the United States under the humanitarian leadership of Franklin Delano Roosevelt and the New Deal. The American New Deal is Great Britain's "old deal." [Applause.]

The next social-political shock sweeping in upon Great Britain from abroad again was seasoned with Russian dressing, springing as it did from the Russian Revolution of 1917 in which Czar Nicholas II was overthrown with the democratic but short-lived regime of Alexander Kerensky coming into office. In an effort to escape a possible uprising of comparable character in Great Britain, the Parliament enacted the electoral law of 1918, granting a parliamentary vote to every male above 21, and to every female above 30. This bill has enlarged the British electorate by upward of 8,000,000 additional voters.

The final defeat in November 1918 of the autocratic Central Powers—Germany, Austria-Hungary, Bulgaria, and Turkey—by the democratic Allies—Britain, France, Italy, and the United States—provoked wholesale transformations and transmutations in the Old World. A Europe thoroughly remodeled from cornerstone to coping stone emerged into the new post-war era. Monarchies had turned to republics, and every despotic European potentate of the ante bellum days had been booted from his throne and sent to his exile or death. Newborn states had come to life as the very first fruits of the principle of self-determination of peoples. A League of Nations had been hatched out in order to land support to the peace and security of Europe. All in all, those were uncommonly stirring days, in which the right to democracy, liberty, collective security, self-determination of peoples, and home rule were vigorously affirmed and proclaimed on every hand.

This spirit of liberalism and enlightenment speedily ran across the Channel into Great Britain where it produced a flock of fresh political, social, and economic reforms, enacted by eager Conservative and Labor governments alike. These liberal forces, however, did not come to rest in England but penetrated into the British Empire's every unit. Voices demanding political reforms were raised in Ireland, Egypt, India, and Australia, and cries that the old order be swept away resounded in the highest places. The British Government, at this juncture, arrived at a historic decision, and for the first time in her long history prepared to deal with her subjects in the Empire in the spirit of John Locke, and not of Thomas Hobbes. The history of the post-war relations of the mother country with her overseas territories is filled to the brim with the concesions and free-will offerings granted to them. The independence of the Irish Free State was accepted between 1921–38; Egypt's between 1922–36, and Iraq's between 1922–32. Canada, Newfoundland, Australia, New Zealand, Union of South Africa, and the Irish Free State, by the Statute of Westminster in 1931, were granted full equality with the mother country within the British Commonwealth of nations. Even India has been granted a democratic constitution, and the principle of representative government is being extended there on every hand.

These democratically motivated reformations represent a latter-day extension of the liberal and public-spirited tendencies introduced into English political life with the First Reform Act of 1832. Although during the course of the last century the political pendulum has fluctuated erratically between conservative and liberal and labor ministries, it is noteworthy that a generous crop of liberal reforms and concessions have been enacted into law under the auspices of conservative governments. This deeply rooted spirit of hu-

manitarianism, this persistent striving after democracy within its country and afterward within its empire which have served to make her a source of inspiration to the liberal world is her intellectual and spiritual legacy of John Locke.

Although in its domestic policies Great Britain has displayed an ever-growing disposition toward political democracy, it has managed its foreign affairs in a different spirit altogether—in a spirit of machtpolitik—power politics as glorified by Hobbes' "Leviathan." Acting on the assumption that a state of nature still exists as between commonwealths she has made bountiful use of the methods of force and fraud in adding to her overseas territories. A few representative instances will reveal in interesting detail the means by which she has transformed herself from a small, storm-swept island into the mightiest empire on earth.

The keystone of the British Empire is India, and the methods that were employed in conquering and exploiting that ancient and unhappy land confer no kind of luster to Albion's reputation as an honorable nation. Virtually the entire conquest of India was consummated by the judicious distribution of bribes and an elaborate network of intrigues, with a dash of military action in the field. In this spirit Sir Charles Napier, one of the British heroes of India, wrote characteristically with respect to his annexation of the Province of Sindh: "We have no right to seize Sindh, yet we shall do so, and a very advantageous, useful humane piece of rascality it will be." The Oxford History of India finds it superfluous to describe the conquest in lurid detail, but contents itself with hinting darkly: "The chiefs were fleeced and treated unfairly but it is needless to pursue further the unhappy subject." The conquest of India with its fabulous wealth furnished the cornerstone for English industrial capitalism, making possible and necessary the subsequent expansion of the British Empire.

The century-long struggle for South Africa, culminating in the Boer War, proved to be an equally shady enterprise, marked by broken promises, questionable legal claims, dubious practices, and flimsy pretexts, all designed to extend and extenuate its military conquests. Nor was her acquisition of Hong Kong, as an outcome of the opium wars with China in 1842, attended by any considerations other than the force and fraud so glibly commended by Thomas Hobbes. And as for her behavior in Egypt, which the opening of the Suez Canal had transformed into an indispensable link in her vital life line to India, it has not been out of keeping with the venal practices which had proved their worth in India and South Africa.

Having built up, in the spirit of the Leviathan a mighty and colossal world empire on whose flag the sun never sets, Great Britain, since the inception of the eighteenth century, has conducted its foreign policy with the great powers in an effort to preserve her own territorial integrity. Any rival state in Europe which grew formidable enough to menace her security or jeopardize her control of the seas did so at its own peril.

In the name of security Great Britain has labored systematically to keep the great powers of Europe divided into two fairly matched rival camps, so as to preserve a balance of power on the Continent. As long as this balance was maintained, England withdrew herself from all active participation in European affairs. But when any single state grew so powerful as to make itself a potential master of Europe and a sinister menace to the Empire, it was certain to draw down upon itself the armed wrath of Britain. In these emergencies she discovered it to be a tactful deed to form a military league with several other powers against the menace. Between the Revolution of 1688 and the Battle of Waterloo alone, Britain fought seven major wars, the shortest enduring for 7 years, the longest for 12. Out of a period of 126 years, 64 years, or more than one-half, were dedicated to wars, the greater part of which were directed at preserving the balance of power; that is, defending the security of the British Empire. The major conflicts that Great Britain has engaged in during the past two centuries in an effort to preserve the balance of power to make the world safe for the British Empire, are:

First. Wars of the Spanish Succession: Upon the demise of Charles II, of Spain, without issue, in 1700, a bitter rivalry for the prerogative of selecting his successor broke out between King Louis XIV, of France, and the Emperor of Austria, Leopold I, each of whom had an unemployed kinsman in mind for the office. If the Bourbon candidate mounted the Spanish throne, it would provoke forthwith the union of France and Spain and make Louis XIV the overlord of all Europe, while the success of the Hapsburg candidate would spell security for the British Empire. Hence, when the French monarch proclaimed his grandson as King of Spain, thereby upsetting the European balance of power, Great Britain felt herself impelled to form the grand alliance against France, with Holland, Austria, and eventually Savoy, a combination of states which waged war with Louis XIV between 1702 and 1713. The grand monarch was ultimately defeated, and the menace of a French hegemony over the Continent was dissipated.

Second. Napoleonic Wars: Almost a century later Napoleon threatened to set himself up as Europe's undisputed Caesar. He organized in 1798 a formidable expedition against Egypt with a view to cutting Great Britain's communications with India. In this emergency, Great Britain, again "to preserve the balance of power," brought together a second "grand alliance," this one composed of England, Austria, Prussia, and eventually Russia and Spain. This quorum of powers ultimately snuffed out Napoleon's hopes at Waterloo and restored the balance of power to the Continent.

Third. Crimean War: In 1853 Russia declared war upon Turkey with a view to dismembering the "sick old man" of Europe and securing a free and undisturbed outlet to the Mediterranean. A bellicose Russia squatted down snugly at Constantinople would be a misfortune for British trade in the eastern Mediterranean and a menace to her communications with India. Accordingly, Great Britain, abetted by France and presently by Sardinia, joined up with Turkey and fought until their allied arms were blessed with victory. This happy consummation to the war guaranteed Britain's commercial supremacy in the eastern Mediterranean for a whole generation to come.

Fourth. Congress of Berlin. In the second Russo-Turkish War, fought in 1877, the Russian arms were blessed with glistering success. By the treaty of San Stefano, signed by the belligerents in the following year, Turkey was deprived of the greater part of her European territories. The execution of this treaty would serve to turn the balance of power in southeastern Europe downside up and transform Russia, once more, into an eastern Mediterranean menace to Great Britain. Accordingly the latter swung into action without delay. Bolstered by the support of Germany and Austria-Hungary, she threatened Russia with a general European war unless the latter submitted the framing of a new peace treaty to a European congress of the major powers. The consequent Congress of Berlin—1878—despoiled Russia of the choicer tidbits of her military victory, and served to restore the balance of power in southeastern Europe.

Fifth. World War. The rise of the formidable Triple Alliance, composed of Germany, Austria-Hungary, and Italy, threatened to dominate the European Continent at the commencement of the twentieth century. Once again Great Britain felt herself impelled to seal a treaty of alliance with France and Russia, a Triple Entente, which after 4 hard years of war, and with a little outside assistance, forced Germany at last to lay down her arms in the field and sue for an armistice.

Yet as the outcome of the first Russo-Turkish War in the last century failed to satisfy the principal belligerents and only ripened into a second passage-at-arms between them a generation later, so has the first World War, after a troubled interval of a score of years of so-called peace matured into another conflict between the rival antagonists.

Adolf Hitler's rise to power and the resurgence of the Third Reich's military might had failed to strike the British

with dismay, at first, for they confidently trusted that the new political fever raging in Germany would simmer down, by and by, and burn itself out. When these great expectations failed to come off, and Adolf Hitler's will to conquest and appetite for expansion was augmented, day by day, and not abated, the British ventured to buy off the new menace, to make him feel satisfied, to appease him. To this end they concluded a naval agreement with the Nazi Fuehrer, on terms particularly gratifying to him, and at Munich, last year, they suffered him to annex outright a quarter of Czechoslovakia and reduce all the rest of that unhappy country to a position of political, economic, and cultural vassalage to the Third Reich. The British, in addition, permitted Hitler to exercise a free hand in the economic and cultural affairs of central and eastern Europe.

Yet all this appeasement failed to appease; the Nazi appetite only grew with the eating and their will to more was but provoked the more they were offered appeasement. At last in March of this year, when the Nazi legions invaded defenseless Czechoslovakia, it was brought home to His Majesty's ministers with crystal clarity that as a menace to the peace and security of Europe, Adolf Hitler has been exceeded by none within the last hundred years. The British, at last, have grown sensible of the fact that it is Hitler's ambition to perpetrate what even the knowing Napoleon and the aspiring Kaiser had failed to carry off—to crown himself as the all-highest, the all-powerful Caesar over all Europe.

Thenceforward the British Government turned its back upon its now bankrupt appeasement policy and focused all its energies to resist with every means at its command any further military aggressions on the part of the Nazis, even by force of arms if necessary. It was in pursuance of this policy that Great Britain declared war upon Nazi Germany when Adolf Hitler dispatched his troops upon their ruthless invasion of Polish soil 2 months since. Today Britain and France are found standing side by side in this second World War. Each in desperation is fighting for its very life as a great power in the western world. Each is determined that the Nazi menace must be destroyed for all time if freedom and democracy are to survive on this earth.

In view of this world-shaking, historic occurrence, it becomes necessary that we, the people of the United States, take stock of this altered course of events and thoughtfully appraise the consequences it may hold for us in the difficult days that lie ahead.

We have been called into special session by the President of the United States to give new consideration to the current Neutrality Act in the light of the great conflict that has broken out on the other side of the Atlantic. In the present position, three possible courses of action affecting our commercial relations with the belligerents unfold themselves for our studied consideration. It is possible for us to—

First. Repeal the arms embargo.

Second. Retain the arms embargo.

Third. Retain the arms embargo and forbid all commerce with the belligerents in addition. This position represents the ultraisolationist point of view.

The SPEAKER. The time of the gentleman from New York [Mr. SIROVICH] has expired.

Mr. BLOOM. Mr. Speaker, I yield the gentleman from New York 5 additional minutes.

The SPEAKER. The gentleman from New York [Mr. SIROVICH] is recognized for 5 additional minutes.

Mr. SIROVICH. Mr. Speaker, although in principle every one of these individual courses appears to be a neutral one, in application all are unneutral, favoring as they each do the one belligerent over the other. Neutrality spells impartiality, not favoring one over another, not taking up sides with either of the rival belligerents.

If the arms embargo be permitted to stand unreformed, the very failure to take action will operate as a quasi military and naval blockade against England and France to the undisputed advantage of Nazi Germany. It will deny to the democratic belligerent powers every possible opportunity to purchase the arms and munitions and vital airplanes they are in such desperate need of. At the selfsame time, the arms embargo will cost the Third Reich no military hardship whatsoever. From the Krupp and Skoda Works of Czechoslovakia, as well as the Austrian and Polish armament plants which she has now taken over, Germany has armed her fighting forces to the teeth in preparation for the current war, a war for which Nazi Germany, and Nazi Germany alone, is held accountable in every neutral land on earth. Keeping the arms embargo, in practice, is a supporting crutch to Nazi Germany and a binding strait jacket to democratic Britain and France.

On the other hand, the repeal of the arms embargo, in freeing our nationals to sell arms and munitions to any belligerent who presented himself, will be as unneutral as the contrary policy has been in application. By so doing we will extend our favor to Britain and France and deny it to Nazi Germany, for the British blockade has swept the high seas bare of every German merchantman and has latched every German port to neutral vessels. And if all American commerce with the belligerents is embargoed, it will again favor Nazi Germany, who is now dealing with Soviet Russia to supply her with arms, implements, ammunition, bombers, and raw material necessary to continue the war, at the expense of Britain and France, and court economic disaster to ourselves in the bargain, for Great Britain and Canada are our very best customers.

Hence, whichever decision we shall form, whether to keep the embargo, repeal it, or extend it, its effects will favor one rival belligerent over the other or else serve to bring ultimate ruin unto ourselves. Accordingly it cannot realistically be said that consideration of so-called neutrality must guide us here this week. We must form our policies upon the basis of other calculations altogether. I like to believe that I am voicing the sentiments animating every Member of this great body by asserting that in the current emergency we must be ruled by two main considerations since absolute neutrality exists only in theory, but is unneutral in application in every way to every one of the belligerent nations:

First. Which policy will best serve American interests? and

Second. Which policy appears the more likely to keep us out of war?

Which of the three above-described alternatives would best serve American interests? It is readily apparent that the policy of total embargo, of extreme isolation against the belligerents, would spell disaster to the American economic system. The Embargo Acts enacted into law during Jefferson's administration brought down a major economic depression upon this country. There is scarcely any rational reason to believe that a total embargo in our day would have any different outcome.

We are called upon today to decide whether our national interests are identified in fact with the one belligerent or the other, or if we can view the outcome of the war, whatever it be, with perfect equanimity. A brief review of our international relations with Germany on the one hand and England and France on the other should afford some valuable clues as to what the future may hold for us.

Ever since the termination of the World War our relations with England and France have been of the friendliest nature. By American request Great Britain denounced its 20-year-old alliance with Japan and even persuaded the latter to accept the 5-5-3 naval ratio desired by our officials. The naval agreement which resulted remained in force for 15 years, until denounced by Japan in 1936. In recent years the Allies have worked hand in glove with our financial authorities in stabilizing their respective currencies, to the end that economic cooperation among the three powers be facilitated. Every difference that has arisen in Anglo-American and Franco-American relations, with the solitary exception of the war debts, has been adjusted in a spirit of friendly negotiation and mutual good will. As to the war debts, I am altogether certain in my mind that Britain and France cherish bitter regrets for having failed to keep up their payments.

German-American relations during the 14 years following the World War had also been of a very friendly character.

Uncle Sam acted the part of the "rich uncle" to the Weimar republic. We subscribed huge sums to feed the starving Germans and later extended enormous loans to the German Government and German industry upon very generous terms. Only when Adolf Hitler came into office was this international friendship disturbed and upset. During the last 6 years German-American relations have steadily moved from bad to worse because the Nazi government has devoted itself willfully to the task of damaging our interests in Germany. Where the Allies had defaulted upon their war debts to the American Government, the Nazis have defaulted even upon their commercial debts to individual American citizens, denying them at the same time all effective remedy. They have impounded American-owned funds in Germany and have forbidden its owners to draw it from the country. They have defaulted deliberately upon their public bonds so as to depress their value and make them available for repurchase at semi-bankruptcy figures.

But most sinister of all, they have undertaken an economic invasion of the Western Hemisphere, and by means of dumping and barter arrangements have tightened their grip upon South American commerce. Economic penetration was to be a prelude to political and propaganda penetration calculated to injure the standing and security of the United States. Only the sudden outbreak of the European conflict has deferred this relentless Nazi onslaught upon our vital interests in the Americas to some later day. German-American relations had fallen to such a low estate indeed, that our Ambassador to Germany was called home last November and since has failed to return to Berlin.

It is clear beyond all doubt that the triumph of the one belligerent or the other will spell destiny to America's interests. Great Britain, whatever her record of imperialism may have been during the nineteenth century, today represents peace, order, security; Nazi Germany represents war, disorder, treachery, insecurity. Britain is vitally concerned in maintaining the status quo in the Americas; Nazi Germany is dedicated to the upsetting of the status quo everywhere and remaking the world in its own image. British-American and French-American relations of the past decade have abounded with good will; German-American relations have been poisoned by the Nazi acts of hostility and animosity addressed toward us. In short, a British victory must spell American security, with Anglo-American friendship and good will enduring unchanged; a Nazi victory, with the British possessions in the Western Hemisphere at stake, must spell American insecurity, with German-American hostility swelling ever higher. Accordingly, the United States may be said to hold a vested interest in an Allied victory and a distressingly jeopardized interest in an Allied defeat.

Should the United States repeal the present arms embargo, would it be likely to lead us into war? During the World War American sentiment was stirred against the Kaiser's Government, ever so long before we became a belligerent, by the killing of American citizens sailing the high seas and the unrestricted German U-boat campaign against American vessels. The murder of American citizens and the willful and wanton sinking of American ships were directly responsible for driving us into war.

With these considerations in view, and the safeguarding of our national interests in mind, President Roosevelt, in his special message to Congress, has proposed a four-point program in the present emergency designed to keep us out of war:

First. Belligerents must take title, on a cash-and-carry basis, to all goods purchased in this country;

Second. American merchant vessels are restricted from entering the war zones;

Third. American citizens are forbidden to travel on belligerent's vessels or within the war zones; and

Fourth. War credits are denied all belligerents.

These points have all been adequately dealt with in the Senate bill under consideration here this week. The present cash-and-carry bill, if enacted into law, will serve to protect our national interests as best as ever they can be protected by act of Congress. And by removing the causes which led us into the last war, it should serve to keep us out of this one.

Mr. Speaker, greater than any material cash-and-carry concern that the United States may have in an ultimate Allied victory is a mighty spiritual stake. A little more than a century ago the final defeat of Napoleon inaugurated an era of black reaction in every land of Europe; the spirit of democracy and liberty was driven underground with the forces of autocracy and tyranny marching roughshod everywhere. A hundred years later, the victory of the democratic World War Allies over the despotic Central Powers secured the post-war world to freedom and democracy for a dozen years. To the victor of the current European war will belong the spiritual destinies of the post-war world to be. An all-conquering, all-consuming Third Reich will provoke every Fascist tendency, every sworn enemy of democracy, every lover of atheism, despotism, racism, and authoritarianism against the democratic traditions and institutions prevailing in the lands of North and South America. The broad Atlantic may preserve us, for the present, from enemy bombing planes and overseas battle fleets, but against the passage of ideas there is no frontiers of land or sea. On the other hand, a triumphant Britain and France will spell the destruction of the Nazi venom everywhere, with the affirmation of the spirit of liberty, democracy, and Christianity. A Nazi victory will be a spiritual Big Bertha pointed at our American institutions; a Nazi defeat, a monument to humanity, decency, and the rights of man.

The Nazi's bible is Hitler's Mein Kampf; the Frenchman's bible, Rousseau's Social Contract; the Englishman's political bible, Locke's Treatise on Government. A Hitler victory in the European war must spell victory for Hitler's bible Mein Kampf in virtually every civilized land on earth, and disaster to the pattern of life represented by the Social Contract and the Treatise on Government that confirm the supreme sovereignty of the people.

An outcome of that description will be a sinister menace to the American political bible—the Declaration of Independence and the Constitution of the United States. These inspiring and spirit-refreshing documents, glorifying man's inalienable rights to life, liberty, and the pursuit of happiness were framed in the spirit of Jean Jacques Rousseau's Social Contract and John Locke's Treatise on Government. Accordingly, the victory of Mein Kampf would cast a heavy shadow over that spirit and over the American ideals of liberty, democracy, and equality for which Jefferson struggled, Jackson suffered, and Lincoln perished.

Mr. Speaker, His Holiness, the brilliant, gifted, and inspired shepherd of the great Catholic Church, Pope Pius XII, only yesterday in an encyclical from the Vatican pilloried and condemned modern dictators responsible for treaty breaking and racial bigotry and intolerance.

His Holiness decried the destruction of the spiritual dignity of mankind and cried aloud to Heaven to prevent the exploitation of man and pleaded that mankind must not be used as a means to an end, but must remain an end in himself, and that the modern state must be the means to preserve that end. To preserve modern democracy throughout the world we must follow the brilliant counsel of that learned and distinguished scholar, His Holiness Pope Pius XII. [Applause.]

Mr. Speaker, the United States must keep out of European war. The flower of our American young manhood shall not be sacrificed again to the bloodthirsty Moloch of war. But in compensation the arms embargo must be lifted to strengthen the democracies of Great Britain and France—our first line of defense. Such aid, by providing the European democracies with the means to attain a final victory in their unwanted conflict, will help to preserve man's spiritual dignity and protect his integrity upon this earth.

Mr. Speaker, from this catastropic holocaust of war in Europe, there must come forth a better democracy for mankind to live in, and make true the shibboleth of our former great President Woodrow Wilson—that the world must be

made safe for democracy to live in, and that the lives of our patriotic American youths, whose lifeblood hallows the sacred ground in which their mortal remains are buried, shall not have been sacrificed in vain. [Applause.]

Mr. FISH. Mr. Speaker, I yield myself 2 minutes in order to call the attention of my colleague from New York to the fact that 20 or more years ago we went to war to make the world safe for democracy. We sent 2,000,000 American soldiers to the other side, and we helped win the war; yet, today there are those who still ask us to help make the world safe for democracy, in spite of the fact that the nations of the Old World have gone to the left and to the right into autocracies, dictatorships, communism, fascism, nazi-ism and pseudo-democracies.

I am convinced that if we go forth again trying to make the world safe for democracy we will only make the world safe for communism. Twenty-two years ago we went across to oust "Kaiser Bill," and we helped throw him out. Now we are supposed to go over and throw out Hitler, who is a direct result of the Versailles Treaty and its harsh exactions against the only democratic government Germany ever had under the Weimar convention. There are internationalists and interventionists who want to sacrifice American lives to oust Hitler. I do not like dictators here or abroad, but if we throw him out I make the prediction that we would only pave the way for communism in Germany. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 20 minutes to the gentleman from Connecticut [Mr. MILLER], a distinguished World War veteran.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain letters from several neutral legations.

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

There was no objection.

Mr. MILLER. Mr. Speaker, the gentleman from New York has given us all the background of ancient history and brought us up to the present date. In the limited time at my disposal I shall confine myself to the period 1914 to 1940.

I listened with usual interest to the gentleman from Texas [Mr. LANHAM], one of the many Members of this House whom I admire, but it seemed to me this afternoon that he was not up to his usual soundness. The gentleman from Texas said there were two things on which this country was united—neutrality and keeping out of war. I maintain that this country is absolutely united on the question of keeping out of war, but we are far from united on the question of neutrality either as a legal doctrine or a factual matter.

Statements made by Members of Congress on both sides indicate beyond peradventure of doubt that those making the statements, whether right or wrong, are not neutral. When a Member advises us to forget impartiality and take sides and fight, that is not neutrality.

I have all the hatred, all the deep feeling any Member of this House has against Hitlerism and the things it has done.

My ancestors came from Scotland. I served 18 months in France. My own flesh and blood lies buried in France, a sacrifice to the effort to save democracy.

I have the same emotional attachment to the Allies that many Members of the House have indicated. I maintain as a private citizen I can have those likes and dislikes, those hates and affections. But when I come to the floor of this House to legislate for the United States, I must bear in mind we are at peace with all the world, that every nation in the world is legally a friendly nation to the United States.

I believe the President was absolutely correct when he said the crux of this controversy was repeal of the arms embargo and going back to international law. The gentleman from Oklahoma [Mr. NICHOLS] resented the fact that Members of the House had stated in the past month that they felt repeal of the arms embargo was a step toward participation of the United States in the war now going on in Europe. In spite of the fact that that statement has been termed by many in high places as ridiculous, in the few minutes available to me I hope to be able to prove it is a reasonable statement and that in all probability repeal of the arms embargo might very well start us off on a series of events that, based upon our recollection, our own remembrance of what happened in 1914 to 1917 might lead us into war. Mark well, I did not say that repeal of the arms embargo in itself would involve us in the war. I said repeal of the arms embargo might start a chain of events that would make it impossible for this Government, either by the President or its Congress, to prevent honorably our entry into the war. I base that statement on our experience of 1914, 1915, and 1916.

The history of that period shows just what happened, how the war tied the hands of Woodrow Wilson, how we finally found ourselves in a position where war alone could prevent a panic. We reached the point where private bankers could not finance the needs of the Allies, and the United States Government had to float loans to buy munitions for France and England.

I now quote from the memoirs of Lloyd George:

> If we were interfering with America's potential trade with our enemies, at least we were providing her with a magnificent market in Britain, France, and Russia, which stimulated her industries to an unprecedented level of activity and profitableness. This fact had its influence in holding back the hand of the American Government whenever, excited to intense irritation by some new incident of the blockade, it contemplated retaliatory measures.

Further I read:

> Thus by the end of the year 1914 the traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of the war by the diplomacy of neutrality, no matter how skillfully conducted, had reached the vanishing point. By October, perhaps earlier, our case was lost. While British diplomacy maneuvered with skill to involve American industry and finance in the munitions traffic, it is certain that American business needed no compulsion to take war orders.

That is a quotation from the Life of Woodrow Wilson, by Ray Stannard Baker. Then further on we read of a cablegram sent by Ambassador Page to the Secretary of State, in which he makes this dire prediction:

> Perhaps our going to war is the only way in which our present preeminent trade position can be maintained and panic averted. I think that the pressure of this approaching crisis has gone beyond the ability of the Morgan financial agency for the British and French Governments. Thus by the end of 1914 traffic in war materials with the Allies had become deeply entrenched in America's economic organization, and the possibility of keeping out of war had reached the vanishing point.

That from Ray Stannard Baker in his Life of Woodrow Wilson.

Is it not reasonable and probable to believe that if we take the same steps now that we took in 1914–16 and permit a war boom to spring up, based on war orders for arms, ammunition, and implements of war, that we will achieve the same results, namely, entry into the war? Remember, not only are we considering dealing in the same commodities but we will be dealing with the same nations, the same people. Like circumstances, like people, like events should give us like results.

It has been stated during this debate that we are the only country that tries to maintain an arms embargo. Soon after the convening of this special session, I sent letters to some of the embassies representing in Washington the so-called neutral powers of the world. I have those letters here. The embassies of several of those countries have written me that their country has embargo laws or regulation prohibiting the exportation of arms, ammunition, and implements of war. In two of those great neutral countries the shipment of arms, ammunition, and implements of war is controlled by the government and the government, according to their statement, does not issue a license for the exportation of arms, ammunition, or implements of war. I have been granted unanimous consent to include in my

extension of remarks the letters from various embassies. I quote in part:

BRAZILIAN EMBASSY.

My country has followed the practice of supplying no means of warfare to any of the belligerents in a conflict, and especially no arms, ammunition, or war materials. This restriction, I may add, is well in the spirit of article 17, chapter III, of the Fifth Convention of The Hague, 1907.

At the outbreak of the 1914–18 war, Brazil did, for instance, place such an embargo on exports of war materials to belligerent countries, in article 4 of the above-mentioned General Rules of Neutrality:

"It is absolutely forbidden to export, from Brazilian ports to those of any belligerent power, arms, ammunition, or war materials, whether under the Brazilian flag or under any other."

[Reply by phone, October 3, from Legation of Sweden]

No embargo law because government controls manufacture of munitions, and during World War refused permit for sale to all belligerents. Will probably do same in this conflict.

LEGATION OF SWITZERLAND,
Washington, D. C.

The act of June 21, 1935, in regard to the protection of the security of the Confederation remains in force.

ART. 3. The following is forbidden and to be stopped:

a. The export of weapons, munitions, powder, and other war materials or their parts to warring states, as well as the assembly of such objects in boundary territories or for transport over the frontier.

ROYAL DANISH LEGATION,
Washington, D. C.

The exportation from Denmark of arms and ammunition has been subject to governmental license for many years, the same rule also applying to the importation into Denmark of arms and ammunition.

LEGATION OF FINLAND,
WASHINGTON, D. C., *October 5, 1939.*

Mr. WILLIAM J. MILLER,
Congress of the United States,
House of Representatives, Washington, D. C.

DEAR SIR: With reference to your letter of October 2, regarding the use of the embargo as a means to the maintenance of neutrality, I have the honor to inform you that under a law enacted on October 14, 1938, all exports of arms, munitions, and all kinds of implements of war from Finland is allowed only with the special permission of the Government in each particular case. This law is completed through a decree given the same day, which, however, only specifies the different kinds of implements of war. No later law or decree has, according to the latest information this Legation has received from Finland, been enacted, nor does this Legation know whether the Government has taken any further decision in the matter.

May I, however, in this connection, draw your attention to the fact that Finland, although our country has a certain production of war materials, on the whole is importing, not exporting such.

Yours very truly,

HJ. J. PROCOPÉ,
Minister of Finland.

ROYAL NORWEGIAN LEGATION,
Washington, D. C., October 3, 1939.

Hon. WILLIAM J. MILLER,
House of Representatives, Congress of the United States,
Washington, D. C.

DEAR SIR: I have the honor to acknowledge the receipt of your letter of October 2, 1939. In reply to your inquiry I have the honor to inform you that export from Norway of arms and ammunition, etc., is subject to license, in accordance with law of June 28, 1927.

It should further be stated that a general export embargo has recently been established in Norway with exception for some few articles only. Arms, ammunition, etc., are included under the general embargo provisions. The Norwegian Government, however, is authorized to grant license for export of articles comprised by the embargo.

Very truly yours,

W. MORGENSTIERNE.

Mr. Speaker, I believe the arms embargo provision of this neutrality law is the symbol of the neutrality of the United States as has been stated. It is not surprising that our people are disturbed. They accepted the arms embargo as a symbol and this Congress of the United States and previous Congresses of the United States, as well as the President of the United States are responsible for the existence of that feeling in the United States because of the enactment of this law in 1935, which was amended in 1936 and reenacted in 1937. May I remind you that on three roll calls on three different occasions a majority of the Members of this present House voted for arms embargoes. They knew at that time which nations were sea powers and which nations were landlocked. At that time, however, they were thinking only of one thing, honest neutrality and keeping this country out of war. The Members who voted for that legislation returned to their districts and told their constituents they had aided in writing this legislation, that it contained an arms embargo, that never again would we in time of war ship arms, ammunition, and implements of war to belligerents. I will take the time this afternoon to repeat the words of the President of the United States at Chautauqua, N. Y., in his now famous "fool's gold" speech.

I believe I am quoting him correctly, but from memory:

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other thing to belligerent nations, the unemployed of America would all find work.

They would tell you that if they could extend credit to warring nations, that credit would be used in the United States to build homes and factories and pay our debts.

It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond, to realize the inevitable penalties, the inevitable day of reckoning, that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

Mr. Speaker, because of those statements and because of the statements of hundreds of Members of Congress, our people have accepted this arms-embargo provision as the symbol of honest neutrality. With that thought in our minds, can we wonder that many of them are worrying today?

I do not like to bring emotionalism into this discussion, but I think I should tell of a little experience that occurred last week end as being typical of the attitude of the American people. It is the attitude of many people of my district, and from talking to Members representing other parts of the country it seems to be the general attitude that repeal of the arms embargo is dangerous.

While I was at my home last week end a gold-star mother called me on the phone. She had a son who is now buried over in France. She told me that since the outbreak of war in Europe she had lost 18 pounds. She says: "I cannot sleep nights. I hear this repeal talk on the radio, and I read the newspapers, and I know the President is trying to repeal the arms embargo." She says, "I know why they are trying to do it. In fact, I read in the CONGRESSIONAL RECORD that they wanted to repeal the arms embargo to aid the Allies, to aid democracy. Of course, my sympathies are with the Allies, but I am thinking that I heard those very words in 1916." She says, "I remember the words of my son Russell"—a big 6-footer, 20 years old, every inch a man, as he proved himself to be. He was awarded the Distinguished Service Cross for bravery before his death.

She said, "I remember his words the last time I saw him in Camp Mills, Long Island, N. Y. He put his arm around my shoulders and said, 'Mother, do not worry. I am going to be all right; but if anything should happen to me, you will always have this one comforting thought, that this war is being fought to end all wars and that never again will the young men of this country be called on or expected to go to war. If we can accomplish that, then any sacrifice I may make will be well worth while.'" Thousands of mothers are losing weight and sleep because of this proposed repeal. They fear what may happen if we follow the path of 1917. To them the arms embargo means neutrality and this Government led them to believe that to be true.

There are two other contentions made by proponents of repeal to which I believe we should give some thought. It has been stated that the repeal of the arms embargo would be an aid to our own national-defense plans.

I remind you that in 1916 the War Department of the United States Government tried to place orders for thousands of rifles in my home State of Connecticut. They had specifications for the Springfield rifle. Our War Department felt that this was the greatest rifle in the world. However, when the War Department went to the factories that were making rifles for the Allies, they found those factories tooled up for the British Enfield rifle. Knowing that the Enfield was an inferior rifle, they felt they had to take Enfields because they could not afford the delay that would be caused by tooling up for the Springfield. If we put our ammunition industries and our aircraft factories at work turning out rifles and ammunition for foreign countries, and some national emergency arises whereby we must have those things in a hurry, we are going to find our factories tooled again as they were in 1916. The Nye committee exposed that situation. I believe an amendment was offered in the other body that would prevent the shipping out of this country of airplane motors or aircraft, at least until we had filled our own minimum requirements.

This seems reasonable to me. It seems the duty of every Member of Congress to make sure that what we need for our own national defense is available in the United States before any part of it is allowed to go out of this country. [Applause.]

Committees of this House were told in the last session of the Congress that it would take the aircraft industry in the United States 14 months, with existing factories and existing equipment, to meet the requirements of our own Army and Navy Air Corps and to produce the aircraft for which this Congress has provided money.

In the moment remaining, I should like, although not in the form of a challenge, to call on some Member who is advocating the repeal of the arms embargo to tell the House or insert in the RECORD something to show that there ever was a serious controversy between the Government of the United States and any government in Europe that involved the sinking of ships carrying wheat, gasoline, oil, or any commodity other than arms, ammunition, and implements of war. I had sent to me, in answer to my request, a complete file of the exchange of correspondence between our State Department and the governments of Europe in 1915 to 1917. In that whole group of correspondence there is not a single case, a single incident, that involved anything other than arms, ammunition, and implements of war.

I want to see some of the provisions that have been proposed in House Joint Resolution 306 enacted into law. I recall the words of the distinguished gentleman from Virginia [Mr. WOODRUM] during the W. P. A. debate. He said it is always possible under the rules of this House for the House to work its will on any legislation. I believe this to be true, and if it be true, then certainly it is possible under the rules of the House to permit us to vote on the arms-embargo provision and to retain the arms embargo, this symbol of honest neutrality, and also to write into our law the other provisions and restrictions that will strengthen our neutrality and will, I believe, go a long way toward keeping us out of war and preventing a repetition of the disaster that occurred in 1917 from occurring again. [Applause.]

I hope the House will adopt the motion made by my colleague [Mr. SHANLEY] to insist on an embargo provision in House Joint Resolution 306. We cannot ignore the authorities he quoted to us today. Every one of them flatly stated that repeal of the embargo was an unneutral act. This is not a case of upholding or defeating the President. We are all free to vote as we see fit, answering only to our constituents, our conscience, and our God.

Mr. FISH. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. SPRINGER].

PEACE AND NEUTRALITY FOR AMERICA

Mr. SPRINGER. Mr. Speaker, at the conclusion of this calm and solemn debate a very momentous question must be finally determined by this honorable body. The eyes of the Nation are upon us and the listening ears of the Eastern Hemisphere are gathering together the various statements which have been made here respecting the very vital and highly important question of our foreign policy in this critical period. We do not forget, I am certain, that as this debate proceeds the warring nations in Europe, with millions of men under arms and all of them invested with the necessary implements of war, are fighting. Other European nations who are the near neighbors of those engaged in the bitter controversy are seeking in every available way to avoid any involvement in that war. They are assuming a position of neutral nations, and they have so announced their intention. They do not want any part in the war, although it is waged on their own continent and at their own back door. They are seeking to avoid any participation in the war by remaining neutral.

In the very midst of this war we are asked to depart entirely from our policy of neutrality which is now in force and which has been our announced role of conduct since 1935, which pronouncement was made by an act of the Congress of the United States. By the provisions of the pending bill we are particularly asked to adopt a policy by which we depart from our announced and laudable rule of conduct and action by repealing that provision of our existing neutrality law which established an embargo on arms, ammunition, and implements of war.

As we approach this very vital subject, I am constrained to say that I feel the very great weight of the responsibility which is involved in this proposed action because it is transferred to each and every Member of the Congress; not long hence I will be required to speak the words which may, or which may not, hazard the lives of more than 40,000 of the young men who live in my Congressional district, all of whom are between the ages of 18 and 35 years—of military age—those who would be required to enter the war in case of our involvement; more than that, in this vote which we are about to take we must speak those words which may, or which may not, hazard the well-being, the happiness, the security, the property rights, and the contentment of all of the people in our various Congressional districts throughout the Nation. We are required by our action to determine our policy, at the very time a war is in progress in Europe, what we shall now do, or what we shall do in the future, respecting the sale of munitions of war to belligerents.

Mr. Speaker, our policy respecting the rule of conduct and action we will assume toward all belligerents in time of war has already been defined. This definition was given by an act of Congress in the year 1935; that same rule was reaffirmed in the year 1937. All of the nations of the world were given notice, which was unmistakable in its phraseology, as to what our position would be respecting the sale of arms, ammunition, and implements of war to all belligerent countries. They fully understood that notice, and they no doubt assumed they had a right to rely upon our announced rule of conduct. It was a clear and understandable pronouncement of neutrality.

This enactment of our policy of neutrality, in case of war, was applauded by the people of our Nation. They believed in it. Widespread interest was manifested in that law and in its laudable provisions. Our people were contented because they believed, in event of war in Europe, the embargo provisions of our law would prevent the sale of arms, ammunition, and implements of war—the very things which are ready for immediate use by armies with which to kill and destroy people—to any and all belligerent nations. The feeling of security which followed that laudable enactment was evidenced by public expression and public approval everywhere.

Permit me to point out that the President of the United States not only urged the passage of our neutrality law of 1935 and of 1937, which is now in force, but he publicly applauded it after its passage; he was perfectly satisfied with our position of neutrality then, and in his speech, made at Chautauqua a few years ago, and while speaking of war and of war profits, which he classified as "fool's gold," he said:

> It is clear * * * the measures passed by Congress would, in the event of war on some other continent, reduce war profits which

would otherwise accrue to American citizens. Industrial and agricultural production for a war market may give immense fortunes to a few men, but for the Nation as a whole it produces disaster.

Can there be any doubt respecting the attitude of the President on our position of neutrality at the time he delivered that speech by which he fully endorsed and approved our neutrality law? When we make a comparison of the statement of full approval of our neutral position made by the President in his Chautauqua speech with the statement made by the President in his message to the Congress on the 21st day of September 1939, in which he urged the repeal of the arms-embargo provisions in our existing law, we are constrained to say that he has executed an "about-face" without reason or excuse, because he said in his message, and I quote him:

From a purely material point of view, what is the advantage to us in sending all manner of articles across the ocean for final processing there when we could give employment to thousands by doing it here?

Therefore it is apparent that the President has completely changed in his policy respecting "war profits." The President firmly believed in our position as a neutral, in case of a European war, in 1935, and in 1937, and no mention of any dissatisfaction was evident upon his part until in May or June in the year 1939. We will quite well remember the King and the Queen of England visited this country in the month of May 1939, and they were lavishly entertained by the President. No American citizen will know what transpired between the King and the President in their secret conferences. However, we do know—and all America now knows—that after the visit of the Royalty in this country, and quite soon thereafter, our neutrality laws became quite obnoxious to the President. He had made his "about-face" and the law which he eulogized had become quite repugnant to him; at the same time all America was entirely satisfied with our neutrality laws and with our asserted position of neutrality. They believed in that law.

Mr. Speaker, the President further stated in his speech at Chautauqua, to which speech I have hereinbefore referred, that he was in full accord with our position as a neutral nation in case of war between other countries, because he said—and I quote:

Nevertheless, if war should break out again in another continent let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fool's gold—would attempt to break down or evade our neutrality.

They would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other article to belligerent nations, the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

It would be hard to resist that clamor; it would be hard for many Americans, I fear, to look beyond, to realize the inevitable penalties, the inevitable day of reckoning, that comes from a false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

If we face the choice of profits or peace, the Nation will answer—must answer—"We choose peace." It is the duty of all of us to encourage such a body of public opinion in this country that the answer will be clear and for all practical purposes unanimous.

There can be no doubt of the position taken by the President at the time he made that speech, because he urged the people to fully support our position of neutrality; he scorned the policy of selling munitions of war to belligerents and he denounced the policy of war profits, which, he declared, would bring national disaster. The words of the President were undoubtedly true then, because they were uttered in the calmness of peace—no war was in progress and no war was in contemplation. The words of the President are equally applicable today, the day when the acid test has come, as they were at the time they were spoken on the 14th day of August 1936, when he was praising our neutrality law which was passed in the year 1935. We will remember that we have before us evidences of the World War because the vision of the shattered and destroyed lives of men lingers near us, the result of untold suffering and misery is apparent to us, the want and despair of the people which followed in the wake of it is indelibly impressed upon us, and we are not without precedent in this instant case. We should profit by our sad and quite serious experience which followed our disastrous involvement in that world conflict. It is true that our neutrality law, which is now in force and which contains the embargo provisions respecting the sale of arms, ammunition, and implements of war, is the outgrowth of the World War, and it is the very protective policy which we adopted in order to avoid our involvement in any other such crisis.

Mr. Speaker, we may rewrite this very vital question which is now before us in a simplified form, so all may understand, and the primary point in issue is simply this: Whether or not we shall substitute cash and carry for the embargo in respect to the sale of arms, ammunition, and implements of war to belligerent nations? That is the paramount question we are called upon to decide. The single question of cash and carry respecting all other commodities—which would include agricultural products, manufactured articles, and all necessities of life, but which would exclude only the arms, ammunition, and implements of war to belligerents—I favor that limited policy of cash and carry as a part and portion of our law. There may be serious implications involved in this limited extension, but, there is a very great difference between the methods of sale and the articles sold; on the one hand we would sell only the necessities of life—those things which a people require for their own sustenance and livelihood. Sales of this character are not calculated to engender hate and ill-will; such a plan would not create a feeling of great hostility against our Nation.

But, on the other hand, if we engaged in the unlimited program of selling under a cash-and-carry policy—selling anything and everything to every nation who came for it, which would include the unlimited and unrestrained sale of guns of all kinds and types, ammunition of every type and character, poisonous gases of the most destructive force—all being death-dealing instrumentalities ready for immediate use in the destruction of human beings, such an engagement would, in my opinion, create the deepest feeling of hatred and ill will toward our country on the part of those belligerents who are unable to obtain those supplies. When we analyze the result of such an open-market policy in our country, under which we pursue an unlimited cash-and-carry program, selling all kinds of weapons, ammunition, poisonous gases, and implements of war to belligerents in time of war, pray tell me who would benefit under such a policy? England would be the chief beneficiary, and France might be able to secure some of those war supplies from us. I may say, without any reluctance whatever, that my sympathies are with England and France and against Hitlerism. However, my whole and my entire sympathy—all of the love of a human heart—is first, last, and all of the time with my own beloved country, the United States of America. That shall continue as long as I live. I think of my country first. We cannot hazard the lives of our boys and the prosperity of all of our people by taking a chance to acquire some of the "fool's gold" which the President talked about. We cannot take the step and commit the act which would inevitably bring the hatred of nations upon us.

May I suggest another indictment against the pending bill? Under the unlimited cash-and-carry provision which is proposed in the act now considered the same is an unqualified invitation to all belligerents to come to our shores and get their arms, ammunition, poisonous gases, and implements of war; to pay for the same; and to carry all such supplies in their own ships across the ocean to use in the war and for the express purpose of exterminating their adversary. I wonder what the adversary will be doing in the meanwhile? Will they remain supine and inactive and await the fatal day when the cargo of war supplies arrive at the port of the antagonist? I am confirmed in my belief that no such dormant state will be found on the part of any adversary, but we will witness a repetition of 1917–18, when the enemy was

found sinking the ships and destroying the cargo of war supplies thus obtained at our shore.

The lurking submarine, with its destination unknown, will find a fruitful spot either outside or inside our territorial waters for the destruction of its prey. The war would thereby be transferred to our side of the Atlantic and just off our shores. We have been schooled throughout the years that our territorial waters extend to the point 3 miles offshore. Then, if that be true, we would, by the adoption of that policy contained in this bill, invite at least a portion of this war into our own front yard. If the President, by dictum or order, or in any other manner, has sought to extend the boundary of our territorial waters to some point more remote than 3 miles, then in either case, or whatever that distance may be, it is quite too close to us to have any war engagements on this side of the Atlantic in which we have no concern. That would be too hazardous to contemplate. We must not extend any such invitation to belligerents to come here for war supplies, and we will thereby avoid any war on this side of the ocean. Our people do not want any war between European nations fought on this side under our own invitation to come. Let us not take the step in the House which will extend that hazardous invitation to belligerents; it might be the step into this war. God forbid that we take it.

For many months last past those in high authority have talked about war. The people of this country have desired peace and they have talked peace, not war. The people do not want our country to become involved in this European war in any manner whatsoever, and they want every precaution taken to avoid any such involvement. The Senators and the Members of the House have discussed the various issues involved in the present bill, and many people have openly expressed their honest and conscientious opinion, including people of all walks of life, that they feared the "full and unlimited cash-and-carry provision which is now contained in the bill under consideration" would be a highly dangerous policy for our Nation, and especially so when the same is sought to be adopted after the European war has been in progress for many weeks. In other words, the people fear that any change which is made now will be construed as an unneutral act by us. I was startled when the President, in a recent interview, was reported to have stated that those who argued that the "unlimited sales under the cash-and-carry plan, including all kinds of war munitions," might involve us in the end in this war was "all a hoax and a shameless and dishonest fake." I am happy that this is yet the land in which men and women may express their own opinion, and I am thankful that no person in this country has any right to limit or abridge that right of every American citizen.

Therefore, I say that all those who have spoken on the vital subject of our foreign policy, in this crisis, have the same right to so speak as has the President, and I am certain each and every person who has expressed his or her views respecting this important question has been entirely honest and thoroughly conscientious in so doing; the expression of their own views is their inherent right so to do, and the fact that their view does not coincide with the view of the President is no ground, whatsoever, for the challenge that such an expression is "a hoax," and that the same is "a shameless and a dishonest fake." Such a statement is no argument, it is not the presentation of any fact, but it is quite beneath the dignity of the highest office within the gift of the people of this Nation.

It is not the view of any one man which should be followed in this crisis, but it is the question of the safer course for us to pursue to keep out of this European war which should chart the course of our pathway. The men and the boys of our country would be forced to fight this war if we should become involved in it, not the President, and not those who would enjoy huge "war profits" under the President's recently acquired cash-and-carry plan; the war—in case we should become involved in it—would call for the boys and men from every walk of life to bare their breasts and shed their blood.

Mr. Speaker, let us revert to the naked question of the safer plan for our country to pursue in this crisis, we must think of our country, America, first, the arms and war munitions embargo or a full cash-and-carry plan for all war munitions. In my opinion the strict embargo on all war munitions, guns, gasses, ammunition, and implements of war is the safer course for us to pursue. I make that statement, first, because we thereby avoid the dangerous influence of a hatred which might be engendered in the mind of some belligerent under the cash-and-carry plan; and, second, we will entirely escape the extending of that invitation to belligerents to transfer any part or portion of their war to our own shores; and, third, we will not excite or encourage any abnormal war boom, one which will create the desire to acquire "fool's gold," as the President has so aptly stated it, which is one of the very worst and most devastating influences that can come to us as a curse to our economic life and progress. When the gluttonous appetite for war profits, and for more war profits, is upon those who desire to take advantage of such an abnormal condition, then the madness for profits engages in a general warfare with peace itself. This is a highly dangerous condition; we must never reach that point where profits stand on a parity with peace. That unstable condition must not obtain in this country. While it is true that reduced profits may not be conducive to fat bank balances and bulging safety-deposit boxes filled with bonds and securities; yet, with such reduction, it will be much easier to establish and maintain the stability of our Nation and it will certainly be a Godsend to the men and boys of the United States of America who would be required to go to the front in case of war.

When we meditate alone, Mr. Speaker, concerning this very vital question we will unanimously conclude, I am certain, that we must "keep out of this European war." Our experience in the World War appears before us as a prophet and the vision of those maimed and disabled comrades of mine are the danger sign, which reads: "Keep our country out of this war." Let us not take the first step, nor any step, in the possible direction of war; let us not attempt to write a law which is unneutral by its very terms and which is unneutral in fact, and which law will be construed by the nations of the world as an "unneutral act." I firmly believe this law, if passed, will be construed by some nations as an unneutral act on the part of the United States. I make that statement because at the outset of this European war we had stated to the world that we were neutral between belligerents—that we would not sell arms, ammunition, and implements of war to any nation engaged in war, and, after the war has progressed for a period of several weeks, we suddenly change our policy—we change the rules of the game—and establish another, and a vastly different policy, by which we proclaim we "will sell arms, ammunition, and implements of war to all belligerent nations," and at the same time we well know that only a favored few of the belligerents will be able to avail themselves of this opportunity; this sudden and very abrupt change is a highly dangerous policy and is a very serious mistake. I shudder when I think of the possible result. I want to protect the boys—I want to protect the people—in my congressional district, and in our Nation, from the anguish and suffering of war. We want no war—we want peace.

Mr. Speaker, I will vote against the "full and unlimited cash-and-carry policy for the sale of arms, ammunition, and implements of war," contained in this bill because I will not voluntarily submit to that course which may leave the blood of men upon my hands and the recollection of wrecked and destroyed homes upon my conscience; I will not cast my vote to take the step which may tend to lead us into this war, or any war, in which we have no concern. I cannot lend my aid in the passage of any act, after a foreign war has begun, which, upon its face, expresses a policy which is unneutral from cover to cover as this proposed bill indicates, and I cannot voice my approval of an act which is wholly unneutral but which is presented under the false guise and pre-

tense that it is a "neutrality law." The people should know—they must know—that this proposed legislation is an "unneutrality law," because we abandon the position of a neutral nation and we take sides with the belligerent nations. I cannot subscribe to the provisions of this bill for the sale of munitions of war of all kinds to belligerents indiscriminately, but which law was written, and it is now proposed for passage, with the sole and undeniable purpose and intent of helping one side of this controversy and of injuring and harming the other side and long after that war was begun, and to that extent we enter this terrible war when this law is passed—if, in fact, this proposed legislation does pass.

Mr. Speaker, I shudder when I hear the argument presented on behalf of profits—that makes the issue, Profits versus Peace. We have not reached the level in this great Nation, I hope, when dollars rule even when the lives of millions of our people are at stake. God forbid that such a rule will ever obtain here.

We are free today from the darkness and the horrors of this war. Our boys and our men are engaged in the arts and trades of civil life—they have the vision of peace and progress before them; they have that God-given right to live, and to make their own pathway which leads to destiny. We have no right to take away that right of their opportunity. Let us remain free and untrammelled from the inevitable results of that horrible carnage.

We do not boast of our happy and peaceful hours as a people, but we are content to continue our daily struggle. We do not mark time, but we march forward with the ambition of men to attain and to accomplish. We do have the fullest and the deepest sympathy and we view with grave concern and pity the deplorable condition of those nations and the people who are engaged in this war. May it come to a speedy conclusion, is our prayer. Let us, however, think of America first.

Mr. Speaker, we may disagree among ourselves concerning the wisest course for our Nation to pursue in this critical period in order to attain that sanctified benediction and that happy pronouncement that we have no war. Yet in the face of this joyful objective, which appears with the sacredness of the Sermon on the Mount, we must revere the unmistakable and unalterable fact that we are just one people walking uprightly before God—with the cherished memories of our heroic dead before us—through the undimmed light into the future. [Applause.]

Mr. FISH. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Speaker, if I am afforded an opportunity tomorrow, I expect to offer an amendment to the motion to instruct the conferees. I ask unanimous consent that I may insert this amendment at this point in the RECORD for the information of the Members.

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

There was no objection.

The matter referred to follows:

SEC. 7. (a) Whenever the President shall have issued a proclamation under the authority of section 1 (a), it shall thereafter be unlawful for the Federal Reserve banks, the Reconstruction Finance Corporation, the Commodity Credit Corporation, the Export-Import Bank of Washington, or any other agency of the Federal Government, or for any person, association, partnership, or corporation within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any state named in such proclamation, or of any political subdivision of any such state, or of any person, partnership, association, or corporation acting for or on behalf of the government of any such state, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, person, partnership, association, or corporation. The provisions of this subsection shall also apply to the sale by any person within the United States to any person in a state named in any such proclamation of any articles or materials listed in a proclamation issued under the authority of section 12 (i).

(b) Whoever shall violate any of the provisions of this section or of any regulations issued thereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than 5 years, or both. Should the violation be by a corporation, organization, or association, each officer or director thereof participating in the violation shall be liable to the penalty herein prescribed.

(c) Whenever any proclamation issued under the authority of section 1 (a) shall have been revoked with respect to any state, the provisions of this section shall thereupon cease to apply with respect to such state, except as to offenses committed prior to such revocation.

(d) This section shall not apply to loans, discounts, advances of credit, and other evidences of indebtedness incident to shipments between the United States and states bordering on the United States as described and provided in subsection (f) of section 2 of this act.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SMITH of Virginia (at the request of Mr. BLAND) indefinitely on account of illness.

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to include in the remarks I have already been given permission to extend in the RECORD some brief quotations from the messages of President Wilson and President Roosevelt.

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

There was no objection.

HOUR OF MEETING TOMORROW

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a. m. tomorrow.

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

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the time consumed in debate tomorrow be equally divided between and controlled by the gentleman from New York [Mr. BLOOM] and the gentleman from New York [Mr. FISH].

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

There was no objection.

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters received from the chairman of the Social Welfare Commission of the State of Michigan on the subject of the reciprocal-trade agreement with Chile.

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

There was no objection.

Mr. WHITE of Idaho and Mr. HOFFMAN asked and were given permission to extend their own remarks in the RECORD.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Washington Post of this morning.

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

There was no objection.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 1, 1939, at 11 o'clock a. m.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. McCORMACK:

H. R. 7610. A bill to provide for adjusting the compensation of persons employed as guards and guard officers at navy yards, and for other purposes; to the Committee on Naval Affairs.

By Mr. SNYDER:

H. R. 7611. A bill to provide for the rank and title of lieutenant general of the Regular Army; to the Committee on Military Affairs.

By Mr. DIMOND:

H. R. 7612. A bill for the transfer of funds to the town of Wrangell, Alaska; to the Committee on the Territories.

By Mr. BATES of Massachusetts:

H. J. Res. 396. Joint resolution requiring the Secretary of the Navy to appoint a board to investigate naval defenses and to report to the House; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. SIMPSON introduced a bill (H. R. 7613) for the relief of Patrick Collins, which was referred to the Committee on Military Affairs.

PETITIONS, ETC.

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

5848. By Mr. BROOKS: Resolution of the Bossier Parish Petroleum Industries Committee, Bossier City, La., urging immediate repeal of gasoline, lubricating oil, and other motorist taxes; to the Committee on Ways and Means.

5849. By Mr. HARTER of New York: Petition of the Edward M. Daly Post, No. 1130, American Legion, on September 5, 1939, favoring the enactment of a Federal law compelling each and every citizen of the United States upon reaching the age of 18 years to be fingerprinted and carry identification card; to the Committee on the Judiciary.

5850. By Mr. VREELAND: Report of the National Affairs Committee, adopted by the National Republican Club of New York on September 26, 1939, favoring repeal of the arms embargo; to the Committee on Foreign Affairs.