nomination of Lynn McGraw Moses to be postmaster at Altoona, Pa., was rejected on the 5th instant. Yesterday was the last opportunity I had to enter the motion.

I now ask unanimous consent that the President be requested to return to the Senate the resolution of rejection of the nomination of Lynn McGraw Moses to be postmaster at Altoona, Pa.

Mr. GUFFEY. I object.

The PRESIDING OFFICER. In that connection the Chair wishes to make a statement. The present occupant of the chair was in the chair yesterday. As is always the case when the Senate proceeds to consider executive business, Senators proceeded to talk, crowd around, and cause confusion. Immediately after the recess the Senator from Pennsylvania [Mr. DAVIS] informed the present occupant of the chair that he had tried to obtain recognition. The Chair did not hear the Senator and did not see him. If the Chair had seen him, he would have recognized him. The Chair regrets that he did not see the Senator in time to recognize him. For that reason the Chair did not give the Senator an opportunity yesterday.

Mr. GUFFEY. Mr. President, is unanimous consent required?

The PRESIDING OFFICER. Does the Senator from Pennsylvania object?

Mr. GUFFEY. I do.

The PRESIDING OFFICER. Objection is heard.

RECESS TO MONDAY

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

The motion was agreed to; and (at 3 o'clock and 55 minutes p. m.) the Senate took a recess until Monday, March 11, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 9 (legislative day of March 4), 1940

BUREAU OF INTERNAL REVENUE

Jonas W. Graber to be Assistant to the Commissioner of Internal Revenue.

COLLECTOR OF CUSTOMS

Paul R. Leake to be collector of customs for customs collection district No. 28, with headquarters at San Francisco, Calif.

UNITED STATES PUBLIC HEALTH SERVICE

Thomas Parran to be Surgeon General of the Public Health Service.

TO BE MEDICAL DIRECTORS

Knox E. Miller
Charles V. Akin
Clifford E. Waller
John H. Linson
Newton E. Wayson

TO BE SENIOR SURGEONS

Russell R. Tomlin
Marion R. King
Egbert M. Townsend

TO BE PASSED ASSISTANT SURGEONS

Walter E. Sharpe, Jr.
Edgar E. Findlay

TO BE SENIOR DENTAL SURGEONS

Alfe E. Nannestad
Robert C. Stewart
Robert L. Robinson
William T. Wright, Jr.

POSTMASTERS

KENTUCKY

Emmett C. Crider, Fredonia.

MONTANA

Donald W. Cameron, Belgrade.

PENNSYLVANIA

William L. Rothermel, Millersburg.

SENATE

MONDAY, MARCH 11, 1940

(Legislative day of Monday, March 4, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

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

Almighty and everlasting God, who hatest nothing that Thou hast made and dost forgive the sins of all those who are penitent, create and make in us new and contrite hearts that we, worthily lamenting our sins and acknowledging our wretchedness, may obtain of Thee, the God of all mercy, perfect remission and forgiveness. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, March 9, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Davis	Johnson, Colo.	Russell
Andrews	Donahey	King	Schwartz
Ashurst	Ellender	La Follette	Schwellenbach
Austin	Frazier	Lee	Sheppard
Bailey	George	Lodge	Shipstead
Bankhead	Gerry	Lucas	Smith
Barbour	Gibson	McCarran	Stewart
Barkley	Gillette	McKellar	Taft
Bilbo	Glass	McNary	Thomas, Idaho
Brown	Green	Mead	Thomas, Okla.
Bulow	Guffey	Miller	Thomas, Utah
Burke	Gurney	Minton	Townsend
Byrd	Hale	Murray	Truman
Byrnes	Harrison	Neely	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holman	Pepper	Wheeler
Clark, Mo.	Holt	Pittman	White
Connally	Hughes	Reed	
Danaher	Johnson, Calif.	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] is absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from Connecticut [Mr. MALONEY], the Senator from Maryland [Mr. RADCLIFFE], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Illinois [Mr. SLATTERY] are detained on important public business.

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On March 5, 1940:

S. 2868. An act to facilitate the procurement of aircraft for the national defense.

On March 9, 1940:

S. 643. An act authorizing the payment of necessary expenses incurred by certain Indians allotted on the Quinaielt Reservation, State of Washington.

BENEFITS ADMINISTERED BY VETERANS' ADMINISTRATION

The Vice President laid before the Senate a letter from the Administrator of Veterans Affairs, transmitting a draft of proposed legislation to provide for uniform apportionment of benefits payable under laws administered by the Veterans' Administration, which, with the accompanying paper, was referred to the Committee on Finance.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

REPORT OF FEDERAL PRISON INDUSTRIES, INC.

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Federal Prison Industries, Inc., transmitting, pursuant to law, the Annual Report of the Board of Directors of Federal Prison Industries, Inc., for the fiscal year 1939, which, with the accompanying papers, was referred to the Committee on the Judiciary.

NORTH PACIFIC GRAIN GROWERS, INC. (S. DOC. NO. 163)

The VICE PRESIDENT laid before the Senate a certified copy of the findings of fact and conclusions of the Court of Claims in the case of North Pacific Grain Growers, Inc., against the United States, which was referred to the Committee on Claims and ordered to be printed.

SOUTH DAKOTA WHEAT GROWERS ASSOCIATION, INC. (S. DOC. NO. 162)

The VICE PRESIDENT laid before the Senate a certified copy of the findings of fact and conclusions of the Court of Claims in the case of South Dakota Wheat Growers Association, Inc., against the United States, which was referred to the Committee on Claims and ordered to be printed.

GEORGE S. WOLBERT, RECEIVER OF NEAFIE & LEVY SHIP & ENGINE BUILDING CO. (S. DOC. 161)

The VICE PRESIDENT laid before the Senate a certified copy of the findings of fact of the Court of Claims in the case of George S. Wolbert, receiver of the Neafie & Levy Ship & Engine Building Co., against the United States, which was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of New York, which was referred to the Committee on Commerce:

Whereas a bitter controversy arose in the First Constitutional Convention of the United States, in that the representatives of the smaller States as a rule claimed that the vote, and so the influence of the States in the proposed Government should be equal, and the representatives of the larger States as a rule claimed that their greater population and wealth were entitled to recognition; and

Whereas the controversy ended in the creation of a bicameral legislature; in the lower branch, the House of Representatives, the claim of the larger States found recognition, while in the upper branch, the Senate, the claim of the smaller States found recognition and each State having two votes; and

Whereas since the House of Representatives' seats were to be distributed in proportion to the population, the Convention, foreseeing the rapid changes of population, ordained an enumeration of the inhabitants and a redistribution or reapportionment of seats in the House of Representatives every 10 years; and

Whereas the Federal census began in 1790 and has been taken every 10 years since, under mandate contained in the Constitution of the United States; and

Whereas the classifications for statistical information have increased in number from one census to another, so that it has now reached a point where the underlying purpose of the census has become secondary, and that some of the questions required to be answered in the present census are of a very personal nature; and

Whereas the Congress has also decreed that a criminal penalty be imposed upon persons refusing to answer said questions or who give false information: Now, therefore, be it

Resolved (if the assembly concur), That the Congress of the United States be, and it hereby is, memorialized to amend this legislation so that the personal questions may be eliminated from the questionnaire, and the criminal penalty abolished; and be it further

Resolved (if the assembly concur), That copies of this resolution be immediately transmitted to the President and to each United States Senator and each Member of the House of Representatives of the United States elected from the State of New York, and to the Clerk of the House of Representatives and the Secretary of the Senate at Washington, D. C.

The VICE PRESIDENT also laid before the Senate a resolution adopted by the convention of the National Cotton Council of America, at New Orleans, La., protesting against the taxation of margarine made exclusively of domestic oils and fats, which was referred to the Committee on Finance.

He also laid before the Senate a resolution of the Civic Council of San Pedro, Calif., favoring the enactment of legislation to authorize the Secretary of War, in the interest of the national defense, to make a survey of the proposed "T" tunnel as a means of communication between San Pedro, Wilmington, Terminal Island, and Long Beach, Calif., which was referred to the Committee on Military Affairs.

He also laid before the Senate a telegram in the nature of a petition from the president and secretary of the Panama Canal Clubs of Southern California, assembled at Los Angeles, Calif., praying for the enactment of the so-called Pepper bill, being the bill (S. 1162) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal, which was referred to the Committee on Interoceanic Canals.

Mr. CAPPER presented a letter from the Kansas Bankers' Association, Topeka, Kans., signed by Fred M. Bowman, secretary, enclosing copy of a resolution adopted by the bank management commission of the association, favoring the enactment of legislation exempting the banking business from the provisions of the Fair Labor Standards Act of 1938, which were referred to the Committee on Education and Labor.

Mr. SHEPPARD presented a letter in the nature of a memorial from E. W. Brown, Jr., and other citizens of Orange, Tex., remonstrating against the enactment of the bill (S. 1650) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government, which was ordered to lie on the table.

Mr. WALSH presented a resolution of the Women's Republican Club of Cambridge, Mass., favoring the elimination of certain personal questions from the 1940 census questionnaire, which was referred to the Committee on Commerce.

He also presented resolutions adopted by the Citizens' Union Conference in the State of Massachusetts, favoring the enactment of certain legislation pertaining to civil rights, education, recreation, labor, unemployment, and social security, and housing, which were referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Finnish-American Club, of Greater Boston, Mass., protesting against the shipment of war supplies to Russia and the buying of Russian gold by the United States, which was referred to the Committee on Foreign Relations.

PINK BOLLWORM

Mr. BILBO. Mr. President, I have before me a concurrent resolution passed unanimously by the Mississippi Legislature, asking the Congress to increase the appropriation for the campaign against the pink bollworm. I am happy to say that the Appropriations Committee in its report to the Senate has increased this appropriation $382,808. The bill includes the name of a mysterious weevil. However, I understand this weevil has already been done away with, but there is some money to be used to further protect the farmers against this insect. The Legislature of Mississippi voices the sentiment of all the cotton producers in the South in the fight against the pink bollworm, and I ask that the resolution lie on the table and be printed in the RECORD as part of my remarks.

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

The resolution was ordered to lie on the table as follows:

House Concurrent Resolution 31

House concurrent resolution memorializing Congress to appropriate funds to the Department of Agriculture to prevent further spread of the pink bollworm

Whereas the pink bollworm, recognized as the most destructive pest of cotton, is now spreading into Texas at an alarming rate and threatens to become established over the entire Cotton Belt unless checked; and

Whereas the general infestation of the Cotton Belt by the pink bollworm would be disastrous to the cotton industry and have a demoralizing effect on agriculture in all part of the United States: Therefore be it

Resolved by the house of representatives (the senate concurring therein), That the Congress of the United States be requested to make an adequate appropriation to the Department of Agriculture to prevent the further spread of this destructive pest; be it further

Resolved, That copies of this resolution be sent to the following: President Franklin D. Roosevelt, the Director of the Budget, the Secretary of Agriculture, the subcommittees on agricultural appropriations in both House and Senate, and to the Mississippi Senators and Representatives in Congress.

REPORTS OF COMMITTEES

Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the bill (S. 3097) for the relief of Katherine M. Drier, reported it without amendment and submitted a report (No. 1300) thereon.

Mr. WHEELER, from the Committee on Interstate Commerce, to which was referred the bill (S. 3440) to amend the Locomotive Inspection Act of February 17, 1911, as amended, so as to change the title of the chief inspector and assistant chief inspectors of locomotive boilers, reported it without amendment and submitted a report (No. 1301) thereon.

He also, from the same committee, to which was referred the resolution (S. Res. 240) further continuing Senate Resolution 71, Seventy-fourth Congress, authorizing an investigation of railroad financing and certain other matters (submitted by Mr. WHEELER on March 5, 1940), reported it without amendment and submitted a report (No. 1302) thereon.

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which were referred the following resolutions, reported them each without amendment:

S. Res. 213. Resolution authorizing the Committee on Enrolled Bills to employ a temporary assistant clerk (submitted by Mrs. CARAWAY on January 10, 1940); and

S. Res. 218. Resolution to pay a gratuity to Audrey Jones (submitted by Mr. NEELY on January 18, 1940).

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred, for examination and recommendation, 18 lists of records transmitted to the Senate by the Archivist of the United States, which appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. HILL:

S. 3552. A bill to authorize the construction of works for flood control and other purposes on Autauga Creek at Prattville, Ala.; to the Committee on Commerce.

S. 3553. A bill authorizing bestowal upon the unknown unidentified American buried in the Memorial Amphitheater of the National Cemetery at Arlington, Va., the decoration of the Purple Heart; to the Committee on Military Affairs.

By Mr. DAVIS:

S. 3554. A bill to amend subsection (a) of section 60 of the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. MEAD:

S. 3555. A bill for the relief of Walter Chwalek;

S. 3556. A bill for the relief of Guy T. Morris; and

S. 3557. A bill for the relief of James Morris; to the Committee on Claims.

By Mr. SMITH:

S. 3558. A bill for the relief of John Rutledge Holcombe; to the Committee on Claims.

By Mr. BYRNES:

S. 3559. A bill to authorize the Secretary of War to lease public property for periods not in excess of 20 years in certain cases where he is now authorized to lease such property for periods not in excess of 5 years; to the Committee on Military Affairs.

(Mr. O'MAHONEY introduced Senate bill 3560, which was ordered to lie on the table, and appears under a separate heading.)

By Mr. MINTON:

S. 3561. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.; to the Committee on Commerce.

By Mr. HILL:

S. J. Res. 227. Joint resolution authorizing the President of the United States of America to proclaim Citizenship Day for the recognition, observance, and commemoration of American citizenship; to the Committee on Education and Labor.

By Mr. PITTMAN:

S. J. Res. 228. Joint resolution providing for an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts, and for participation in the meetings of the International Technical Committee of Aerial Legal Experts and the commissions established by that committee; to the Committee on Foreign Relations.

CHANGE OF REFERENCE

Mr. WAGNER. Mr. President, last week a number of Senators introduced a bill dealing with the Farm Credit Administration Act, Senate bill 3480, to provide for the establishment of the Farm Credit Administration as an independent agency of the Government, and for other purposes. The bill was referred to the Select Committee on Government Organization. It deals substantively with the Farm Credit Administration Act, measures concerning which have always been considered by the Committee on Banking and Currency, from the inception of the act itself. Therefore, with the consent of the chairman of the Select Committee on Government Organization and the consent of the sponsors of the bill, I ask that the Select Committee on Government Organization be discharged from the further consideration of the bill and that it be referred to the Committee on Banking and Currency.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

EXTENSION OF ANTIPERNICIOUS POLITICAL ACTIVITIES ACT—AMENDMENT

Mr. BROWN submitted an amendment intended to be proposed by him to the bill (S. 3046) to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, which was ordered to lie on the table and to be printed.

AMENDMENT TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. AUSTIN submitted an amendment intended to be proposed by him to the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 40, line 19, to strike out the period and insert a colon and add the following: "*Provided further*, That there is hereby reappropriated for the fiscal year ending June 30, 1941, for the same purpose as originally appropriated any balance of the appropriation, 'National forest protection and management,' contained in the First Deficiency Appropriation Act, fiscal year 1939 (Public, No. 7, 76th Cong.), which remains unobligated on June 30, 1940."

HEARINGS BEFORE THE FINANCE COMMITTEE ON EXTENSION OF RECIPROCAL TRADE AGREEMENTS ACT

Mr. HARRISON submitted the following resolution (S. Res. 242), which was referred to the Committee on Printing:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Finance of the Senate be, and is hereby, empowered to have printed for its use 400 additional copies of the hearings held before said committee during the current session on the resolution (H. J. Res. 407) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended.

ADDRESS BY SENATOR BARKLEY ON ACCOMPLISHMENTS OF THE ROOSEVELT ADMINISTRATION

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address delivered by Senator BARKLEY on the American Forum of the Air, at the National Press Club Auditorium, March 3, 1940, on the accomplishments of the Roosevelt administration, which appears in the Appendix.]

ADDRESS BY SENATOR REYNOLDS TO BETA CLUBS OF NORTH CAROLINA

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address entitled "Looking Forward," delivered by him at the annual banquet of the members of the North Carolina Beta Clubs, at Raleigh, N. C., on March 9, 1940, which appears in the Appendix.]

ADDRESS BY POSTMASTER GENERAL FARLEY ON THE FARM AND CITY PARTNERSHIP

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address on the subject The Farm and City Partnership, delivered by Postmaster General Farley on the occasion of the Anniversary Farm Dinners, on Friday, March 8, 1940, which appears in the Appendix.]

FARM BENEFIT PAYMENTS AND FARM OPERATION BY BANKERS AND INSURANCE COMPANIES

[Mr. LEE asked and obtained leave to have printed in the RECORD an article from the New York Times of Tuesday, March 5, relative to insurance companies which are beneficiaries of farm-benefit payments, an article from the Washington Post of March 10, 1940, under the heading "Banker beats pen into plowshare," and an article from the Washington News of February 17, under the heading "Life-insurance firm biggest United States farmer," which appear in the Appendix.]

ADDRESS BY JOHN TEMPLE GRAVES 2D ON THE LATE HENRY W. GRADY

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an address delivered by John Temple Graves 2d to the Atlanta Historical Society on the fiftieth anniversary of the death of Henry W. Grady, which appears in the Appendix.]

COOPERATION BY WYOMING RANCHERS AND FARMERS WITH FARM PROGRAM

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a letter and a tax table from Mr. Leroy Moore, of Ross, Wyo., chairman, Wyoming A. A. A. State committee, relative to the cooperation by Wyoming ranchers and farmers with general farm program in 1939, and in some activities during the years 1936–39, which appear in the Appendix.]

N. Y. A. WORK AND ASSISTANCE IN WYOMING

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a communication from Ernest P. Marschall, State administrator of the National Youth Administration for Wyoming, and a tabulation accompanying the communication, showing the amount and character of work performed by Wyoming young people eligible for N. Y. A. work and assistance, which appear in the Appendix.]

LOANS TO WYOMING FARMERS AND RANCHERS BY FARM SECURITY ADMINISTRATION

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a communication from C. B. Baldwin, Acting Administrator of the Farm Security Administration, giving the status of loans made to farmers and ranchers in Wyoming by the Farm Security Administration, which appears in the Appendix.]

RECIPROCAL-TRADE AGREEMENTS

[Mr. BILBO asked and obtained leave to have printed in the RECORD a letter to Senator HARRISON from Hon. E. P. Thomas, president of the National Foreign Trade Counsel, which appears in the Appendix.]

RAILROAD LAND GRANTS

[Mr. SHEPPARD asked and obtained leave to have printed in the RECORD a letter to him by T. C. Elliott, of Washington, D. C., on the subject of railroad land grants, which appears in the Appendix.]

ARTICLES BY RAYMOND CLAPPER AND STATEMENTS BY ERNEST T. WEIR

[Mr. DAVIS asked and obtained leave to have printed in the RECORD two articles by Raymond Clapper and two replies thereto by Ernest T. Weir, published in the Scripps-Howard newspapers of February 27, February 29, March 2, and March 4, 1940, which appear in the Appendix.]

REVENUE AND GOVERNMENTAL COSTS IN WEST VIRGINIA

[Mr. HOLT asked and obtained leave to have printed in the RECORD a letter written by him relative to revenue collected and governmental costs in West Virginia, which appears in the Appendix.]

SALE OF NEWLY ISSUED RAILROAD BONDS BELOW PAR

Mr. MINTON. Mr. President, a short time ago the junior Senator from Missouri [Mr. TRUMAN], on the floor of the Senate, directed the attention of the Senate to the fact that an issue of bonds being floated by the Louisville & Nashville Railroad had been bid on by a bond house for the full par value of the bonds; but, notwithstanding that fact, the railroad company proposed to and, I believe, did sell the issue of bonds to its banking connection in New York for less than par, and for less than an offer it already had in good faith.

There has been called to my attention another circumstance of similar import. It seems that the Elgin, Joliet & Eastern Railway are offering an issue of $20,000,000 of their bonds. They likewise have been offered par for the bonds; but, notwithstanding the fact that they have been offered par for the bonds, they propose to accept 99½ from their bankers in Wall Street.

Mr. President, so long as the railroads of the country are asking the Government of the United States to help them solve their problem—and they have a problem—it seems to me they should be doing something about putting their own house in order. It seems to me the least they should do is to try to get for the bonds they sell all that they can get and not be favoring some Wall Street banker by means of a cut on their bond issues.

EXTENSION OF ANTIPERNICIOUS POLITICAL ACTIVITIES ACT

The Senate resumed the consideration of the bill (S. 3046) to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939.

The VICE PRESIDENT. The question is on agreeing to the amendment, as modified, offered by the Senator from Michigan [Mr. BROWN] to the committee amendment.

Mr. BROWN. Mr. President, I desire to take a portion of the time between now and the hour at which the vote is to be had in a discussion of the amendment, and particularly a discussion of the application of the Hatch bill to certain classes of our citizens. I desire briefly to point out some of the things my pending amendment does and some of the things it does not do; the latter particularly, because so much has been said over the week end about the prohibition of the amendment.

In the first place, it does not prohibit anyone from political activity, or from making political contributions, or from engaging in political management. Every man has the right so to conduct himself that he may be excepted from the provisions of the amendment by divesting himself of interest in a governmental financial benefit, just as every Government employee, if he desires to resign, may except himself from the provisions of the Hatch Act. The requirement of the amendment is that if a man's profits depend upon Government tariffs, if he desires to continue a contract he has with the Government, or to borrow from it, he may not, by pernicious political activity, attempt to influence the Government.

If someone says it is not pernicious political activity for a man to engage in the task of attempting to persuade others to join his political party or to vote for his particular candidate, then I reply that the Senator from New Mexico has made it pernicious political activity for a Government employee to engage in any manner, no matter how legitimate that engagement may be, in political activity. Under my amendment, if a man deals with his Government or has a controversy with his Government, such as an application for a tax refund, during the period for which he is so engaged but for no longer, he must not, because of his possible financial interest in the outcome, become a political manager for a candidate, become a member of a political committee or be a cash contributor or a cash collector, or be active politically.

Mr. President, this is not a new idea. On the same day that I submitted my amendment, the Senator from Vir-

ginia [Mr. BYRD], without any knowledge upon my part that he was doing it, and, of course, without any knowledge upon his part that I was submitting an amendment, proposed the following:

No person, firm, or corporation entering into any contract with the United States or any department or agency thereof, or performing any work or services for the United States or any department or agency thereof, or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such work, services, material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, shall, during the period of negotiation for, or performance or furnishing of, such contract, work, services, material, supplies, equipment, land, or buildings, directly or indirectly, make any contribution of money or any other thing of value, or promise expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; nor shall any person knowingly solicit any such contribution from any such person, firm, or corporation for any such purpose during any such period. Any person who violates the provisions of this section shall, upon conviction thereof, be fined not more than $5,000 or imprisoned not more than 5 years.

That is one of the things I intended to cover in my amendment, but perhaps is expressed in a better manner than I have expressed it in my amendment.

Not only is that proposition not new, but the Senator from New Mexico [Mr. HATCH] some time ago proposed, with the Senator from Virginia [Mr. BYRD], a similar prohibition.

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

Mr. BROWN. I yield.

Mr. HATCH. I think this is the proposal submitted before, almost in the exact language.

Mr. BROWN. It may be. I desire to compliment the Senator from New Mexico on joining with the Senator from Virginia in that respect.

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

Mr. BROWN. I yield to the Senator from Maryland.

Mr. TYDINGS. I was wondering whether the Senator proposed to offer that amendment as a separate amendment.

Mr. BROWN. That amendment, in substance, is contained in my amendment. My amendment of course goes further, and includes the beneficiaries from the tariff; it includes those who borrow from the Government, and so forth. I do not intend to offer this amendment as a substitute for mine.

The Senator from New Mexico [Mr. HATCH] and the Senator from Utah [Mr. THOMAS], who, I believe, are experts on this subject, said upon the floor of the Senate that the evil which the Senator from New Mexico sought to reach by the amendment he proposed some years ago, and the evil which I seek to reach now, is far more to be condemned than the evil which he seeks to reach by the pending Hatch bill. The Senator from Utah, upon being questioned about the matter, made a statement which I desire to read. I refer to page 2596 of the CONGRESSIONAL RECORD of March 9, when the Senator from Indiana [Mr. MINTON] asked which was worse, contributions by State employees or contributions by great corporations seeking public favor.

The Senator from Utah replied:

That which the Senator from Michigan [Mr. BROWN] exposed yesterday is damnable. That which was exposed by the Senator from West Virginia [Mr. NEELY] was bad.

In other words, the evil which I point out—the contributions and political activity of tariff beneficiaries and others—and which I think is a part of the same general proposition about which we are legislating today—is considered by the very acute and able Senator from Utah to be much more to be condemned than are these petty contributions from Government and State employees.

The Senator from Utah proposes an amendment; and again I see in the amendment the idea which seems to permeate those who are favoring the pending Hatch measure. The Senator from Utah, I think very logically, proposes that no person who engages in political activity on the side of what we might call, for lack of a better term, the "outs," shall be appointed to any public office for a period of 2 years after the success of those whom he supported. But again, for some reason which I cannot fathom—though I can see a practical reason, possibly, for it—he excepts members of the Cabinet and excepts Ambassadors to foreign countries.

I say to fair-minded men if we are to enact a provision covering the political manager who is active in a minor capacity, in a county or in a State, to prohibit him from taking any appointive office from the successful candidate in an election because he participated in politics in an entirely legitimate way—not in an illegitimate way, but in a proper way—if we are to prevent him from being appointed to office, why should we exempt the great contributors who contribute tens of thousands of dollars instead of $10? Why should we not prohibit them from having positions as ambassadors or places in the Cabinet? I cannot understand why men who have studied this problem, as have the Senator from New Mexico and the Senator from Utah, exempt the "big shots" and continually legislate against the little fellow.

In this connection I desire to call attention to another matter. I have been a great admirer of the newspapers of Washington. It is rather surprising that newspaper owners who have the ideas entertained by Mr. Meyer or the owners of the Star should permit their columns to be used by a liberal, a sometimes extreme—I might even say radical—columnist. But they do it. They have been entirely fair in that respect. The Washington Post does not agree with Mr. Lindley's views, but they publish Mr. Lindley's views. The News does not always agree with Mr. Clapper's views, but they publish Mr. Clapper's views. The Star certainly does not agree with the somewhat radical views which are often expressed by Jay Franklin, but they publish Mr. Franklin's views; and probably all these gentlemen are paid for their contributions. Therefore in what I am about to say I do not mean to intimate that I criticize or that I have any idea of penalizing by legislation the newspapers either of Washington or of any other place.

I do not smart under criticism, but I think that the editorial in this morning's Washington Post condemning me for attempting to sabotage the Hatch amendment, now proposed, is picking on one who cast one of the two vital votes, which, if they had been changed, would have resulted in the adoption of the Miller amendment, which would have entirely eliminated from section 9 of the Hatch Act the prohibition against all political activity. If I had wanted to sabotage the Hatch bill or the present Hatch Act, I would have joined with those who I think had considerable ground for voting as they did against the provision in the law which condemns all legitimate political activity on the part of officers. But I did not do that.

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

Mr. BROWN. I yield.

Mr. LEE. I do not agree with the Senator that everyone who voted for the Miller amendment or the Adams amendment had in mind sabotaging the entire Hatch bill.

Mr. BROWN. I think that if the Senator will read what I have stated he will find that I did not make such a statement.

Mr. LEE. I listened very carefully. The implication was rather strong.

Mr. BROWN. Certainly if I gave that impression, I did not mean to imply, because I am rapidly coming to the point where I believe that I would now vote for a proposal which would eliminate the ban against all political activity as it is included in the original Hatch Act, if it is necessary to eliminate such a ban in the application of the Hatch bill to State employees, as to whom I contend we have no right to legislate at all under the framework of the American Constitution.

Mr. President, I stayed with the proponents of the Hatch bill when it was not easy to do so, when those with whom I am usually associated were urging upon me to vote the other way, because I hoped that we could leave the present law as it is, and not attempt to place upon the officers of the State of Michigan and of the other States of the Union what I conceive to be an entirely unfair provision, a provision which

while not unconstitutional, insofar as section 12 of the bill is concerned, under the letter of the Constitution, I think is completely against the spirit and framework of the Constitution.

Mr. President, while I am on that subject I wish to read a part of this editorial:

> Because of the commendable purpose of the bill few Senators have attacked it directly. Most of its opponents, like Senator BROWN, prefer to saddle the measure with absurd amendments that would make its enactment unfeasible. * * *
>
> To be consistent the Senator should have included all farmers drawing benefits from the A. A. A. and veterans entitled to Federal aid.

I did not include either of those classes, and I do not think they should be included. I certainly would not include the class I am about to mention, but it was suggested to me by more than one Member of the Senate and more than one Member of the House that we might also include the newspapers of the United States, and prevent them from political activity, because of the fact that they are using the mails of the United States, and there is plenty of authority for that view, from the decision in the case of *Lewis Publishing Co.* v. *Morgan* (229 U. S. 288).

Mr. President, I do not care to go that far. There is no Member of the Senate who will fight more vigorously for the liberty of the press or for freedom of speech than I will. But we are tending in the direction suggested.

People talk about the Constitution preventing a "denial" of freedom of the press and a "denial" of freedom of speech. I have heard that word used many times. The Constitution does not say any such thing. The Constitution provides that the Congress shall make no law "abridging" the freedom of speech or "abridging" the freedom of the press, the word "abridging" being quite different from the word "denial." It means that we cannot chisel away, bit by bit, statute by statute enacted here, freedom of speech or freedom of the press. It means that we cannot condense, contract, curtail, diminish in extent. We have to leave the freedom of speech complete. That is what it means.

Mr. President, when we do what we did in the original Hatch Act, and what we are asking to do in the pending amendment, we apply an abridgement of the right of free speech, not as applied to all the citizens of the United States, but as applied to a certain class of citizens of the United States. How powerful is that attempt?

Take the case of a teacher in the University of Minnesota, which operates under the Morrill Land Grant Act, who has a position at, say, $5,000 a year as a college professor, and has no other income. The only way he can live, support his family, and maintain himself, is by hanging onto his job as a teacher in the university, because if he resigns to run for office, for example, he cannot get a job in any other university. He would be subject to the same penalty elsewhere. His life and his profession are that of teaching. We say to him that he cannot speak upon a political subject; that he cannot engage in any political activity.

The Senator from New Mexico admitted last Tuesday that under the provisions of his law that teacher could not even take part in an election upon a proposition to bond his community for the purpose of erecting a schoolhouse, or fire hall, or any other public building. If that is not in substance and in fact a denial of the right of the freedom of speech, an abridgement of freedom of speech, I do not know what those words mean.

We do not in this measure attempt to deny or abridge the freedom of speech of all citizens. We again enter into class legislation, and, Mr. President, how many people would be affected by the measure?

When we went into the public salary tax bill we found that there were in the neighborhood of 1,200,000 Federal employees, and we found that there were 2,600,000 State employees. So we would be taking about 4,000,000 citizens entirely out of circulation for engaging, not in pernicious political activity, but in legitimate political activity—the making of speeches for a candidate, the contribution of sums of money to carry out the idea a man may possess as to what should be the politics and the political trend of his country.

Mr. MINTON. Mr. President——

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

Mr. BROWN. I yield.

Mr. MINTON. I think the Senator from New Mexico [Mr. HATCH] takes the position that it would not be denying anyone his constitutional right of free speech or otherwise, but would merely be enacting into law the terms upon which he might be employed. In other words, a man could either quit making speeches for those in whom he believed, and for the cause in which he believed, or starve. He would have the choice of one or the other—giving up his right of free speech, or losing his employment.

Mr. BROWN. Yes; which, in the case of the university professor, is an absolute prohibition, unless he is a man of great wealth.

How far are we going in this matter, Mr. President? I call the Senate's attention to an editorial, or at least a statement, contained on the editorial page of the largest weekly magazine in the United States, the Saturday Evening Post, of March 9, the current issue. On its editorial page appears the heading:

> We see by the papers.

And under that the following:

> A special committee on economic conditions of the San Diego County, Calif., grand jury finding that relief is "fast becoming an intolerable burden to taxpayers"—

And they reached this conclusion:

> "Seeking any measure to divorce politics from relief, we suggest"—

And they say with considerable hesitation—and I want to commend them for that hesitation—

> "that the simplest and quickest way be to suspend the voting power of the relief client for the period of relief."

I am not saying that that is the view of the Saturday Evening Post, but they seem to quote it as a matter of news worthy to be placed upon their editorial page.

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

Mr. BROWN. I yield.

Mr. MINTON. If I understand correctly the position of the Senator from Michigan with reference to the proposed legislation, it is that we have approached the solution of the problem from the wrong angle; that we are out fishing for the minnows while the sharks and the barracudas are left at large?

Mr. BROWN. Absolutely. I agree with the Senator from Indiana.

If we carry the ideas of the Senator from New Mexico to their logical conclusion, we can do a great many things we should not do. We can say to the able dean of the Senate that unless South Carolina entirely prevents lynching within the limits of the State of South Carolina, for the next ensuing fiscal year we willl not give the cotton farmers of South Carolina a cent of cotton benefits, or benefits of any other kind. If we start on this course, there is no limitation whatsoever upon us except the attitude, which ought to be sensible, of the Senators themselves—the brakes which they would put upon it. There is absolutely nothing to prevent the attempt being made to cajole or coerce a State legislature to do anything the United States Congress wants it to do, regardless of its own views, by a threat of withdrawal of Federal money. It does not need to be connected with the purpose for which the moneys are granted, although there is some remote connection in the present instance.

Mr. President, I was in discussion a few days ago with a very distinguished political scientist of the University of Minnesota. Without any solicitation from me—he came to me last Saturday morning and said, "I want to point out to you the effect of this Hatch amendment upon a considerable class of our citizens," and I think so much of what he said that with a few changes I am going to give to the Senate the substance of what he said to me.

The bill to extend the provisions of the Hatch Act to certain officers and employees of the State, taken up for

consideration on March 4, would in all probability extend to professors, instructors, teachers, officers, and all employees of any educational institution receiving grants from the Federal Government for educational purposes. Certainly the bill would include all professors and employees of the 69 land-grant colleges throughout the country.

I take it that the Senator from Utah [Mr. THOMAS] who, as we all know, was a distinguished professor in the University of Utah—I believe he was when he was elected to the Senate of the United States—would not be here today if the Hatch law had been in effect in 1932. He would have been prohibited from engaging in political activity, assuming that the University of Utah receives money under the Morrill Land Grant Act.

The Senator says that it does not. Well, one of the great schools of my State of Michigan, Michigan State College, receives such money, and sixty-nine-odd universities throughout the country receive it.

I do not know whether or not Princeton University comes within the Morrill land-grant group. But if it does, Mr. President, Woodrow Wilson could not have been elected Governor of New Jersey, and all the splendid men we have taken from various colleges throughout the country would not be here in Washington today. There would not be any "brain trust" for the Republicans to talk about, because all those gentlemen would be ineligible. Am I right or wrong?

SEVERAL SENATORS. Right.

Mr. BROWN. When the Senator from New Mexico was questioned by the junior Senator from Connecticut [Mr. DANAHER], on March 5 he was asked:

> Would a professor in a land-grant university or college, for instance, be included within the prohibition of this measure?

The Senator from New Mexico replied:

> Yes; he would be. I think he should be.

The fact that the pending measure will extend to the land-grant colleges and universities was taken for granted by another Senator during the course of the debate. The Senator from South Carolina [Mr. BYRNES] on the same day contemplated the possibility that the Civil Service Commission might, under some circumstances, take action to withhold some of the funds of a land-grant university or college. It would be difficult to say how many educational institutions in the country would be affected by this bill in addition to the land-grant schools. If the institutions receiving grants under the Morrill Act would be affected, then it would appear that all schools receiving grants under the Smith-Lever Act of 1914, the Smith-Hughes Act of 1917, and other similar acts relating to instruction and research in agricultural and technical subjects, would be equally affected.

During the first day of the debate in the Senate the Senator from South Carolina assumed that the bill applied to teachers in institutions receiving grants for vocational education. In the debate, on March 7, the Senator from Florida [Mr. PEPPER], and the Senator from Kentucky [Mr. BARKLEY] seemed to hold that all teachers serving in schools partially supported from Federal public funds would come within the scope of the bill.

The proposed law uses the words "any person employed in any administrative position." These words might be held to exclude teachers in universities and other educational institutions of all grades, just as I supposed there was a distinction between, I think it is, section 3 of the bill and section 9 of the bill.

But section 12 (a) of the pending bill extends the scope of the act by the use of language which is much broader and more inclusive. This section begins with the words:

> SEC. 12. (a) No officer or employee of any State or local agency who exercises any function in connection with any activity which is financed in whole or in part by loans or grants made by the United States or by any Federal agency shall use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No such officer or employee shall take any active part in political management or in political campaigns.

Not pernicious political activity, but any legitimate political activity, as heretofore understood.

These words are certainly sufficiently broad to include university teachers, professors, and other teachers throughout the country, including professors in State universities and other State-supported educational institutions.

I am now reading or using in part the words of the gentleman whose name I shall give later:

> Professors in State universities and other State-supported educational institutions do not ordinarily think of themselves as officers and employees of the State. They regard themselves, rather, as members of a profession with a high standard of public service.

Certainly they have maintained that position.

> They think of themselves as members of the community of scholars, owing allegiance first to their colleagues and the university hierarchy. Yet they are undoubtedly mere State employees, and are thus included in the present bill. They receive their salaries from the general funds of the State, under warrant of the State treasurer. They profited until 1940 from the general exemption of State employees from the Federal income tax.
>
> The Federal funds paid to the land-grant universities and colleges under the Morrill Act in aid of agricultural education are paid into the general funds of the institution. They are, of course, budgeted as belonging to the departments for which the grants were made, but there is no practical way to segregate the funds in order to say that the salaries of only certain professors, or the activities of only certain departments, are in part financed out of Federal funds. The whole institution and all the professors and employees may be regarded as in receipt of Federal funds.

If those assumptions are correct—and I take it from the statements made by the Senator from New Mexico [Mr. HATCH] that they are—all teachers and employees in the land-grant universities and colleges, the numerous State experiment stations, the State departments of education, and in practically all the secondary schools in the country, would be restricted in their right to participate in politics.

Perhaps the members of local school boards, trustees, and regents of the land-grant colleges would be included. According to the language of the bill they would be prohibited from using their official authority or influence for the purpose of interfering with an election or affecting the results thereof. By the amendment offered the other day by the Senator from Missouri [Mr. CLARK] and accepted by the Senator from New Mexico [Mr. HATCH], no appointed regent of a State land-grant college could run for office to succeed himself. Under the original proposal of the Senator from New Mexico [Mr. HATCH] they might possibly have been excluded; but under the Clark amendment every one of them is included. The amendment would not apply in my State, because we elect the regents of the University of Michigan, and we elect the State board of agriculture, which runs the Michigan State College. Those are large institutions, Mr. President. One of them has 12,000 students, and the other has approximately 6,000 students. None of those regents could be a candidate to succeed himself, because he would be engaged in politics—legitimate politics, I say. The Senator's bill makes them guilty of engaging in pernicious political activity.

By the language of the proposed law such teachers, college professors, and so forth, would further be prohibited from taking any part in political management. Many university and other teachers have long regarded such activities as legitimately belonging to them as intellectual leaders in the communities in which they live. Many professors have served with distinction as officers of political parties, members of party committees, and delegates to conventions. Probably one of the greatest engineers in the United States is the dean emeritus of the College of Engineering of the University of Michigan, Mortimer E. Cooley, a well-known man who has done much at the request of this administration. In 1930 Dean Cooley was a candidate on the Democratic ticket for the office of United States Senator. Dean Cooley could not have been a candidate for office if the provisions of the Hatch bill had been in effect. We are excluding from participation in politics the very highest class of our citizens; men who perhaps ought to interest themselves more in government than they now do.

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

Mr. BROWN. I yield to the Senator from Montana.

Mr. MURRAY. If the teachers and professors to whom the Senator has been referring were excluded from political activities, would we not be excluding practically the only persons in the various States who would be competent to discuss educational problems or problems with reference to bond issues for schools, and so forth?

Mr. BROWN. Yes. The Senator makes a telling point along that line.

The entire Department of Health of the State of Michigan is obtained from the department of medicine in the University of Michigan. If the present bill, as amended, is passed, the Governor of my State may not take a professor from the State university and put him into office as the head of the board of health and have him thereafter say anything whatever in favor of the Governor who chose him.

At times professors have rendered valuable public service as members of committees to advise political parties on matters of policy by giving educational lectures to assemblies on party measures. I do not understand that Mr. Frank now has any connection with the University of Wisconsin; but he is chairman of the policy-forming committee of the Republican Party, and it is a mere accident that he is not now president of the university. As president of the university he would be prevented from engaging in that kind of political activity by the provisions of the pending bill.

The scholar in politics is not as common a figure in America as in certain other countries, but there have been outstanding examples, such as Woodrow Wilson, and the revered Senator from Utah [Mr. THOMAS]. Many Members of the House and Senate have seen service in the teaching profession.

There are always some members of the teaching profession who value highly the right to participate in politics. They see no inconsistency between sincere partisanship in politics and impartiality in scientific judgment. There is in fact no contradiction between the two things.

The most inclusive organization of teachers in the higher schools, the American Association of University Professors, fully recognizes, in its statement of principles adopted in 1938, that the teacher has certain rights as a citizen which are essential to his professional achievement.

The college or university teacher is a citizen—

This association has declared—

a member of a learned profession, an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations.

While the association has never made an official declaration covering the specific issue raised by the proposed legislation, it is plain from the foregoing that scholars value highly their right to their own political ideas and hope to preserve the right to express and advocate those ideas in every way consistent with democratic principles.

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

Mr. BROWN. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Along the line suggested by the Senator from Michigan, let me say to the Senator that our State university is a land-grant college. We have two normal schools in our State which are land-grant colleges. Our school of mines is a State land-grant college. Our school for the deaf and blind is a land-grant college.

Mr. BROWN. The Senator's colleague states that all of them are subject to the provisions of the bill.

To note a specific example, a political scientist, as a part of a legitimate research program, might wish to serve as a watcher at the polls. Projects of this character have actually been conducted, in which both teachers and students have participated, with excellent results in exposing electoral malpractice. Again, a political scientist, in a genuine desire to assist his chosen party as well as to lend a touch of reality to his teaching and writing, might wish to offer his services for a time to the party headquarters.

Social scientists might, in genuine public spirit, feel disposed to offer their services in the research and educational activities which our political parties are beginning to sponsor. Some, if not all, of these perfectly legitimate enterprises would, under the proposed legislation, result in the end of the professional careers of those concerned.

In other words, under the Senator's bill, they could quit their jobs if they wanted to, but they must quit them if they desire to express their opinions where they will do some good in a political campaign. Certainly, as I said a while ago, Mr. President, that is an abridgement of the right of free speech.

The most important objection to the proposed legislation from the point of view of the teaching profession does not, however, arise from a desire to preserve the freedom of action of teachers in extra-mural affairs. The possible effect upon academic freedom within the classroom is much more important. Teachers—and I call particular attention to this—would be in constant fear that their remarks might be interpreted as advocacy of a particular party or candidate. Historians and political scientists would have to trim close in their discussions of political campaigns and party platforms.

Teachers in Michigan, for example, would be subject to the possible danger of having the Civil Service Commission come into the State of Michigan, and say that Professor So-and-So in November or October of 1940 expressed an opinion to his classes, some of the members of which may be voters, in which he indicated that one of the principles in the Democratic platform was right. Therefore, because he had done this, the long arm of the Federal Government would reach down and say to the college or university, "If you want to continue to get money from the United States you have got to discharge that college professor; he cannot teach there any longer." Who does that? A bureau here in Washington, the Civil Service Commission, that has no connection whatsoever with the University of Michigan. That, Senators, as nearly as I can recollect, is the most extreme proposal for intrusion of bureaucracy in the affairs of a State that I have ever seen seriously contemplated in a legislative body.

Since anyone can complain of an alleged violation to the enforcing authority, there would be danger of the development in every university and college of a system of espionage comparable to that which developed in the German universities after the national socialists came into power.

In other words, if the Civil Service Commission should do its full duty, that is, enforce the law, then it ought to have another group such as Edgar Hoover's operatives, to go to the University of Michigan and attend the classes conducted by professors who might be suspected of expressing political opinions in their classrooms.

Every disgruntled student, suffering, perhaps, a supposed unjust grade on an examination or essay, would be sorely tempted to tell tales out of school. The proposal has appalling prospects of promoting wholesale corruption of student morals and character assassination of teachers.

Mr. LUCAS. Mr. President——

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

Mr. LUCAS. Does the Senator from Michigan care to make any observation or express any opinion as to what he believes might happen to a political scientist in universities under this bill?

Mr. BROWN. It is my judgment that Prof. Charles E. Merriam, who headed the political science department of the University of Chicago, would have been pretty seriously handicapped in his campaign for mayor of the city of Chicago. I see no basis upon which any teachers of political science could express their own convictions. The great authority on the tariff, Professor Taussig, of Harvard, for years in Harvard University preached the doctrine of low tariffs and pointed out the danger of high protective tariffs to his classes and in his lectures outside the university and in all his works. If he, after this bill was enacted, protested against what he thought was a pernicious protective tariff, he could be condemned; he could not hold his job in Harvard, that is, assum-

ing that Harvard is a university which is assisted by the United States Government.

Mr. LUCAS. Mr. President——

Mr. BROWN. I yield.

Mr. LUCAS. I will say to the Senator that I had the latter question in mind rather than the former. In other words, I think the teacher in a political science department would certainly be curtailed, if this bill should become a law, in expressing any opinion to those to whom he was teaching a certain type of political philosophy.

Mr. BROWN. Absolutely; the Senator is correct; and that is the main burden of my remarks.

Quite apart from the possible effects upon individuals, the proposed law contains an ominous provision for educational institutions. The prospect of the Civil Service Commission sitting in judgment over some great State university, with power to withhold some or all of the Federal funds provided by law, is not an inspiring one, to say the least. The university might be called upon to answer for the actions, perhaps, of some irresponsible underling. The institution—and, indeed, the whole people of the State—might be made to suffer because of the curtailment of funds. Moreover, the Civil Service Commission would have power to order the discharge of the professor or employee involved. This would be regarded by all concerned as an unwarranted invasion of the right of a university to control its own affairs. To discharge a professor because of political activity would be a violation of the long-settled rules and practices of academic tenure. If a university should accede to such a demand of the Civil Service Commission, it would be faced with bitter protests from its own faculty and would, undoubtedly, be "blacklisted" by the American Association of University Professors. The author of this measure probably did not perceive its probable ill effects upon educational institutions and the teaching profession.

Mr. President, much, in fact, most, of these remarks are the views of a well-known educator, Prof. Joseph R. Starr, department of political science of the University of Minnesota.

I wish to conclude with two observations: First, the activities of Government employees and of State employees, which we ought to condemn—and we, as the legislature of the United States, ought not to take such action in the case of State employees—is just what the title of the bill condemns—namely, pernicious political activities.

I think the author of the bill, in the interim which I hope is coming before we finally vote on the measure again, ought to search his mind and ask himself if he is not condemning an entire class of a million and a quarter Government employees, and possibly 2,600,000 State employees, because of the bad political activity of some few State employees? Everything that is pernicious in political activity is now specifically condemned under the laws of the United States. Most of such activities are specifically condemned by the Hatch Act, which was passed last August. But now the Senator goes way beyond that and throws out a great dragnet in which he seeks to gather every Government official, no matter how legitimate his interest in politics may be.

Mr. STEWART. Mr. President——

Mr. BROWN. I yield to the Senator from Tennessee.

Mr. STEWART. The Senator has been discussing an important phase of this measure with regard to its effect on land-grant colleges. I should like to call the Senator's attention to a bill which has been pending in the Congress since last July, Senate bill 2510, which has been introduced for the purpose of authorizing the appropriation of a certain amount of money to be paid to the various States of the Union for the purpose, as provided in the bill, of assisting the States to maintain kindergarten schools. The bill provides that when the money is put into the treasury of each State it is to be managed and controlled entirely by the State board of education.

I do not know whether the Senator has given any thought to the bill to which I have referred, but I am wondering whether or not, if the pending bill should pass, the entire school systems of every State in the Union might be included under the Hatch bill, that is, at least the teachers who are employed in these schools and who are State employees might be drawn under the provisions of the bill.

Mr. BROWN. Certainly, I will say to the Senator from Tennessee that under the general theory of this bill, if pursued to its logical conclusion, the teachers to whom the Senator is referring would be included within the provisions of the bill.

Mr. STEWART. I am interested in the kindergarten bill because I have had a great many communications from my State and, as a matter of fact, letters from a few other States about it. There seems to be a rather widespread interest in the measure, and it is on the Calendar of the Senate at this session. I was, of course, thinking of the extent to which the bill would go, if it should become a law, with reference to money being paid by the United States Government into the educational fund of a State, or into a State treasury, to be disbursed and handled by the State board of education without control of any sort on the part of the Federal Government—money that is placed in the fund out of which the high schools and grammar schools of the State are already being maintained and operated.

We may have a very far-reaching thing ahead of us in this respect. If every school teacher in every State of the Union is to be affected by this measure, I think it certainly is entitled to even more serious consideration than it has received, because the same argument which the Senator has made with respect to teachers in land-grant colleges would apply to teachers in the public schools of the States if the bill should be enacted.

Mr. BROWN. I thank the Senator from Tennessee.

Let me read into the RECORD for consideration a proposed amendment, and then I will send it up and ask that it be printed and lie on the table for future consideration.

Particularly referring to the matters I have been discussing, I propose, following section 15, to add a section to be known as section 16, as follows:

> Nothing in this act shall be construed as in any way affecting educational, religious, eleemosynary, philanthropic, or cultural institutions, establishments, and agencies, together with the officers and employees thereof.

That would adequately take care, I think, of the group to which I have been referring.

Mr. President, like the amendment I proposed last Friday, this amendment is proposed in the event we enact—and just think of the Democratic Party being responsible for enacting—a measure which will invade the rights of all the 48 States of the Union, and legislate respecting the tenure of office of their employees and their conduct. I should not have submitted the amendment I submitted last Friday if I had not thought it was a logical extension of the principle upon which the pending Hatch bill is based. I think there should be no Hatch bill. I think that if we could do so we ought to eliminate the prohibition contained in the present law against legitimate political activity. But if we are going to have this amendatory measure, then I say to you that we ought to cover all other classes of persons such as contributors to political campaign committees which I discussed last Friday.

Mr. CHANDLER. Mr. President——

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

Mr. CHANDLER. It seems to me the Senator has been arguing from the standpoint of the bill being a sword, and has been missing the point of its being a shield.

For several years I have been the chairman of the board of trustees of a land-grant college of one of the universities of the country. Not only are 98 percent, I should say, of the professors of the university desirous of being relieved of the feeling that they have to be on one side or the other in political campaigns, but if the Senator has ever had the experience of having a political circular get into the hands of one of these professors, and having him complain and take it forthwith to the newspapers and show what one side or the other was trying to make him do against his wishes and against his

will, it is my observation that the Senator has not heard any squalling such as he would hear if he tried to get one of them to contribute to a political campaign on one side or the other. [Laughter.]

I think the Senator misses the point, to this extent: I do not agree with him that under this measure, if the Governor of a State wanted to bar a tax collector from the professorship of a university, as we do in Kentucky, and have him administer the tax laws of the State, that would be in violation of the Hatch Act.

Mr. BROWN. Let the Senator understand what I was talking about. I said that if the Thomas amendment were adopted—and the Thomas amendment is a logical extension of the Hatch Act to the class of politicians who are on the outside trying to get in—and a university professor had in any way participated in politics within 2 years before the election, the Governor could not take him from the university and put him in charge of tax collections.

Mr. CHANDLER. I understand. I believe, however, the people of the country would like to know whether the professors and the school teachers are going to be professors and school teachers or whether they are going to be politicians. I think that is an important question when we consider that the Congress appropriates money for the land-grant colleges under the Smith-Hughes Act, the Lever Act, and the other acts which the Senator has mentioned. When the Congress appropriates money to professors to be spent for the education of the young men and young women of America, it is my feeling that the people of the country want that money to be contributed without any requirement that the persons receiving it shall play politics in order to keep their jobs.

Mr. BROWN. Does the Senator find in the law any requirement that they shall play politics?

Mr. CHANDLER. No; but——

Mr. BROWN. That seems to be the burden of the Senator's remarks. We are talking about their liberties, their right to do things they want to do, and the restriction upon those rights.

Mr. CHANDLER. Does the Senator construe section 12 to limit the right of a man to vote for one side or the other in a political campaign?

Mr. BROWN. Not at all; but it does limit his right to be a candidate for office.

Mr. CHANDLER. He has to make a choice whether he is going to be a professor or a candidate for political office, and he ought to make that choice.

Mr. BROWN. Yes; and he has to give up his job on the doubtful chance of being elected to office. Suppose he were a Republican candidate in the Senator's State of Kentucky. The Senator knows that he would not stand much chance of being elected; but before he could be a Republican candidate he would have to give up his job. He would have to resign.

Mr. CHANDLER. On such a hopeless prospect for a job in the future, he ought to be required to give up his job. There is no question about that. [Laughter.]

The point I want to make, however, is that 98 percent of the professors and school teachers want to stay out of politics. They have taken a profession for life. They receive money from the Federal Government and from the State. They want to teach school. The Senator views this measure as a sword, while I view it as a shield. I think it is a protection to such persons.

Mr. BROWN. I will say to the Senator that I do not know much about the University of Kentucky, although I have met the dean of the medical school of that university, who happens to summer on the Straits of Mackinac, where I live; but there is nothing in the bill which compels such persons to engage in politics. We in Michigan, so far as I know—and I am fairly familiar with the situation—have never passed the hat among the professors of the University of Michigan or of Michigan State College. We do not do that. What I am saying is that if such a man wants to make a political speech in a campaign, or if he wants to contribute to a campaign, he has a right to do it. We do not compel him to do anything.

Mr. CHANDLER. The act says "official authority." Does the Senator construe that to mean official authority or political influence?

Mr. BROWN. Oh, no; I have not the slightest objection to anything the Senator has in his bill respecting the use of official authority. I am talking about the provision of the bill which says that all political activity is condemned on the part of any State official—not the use of official authority, but the use of his time when he is not working for the State when he is off duty.

Mr. CHANDLER. I will say to the Senator from Michigan that I am certain that the people of the country are watching what we do in regard to this bill. It is my opinion that they are watching to see—and, to my mind, that is the real issue involved—whether we are going to continue to appropriate money for public health and public schools and public charities, and say to those who receive it, "You must contribute to political campaigns," or "You must play politics."

Mr. BROWN. The Senator does not mean that at the present time there is anything in the law or in the practice which makes professors in universities contribute to political campaigns?

Mr. CHANDLER. No; but many of them feel an urge to do so which they will not feel if this measure is passed.

Mr. BROWN. They do not in Michigan.

Mr. CHANDLER. The Senator argues from the standpoint of the measure being a sword, while I argue that it is a shield; that it gives these persons protection and also guarantees that in the future the money of the people of the United States will not be used for politics, but will be used for the purposes for which Congress appropriates the money.

Mr. BROWN. Let us lay aside the matter of political contributions. Does the Senator think the teachers in the University of Kentucky desire to be muzzled because they happen to hold positions as teachers in the university?

Mr. CHANDLER. This bill does not muzzle them, and the Hatch Act does not muzzle them.

Mr. BROWN. Oh, yes; the bill does. It says they may not engage in political activity; they may not engage in a political campaign; they may not make political speeches in a campaign; they may not make contributions to political campaigns.

Mr. CHANDLER. They do not want to make contributions to political campaigns.

Mr. BROWN. That may be so; but certainly they do not want their liberty of speech taken away from them. I think the Senator entirely misconstrues the measure.

Mr. CHANDLER. The Senator from Utah [Mr. THOMAS] will agree that whenever we find a professor in a college who is taking part in politics, or someone connected with a school like the man who gave the Senator the information he has just given to us, he is a man who ought to be in some other business than a professorship in one of the colleges of America.

Mr. BROWN. That is not very complimentary to the Senator from Utah. He came directly from the University of Utah to the Senate of the United States, and we are all very happy to have him here. I do not believe that could have happened if the Hatch bill had been on the statute books.

Mr. CHANDLER. The Senator from Utah said he was not a professor in a land-grant college.

Mr. BROWN. But he was a professor in a college which undoubtedly is gaining some benefits from the Treasury of the United States, and I do not want to make it doubtful whether or not the Senator from Utah could have come here. I do not wish to put him under a cloud by saying that what he did away back there was pernicious political activity. That is just what we are asked to do by passing the Hatch bill.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had

disagreed to the amendments of the Senate to the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary, for the fiscal year ending June 30, 1941, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McANDREWS, Mr. RABAUT, Mr. CALDWELL, Mr. KERR, Mr. HARE, Mr. CARTER, Mr. STEFAN, and Mr. WHITE were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1449. An act for the relief of Robert Stockman;

S. 1998. An act for the relief of Ernestine Huber Neuheller;

S. 2284. An act to amend the Act of May 4, 1898 (30 Stat. 369), so as to authorize the President to appoint 100 acting assistant surgeons for temporary service; and

H. R. 7863. An act to amend section 602 (e) of the Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States.

EXTENSION OF ANTIPERNICIOUS POLITICAL ACTIVITIES ACT

The Senate resumed the consideration of the bill (S. 3046) to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939.

Mr. HATCH obtained the floor.

Mr. THOMAS of Utah. Mr. President, will the Senator yield in order that I may suggest the absence of a quorum?

Mr. HATCH. I yield.

Mr. THOMAS of Utah. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

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

Adams	Davis	Johnson, Colo.	Russell
Andrews	Donahey	King	Schwartz
Ashurst	Ellender	La Follette	Schwellenbach
Austin	Frazier	Lee	Sheppard
Bailey	George	Lodge	Shipstead
Bankhead	Gerry	Lucas	Smith
Barbour	Gibson	McCarran	Stewart
Barkley	Gillette	McKellar	Taft
Bilbo	Glass	McNary	Thomas, Idaho
Brown	Green	Mead	Thomas, Okla.
Bulow	Guffey	Miller	Thomas, Utah
Burke	Gurney	Minton	Townsend
Byrd	Hale	Murray	Truman
Byrnes	Harrison	Neely	Tydings
Capper	Hatch	Norris	Vandenberg
Caraway	Hayden	Nye	Van Nuys
Chandler	Herring	O'Mahoney	Wagner
Chavez	Hill	Overton	Walsh
Clark, Idaho	Holman	Pepper	Wheeler
Clark, Mo.	Holt	Pittman	White
Connally	Hughes	Reed	
Danaher	Johnson, Calif.	Reynolds	

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Eighty-six Senators having answered to their names, a quorum is present.

Mr. BROWN. Mr. President, will the Senator from New Mexico yield to me a moment?

Mr. HATCH. I yield.

Mr. BROWN. I ask unanimous consent that I may modify the pending amendment by inserting in line 3, page 1, after the word "stockholder," the words, "having an interest worth over $25,000", and inserting the same words in line 5, page 2, after the word "stockholders."

The PRESIDING OFFICER. Without objection, the amendment will be modified as requested.

Mr. HATCH. Mr. President, the discussion which has gone forward during the past several days, in my opinion, concerns things which are not included in the pending bill, and were never intended to be included in it, and the bill will have none of the effects about which Senators have manifested so much concern. I wish to speak briefly today about some of the things which are not included in the bill, but which Senators repeatedly declare are prohibited by the bill.

The argument which was made this morning, and those which have been made throughout the week, as to the curtailment or abridgment of the constitutional right of freedom of speech, has been answered over and over again, not by me—my word might not be important in construing constitutional provisions—but they have been answered in words such as those I quoted last week from Oliver Wendell Holmes, a man whose ability and whose liberal views I am sure no one will doubt, whose words dispute any idea that this class of legislation curtails the right of freedom of speech.

More than that, Mr. President, to make assurance double sure at the last session that no such right should be curtailed, in the bill we then passed we expressly provided that all persons should have the right to express their opinions on all political subjects, and the word "privately," which appears in the civil-service rule, was deliberately stricken out, and the President of the United States, in commenting on that fact in his message, pointed out that there was involved in the legislation no curtailment or abridgment of the right of freedom of speech.

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

Mr. HATCH. I yield.

Mr. MINTON. There is no doubt that anyone coming within the provisions of the proposed law could not go out in a political campaign and make political speeches, is there?

Mr. HATCH. The Senator is quite correct.

Mr. MINTON. To that extent there is a curtailment of the right of freedom of speech, although it may be, as the Senator has stated, a constitutional curtailment.

Mr. HATCH. It is a waiver of his right when he accepts the conditions attached to his employment. As I have stated, those words are not my words; they are the words of Justice Holmes.

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

Mr. HATCH. I will yield only once more, because I have very little time.

Mr. MINTON. It merely comes down to this, that a man can give up his right of free speech and hold his job; in other words, he can starve or speak.

Mr. HATCH. Not at all. No such statement was made, and no such interpretation can logically be placed on the bill. It is just as extreme as the statement that all political activities are banned, which statement has been made, and was made by the Senator from Michigan just now, and I think the Senator from Indiana has made the statement—though I am not sure he has—that all political activity is banned by the bill.

Repeatedly the provisions of the bill have been made clear; again I say, not by my words but by interpretations, instructions, and rulings which have already been made with respect to the act. I said last year, and I said in explaining the pending bill, and I have said time and time again, that the language prohibiting political activity and management of political campaigns was adopted and used simply because that language has been in effect in this country for more than 50 years. It has been construed and interpreted over that period of time as it affected the vast majority of Federal employees. I did not want to use different language, which would cause different interpretations, but I wanted to use the same language, and it has not been difficult to apply. I have in my hand the printed rules and interpretations which have been made with respect to that language over this period of years.

Mr. BROWN. Will the Senator put them in the RECORD?

Mr. HATCH. They have been put in the RECORD time and time again. However, I will place them in the RECORD again when I conclude my remarks.

I want to come now to the subject of political contributions. The ruling on that subject has been mailed to practically all Federal employees in the United States in order that they may know what it is. It is as follows:

Voluntary contributions to campaign committees and organizations are permitted. An employee may not solicit, collect, or receive contributions. Contributions by persons receiving remuneration from funds appropriated for relief are prohibited.

That is a clear-cut statement, an interpretation of the civil-service rule which has been in effect for more than 50 years, construing language identical with that contained in the pending measure. But that is not all.

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

Mr. HATCH. I yield.

Mr. BROWN. That, of course, is what the Civil Service Commission says the law means. That is not the construction of any district court, circuit court, or of the Supreme Court.

Mr. HATCH. Of course, I understand that, and that is what bothers me sometimes. People talk about this terrible, awful law as though there were some criminal penalty imposed. The only penalty is the administrative one of loss of job; and listen to what is said by the departments which enforce that provision, and the ones which would be compelled to execute it, which have ruled as the Civil Service Commission has ruled and have told their employees that it is not against the law to make voluntary contributions.

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

Mr. HATCH. I yield.

Mr. MINTON. The Senator from Connecticut has offered an amendment which provides that an appeal can be taken to the courts. Even though we concede that the Senator from New Mexico has correctly quoted for the RECORD the rules and the construction put upon the law by the Civil Service Commission, it does not follow that that is the construction which must be placed on the pending measure.

Mr. HATCH. Does the Senator want me to give a bond or guaranty? I cannot do that. But I can tell the Senate what the Attorney General of the United States has to say about it.

Mr. MINTON. That would be an opinion.

Mr. HATCH. Yes; but it is the opinion of the highest legal officer of the Government. Yet it seems it should not be persuasive in argument or debate.

Let us see what is said by the Department of Agriculture, which is one of the departments charged with the duty of enforcing the proposed amendment to the law, one of the departments which would discharge an employee if he made an illegal contribution.

> Voluntary political contributions or payments by officers and employees, if not made to others employed by the Government or to incumbent Members of Congress, are not unlawful.

They are talking about the present act. That is what they said about it. Does the Senator from Indiana think that someone in the Department of Agriculture is going to lose his job simply because he makes a voluntary contribution, when his own superior tells him he can do so? Such an argument would be ridiculous, just as most of the arguments which have been made along this line have been ridiculous.

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

Mr. HATCH. I yield.

Mr. MINTON. I think, if the Senator pleases, the present law would prevent such an employee from contributing to the campaign fund of an officer who is running for office.

Mr. HATCH. That is the reason the Department made that exception, pointing out that they cannot contribute to other employees or those running for office. One Federal employee cannot contribute to another Federal employee. The Department points out that that would be unlawful. But otherwise voluntary contributions are not prohibited. All the argument that the Senator from New Mexico is trying to get the $2 man is absolutely absurd.

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

Mr. HATCH. I yield.

Mr. BANKHEAD. I should like to know why the Senator is bringing the $2 man under this law if he is not intending to punish him.

Mr. HATCH. I intend to keep him out of pernicious political activity, but not legitimate political activity.

Mr. BANKHEAD. The Senator must recognize that there is a very broad distinction, and also the question of who is the judge. If a Republican is passing on the question, as a superior officer, and the little $2 fellow is a Democrat, or vice versa, who knows the correctness of the political decision which may be rendered?

Mr. HATCH. The Senator, as a lawyer, knows that when language has been interpreted over the years, as this language has been, certain definite standards and meanings are set up, and when it is said by the Congress of the United States and on the floor, and in the reports, that that language is used because it has been so interpreted, there is every reason in the world to believe that the courts, if the question ever got there, would give that self-same interpretation.

Mr. BANKHEAD. I hope the Senator will go back and make a little clearer answer to me as to why he wants to bring the little $2 man under the penal provisions of this measure if he has no intention of subduing him, oppressing him, and intimidating him, or permitting his superiors to do so.

Mr. HATCH. I have spoken on this subject many times.

Mr. BANKHEAD. The Senator has not spoken on that particular point.

Mr. HATCH. I have spoken on that point many times. I read to the Senate what Grover Cleveland said on the subject, and what Thomas Jefferson said on the subject, and what Woodrow Wilson and Abraham Lincoln said on the subject, and what practically every Democratic platform that has ever been written has said on this subject.

Mr. BANKHEAD. I have never heard any of the gentlemen quoted as dealing with the point I am talking about, because I do not think any effort has ever been made before to apply a penal law to the little man such as this seems to me to be. I have heard quotations made about corruption in elections, and we all agree to what they said, but the application of the law here is the problem involved.

Mr. HATCH. Thomas Jefferson issued an Executive order prohibiting the employees of the executive branch of the Government from participating in elections, declaring that it was a denial of the constitutional processes for them so to do, and that it threatened to smother the elective processes under the enormous power of the Federal patronage, and he provided as a penalty the removal of the person or employee who did so.

The first bill along this line was introduced in the Senate over a hundred years ago and provided much more stringent penalties than the pending bill does. I appreciate the good faith of the Senator from Alabama, but I say to him that he has not fully studied this subject. If he had, he would not have made the statement which he has just made. He apparently has not studied the platforms of the Democratic Party in which we pledged ourselves to do the very things which this bill seeks to do, not once, but many times. Always, however, I am sad to say, those pledges were made when the Republican Party was in power, and we were condemning the Republicans for doing that thing. Now that we are in power, I regret that it is Democratic Members of the Senate who are not backing this measure. The Senator from Michigan [Mr. BROWN] said, "Think of the Democratic Party sponsoring this."

Mr. President, after listening to the remarks of the Senator from West Virginia [Mr. NEELY] the other day—and I wish the Senator from Alabama would read them, and draw from them the scenes from that State which he brought before the Senate—I cannot see how any Democrat who values the principles of his party, and the things we have been declaring for time and again, can fight this mild gesture, for that is all this bill is, against the sort of thing the Senator from West Virginia brought before us the other day.

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

Mr. HATCH. I yield.

Mr. BANKHEAD. I did not have the pleasure of hearing the Senator from West Virginia [Mr. NEELY], but I am sure the Senator will agree that the first eight sections of his original bill cover everything he is condemning on the floor.

Mr. HATCH. Mr. President, not so. The ninth section is required to complete that measure, and that section is required today to carry it on. Then, after that, much more

legislation and stronger legislation is required to do the thing I want to do.

Mr. President, I was amazed at the argument made by the Senator from Michigan against the invasion, as he says, of State rights, after he had offered his amendment to this bill, which he said the other day he offered in all good faith. I question not that good faith. I ask how anyone who holds the views which he holds could propose the amendment he did? I do not know how he has modified it. It may reach what I am talking about now.

Mr. BROWN. I have modified it, I will say to the Senator, by confining it to stockholders having a $25,000 interest.

Mr. HATCH. The amendment is now confined to stockholders having a $25,000 interest, so the Senator says. But that only changes the degree. If a person owned a $25,000 interest in the Ford Motor Co., we will say, in the Senator's own State, and the Ford Motor Co. happened to have a contract to sell the Government some trucks, and pending that contract, if this one little stockholder happened to participate actively in politics, would he lose his job, under the provisions of the Senator's amendment as originally offered by him?

No. He would be guilty of a criminal offense, and would be subject to fine and imprisonment.

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

Mr. HATCH. I yield.

Mr. WALSH. To me the issue in this bill which bears the Senator's name is a very simple one. I should like to ask the Senator a few questions, the answers to which may clarify the intentions and review our past effort for clean politics.

Mr. HATCH. Certainly.

Mr. WALSH. First of all, each time we have had a Senatorial election contest we have discovered that our corrupt-practice laws were limited, and they have been amended. Since the large expenditure of money by the Federal Government in recent years for relief work we discovered that attempts were made to exploit persons on relief for political purposes; and legislation has been enacted to prevent such attempts. Is that correct?

Mr. HATCH. That is correct.

Mr. WALSH. Last year the Senator from New Mexico was the promoter of a measure to go a step further and place restrictions and limitations upon political activities of employees of the Federal Government paid from the Federal Treasury. That was the basis of the legislation known as the Hatch Act. Is that correct?

Mr. HATCH. That is correct.

Mr. WALSH. As I understand, all the Senator is now asking for, stripped of all amendments and attempts to confuse and divert the issue, is that the error or the wrong—if there be one—in the diversion of Federal funds to individuals for what we may think are improper political activities be corrected. It is clear that when a Federal employee receives his money from the Federal Treasury we have such power, and we have already declared that he shall keep his hands off certain kinds of political practices. The proposal now before the Senate is to apply to the State employee who receives some or all of his money from the Federal Treasury the same limitations and restrictions that are applied to Federal officeholders who receive all their money from the Federal Treasury. Is not that the sole issue involved?

Mr. HATCH. That is entirely correct.

Mr. WALSH. Is not the question whether we wish to limit election activities to those who receive all their money from the Public Treasury, or whether we wish to apply the same principles and the same limitations and restrictions to persons in State employment who receive some or part of their money from the Public Treasury?

Mr. HATCH. The Senator is entirely correct.

Mr. WALSH. Is any other issue involved?

Mr. HATCH. I think not.

Mr. WALSH. Is not the Senator's sole purpose to amend the original law so as to make applicable to those who receive employment from the Federal Government through State governments by way of a contribution in whole or in part from the Federal Government the principles and restrictions imposed in the original act?

Mr. HATCH. The Senator is entirely correct.

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

Mr. HATCH. I regret that I cannot yield now.

I wish to say, in line with what the Senator from Massachusetts has said, that, stripped of everything else, the bill, instead of invading States rights, protects the rights of the States. We merely say that the funds contributed by the Federal Government shall not be used for political purposes. That is all we say. We do not say to the States, "Your employees may not function as you wish." The States have the full right to do whatever they desire. We merely indicate to the States that we do not want our funds used to build up political machines, and that we wish to apply to certain State employees the same penalties now applied to Federal employees, which penalties amount to almost nothing. That is the sum and substance of the whole matter.

Mr. WALSH. I thank the Senator.

Mr. President, briefly stated, the pending bill and the various amendments which have been offered to it all relate, it seems to me, to a proposition which at heart is exceedingly simple. It is a proposition which bears very directly upon the basic principles of democratic government. It is the question whether elections shall be the free expression of the will and the sentiments of the voters or shall be colored, and perhaps controlled, by an army of officeholders and the beneficiaries of governmental bounties.

Experience in the 1936 and 1938 elections clearly revealed inadequacies in the Federal Corrupt Practices Act as it then stood and the need for additional legislation. A review of the hearings and the report of the Sheppard committee of 1938, of which I was a member, will furnish abundant evidence to support the pending Hatch bill.

Congress at the last session enacted a bill which bore the name of the senior Senator from New Mexico, and which sought to ban political activity by Federal Government employees and at the same time to protect recipients of unemployment relief and other Federal aid from political exploitation.

I strongly favored the original Hatch bill, and I similarly favor the amendment to the present law contained in the pending bill as reported to the Senate.

The bill now before us prescribes no new policy. It is not drastic. The principle involved has been well established. It proposes only to forbid political activity by State employees paid wholly or in part with Federal money. In practical effect, it seeks to deny the use of Federal funds for the support of State political machines. What the States themselves should do or may do with respect to circumscribing the political activities of their own employees paid entirely with State funds is a State affair, and not properly within the province of the Federal Congress. But certainly sound public policy requires that all persons whose salaries are paid either in whole or in part out of the Federal Treasury should be on the same footing, whether they be directly employed by the Federal Government or indirectly employed through the States with Federal funds.

The pending amendment, offered by the junior Senator from Michigan [Mr. BROWN], goes far afield, and in my judgment is not in harmony with the purpose of the Hatch bill. I deplore the other amendatory proposals, which, it seems to me, were intended either to impede the passage of the pending bill or to make the bill a vehicle for destroying the effective provisions of the present law. I believe we should proceed without delay to a final vote on the pending bill.

Mr. HATCH. Mr. President, the Senator from Michigan [Mr. BROWN] wished to ask a question. I now yield to him.

Mr. BROWN. Mr. President, I wish to point out to the Senator from Massachusetts that he expresses almost entirely my own view when he refers to the politics that should be condemned by the bill as "improper political activities."

If the Senator from New Mexico had such a provision in his bill, outside of my objection on the ground of invasion of State's rights, I should not seriously object to it. However, the Senator condemns proper political activity when he condemns all political activity; and that is what a great many of us object to.

Mr. HATCH. I repeat, we do not condemn all political activity, and we never have done so.

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

Mr. HATCH. I yield.

Mr. WALSH. Let me make another suggestion: Is not the theory behind the bill that Democrats and Republicans, rich and poor—people of every standard in life—contribute to the salaries of administrative officers of this Government, and they ought not to participate in elections but ought to keep aloof from political activities? Likewise, officials in States who receive money from the Federal taxpayers ought to keep out of politics—at least, improper politics—and mind their own business and let the public, and not political officeholders, run elections. Let the people, and not officeholders, manager, direct, and decide elections.

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

Mr. HATCH. I yield.

Mr. BROWN. The Senator from Massachusetts cannot express himself without using the expression "improper politics." That is what we are complaining about. However, the bill prohibits any political activity.

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

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

Mr. GEORGE. I ask the Senator from New Mexico how are we to prohibit improper political activity unless we prohibit all political activity on the part of officeholders?

Mr. BROWN. Mr. President, I feel that the Senator's estimate of the American people must be pretty low——

Mr. GEORGE. I am not talking about the American people.

Mr. BROWN. The Senator's estimate of the American people must be pretty low if he thinks a Government official or a State official may not engage in legitimate political activity. Does not the Senator engage in legitimate political activity when he assists in his own reelection to the Senate? He engages in a political activity which is prohibited on the part of an executive officer of the Government.

Mr. GEORGE. Mr. President, I do not wish to take up the Senator's time.

Mr. HATCH. I shall be very happy to have the Senator do so.

Mr. GEORGE. We are merely quibbling when we talk about permitting "proper political activity" on the part of a great body of Government employees, and stopping "improper political activity." Those who control the salaries of employees who must depend upon the Government pay rolls will see to it that the political activity is proper; but it will be proper to vote for those in power. It always has been so, and always will be.

Mr. BROWN. The Senator believes that he and I can be proper in our political activities, but that Government clerks downtown cannot be. I think their consciences are just as good as mine.

Mr. HATCH. A Government clerk does not have any choice.

Mr. GEORGE. He has no choice. The bill is intended to prevent the coercion of persons who cannot assert themselves.

Mr. BROWN. If the Senator will write "coercion" into the bill, I shall be satisfied.

Mr. GEORGE. That is what the bill is intended to do.

Mr. HATCH. Mr. President——

Mr. MINTON. No amendment has sought to destroy such provisions.

Mr. HATCH. Mr. President, I cannot yield further. What the Senator from Georgia has just said is absolutely true. We talk about the freedom of employees in the highway departments. It is laughable when we think about it. Every man who has been in a political campaign will laugh at such a suggestion.

Mr. BROWN. I did not smile at the Senator.

Mr. HATCH. The Senator should smile at such an argument. We know what is done. We know what every man who is forced by the circumstances of his lot as an employee does when he is ordered to go out and work as his boss wants him to work, or lose his job. What is he to do? He will do what is necessary to hold his job.

Am I exaggerating? Mr. President, I have not wanted to put into the RECORD the things which the Senator from West Virginia [Mr. NEELY] put into the RECORD on Saturday, but I have them. I have them right here in my hand, from States represented by Senators who are taking an active part in opposition to the bill. I have before me a page from the Sheppard report, disclosing how 450 highway employees in one precinct in one State were put on the pay roll in order to go out and do political work just before election—a primary election, if you please—and were fired the next day after the primary.

We talk about protecting the electorate, and about invading the rights of the States. What chance has the individual citizen, the man who holds no political job and wants none, and seeks only to have his party do that which is best for his country. What chance has he in a convention or a primary in which tactics such as have been described are employed? As Professor Beard states in the article which I put into the RECORD, he is elbowed aside by the job holders, and the job holders run the election.

We hear much about a great interest in the rights of the people. I am thinking about the people, those who want only decent and honest government in this country. There are millions and millions of them. If my party does not take a stand against such methods and do everything it can to prevent them I am fearful that my party may find that millions of citizens do not approve of tactics which would defeat only a gesture against such things. That is all the bill is. It is only a gesture.

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

Mr. HATCH. I yield.

Mr. MINTON. Does not the Senator condemn those who, without any coercion, voluntarily desire to take a part in politics?

Mr. HATCH. I would draw the line if it could be drawn; but I defy the Senator from Indiana, or anybody else, to draw that line. As a Justice of the Supreme Court of the United States said in an opinion put into the RECORD by the Senator from Illinois [Mr. LUCAS]—the majority opinion, not the minority opinion—the power to solicit contributions carries with it the threat of compelling contributions.

Mr. MINTON. The Senator is not striking at that threat.

Mr. HATCH. I am not striking at it in this bill; but I hope to strike at it some day in the not-too-distant future.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the question is on the amendment of the Senator from Michigan, as modified, to the amendment reported by the committee.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Adams	Clark, Mo.	Hayden	Miller
Andrews	Connally	Herring	Minton
Austin	Danaher	Hill	Murray
Bailey	Davis	Holman	Neely
Bankhead	Donahey	Holt	Norris
Barbour	Ellender	Hughes	Nye
Barkley	Frazier	Johnson, Calif.	O'Mahoney
Bilbo	George	Johnson, Colo.	Overton
Brown	Gerry	La Follette	Pepper
Bulow	Gibson	Lee	Pittman
Burke	Gillette	Lodge	Reed
Byrd	Glass	Lucas	Reynolds
Byrnes	Green	Lundeen	Russell
Capper	Guffey	McCarran	Schwartz
Caraway	Gurney	McKellar	Schwellenbach
Chandler	Hale	McNary	Sheppard
Chavez	Harrison	Maloney	Shipstead
Clark, Idaho	Hatch	Mead	Smith

Stewart	Thomas, Utah	Van Nuys	White
Taft	Townsend	Wagner	Wheeler
Thomas, Idaho	Truman	Walsh	
Thomas, Okla.	Vandenberg		

The PRESIDING OFFICER. Eighty-five Senators have answered to their names. A quorum is present. Under the agreement heretofore entered into by the Senate to vote at 2 o'clock, the Chair would like to state the parliamentary situation. The question before the Senate is upon agreeing to the amendment offered by the Senator from Michigan [Mr. BROWN], as modified, to the committee amendment. The amendment having been twice modified, without objection, the Chair will have the clerk restate the amendment.

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

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. I inquire if the Senate has heretofore ordered the yeas and nays?

The PRESIDING OFFICER. The yeas and nays have heretofore been ordered. The clerk will state the amendment offered by the Senator from Michigan [Mr. BROWN], as modified.

The CHIEF CLERK. In the committee amendment on page 4, line 21, after the word "employee", it is proposed to strike out the remainder of the sentence and substitute in lieu thereof the following:

(2) And no person who is a stockholder, having an interest worth over $25,000, or officer of a corporation benefiting in any manner whatsoever (a) by any tariff, excise tax, or quota limiting imports into the United States, imposed by the United States; (b) by a loan from the Reconstruction Finance Corporation or any other governmental agency; (c) by a contract with the United States, or any of its agencies or with any State, municipality, or other governmental subdivision which is financed in whole or in part by loans or grants made by the United States or by any Federal agency; (3) and no person who is a stockholder having an interest worth over $25,000 or officer of a corporation which has pending an application for refund of Federal income taxes, or a claim against the United States before either the Court of Claims or the Congress; and (4) no person who is employed as a lobbyist or legislative representative or whose principal business is that of appearing before the executive or legislative departments of the United States, shall take any active part in political management or in political campaigns. No such person shall solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose whatever. Any person violating any provision of this section relating to persons other than officers and employees of a State or local agency shall be subject to the penalties provided in section 8 of said act of August 2, 1939.

The PRESIDING OFFICER. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. TOBEY] is paired with the Senator from New Jersey [Mr. SMATHERS]. If present and voting, the Senator from New Hampshire would vote "nay," and the Senator from New Jersey would vote "yea."

Mr. McNARY. The junior Senator from Wisconsin [Mr. WILEY] is necessarily absent. If he were present, he would vote "nay."

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Utah [Mr. KING] are absent from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST], the Senator from California [Mr. DOWNEY], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from Illinois [Mr. SLATTERY], and the Senator from New Jersey [Mr. SMATHERS] are detained on important public business.

I am advised that if present and voting the Senator from Utah would vote "nay."

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I am advised that if present he would vote as I am about to do. I am therefore at liberty to vote, and vote "nay."

The result was announced—yeas 31, nays 53, as follows:

YEAS—31

Bankhead	Byrnes	Glass	Hill
Bilbo	Caraway	Guffey	Hughes
Brown	Connally	Harrison	Johnson, Colo.
Bulow	Donahey	Hayden	La Follette
Byrd	Ellender	Herring	Lee
Lucas	Minton	Pittman	Stewart
McKellar	Murray	Schwartz	Thomas, Okla.
Miller	Pepper	Schwellenbach	

NAYS—53

Adams	George	McNary	Taft
Andrews	Gerry	Maloney	Thomas, Idaho
Austin	Gibson	Mead	Thomas, Utah
Barbour	Gillette	Neely	Townsend
Barkley	Green	Norris	Truman
Burke	Gurney	Nye	Vandenberg
Capper	Hale	O'Mahoney	Van Nuys
Chandler	Hatch	Overton	Wagner
Chavez	Holman	Reed	Walsh
Clark, Idaho	Holt	Reynolds	Wheeler
Clark, Mo.	Johnson, Calif.	Russell	White
Danaher	Lodge	Sheppard	
Davis	Lundeen	Shipstead	
Frazier	McCarran	Smith	

NOT VOTING—12

Ashurst	Bridges	Radcliffe	Tobey
Bailey	Downey	Slattery	Tydings
Bone	King	Smathers	Wiley

So Mr. BROWN's amendment, as modified, to the committee amendment was rejected.

Mr. RUSSELL obtained the floor.

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

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

Mr. BARKLEY. I understand that the Senator from Georgia has risen for the purpose of moving that the Senate proceed to the consideration of the agricultural appropriation bill.

Mr. RUSSELL. I may say that I hope to obtain unanimous consent for its consideration.

Mr. BARKLEY. I wish to state to the Senator from Georgia and to other Senators that I understand there are not many more amendments to the pending bill, and I hope we may proceed with it and dispose of it today. I had thought of asking unanimous consent for a vote on the bill and all amendments to it at an hour not later than 6 o'clock this afternoon. I understand that if such an arrangement can be entered into, the Senator from Georgia will be agreeable to it.

Mr. RUSSELL. It will be perfectly agreeable to me if such a unanimous-consent agreement can be obtained. My appraisal of the situation has led me to think that it probably cannot be obtained.

Mr. BARKLEY. There is no harm in attempting to obtain it.

Mr. RUSSELL. Not at all. I am very glad to have the effort made.

Mr. BARKLEY. I ask unanimous consent that at an hour not later than 6 o'clock p. m. today the Senate proceed to vote, without further debate, on the pending bill and all amendments thereto.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS of Oklahoma. Mr. President, I have pending on the Vice President's desk an amendment. On former occasions I have sat silently by and let unanimous-consent agreements be made, and at the last moment I have found myself unable to secure time even to explain my amendments. So unless I can have an agreement that my amendment will come up when reasonable time can be afforded for its discussion, I shall be forced to object.

Mr. BARKLEY. Of course, the Senator from Oklahoma realizes that I have no desire to cut him off, or any other Senator. So far as I am concerned, I am perfectly willing that the Senator's amendment shall be offered first, and that he shall be allowed to discuss it; but that is not a matter over which I have control. I will say to the Senator, however, that I will cooperate with him to the fullest extent of my ability to assure him time in which to discuss his amendment.

Mr. THOMAS of Oklahoma. Mr. President, from my viewpoint my amendment should be adopted without debate and without discussion; but oftentimes amendments which seem to me to have that status are the ones which provoke the most discussion. If the author of the bill will accept the amendment, there will be no occasion for discussing it.

Mr. BARKLEY. I do not know what the amendment is.

Mr. THOMAS of Oklahoma. If I may have just a moment, I will explain what the amendment is.

Mr. RUSSELL. Mr. President, I believe I have the floor. I yield to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. The original Hatch Act provides a code of procedure for Federal employees. It exempts the President, Members of the Congress, and certain officials who have so-called policymaking powers. The original act did not refer to the District of Columbia. This bill places District of Columbia officials under the law and makes an exception of the Commissioners.

Mr. President, there is another official of the District government who is appointed by the President and confirmed by the Senate. I refer to the official known as the recorder of deeds. For a good many years, whatever political party has been in power has conceded this position to the colored race; and, as a result of that policy, some member of that race has held the office during many past years.

The occupant of the office is appointed by the President and confirmed by the Senate. The official holding the office is regarded by the colored people as their liaison or contact man with the National Government. He assumes to go out and speak to the colored people, to tell them what is being done, and to advise them as to what he thinks should be done. If this position is placed under the ban of this law, that official, appointed by the President and confirmed by the Senate, will be denied any further activity along that line. So my amendment proposes to exempt the position of recorder of deeds of the District of Columbia.

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

Mr. RUSSELL. I yield to the Senator from New Mexico.

Mr. HATCH. Of course, I have no authority to accept an amendment. I am not familiar with the duties of this particular office; but, as the Senator has explained them, so far as I am personally concerned I should have no objection to the amendment being adopted, taking it to conference if there should be a conference, and endeavoring in good faith to work out something along the lines of the amendment.

Mr. THOMAS of Oklahoma. Mr. President, at this time I will call up the amendment, so that it may be stated; and in support of the amendment I desire to have printed, immediately following the amendment, a letter from the present recorder of deeds, Dr. William J. Thompkins, of Kansas City.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 7, line 24, after the word "commissioners" and before the word "of", it is proposed to insert the words "and the recorder of deeds."

Mr. THOMAS of Oklahoma. Mr. President, I desire to state that the amendment is offered jointly by the Senator from Missouri [Mr. TRUMAN] and myself.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

The PRESIDENT pro tempore. The Senator from Oklahoma has asked unanimous consent to have printed at this point in the RECORD a letter referring to the amendment. Without objection that may be done.

The letter is as follows:

RECORDER OF DEEDS, DISTRICT OF COLUMBIA,
Washington, March 4, 1940.

Hon. ELMER THOMAS,
Senator from Oklahoma,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: Permit me to call your attention to S. 3046, an amendment to the Hatch Act to prevent pernicious political activities, designed to include in the provisions of the act all employees of the District of Columbia except the District Commissioners.

The amendment to the act would likewise extend the provisions of the Hatch Act to State employees, except certain elective officials appointed by the Governor and confirmed by the State legislature.

The fact that the amendment exempts from its provisions officials of States appointed by Governors and confirmed by legislatures and neglects to afford this same exemption for officials of the District of Columbia appointed by the President and confirmed by the Senate makes the provision discriminatory.

It is my opinion that this is simply an oversight and should be corrected when S. 3046 comes up for consideration by the Senate.

In the District of Columbia Government the only officials appointed by the President and confirmed by the Senate, with the exception of judges, are the District Commissioners and the recorder of deeds. Section 13, on page 7, exempts the Commissioners but not the recorder of deeds. It is respectfully suggested that S. 3046 be amended as follows:

In section 13, page 7, line 24, after the word "Commissioners", insert the following, "and the recorder of deeds."

I should appreciate your letting me have your opinion on this amendment and whatever support you may give it.

Respectfully yours,

WILLIAM J. THOMPKINS,
Recorder of Deeds, District of Columbia.

Mr. JOHNSON of Colorado. Mr. President——

Mr. RUSSELL. I have yielded to the Senator from Kentucky, who, I understand, has submitted a proposed unanimous-consent agreement.

Mr. BARKLEY. Yes; I have.

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

Mr. RUSSELL. I yield.

Mr. MINTON. Reserving the right to object, I am not sure the Senator from Kentucky is well advised when he says there are only a few amendments remaining to be disposed of. I will say to the Senator that there are several important amendments yet to be offered to the bill, and we could not possibly dispose of them this afternoon. For that reason I should have to object.

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

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

Mr. BARKLEY. I ask unanimous consent that at an hour not later than 5 o'clock p. m. tomorrow the Senate proceed to vote without further debate on the Hatch bill and all amendments thereto.

Mr. JOHNSON of Colorado. Mr. President, reserving the right to object, I wish to state that I have a very important amendment to the bill which will require at least 2 hours of discussion; and unless I can be assured that my amendment will have at least 2 hours of discussion I shall have to object to the request.

Mr. BARKLEY. I will say to the Senator that I think from every standpoint it will be desirable to conclude this bill before we take up other bills, if such action will not unduly delay the bill in which the Senator from Georgia is interested. In conferring with him, I understood that if he could be assured that the pending legislation could be concluded even tomorrow, he would not object to withholding his motion for that purpose. I am willing to meet at 11 o'clock tomorrow, if the Senate is willing, of course, in order to give ample time for debate. That will give 6 hours for debate tomorrow.

While I realize that no one can guarantee that any Senator may speak for 2 hours unless he gets the floor, in which event he may speak all day, I will cooperate with the Senator from Colorado to get as much time as possible for him on his amendment. I do not know what it is, but I am sure it will be adequately discussed if we can enter into this arrangement.

Mr. JOHNSON of Colorado. Mr. President, I appreciate the Senator's willingness to cooperate; but I shall have to have more assurance than that, because I have a very important amendment. I myself do not wish to take 2 hours in its discussion; but I feel that it is of such great and grave importance that 2 hours will be almost too short a time in which to discuss it properly.

Mr. BARKLEY. I do not know any further guarantee that I can give the Senator, except that by unanimous-consent agreement the Senator from Colorado might be recognized. Of course, if we enter into this agreement, we shall have all the remainder of today and until 5 o'clock tomorrow to discuss his amendment. I do not know what other amendments there are that will require any considerable debate. I have no desire to shut off amendments; but I do think from every standpoint it will be better, if we can do so, to dispose of the pending measure before taking up the other bill, if thereby no unreasonable delay will be incurred.

Mr. RUSSELL. Mr. President, of course, it is most unusual to defer the consideration of appropriation bills when the committee is prepared to proceed with them. They are given priority under the rules; but if there is no objection to the request of the Senator from Kentucky from any other source I shall not object, and I shall be willing to defer consideration of the appropriation bill until after the pending business shall have been concluded.

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

Mr. RUSSELL. I yield.

Mr. LEE. Reserving the right to object, it seems to me the request of the majority leader is a reasonable one. It seems that from now until 5 o'clock tomorrow will be sufficient time for debate. No Senator, I think, is more interested than I am in farm legislation.

I believe it would be better to conclude the consideration of the pending bill. We passed the Hatch Act last year and covered some of the Federal employees. This is an effort to cover the others. It is in line with the President's request in his message, in which he approved the former Hatch Act. I hope the request of the Senator may be agreed to.

The PRESIDENT pro tempore. Is there objection?

Mr. ADAMS. Mr. President, there is on the table a deficiency appropriation bill, which I have not sought to call up because of the debate on the pending bill and because there might be some misunderstanding of the reason for calling it up. But there are emergency matters in the deficiency bill, and I am wondering whether it is possible to make some provision for calling up that bill. It involves salaries and other matters of an emergency nature. It is not a bill which will take any great length of time, and if a definite limit is fixed on time for debate which is entirely consumed by the debate, I might be denied an opportunity which I had hoped might develop to take up this emergency deficiency bill.

Mr. BARKLEY. Mr. President, let me ask the Senator from Colorado on what date the salaries to which he refers will actually expire.

Mr. ADAMS. They begin to expire on the 15th of this month. There will be involved, perhaps, a conference and other legislative processes.

Mr. BARKLEY. I have no doubt—and I have assured the Senator from Colorado privately that I have no doubt—that we can find an opportunity within the next day or so to take up the bill to which he refers. I do not think it will require any considerable time. Usually deficiency bills of this type do not involve much discussion. I shall be glad to cooperate with the Senator in any way I can.

Mr. ADAMS. Can the Senator arrange to take it up today?

Mr. BARKLEY. I would not have any objection, if this agreement shall be entered into, to laying aside the pending bill later on in the day temporarily so as to take up the deficiency bill. I think it will take but a few minutes to dispose of it.

Mr. HARRISON. Mr. President, reserving the right to object for a moment only, I hope some agreement will be made; but I do not want to have any slip, so that if a Senator desired to make a motion to recommit the Hatch bill, he would be precluded from making such a motion. I have no desire to do it——

Mr. BARKLEY. The request I am submitting would not preclude an opportunity to have the bill recommitted.

Mr. HARRISON. I should like to say further that we are waiting with a bill of a good deal of importance, involving the expiration of a law on June 12, and I had expected, just as soon as the agricultural appropriation bill had been gotten out of the way, to move to take up the reciprocal trade agreements bill.

Mr. BARKLEY. I am interested in that bill, as the Senator knows——

Mr. HARRISON. I know the Senator is.

Mr. BARKLEY. And I want to facilitate its consideration. In connection with my request I will say to the Senator from Colorado that, if it is entered into, I shall then be glad to ask unanimous consent that the Senator from Colorado be permitted to offer his amendment, and that a vote be taken on his amendment at not later than 4:30 p. m. today if that is satisfactory.

Mr. JOHNSON of Colorado. Will the Senator make that part of his original request?

Mr. BARKLEY. I am willing to modify my request to that extent, that is, that at not later than 5 o'clock p. m. tomorrow, the Senate proceed to vote on all amendments and motions with respect to the pending bill, and that the Senator from Colorado be permitted, upon the consummation of the agreement, to offer his amendment, and that at not later than 4:30 p. m. today the Senate proceed to vote on it and any amendment which may be offered to it.

Mr. McNARY. Mr. President, I have steadfastly opposed granting special privileges to individual Senators. I think the request on behalf of the Senator from Colorado comes within that category. I think we should all have equal opportunity for discussion and presentation of matters, and for votes on such matters. For this reason I shall object to that phase of the unanimous-consent request.

Mr. BARKLEY. Mr. President, I may say to the Senator from Oregon that if the request were granted it would not mean that other phases of the bill might not be discussed between now and 4:30 o'clock. It would merely mean that at 4:30 o'clock we would vote on the amendment of the Senator from Colorado.

Mr. McNARY. Mr. President, the objection I have particularly is to the effort to recognize one Senator over another. If the Senator from Colorado is willing to take his chances on getting the floor and presenting his matter, taking the usual course of debate, very well, but I shall object to any request at any time which involves the granting to any Senator of the right to have the floor, or the right to a vote on a particular amendment. That has been the procedure I have followed here for a great many years.

Mr. BARKLEY. Would the Senator from Colorado be willing to forego any agreement with respect to his amendment until the other agreement is entered into, with the understanding that he can offer his amendment immediately, and that I will then, or he may, submit a unanimous-consent request that the amendment be voted on at 4:30 o'clock this afternoon?

Mr. JOHNSON of Colorado. Mr. President, the Senator from Oregon has stated very plainly that he will object to that sort of request.

Mr. BARKLEY. No; he objects to it as a part of the request I have made.

Mr. McNARY. I object to it as a part of a general request for the conduct of debate. If the Senator is able to get the floor, through recognition by the Chair, and seek to have specified a time at which he may desire to have a vote taken, I will have no objection to that.

Mr. JOHNSON of Colorado. So far as my own time is concerned, I do not anticipate taking more than 10 or 15 or 20 minutes, but I rather expect the amendment will provoke considerable debate in the Senate, and I think it should. I think it is of such importance that a reasonable time should be given to it. Will the Senator from Kentucky permit me to make a motion now, or to ask now that my amendment be placed before the Senate?

The PRESIDENT pro tempore. The Senator from Georgia [Mr. RUSSELL] has the floor.

Mr. RUSSELL. Mr. President, I have the floor. I have tried to be as courteous as possible in connection with all the various requests, but I yielded and one amendment has already been considered, and since the amendment of the Senator from Colorado will undoubtedly take considerable time, I could not permit it to be offered in my time.

Mr. BARKLEY. Mr. President, if the Senator will yield, there is no amendment to the committee amendment now pending. We have just voted on an amendment to the amendment, and no other amendment has been offered, as I understand.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment as amended.

Mr. BARKLEY. Yes, but I mean that there are not now pending any amendments to the amendment. We have just voted on the last one offered, one offered by the Senator from Oklahoma.

Without including it in my agreement, I express the hope that the Chair will recognize the Senator from Colorado to offer his amendment, if the agreement which I have proposed shall be entered into. I am sure that would assure the Senator the opportunity he seeks. I do not like to ask the Chair to indicate whom he would recognize, but under the circumstances I think it might be justified. I will say to the Senator from Colorado that if I have any influence with the Chair, I will exercise it to see that he is recognized to offer his amendment.

Mr. JOHNSON of Colorado. I thank the Senator. That will be entirely satisfactory.

The PRESIDENT pro tempore. Will not the Senator from Kentucky again state his request?

Mr. BARKLEY. I ask unanimous consent that at not later than 5 o'clock p. m. tomorrow the Senate proceed to vote on all amendments and all motions pertaining to the bill now pending, without further debate, and upon the pending bill.

Mr. McNARY. That contemplates a vote on the final passage of the bill?

Mr. BARKLEY. Yes; on the bill and all amendments.

Mr. McNARY. Under the rule, that would require the calling of a quorum.

Mr. BARKLEY. I ask unanimous consent that that requirement be waived.

The PRESIDENT pro tempore. The Senator from Kentucky asks unanimous consent that the requirement of the calling of a quorum be waived. Is there objection?

Mr. MALONEY. I object.

Mr. BARKLEY. In order that I may make further effort to have an agreement reached, I suggest the absence of a quorum, with the view to making a request.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Johnson, Calif.	Reed
Andrews	Donahey	Johnson, Colo.	Reynolds
Austin	Ellender	La Follette	Russell
Bailey	Frazier	Lee	Schwartz
Bankhead	George	Lodge	Schwellenbach
Barbour	Gerry	Lucas	Sheppard
Barkley	Gibson	McCarran	Shipstead
Bilbo	Gillette	McKellar	Smith
Brown	Glass	McNary	Stewart
Bulow	Green	Maloney	Taft
Burke	Guffey	Mead	Thomas, Idaho
Byrd	Gurney	Miller	Thomas, Okla.
Byrnes	Hale	Minton	Thomas, Utah
Capper	Harrison	Murray	Townsend
Caraway	Hatch	Neely	Truman
Chandler	Hayden	Norris	Vandenberg
Chavez	Herring	Nye	Van Nuys
Clark, Idaho	Hill	O'Mahoney	Wagner
Clark, Mo.	Holman	Overton	Walsh
Connally	Holt	Pepper	Wheeler
Danaher	Hughes	Pittman	White

The PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

The Senator from Kentucky [Mr. BARKLEY] has made a unanimous-consent request. Will the Senator please state it once more?

Mr. BARKLEY. Mr. President, in order that the Senate may understand the request which I have made, I shall repeat it.

I ask unanimous consent that at not later than 5 o'clock p. m. tomorrow the Senate proceed to vote on all amendments and motions with respect to the pending bill, and on the final passage of the bill itself.

The PRESIDENT pro tempore. Is there objection?

Mr. McNARY. Mr. President, just a word as to the procedure that is to be followed. If unanimous consent is obtained, of course the bill before us will remain the unfinished business until 5 o'clock tomorrow, unless displaced by a motion or by a unanimous-consent agreement to take up another bill for consideration. I wish to propound a question to the Senator from Georgia [Mr. RUSSELL]. Is it his intention, if the unanimous-consent request is agreed to, to move to displace the pending bill and to take up for consideration the agricultural-appropriation measure?

Mr. RUSSELL. If the unanimous-consent request is agreed to I should be inclined to defer making the request for consideration of the appropriation bill until after the period specified in the unanimous-consent request.

Mr. McNARY. It would not, then, be the desire of the Senator from Georgia to have his measure considered until after 5 o'clock tomorrow?

Mr. RUSSELL. It would not be my purpose to attempt to have my measure taken up until after 5 o'clock tomorrow.

Mr. ADAMS. Mr. President, in connection with unanimous-consent agreements fixing a time limit for discussion, I have always been disturbed by one thing, which is that when the final hour is reached amendments may be submitted without a chance to explain the amendments or a chance to ask what they may be. That has happened once or twice. Is it possible for the Senator from Kentucky to protect the situation so that we may have an explanation of amendments which may be submitted at 5 o'clock tomorrow? Otherwise Senators would not have a chance even to ask what the amendments were.

Mr. BARKLEY. I appreciate that situation, Mr. President, but I will say to the Senator that it is hardly fair to bar the introduction of amendments at 5 o'clock. I do not feel I should make such a request. But that situation could be facilitated if Members of the Senate would, before that hour, offer the amendments they contemplate offering so they might be read for the information of the Senate.

Mr. ADAMS. Would it be possible to make some arrangement with respect to amendments offered close to the expiration of the time limit so that 5 minutes or 10 minutes would be allowed for explanation of the amendments? I do not mean to make that proposal in order to cause delay, but merely in order that the Senate may have an understanding of the amendments.

Mr. BARKLEY. I do not think it is advisable to include such a provision as part of my unanimous-consent request now, but if the agreement is entered into I shall attempt to work out some plan by which amendments offered at 5 o'clock tomorrow may be explained.

Mr. ADAMS. I shall not object at this time, but in the future I shall consistently object to fixing a time limit for debate unless some such provision is made, because an unfair situation may develop.

Mr. BARKLEY. I will try to work out something by tomorrow, if possible, if the unanimous-consent request is agreed to.

Mr. BAILEY. Mr. President, I shall object to the request for unanimous consent in its present form or in any other form. I intend to see this thing debated as it ought to be. I consider the proposed legislation to be most objectionable and in some of its aspects, without intending to reflect upon anybody, to be vicious. So I object.

The PRESIDENT pro tempore. Objection is made.

AGRICULTURAL DEPARTMENT APPROPRIATIONS

Mr. RUSSELL. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of House bill 8202, the general appropriation bill for the Department of Agriculture.

The PRESIDENT pro tempore. Is there objection?

Mr. HARRISON. Reserving the right to object, I will ask the Senator why he does not move that the pending business be laid aside? I do not want to find myself in the position after a while, when I know there is a very slim majority for the trade-agreements measure, to be obliged to move that the measure be considered and have a contest on the matter. I would rather see the contest come on the agricultural ap-

propriation bill. So I should like to have the Senator from Georgia make the motion.

Mr. RUSSELL. The statement of the Senator from Mississippi is most commendably frank. Of course, the Senator has the right to force me to make a motion. I followed the custom of the Senate in asking unanimous consent that the pending bill be laid aside and that the Senate consider the other measure.

Mr. HARRISON. I shall have to object, though, not because I love the farmers less.

Mr. RUSSELL. Does the Senator from Mississippi object?

Mr. HARRISON. Yes.

Mr. RUSSELL. Mr. President, I move that the pending business be temporarily laid aside and that the Senate proceed to the consideration of House bill 8202.

Mr. BARKLEY. I wish to suggest to the Senator from Georgia that under the rules of the Senate the only motion that is in order now is a motion to proceed to consider the agricultural appropriation bill. A motion temporarily to lay aside a pending bill for the consideration of another bill is not in order.

The PRESIDENT pro tempore. That is correct. The Chair was about to make that announcement.

Mr. RUSSELL. Is that the ruling of the Chair?

The PRESIDENT pro tempore. It is.

Mr. RUSSELL. Mr. President, I move that the Senate proceed to the consideration of House bill 8202.

Mr. CLARK of Missouri. Mr. President, that motion is debatable, is it not?

The PRESIDENT pro tempore. It is debatable.

Mr. CLARK of Missouri. Mr. President I desire to detain the Senate for only a few moments not for the purpose of opposing the motion of the Senator from Georgia who has a matter which he desires to bring before the Senate which is of transcendent importance, a measure in which I am greatly interested and which I very much favor, and certainly not for the purpose of opposing anything that the Senator from Georgia may desire to do about this matter, although I intend to vote against his motion. He has been a supporter of the Hatch bill at every stage of the proceedings for the last week, during this filibuster, and he has shown in the matter of trying to reach an agreement a most generous and commendable spirit toward the Hatch bill.

I desire to detain the Senator for merely a few moments to make a few observations which I did not desire to make prior to this time for the reason that I did not wish to help out in the effort to delay the consideration of the Hatch bill.

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

Mr. CLARK of Missouri. I yield.

Mr. SCHWELLENBACH. May I inquire of the Senator why he is talking about a filibuster? I have been present during the discussion of the measure during the past week, and I failed to see any filibuster.

Mr. CLARK of Missouri. The Senator was not present Saturday afternoon, perhaps.

Mr. SCHWELLENBACH. The Senator does not consider the fact that it was necessary to hold a session on Saturday as evidence that there is something in the nature of a filibuster?

Mr. CLARK of Missouri. The Senator from Washington may conclude that there has been no filibuster. My opinion, based upon long observation in such matters, is that there has been a filibuster, and that filibuster is still in progress so far as the Hatch bill is concerned.

Mr. President, during the course of this debate I have been very much intrigued by the argument which has been presented here in behalf of States rights—an argument presented by some Senators and from some quarters outside of the Senate, by men who participated in the N. R. A.—to the effect that there is no difference between interstate and intrastate commerce in all of the other steps over a period of years, particularly in the last 7 years, tending to break down every vestige of States rights.

And so it is only at this hour, when a measure is brought in here for the purpose of applying to the disposition of Federal funds in States precisely the same rule which we have already by legal enactment applied to the disposition of Federal funds by the Federal Government itself, that the cry of States' rights is once more raised and raised for the purpose of defeating this reform.

Mr. President, I have been particularly interested, almost moved to tears, by the piteous eloquence of those who have insisted upon the inalienable right of charwomen to be mulcted of 2 percent of their meager pay, or who have insisted on the right of even the humblest employee paid out of Federal funds by a State machine to contribute 1 percent, or 1½ percent, or 2 percent, or some other percent, voluntarily to a fund to maintain the State machine. When I have listened to this piteous eloquence, Mr. President, I have been very much reminded of a story which I once heard told, a personal experience, by former Gov. John Lind, of Minnesota, who, in the unhappy days of the Huerta regime in Mexico—when the Huerta regime had not been recognized by the American Government—was sent to Mexico as the personal representative of President Wilson. Governor Lind said that one morning he came out of the American legation and looked down the road and saw about the sorriest looking lot of scarecrows he had ever seen in his life trudging down the street, all of them barefooted, all of them ragged, some of them bloodstained, one a one-legged man, each man in the file with a rope around his neck, extending back to the man behind him, tied to his neck, and extending on down the file, all roped together. Alongside was riding a troop of Mexican cavalry, with their lances jabbing these men, and with a few Mexicans walking alongside, with blacksnake whips cracking every once in a while at these men trudging down the road. Governor Lind turned to Nelson O'Shaughnessy, who was American chargé d'affaires, and said, "What in the name of heaven is this?" O'Shaughnessy said, "Why, they are volunteers for Huerta's army." [Laughter.]

And so I say that charwomen who are to be mulcted of a portion of their meager pay and the poor devil earning a small salary, whose check the Senator from West Virginia [Mr. NEELY] produced here on the floor of the Senate the other day, who was compelled to contribute $2.02 every month, are pictured here as volunteers, and it is said that it is an invasion of their inalienable right to prohibit anybody to make them pay that 2 percent or 1½ percent or 3 percent.

Oh, but it is said that they do it voluntarily. They all just happen accidentally to hit on the sum of 2 percent, or 1 percent, or 1½ percent as the contribution that they desire to make to the fund.

In one of his debates with Douglas, Abraham Lincoln said that there might have been no prearrangement about the Dred Scott Decision, as Douglas was contending, but that if a man were going through a great forest and saw in one part of the forest a man by the name of James, in another part of the forest a man by the name of Roger, in another part of the forest a man by the name of Franklin, and in another part of the forest a man by the name of Stephen, working apparently separately and entirely unconnected with each other, hewing out timbers for a house, and when the timbers were all assembled it was found that the timbers hewn in various parts of the forest fitted perfectly and formed a perfect structure, reasonable people would conclude that James, Roger, Franklin, and Stephen had all been acting in pursuance of some prearranged program.

So when "volunteers" all happen to send in 2 percent, 1½ percent, or 1 percent, or 3 percent, as the case may be, of their normal salaries, reasonable persons will conclude that somebody told them that that was about the proper ante, and they were afraid that if they did not send it in they would lose their jobs.

Mr. President, I submit that there is nothing whatever in this legislation which infringes upon the right of any State

whatever. Under the proposed law every State government—unless the State itself has had enough sense and self-respect to pass legislation to prohibit such practices—will still have the right to assess the guards in the penitentiary 1½ or 2 percent. Several years ago I stated in a public address in the capitol of my home State on the night before the primary that so many guards and penitentiary officials had been sent home for political purposes that if there were a prison uprising on election day the whole city would be at the mercy of the convicts.

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

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

Mr. STEWART. I understand that it was stated on the floor of the Senate on Saturday that the bill does not prohibit contributions.

Mr. CLARK of Missouri. That is my understanding.

Mr. STEWART. The Senator was discussing contributions. I thought perhaps his conclusion was that the bill would prohibit contributions.

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

Mr. CLARK of Missouri. I yield.

Mr. HATCH. The bill does prohibit any official within the classes named from soliciting contributions.

Mr. CLARK of Missouri. It does not prohibit direct contributions.

Mr. STEWART. Then it would not reach the point discussed by the Senator.

Mr. CLARK of Missouri. The Senator interrupted me. I was about to speak of the rights of the States. I say that the right of any State administration to assess charwomen in the State eleemosynary institutions, or guards in the penitentiary, will not be interfered with by this legislation in any particular; and a Governor, if he so chooses, may call in the members of the State public-service commission, with their great power of almost life and death over the utilities of the State, and make them members of his inner political council; or he may make members of the State tax commission members of his inner council, and use them for political purposes. He may threaten members of the highway police. Those rights of the States are not interfered with at all. All the bill is designed to do, and all it does, is to say to certain State officials, "You shall not use funds supplied by the Federal Government for political purposes. So far as funds supplied by the Federal Government are concerned, you shall comply with the same rules that are laid down for the expenditure of Federal funds by the Federal Government itself."

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

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

Mr. BARKLEY. Can the Senator conceive of any actual or theoretical right on the part of any State or any State government, or any State officer, to siphon the money which the taxpayers have paid into the Treasury of the United States out of that Treasury into the pockets of those who desire to use those funds for political purposes?

Mr. CLARK of Missouri. I cannot conceive of any such right, Mr. President. In some activities of the Government the Federal Government supplies and expends through the States three times as much as the States themselves contribute to the particular activity or purpose. That is true of the Public Health Service. In other cases, such as the unemployment insurance service, 100 percent of all the administrative expenses is supplied by the Federal Government. How can it possibly be conceived to be an invasion of the rights of any State to say to the State officials, "When you spend Federal funds you shall be subjected to precisely the same requirements that Federal officials directly spending Federal funds are compelled to meet"?

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

Mr. CLARK of Missouri. I shall be glad to yield to the Senator in a moment.

Until a couple of years ago the unemployment service in the various States was under, and directly administered by, the Federal Government itself. That service has now been transferred to the direction of the States, but the funds are supplied to the extent of 100 percent by the Federal Government. If that service were still under the direct administration of the Federal Government, it would be subject to the provisions of the Hatch Act passed last year. Why should State officials, using 100 percent of Federal money for the purpose of contacting poor devils who want jobs or who want unemployment insurance, be permitted to proceed in any different fashion, so far as using the money for political purposes is concerned, than the Federal officials who formerly manned the offices, under the terms of the original Hatch Act?

I now yield to the Senator from Tennessee.

Mr. STEWART. Mr. President, I am sure that the purpose in the mind of the Senator from Missouri is the same as the purpose in my mind. I am as anxious as is any other Senator to see laws passed which will rectify and correct certain conditions which we all believe to exist in this country at times of election, and to purify politics, if I may again use that hackneyed phrase. I will go as far as the Senator from Missouri or anyone else will go in the passage of a law to prevent intimidation, coercion, and abuses of that character.

My belief about the bill is that when it provides, as it does in section 12, that—

> No such officer or employee shall take any active part in political management or in political campaigns.

That is an absolute invasion of States rights, in this particular: It is not confined, restricted, or limited to the election of Members of this body or of the House, but it prevents State officers from participating in the election of members of the school board in remote counties in my State of Tennessee. It prevents them from participating in the election of a mayor in the smallest municipality in the State of Tennessee. It prevents them from taking part in any political campaign. I do not believe that a class of people who are competent and qualified and able to hold such jobs as teaching school or performing other public duties should be taken out of the political arena, or that we should be deprived of the benefit of their advice, their ideas, and their suggestions.

I will go as far as any Member of this body will go in undertaking to correct such evils; but I think we are overdoing matters when we say that State officers may not engage in political activities in any sense. That is reaching far beyond the purpose most of us have in our minds.

Mr. CLARK of Missouri. With great respect for the opinion of the Senator from Tennessee, let me say that the provisions which have been complained about as to prohibition of political activity on the part of the workers are inserted for the protection of the workers themselves, and not as any penalty against them. They are inserted so that when the Governor of a State says, "I am for John Jones for secretary of state," or "I am for Sam Brown for auditor," or "I am for somebody else for something else," or "I want to run for office myself, and you fellows get out and get busy," he will not be able to terrorize the fellows holding the small jobs by saying to them, "You get out and get busy, or you will lose your jobs."

I say that the whole purpose of the bill is not in any sense an invasion of State rights, but simply, so far as Federal funds and Federal funds alone are concerned, to apply to funds expended through the States the same rule that applies to funds expended directly by the Federal Government.

Mr. President, yesterday I picked up a newspaper and read an account of an official of a State, a man who among other activities had under his charge the State highway department, who had committed suicide. It seemed that in addition to his official duties he was the man who was required to receive contributions from State highway officials, highway employees, contractors, and others, and that at one time he had had in his possession as much as $700,000. When the Federal income-tax authorities came around and began to

quiz him about his activities the man committed suicide. I say that if the Hatch Act, as proposed to be amended, had been in effect, that man would probably be alive today.

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

Mr. CLARK of Missouri. I yield.

Mr. LUCAS. I do not want to interrupt the Senator, but he is talking on a very delicate subject. He has made the assertion that when the income-tax authorities investigated the man to whom he refers, who undoubtedly is the late F. Lynden Smith, of Illinois, he committed suicide. The Senator is so wrong in his premise in the first place, and in his conclusion in the second, that I think the Senator should be very careful in making a statement of that kind.

Mr. CLARK of Missouri. I certainly desire to do an injustive to no one. I merely repeated what has been carried in the public press of the United States. If that statement be incorrect, then I apologize.

This much is undoubtedly correct, and I take it the Senator from Illinois is in agreement with it:

This gentlemen—and he was a splendid gentleman—I, myself, was acquainted with him—had under his control, in a public capacity, the highway department and other public works.

Mr. LUCAS. That is true.

Mr. CLARK of Missouri. He also was the treasurer or handler of the various campaign funds raised from employees, both State and Federal, and from contractors and various other persons; and he did commit suicide, unfortunately, which I very much regret.

That much is indubitably true, is it not?

Mr. LUCAS. No; the Senator is trying to explain a situation in another State which may or may not concern him.

Mr. CLARK of Missouri. It is merely an example which concerns the whole country, so far as the legislation we now have before us is concerned.

Mr. LUCAS. Mr. President, if the Senator will yield——

Mr. CLARK of Missouri. I am glad to yield.

Mr. LUCAS. The Senator from Missouri is touching upon a subject matter involving an individual who was reported in the newspapers as having committed suicide. But there are a number of angles the Senator does not touch upon at all in connection with the physical and mental breakdown of the individual who was my friend and who was my fraternity brother in college. I cannot permit the Senator to leave the impression in the Senate, and let it go to the United States at large, that because of the activities of tax investigators in connection with the funds Mr. Smith collected as 1936 campaign manager for Henry Horner—the greatest Governor Illinois ever produced—and as manager for the campaign of 1938, he committed suicide. I am informed that he received voluntary contributions from men on the pay roll and from men who voluntarily contributed thousands of dollars to see a man like Henry Horner reelected, but the inference that he took his life because of an income-tax investigation regarding this fund is entirely erroneous.

Mr. CLARK of Missouri. Let me say to the Senator from Illinois that I had no intention——

Mr. LUCAS. That is the impression which was left.

Mr. CLARK of Missouri. I had no intention whatever of leaving such an inference, and if I left such an inference as that I am very glad to apologize, for I do not think it has ever been suggested from any quarter that this gentleman, himself, had profited as much as 1 penny from that business so far as his own income was concerned. But, as a matter of fact, he was the treasurer of that fund; that was a matter of public notoriety which everybody knew. The point I am making is that in his official capacity, if he had not been charged with that duty, I have no right to say that he would still be alive; but I mean that is a circumstance which points a lesson in connection with such a fund as that.

Now, I repeat what I said in the beginning, that there is nothing whatever in this bill that in any way invades legitimate States' rights.

Mr. MINTON. Mr. President, during the short time I have been in the Senate no piece of legislation which has come before it has been more earnestly and sincerely and genuinely debated than has the measure now pending. So when we hear the Senator from Missouri talking about filibusters we cannot be much impressed with his objection, if such it be, or with his slighting remarks, if such they were, about the opposition to this bill, for we all know the Senator from Missouri himself is not averse to taking advantage of a parliamentary situation.

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

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

Mr. MINTON. I yield.

Mr. CLARK of Missouri. I agree entirely with the Senator from Indiana; I have engaged in filibusters, and I probably will engage in more of them during the time that I am in the Senate—if I do not die. That is the reason I know one when I see one, and when I organize one or engage in one I do not beat about the bushes.

Mr. MINTON. And when I am engaging in one, I do not get up, like the Senator from Missouri, and wrap the mantle of holiness about me and claim that I am not filibustering. The Senator from Missouri may deny that this bill has been legitimately debated; but, of course, his confession could not be other than it was about filibusters, because the RECORD is full of his tactics. Only a few days ago the Senator from Missouri, for some reason sufficient unto himself, did not want to see the beer interests compelled to keep their advertising off the radio. I do not know why the Senator was interested particularly in that bill or why he wanted to defeat it and why he wanted to filibuster against it, but the Senator from Missouri had reason sufficient unto himself to be against the bill that would prevent the radio from invading homes and talking about that character-building beer. [Laughter.] So the Senator, in order to accomplish his purpose of delay, very promptly offered as an amendment to that bill the anti-lynching bill, which he knew would provoke and bring on a filibuster.

So I am not much impressed by the Senator's holier-than-thou attitude toward a filibuster. I am not much impressed, either, with the purity pleas of some people. All those who are for the Hatch bill are pure, and all of us who are against it are impure.

When this proposed legislation first came out of the committee the story was carried to the country by some of the newspapers that there were merely two or three "smelly" fellows here by the names of LUCAS, MINTON, and STEWART who were against this bill. Now we have had a week or more of conscientious, serious, earnest debate about the bill; on one of the most fundamental amendments offered to the bill the vote was 44 to 41, and some of the most distinguished men who have ever honored the Senate with their presence and membership voted with the 41. So, Mr. President, when I look about me and see Senators putting on this holier-than-thou act about being for the Hatch Act, I know they are for the Hatch Act because they have a fight in their States with the Governor or the road commissioner who might run against them. That is how holy they are. They want to use the Hatch Act to play the kind of politics they desire to play.

Mr. CHAVEZ. Mr. President——

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

Mr. MINTON. I yield.

Mr. CHAVEZ. With the indulgence of the Senator from Indiana, I am willing to make this statement before this body: The Hatch law was in existence at the time appointments under the Census Bureau were made in my State, and every appointee of the Census Bureau was made through the clearance of the State Democratic committee.

Mr. MINTON. So, Mr. President, whether or not one is holy in his position on this bill stems from whether or

not he has a political fight of a different complexion in his own State.

We have seen that illustrated on all sides in this debate. So we who are making a determined opposition to this bill are not going to sit idly by and have Senators rise and shout in our faces about their holy attitude in politics. No; we know the kind of politics they want to play and the kind they hope to get out of this species of legislation.

Mr. President, the other day I picked up a newspaper that circulates in southern Indiana from Louisville, Ky.—the Courier Journal—and there I read a streamer across the top of the Courier Journal, 8 columns wide, carrying this legend: "Republicans in Indiana Believe the Passage of the Hatch Act Will Help Them." Yet Senators rise and talk about "purity in politics." Senators on the other side are playing smart politics, walking up and toeing the line and casting 20 votes, 21 votes, 23 votes for the Hatch bill like a bunch of rubber stamps. [Laughter.]

Mr. JOHNSON of Colorado. Mr. President——

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

Mr. MINTON. I yield.

Mr. JOHNSON of Colorado. I was wondering if the Senator from Indiana happened to note in yesterday's Sunday newspapers the report of a little meeting held in Chicago, wherein the Governor of South Dakota was reported to have condemned the principles involved in the Hatch Act as invading State rights? The particular Governor, as the newspaper stated, is reported to be a candidate for Vice President of the United States.

Mr. MINTON. I saw something about that. I say that Senators view the Hatch bill in the direction in which it helps them. So we have the spectacle here not of purity on the part of our friends over there but of practical politics, smart politics, Hatch Act politics. [Laughter.] They want to "Hatchet" the Democratic Party out of Washington. That is what they want to do with the Hatch Act. They do not want to purify politics. They are the direct descendants and heirs at law and next of kin to Warren Harding, Harry Dougherty, Forbes, Miller, Denby, and Albert B. Fall. They are not pure. [Laughter.]

I know whence this opposition comes. It comes from "pure politics" with emphasis on the word "pure." I should think the Senators over there should be commended, however, for their silence. Their votes speak volumes but they are "plenty smart" when it comes to getting up to say anything they are as silent as Cal Coolidge himself [laughter] who once reigned over the odorous empire of the Republican Party. They sit silently over there in order to benefit by the kind of politics that is being played with the Hatch bill.

So, Mr. President, we are going to try to debate this bill to its ultimate conclusion on its merits, and I hope we will not be diverted. I hope the leadership of the Senate will not try to divert us from legitimate debate upon the bill. I am willing to meet this bill eventually, and I am willing to "go to the mat" on it, because if we debate it a few hours longer I believe the people of the country will see that what we have been doing is fishing around for minnows while the sharks and the barracudas run wild in the pool.

I know that my good friend from New Mexico [Mr. HATCH] is wrapped up in this legislation. Bless his heart. It is his own child. It is the child of his heart, and his whole life is wrapped up in it. I want to say to my friend from New Mexico that he has worked long and hard on this kind of legislation. He has given a great deal of intelligent consideration to the question of impure politics. I commend him for all his efforts; and I say in all sincerity that there is not a cleaner, finer, more conscientious man in public life today than the senior Senator from New Mexico. I just think he is cockeyed; that is all. [Laughter.]

The Senator from New Mexico is just off on the wrong trail. He reminds me of an old coon dog we used to have down in southern Indiana. We boys had a good coon dog. He was a good treeing dog. He would run to cover any animal he got scent of that had fur on its back. He was a marvelous treeing hound. He would run a coon or a 'possum or a skunk to the tree every time. Now, do not tell me that skunks do not go up trees. They do not; but we always called running them to the ground "treeing" them, just the same. So this hound was a good treer. If he got on the trail, he would run down any of these animals; but if that darned dog went out at night across a cornfield and sniffed a field mouse, he would hunt field mice all night.

That is what my friend from New Mexico has been doing. He has been hunting for field mice. He is all right; he means well; and once on the right track, he will go to his objective as unerringly as the martin to its gourd; but he is on the wrong track. He is shooting at the two-bit fellows out on the highway with a sickle in their hands cutting the weeds, and letting Joe Pew and the Du Ponts and the Annenbergs and the Ernest Weirs and all of the big-boodle boys get away. So I say that what we ought to be doing is to be directing our attention first and primarily to the important thing. Do not let the Senator from New Mexico come here and say, "Ah! We will get these little fellows out there with the sickle, and then we will come around and get Joe Pew and Moe Annenberg and Ernest Weir." You will not get those gents if you do not tie them in with the little fellows. You will have to make that combination if you want to get the big boys; and, for my part, I want to get the big boys.

Mr. President, I am proud of the Democratic organization in my State. I know the men and women who do the work day and night in my State, and what is the work that they do? What does a precinct committeeman have to do? At night—not when he is working out on the highway, but when he comes home at night—he goes through his precinct ringing doorbells and calling people to the door, and asking them, "How are you going to vote this year? What do you think about the program of my party this year? Are you going to support the party ticket?"—polling his precinct, finding out what his people are thinking, carrying the message to headquarters, canvassing the situation, and then going back and trying to talk to John Doe and Richard Roe and Billy Jones and find out why they are off the party, if they are off, and what he can do to get them back on to the party ticket again. That is what he is doing; and then, when election day comes, he must see that his precinct is all registered, if it has a registration law, and he must know where his vote is, and he must get his vote out to the polls and into the ballot box in order that his party may be successful at the polls.

Is that pernicious? That is the work of the precinct committeeman; that is what these men are out doing; and, lo and behold, along comes this law and says, "You are engaged in pernicious political activity. You, who all your life have been a Democrat or a Republican, and took pride in the fact that you had fought the party battles for years and years, and when your party gets into power you have a little piddling job offered you out on the highway as a mower of weeds or a patrolman, and you go out and do your work for 10 hours a day—when you come in at night you cannot go down in the precinct and talk a little politics to your neighbors. You cannot go down there and work for the party that has given you bread and meat, if you please." Ah, he has worked his 8 or 9 hours out on the highway. He has done the things he is hired to do, but now you will not let him do the things he wants to do, on his own time, and in his own way. You want to make him an outlaw. You want to brand him as pernicious. You want to say he shall not do these things.

The Senator from New Mexico says his bill does not outlaw all political activity. No; he will let a man vote. He has not gone that far, but that is about all the man can do. If the window curtains were all pulled down, and the doors closed, and all the cracks closed up, I think he might be able to tell his wife that he thinks she ought to vote the Democratic or Republican ticket the next day, but if he goes further than that he will be engaged in a pernicious political activity.

So, Mr. President, I am not ashamed of these men and women in the political organization of Indiana. On the contrary, I am proud of them. A finer, cleaner, better set of men and women never walked in shoe leather in this country. I am here on the floor of the Senate today battling against this legislation which would seek to brand the people of Indiana who go out in a humble way, as free American citizens, and take part in politics, as doing something unworthy, and something to be penalized.

So, Mr. President, we are fighting this fight because we believe just as sincerely that we are fighting the fight of the little fellow, that we are fighting the fight of the American citizen, that we are fighting the fight of democracy, as anybody on the opposite side can believe that he is engaged in a fight for pure politics. I think it is pure politics. There is always a brand of politics mixed up in it. I am not ashamed of politics. I am proud of politics. I do not want to drive people out of politics. I want to invite them into politics. I want them to take part in politics. I do not want to coerce them. I do not want to threaten them. I do not want to oppress them, but I want to say to every man jack of them, "As long as you voluntarily want to work for the election of your friends to office, for the election of your party's candidates, or to take part in a local election involving your schools or your municipal affairs, if you want to do that voluntarily, without coercion, intimidation, or oppression, you have a God-given American right to do that sort of thing"; and Heaven help this country whenever the time comes that we shall outlaw that kind of activity.

Instead of branding these people as undesirable and pernicious, we should be encouraging more people to take part in politics, because, after all, it is politics by which we all live. I pause long enough for any Senator or any number of Senators who got here without the aid of politics to stand and be counted. There are quite a few of you here, and I do not see anybody standing up. You all got here because of politics. There is nothing unholy about politics as such. I am for clean politics, and I think all of you are for clean politics. I think every Senator here is for clean politics.

We play a little politics with legislation as we think it may help or hurt us. I am not finding fault with anybody about that, because I know you have all lived by politics so long that it will not do to try to wean you now. You are all politicians, or you would not be here.

So, Mr. President, let us have no more pointing of the finger of the holier-than-thou people. Let us have no more of the smugness that sometimes characterizes remarks on the floor of the Senate, directed at persons with whom we do not agree.

As I said in the beginning, I am satisfied that my friend from New Mexico is as honorable, as honest, and as sincere as any man ever could be; but I think he is mistaken; I think he is woefully mistaken. So, Mr. President, we are going to continue in good faith the opposition to this bill. I hope we can defeat it, and that we can direct the attention of the Senator from New Mexico away from the field mice, and get it back on the right trail.

Mr. HATCH. Mr. President, I rise merely to return the compliment of the Senator from Indiana. Everything he has said as to my intentions and purposes I can say about him. I have never questioned the purpose of any Senator. I have never questioned the motive of any Senator. I have never assumed any holier-than-thou attitude in connection with this or any other proposed legislation. I have accorded to every Senator the right to make up his mind on every piece of legislation, and to vote the way he thinks is right, and best for his country. I have asked that that and that alone be the rule as to the particular bill now before us. Only last week I stood here and asked that we have a vote; that is all. I did not indicate how I thought any Senator should vote. I contended that those of use who believe in the principles of the pending bill, who believe that they are right, and who believe it is to the advantage and welfare of this country that this bill be enacted, should have the right to express our belief by our votes in the Senate of the United States. That is all I ask at this moment.

Mr. President, that brings me to the pending motion, and causes me to say what I regret very much to say, for, as the Senator from Missouri has said, the Senator from Georgia [Mr. RUSSELL] has supported faithfully the pending bill, and I think all other measures of this kind. He has been a valiant fighter in behalf of this character of legislation. I should like very much to say to him that I am glad to agree to his proposal that we take up the agricultural appropriation bill, not only because the Senator from Georgia is in charge of that bill, but also because it is a farm bill, because it provides the annual appropriation for agriculture; and I shall support the Senator from Georgia in his bill, and in all his committee amendments, I am quite sure. I have always done so.

I dislike to take any position or attitude which might be construed as being in opposition to the welfare of the agricultural interests of the country. Nevertheless, I cannot agree to the proposal of the Senator from Georgia, and I hope his motion will be voted down. It is true that we have had debate on the pending bill. Whether there has been a filibuster or not makes no difference at all. The whole subject has been debated pro and con. If anyone can think of a word that has not already been said on this bill and the various amendments, in the arguments which have been made, I shall be greatly surprised. We are already saying over and over again the things which have already been argued.

Because the bill has been debated, and because it should take but little time to finish its consideration, if we confine ourselves to legitimate argument and debate, I do not want the bill laid aside, and I believe we can take sufficient time to debate legitimately every amendment which has been offered and yet be through by 5 o'clock tomorrow afternoon, as the majority floor leader has suggested.

But even if we are not through by 5 o'clock tomorrow afternoon, I know full well that if we lay the bill aside and take up the agricultural appropriation bill, which may take several days, and then in turn take up the reciprocal trade agreements program, which may take weeks—and I intend to support that program also; both measures are very dear to me, and I probably shall participate in the debate on both measures—I know that if we lay aside the pending bill and drag out for weeks and weeks, even if it does come back a month or 6 weeks hence, it will be dead, it will be killed for this session, and we will not have a chance to cast the vote which the Senator from Indiana wants us to cast.

He wants to face the issue. So do we. Therefore why not face it now? Why not vote yea or nay, and pass the legislation if it is good, and kill it if it is bad? I ask nothing more than that.

Mr. President, I hope the motion of the Senator from Georgia will be defeated.

Mr. NORRIS. Mr. President, after all, the question now presented to the Senate is, Shall we lay aside the pending bill and take up another one after we have devoted more than a week to the discussion of the bill, at a time when it looks as though we were about through with the discussion, and would reach a conclusion upon the bill and the amendments?

If we followed that kind of procedure in the Senate with regard to all pending legislation as to which there was a nearly equal division of sentiment on its merits, and gave way to appropriation bills, which everyone concedes are extremely important, which must be passed in some form in order that the Government may continue its activities—if we adopted that procedure generally, it would happen almost universally that any proposed legislation upon which Senators were nearly equally divided would fail, because we would lay aside one bill and take up another if we thought the other was of greater importance. The agricultural appropriation bill is of extreme importance, but I do not know of any reason why it has to be passed today, or this week, or next week. It would not go into effect until the 1st of July.

We have argued the pending bill for a week and should vote on it. Let me call attention to another thing, which has

already been said by the Senator from New Mexico, that if the pending bill shall be laid aside and another one taken up, followed by another bill which the Senator mentioned, nearly as important as the agricultural appropriation bill, and followed by other appropriation bills which will be coming in, even if we take the pending bill up again, in all probability it will be weeks before that can occur if we lay it aside for all these important matters. That has already been stated, but let me call attention to the fact that this is probably the last session of this Congress. If this parliamentary condition had existed at the last session, it could have been said, and truthfully said, "Even though we do not get the bill through during this session, we can take it up at the next session just where we leave off." But if the bill fails of passage at this session, all the work that has been done, and all the time that has been spent, will have been wasted, because the proposal will be dead; it will be the end of the Congress, and we will have to commence again at the very beginning.

Mr. President, everyone knows that all the appropriation bills must be enacted before the 30th of June, and there is no doubt that they will be, even though they remain in conference for a long time. But if we pass the pending bill now, undoubtedly after the House acts on it it will be sent to conference, and there will very likely be a bitter contest in conference, and probably much more time spent by the conferees than has been spent by the Senate in discussing the bill. So I say to the friends of the bill that if we agree to the motion made by the Senator from Georgia there is danger that it will mean the death of this particular kind of legislation at this session of Congress.

I do not blame Senators who are opposed to the proposed legislation for voting for the motion. If I were opposed to it, I would vote for it. It is a legitimate method of parliamentary procedure. I challenge no man's motives. I assume all men have motives which to them, whether they are for or against a particular bill, are sufficient to satisfy their own consciences; but, after all, when we follow legislation to the end, a majority in each House must favor particular legislation or it cannot become the law.

I do not see any question of bad motives here. I do not see any question involving a holier-than-thou attitude. I do not know of any criticism made against anyone who is opposed to the proposed legislation. I would not criticize anyone for voting in favor of amendments which he thought would kill the bill. That is a legitimate method of legislating. It is one pursued here and pursued in every legislative assembly of which I know anything.

Mr. President, it seems to me no reason exists for charging bad faith to anyone. An honest disagreement exists. I concede that ground for honest disagreement exists. The weight of the argument is not all on one side. But as a friend of the bill, as one who wants to see it enacted into law, I challenge anyone to question my motives in taking the attitude I have, since I believe in the need for the passage of the measure, or to challenge the motives of anyone else who takes the same attitude.

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

Mr. NORRIS. I yield.

Mr. GLASS. No one in the Senate or out of the Senate would presume to challenge the motives of the Senator from Nebraska, but in this debate those of us who are opposed to the pending measure have been classified as spoilsmen, in contrast with those who are in favor of it.

Mr. NORRIS. Mr. President, I distinctly wish to disavow any such argument by anyone.

Mr. GLASS. Well, it has been made.

Mr. NORRIS. I cannot help that, of course. I think the same argument has been made in the present debate with respect to those who take a different attitude. In view of the nature of the debate which has taken place, and the character of the pending legislation before us, I do not believe it worthy of any Senator to make such a charge either way.

Mr. President, I favor the bill which the Senator from Georgia [Mr. RUSSELL] has moved to consider. I realize how earnestly, how faithfully, the Senator from Georgia has worked to get the bill in its present shape. I have tried to follow his work in the committee. I commend him for what he has done. So far as I know, I favor every one of the amendments which have been agreed to by the committee, with perhaps one exception. I would not want that bill killed under any circumstances. I think it involves some appropriations which are vital to the continued happiness and prosperity of the country. It contains some appropriations which probably will be contested. I expect to be one of those Senators who, in a humble way, will stand behind the Senator from Georgia, and help him in his work and in his endeavor to get the bill before the Senate.

So, Mr. President, I do not want it understood that my vote against taking up that bill now means that I am opposed to it. I am as much in favor of it as is the Senator from Georgia. But, in my opinion, we shall get nowhere if we start in with legislation, work halfway through it, or two-thirds of the way through it, and then stop and take up something else. It seems to me that we are not justified in taking such action unless we are opposed to the legislation under consideration. Of course, in that event, we would be justified in voting to kill the legislation at any point or stage.

Mr. President, I wanted to make that statement, and have the Senator from Georgia understand, and also the country understand, as well as the Senate in general, that neither directly nor indirectly can it be said of those who are going to vote against the motion of the Senator from Georgia that they are opposed to the legislation proposed, but, under all the circumstances, they think it is the wise thing and the right thing to keep on with the pending legislation until we finish it, whether the result goes against us or in our favor.

Mr. BANKHEAD. Mr. President, I wish to make a comment in a brief way concerning the pending motion. Before doing so I ask unanimous consent to present an amendment which I ask to have published in the RECORD, and printed and lie on the table awaiting its proper presentation. The purpose of the amendment is to limit the contributions by corporations when Federal officials are to be elected, including the President of the United States, to $1,000. I shall discuss that matter at the appropriate time.

Mr. President, it has been suggested that the amendment be read at the desk. Therefore, I ask that the amendment be now read, because I believe it to be of great importance. Of course, I do not ask for action on the amendment at this time.

The PRESIDING OFFICER. Without objection, the amendment will be read.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following section:

SEC. —.

(a) Excessive financial aid to any candidate or expenditures by any candidate for an elective Federal office is a pernicious political activity and is hereby declared to be illegal. The President of the United States for the purpose of this act is declared to be an elective officer.

(b) Excessive financial aid to any political committee engaged in furthering, advancing, or advocating the election of any candidate for a Federal office, or any committee engaged in furthering, advancing, or advocating the success of any national political party is a pernicious political activity and is hereby declared to be illegal.

(c) Any amount expended, contributed, furnished, or advanced by one person or corporation directly or indirectly in excess of $1,000 is hereby declared to be excessive financial aid.

(d) Any person or the officers of any corporation who directly or indirectly contributes more than $1,000 during any calendar year or for use in any one campaign or election in violation of the provisions of this section is guilty of pernicious political activity, and on conviction shall be fined not less than $5,000 and also sentenced to the penitentiary for not less than 5 years. It shall be the duty of the court to increase the fine in accordance with the amount contributed and with defendant's ability to pay.

The PRESIDING OFFICER. The amendment offered by the Senator from Alabama [Mr. BANKHEAD] will be printed, and lie on the table.

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

Mr. BANKHEAD. I yield.

Mr. CLARK of Missouri. Would the Senator be willing to accept an amendment to his amendment to limit the price of Democratic dinners to $2.50?

Mr. BANKHEAD. I should like to know if the Senator has been paying any more than that. [Laughter.]

Mr. President, recurring to the pending motion, which is the motion of the Senator from Georgia, it seems to me we should not permit partisanship—and I do not mean to use that word to signify political partisanship, but I mean as partisans with respect to the Hatch measure, to actuate us in deciding what action we shall take. We should view this problem from the standpoint of good procedure, looking to the advancement of probably the most important bill now pending in Congress, and we should vote on this motion regardless of our position in opposition to or in favor of the Hatch bill.

I have never made any denial of engaging in filibustering when I thought it was necessary and the situation called for it. I do not, however, have any desire to filibuster with respect to the Hatch bill. If I had I would say so, because I have often admitted on this floor that I was participating in a filibuster, just as the Senator from Missouri [Mr. CLARK] has done, and I commend him for his courage and candor. But the question of filibustering and the effect of a filibuster on the Hatch bill should not control action on the motion of the Senator from Georgia.

Mr. President, there are good reasons, which should appeal to our judgment, why the agricultural appropriation bill should now be considered and speeded on its way. We all know that there are probably more changes in the pending agricultural bill than have ever been presented in an appropriation bill in the history of the Government. We have all read in the newspapers about the countless number of changes made by the House with respect to the various appropriation items. The Senate committee has been diligently at work, led and headed by the junior Senator from Georgia, who is always faithful to the cause of agriculture, and at the same time is fair to the taxpayers and to the Members of the Senate. The committee has been diligently engaged in the consideration of this long, tedious bill.

I do not think it would take any great time, considering the length of the bill and its importance, for it to be acted on by the Senate. But, Mr. President, we must not lose sight of the fact that after it is passed by the Senate, the real struggle will begin. When the Senate conferees are appointed they will meet a group of determined conferees from the body at the other side of the Capitol, who will enter the conference with the determination to uphold the action of the House on each of these numerous items. I have been in conference committees of that sort. I was a member of the conference committee on the agricultural appropriation bill at the last session of the Congress, and I know the struggle that took place there. I know the discussions and arguments that were necessary.

Then, if perchance we reach an agreement, the bill must go back to the House for debate, and on numerous items there must be a separate vote in the House. So much time will be required before the bill can be sent to the White House. Let me say to the friends of the farmer that in my judgment it is important to get this bill to the White House before some other appropriation bills reach there. Those who are really interested in proper and adequate appropriations for the cause of agriculture should take that thought home.

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

Mr. BANKHEAD. I yield.

Mr. McKELLAR. That is especially true insofar as the parity-payment provision of the bill is concerned, which provision was inserted by the Senate committee.

Mr. BANKHEAD. Yes; in my judgment that is the most important provision in the entire bill.

Mr. McKELLAR. Of course.

Mr. BANKHEAD. Let me say this to the advocates of the Hatch bill: I am against it, as Senators know. Without having said so, practically all Senators know why I am against it. Principles are involved with regard to which Senators know my views. I have taken no time on the floor. I had not intended to participate in any deliberate filibuster. I think a full discussion of so important a subject is certainly appropriate. Except for possibly Saturday afternoon—and I am not entirely familiar with that situation—every Member of the Senate knows that the debate during the past week was on a high plane, and was devoted to a discussion of principles and issues. Saturday afternoon, in the absence of many Members, there were reasons why action should not have been taken; and it was thought by many that the determination of the majority leader to force an unusual Saturday session was due to undue pressure and coercion to expedite and hurry the bill. I do not know whether or not that is true. I do not charge it. However, I am stating some of the motives which may have prompted some speeches on Saturday afternoon which otherwise might not have been made.

These controversies nearly always have two sides to them, as practical politicians and experienced businessmen know. Why should not the advocates of the Hatch bill—and I include, I am sorry, the Senator from New Mexico [Mr. HATCH]—agree to the present consideration of the agricultural appropriation bill?

The Senator from New Mexico knows that I love him. If there is any one cause of reluctance on my part to oppose the pending bill, it is my great respect and affection for CARL HATCH. He knows I love him. We have been associated together in many matters. However, I submit to him and to the majority leader, and to other Senators who will vote on the pending motion, that the agricultural appropriation bill is of greater general interest and importance to the people of the country than a corrupt-practices bill, however important it may be to those who are interested in it.

Further, I wish to say that when the agricultural appropriation bill shall have been disposed of—which may be within a very few days—and started on its way across the Capitol, the Senator from New Mexico, having the full support of the majority leader, may obtain recognition, or the majority leader in his own right may make a motion to resume consideration of the Hatch bill. Evidently there is a majority of the Senate to force such a motion. So what is the common sense in shying away and being afraid that if agriculture is given prior consideration the Hatch bill, if displaced at all, will go to its grave?

That attitude can be the result of but one line of reasoning, and that is that the leaders in support of the Hatch bill are afraid of a little delay. It cannot be anything else. In every vote we have had thus far, the supporters of the Hatch bill have had a majority. They have the leadership. They have the right-of-way. They may meet, adjourn, move to take up, and do everything that is necessary to obtain action upon the Hatch bill after the agricultural appropriation bill shall have been disposed of.

So I again appeal to the leaders to dispense for the present with their active partisanship on this particular subject, and let us get down to some legislative work in which the country is vitally interested and on which it is waiting with anxiety. Let us get down to the consideration of a measure in the interest and welfare of a great unorganized mass of voters and people in this country, more numerous—if numbers are important—than the road workers, the W. P. A. workers, and the bosses covered by the Hatch bill.

The farmers are not economically interested in the Hatch bill. The subject is a political one, as was stated by the Senator from Indiana [Mr. MINTON]. The Hatch bill may be brought up if a majority wants it brought up. If a majority does not want it brought up, it ought not to be brought up. No one will dispute that statement. The supporters of the bill have the power to bring it up just as soon as we pass the agricultural appropriation bill. No one knows how long the supposed and alleged filibuster on the Hatch bill will last. I do not know. I have seen filibusters run for 6 weeks. I can prove that statement by the Senator from New York [Mr. WAGNER].

Mr. SMITH. The Senator can prove it by many others.

Mr. BANKHEAD. I do not know what Senators have in their blood on the subject of endurance. As I frankly stated, I myself have no desire to go into a filibuster on the measure, earnestly as I am opposed to it. I am not asking anyone not to conduct a filibuster. If one is conducted, frankly, I shall go along with it.

Suppose we have a filibuster, as it is charged we now have. I have not heard anyone deny the charge. I do not know what is meant by the word "filibuster." Some use it in an offensive sense—a pernicious sense. Others use it as an exercise of inalienable rights. I have heard that line of argument in connection with the Hatch bill.

As I say, I do not know how long the alleged filibuster will last. Evidently the necessary manpower is present, evidently the ability is present, and apparently the determination is present, to debate the subject until the people of the country understand the motive behind some of the support and the effect of the bill upon millions of people of the country.

That is the way the matter stands. If we hold up the agricultural appropriation bill indefinitely, we shall not accomplish anything except to endanger the agricultural appropriation bill. To be frank about it, in the event enough other appropriation bills are passed to endanger the debt limit, we shall endanger the agricultural appropriation bill.

Let us go on and finish this bill; and then, if it is desired again to take up the Hatch bill, its supporters have the power to do so, and they know it.

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

Mr. BANKHEAD. I yield.

Mr. HATCH. The statement which the Senator has just made is exactly all we have asked. Let us go on and finish the bill.

Mr. BANKHEAD. I am referring to the agricultural appropriation bill.

Mr. HATCH. I am referring to the Hatch bill.

Mr. BANKHEAD. We may have an indefinite filibuster, and the Senator knows it.

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

Mr. BANKHEAD. I have told the Senator that the filibuster is not coming from me, and he knows it.

Mr. HATCH. I am quite sure the Senator will not engage in a filibuster; and from the remarks of the Senator from Indiana [Mr. MINTON] a few moments ago, I judge that all that is desired is to have legitimate debate and then a vote on the bill. I am perfectly willing to have that.

Mr. BANKHEAD. If the Senator has a majority—and he thinks he has, and I think he has—does not the Senator admit that as soon as we finish the agricultural appropriation bill a motion may be made to make the Hatch bill the unfinished business?

Mr. HATCH. I am not at all sure that that could happen.

Mr. BANKHEAD. Why? Let the Senator be frank. I am trying to be frank. Let us be frank with each other.

Mr. HATCH. What I anticipate will happen is that a motion will be made to take up the reciprocal trade agreements measure as soon as the agricultural appropriations bill is finished, and that measure may require weeks and weeks of debate.

Mr. BANKHEAD. I do not think that is likely. A majority would be required to consider that measure.

Mr. HATCH. If a motion is made to take up the Hatch bill, we shall have another debatable motion.

Mr. BANKHEAD. If the Senator gets into all those difficulties, he has not a sincere, genuine majority for his bill. He has a political vote which makes a majority.

Mr. HATCH. I am perfectly confident that we have debated the bill from every angle, and that Senators have made up their minds how they will vote on the amendments and on the bill. All I ask is that they have the opportunity to vote. I do not question the motives of any Senator, no matter how he may vote.

Mr. BANKHEAD. I have heard the same argument for weeks and weeks on other measures. That is a legitimate statement. However, those who do not want a vote do not say, "Yes; let us vote." The Senator knows that. I think he will find that the opposition will not permit unanimous consent for a quick vote. That is the reason why I urge with earnestness that we should not make the Hatch bill paramount to all other legislative considerations. If the Senator insists upon going ahead with the Hatch bill, he will be subordinating the cause of agriculture to the corrupt-practices bill.

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

Mr. BANKHEAD. I yield.

Mr. BARKLEY. I have no intention of provoking or being provoked into an argument with the Senator from Alabama.

Mr. BANKHEAD. I have not tried to provoke the Senator.

Mr. BARKLEY. I understand that. A while ago the Senator referred to the session on last Saturday——

Mr. BANKHEAD. I did not refer to it in any critical spirit. I wanted to hold such a session.

Mr. BARKLEY. I thank the Senator.

Mr. BANKHEAD. What I said was not in criticism; but I said that from what I had heard from other sources there was resentment, on the theory that the majority leader was trying to drive to a vote on the Hatch bill.

Mr. BARKLEY. No. I will say to the Senator frankly that the reason that up to now we have had very few Saturday sessions, though we have had one or two, has grown out of the fact that the Senate has had no business to transact. It has been the practice of the Senate from time immemorial that when it had business to justify a Saturday session such a session would be held, and I felt that to hold a session on Saturday might gain some time in the final vote on the bill.

Mr. BANKHEAD. If I have differed at any time with the Senator about having Saturday sessions, it has been because we did not hold them.

Mr. BARKLEY. That may be true, and I thank the Senator.

Mr. BANKHEAD. I favor Saturday sessions when we have unfinished business just as I favor sessions on every other working day.

Mr. BARKLEY. I agree substantially with the statement made by the senior Senator from Nebraska [Mr. NORRIS] a while ago. It has been my understanding, and I have conferred freely and frankly with the Senator from Georgia about the agricultural appropriation bill, and have felt that that bill could be passed in about 2 days, and perhaps not that much time would be required.

Mr. BANKHEAD. Frankly, I do not think it would take that long.

Mr. BARKLEY. The bill provides annual appropriations for the fiscal year 1941, which begins on July 1, 1940, aside from some items which may be made available before the 1st of July. In a morning newspaper I read that the Senator from Georgia had been quoted as saying—whether he was correctly quoted I do not know—that if the parity payments provided in the bill should be adopted finally as a part of the legislation the money would not be actually paid out until the fall of 1941.

Mr. BANKHEAD. That is correct.

Mr. BARKLEY. And that if the prices of farm commodities in the meantime advanced sufficiently there would be no requirement at all for the use of the parity funds.

Mr. BANKHEAD. But there is a requirement for the commitment and the appropriation so as to have the money available, because compliance with next year's program is dependent upon that.

Mr. BARKLEY. I understand that, of course, there would be no parity payments unless the money were appropriated for that purpose.

In facilitating the passage of the bill I want to cooperate to the fullest extent of my ability with the Senator from Georgia, who has done yeoman work in the preparation of this bill and who is always sincere and active and frank in his handling of agricultural bills.

We have been in session 2 months and 10 days, and, in all probability, we will still be in session at least that much longer before there is a final adjournment of the present session of the Congress.

Mr. BANKHEAD. That would be ample time within which to call up the Hatch bill, would it not?

Mr. BARKLEY. The same suggestion would apply to the agricultural bill. The agricultural bill, if it shall be passed in 2 or 3 days, will go to conferees, and the conferees will have more than 2 months, in all likelihood, in which to adjust the differences between the House and the Senate. In view of that fact, I myself do not see how any damage or injury could come to the cause of agriculture by finishing the bill that is under consideration which, with legitimate debate—and I have never accused anybody in connection with it of indulging in anything but legitimate debate—could likewise be disposed of in 2 or 3 days. I believe that it could have been disposed of by tomorrow night if we had devoted ourselves today to it and voted on it when we finished the debate tomorrow night. But even if it took a day or two longer than that, it will not take substantially any longer, in my judgment, to finish that bill than it will to dispose entirely of the agricultural bill, which will go to conference, and there would be, as I said, about 2 months for the conferees to work on it. I myself do not see the urgency, so far as it affects agriculture, in undertaking to say that we have got to pass the agricultural bill within the next 2 or 3 days or within this week. I have no fear of the result, so far as the agricultural bill is concerned, whether it is passed this week or not, because we have a good deal of time yet before we finish the work of the session. In view of that, speaking only in my own individual capacity as a Senator, under the circumstances, I do not feel justified at this time in voting to supplant the pending legislation by adopting the motion of the Senator from Georgia.

Mr. BANKHEAD. Mr. President, let me ask the Senator a question. Is he interested in the passage of the parity-payment provision? I have seen a statement indicating that he was not.

Mr. BARKLEY. I do not know to what the Senator refers. I have always been for parity payments.

Mr. BANKHEAD. I know the Senator has.

Mr. BARKLEY. Frankly, I have been disturbed as the Senator from Alabama and all other Senators know, over the possibility of having to pass a tax bill at this session or increasing the debt limit; and I am still disturbed. I do not want to have to vote to increase the debt limit, because I think whenever we have done it the country will immediately come to the conclusion that we are going to approach it again; that there may be one step after another increasing the debt limit. I do not want the Congress to have to do that if it is humanly possible to avoid it. There is no secrecy about my fears on that subject, and I have been hoping that we might work out economies in all the appropriations sufficient to justify parity payments without in any way endangering the ceiling of the debt limit or without making necessary the passage of a tax bill.

Mr. BANKHEAD. I am not going into that.

Mr. BARKLEY. I am not going into it, either.

Mr. BANKHEAD. I was merely anxious to find out whether the Senator was interested in bringing about the passage or reluctant to have passed provision for parity payments.

Mr. BARKLEY. What I have mentioned probably gave rise to the statement attributed to me that I was not in sympathy with parity payments.

Mr. BANKHEAD. I merely read it in the newspapers. The Senator, doubtless, saw the item. It said he was doubtful about it passing.

Mr. BARKLEY. If the Senator is referring to a statement of today, I said I thought finally it would pass here and that the House would agree to it.

Mr. BANKHEAD. I have not seen that statement.

Mr. BARKLEY. Frequently we are quoted as saying things we do not say.

Mr. BANKHEAD. I realize that.

Mr. BARKLEY. I am certainly interested and I have been interested from the very beginning of the agricultural adjustment program in parity payments to all farmers entitled to them, and I certainly hope to be able to support that program now.

Mr. RUSSELL. Mr. President——

Mr. BANKHEAD. I yield to the Senator in charge of the agricultural appropriation bill.

Mr. RUSSELL. Mr. President, I do not desire to delay a vote on the pending motion, but I do wish to comment very briefly before the vote shall be taken.

There is certainly nothing unusual in making a motion to proceed to the consideration of any general appropriation bill at any stage of the proceedings on pending legislation. Such a motion is expressly provided for in the rules of the Senate, and during my service in this body I have never before seen objection expressed to laying aside any piece of general legislation, however important it might be, in order that the Senate might proceed to the consideration of a general appropriation bill. That rule does not apply only to appropriations for the activities of the Department of Agriculture, but I have seen measures of great importance, national in their scope, laid aside for the consideration of deficiency appropriation bills, for the consideration of naval supply bills, and for the consideration of War Department supply bills. I hope that this new order of objection to the consideration of a general appropriation bill is not the result of any of the heat and personal feeling which may have been engendered by the discussion of the legislation proposed by the Senator from New Mexico.

Mr. President, for myself, to use an expression now going the rounds, "I ain't mad with nobody" about the Hatch bill. I have been supporting the proposal of the Senator from New Mexico, but I certainly do not think that bill is any reason for breaking a custom that has obtained in the Senate at least for the 7 years I have been a Member of this body, of giving the general appropriation bills the right-of-way. I have done all in my power to protect the rights of the Senator from New Mexico in securing consideration of his bill. I asked unanimous consent temporarily to lay aside the pending business, but objection was entered, a matter over which I had no control.

Mr. President, there is a substantial reason for giving priority to general appropriation bills. There are a number of items in the agricultural bill containing appropriations which are made immediately available. I refer specifically to the appropriation to supplement section 32 funds in connection with which the committee has suggested an appropriation of $85,000,000 and the appropriation to provide for the surplus-removal program, for the so-called stamp plan in various cities of the country, a program which is now under way all over the United States. Those funds are to be made immediately available by the bill.

It is a very complicated measure. It contains a large number of items. Last year the bill was in conference for several weeks. It reached the desk of the President of the United States for his signature only on the last day of the fiscal year, the 30th day of June. I felt that the bill should be brought up and considered just as all other appropriation bills have been considered during my service in this body, without regard to the interest that might be evinced in any of the legislation that is pending when the appropriation bill is brought in by the committee for the Senate to take action upon. There certainly can be no reason in this case for violating the intent of the rules of the Senate and the custom that has obtained here for so long by not proceeding with the consideration of the agricultural appropriation bill.

We all hope we shall have an early adjournment; and, as one who in the normal course of events would be one of the conferees to deal with the other body on this matter, I do not wish to have Members of the Senate coming to me to find out why the conferees cannot agree, and have an adjournment of the present Congress held up when matters

of great importance which the Senate has approved will be at difference with the other body.

It certainly is not my purpose to strike down and defeat the bill of the Senator from New Mexico. I have voted for each of the bills the Senator has brought in, and have stood with him here on the consideration of various amendments which have been offered to this body; but it has been the custom of the Senate, at least for the past 7 years to my certain knowledge, to give right-of-way to general appropriation bills. I see no reason why the pending legislation, which would be temporarily displaced by this motion, is of such great and paramount importance that we should set a new rule in the Senate, and overthrow all the precedents which heretofore have obtained in this body.

In accord with what I deem to be my duty to the farmers of the country, who are vitally interested in the agricultural bill, as well as the Committee on Appropriations, I have moved to consider this bill. I hope the Senate will adopt the motion.

Mr. LEE. Mr. President, I shall vote to take up the agricultural bill. I wish, however, to state that I shall give my efforts to have the Hatch bill considered at a later date.

I want to see this second edition of the Hatch bill passed. I have hoped that it could be amended along the line of the Miller amendment and along the line of the Adams amendment, because I felt that in its present form it has a tendency to stifle democratic processes. I supported the Brown amendment because I thought, and I still feel, that if the bill is good for the little fellow, it is good for the big fellow.

It is possible that in the delay that will follow some amendments of this kind may be worked out that will be acceptable to a sufficient number of Senators to amend the Hatch bill accordingly; but, whether or not such amendments are worked out, I shall help to bring up the Hatch bill at a later date and shall support it in passage, on the theory that if we cover part of the Federal employees we should extend the legislation to the others who are covered by this amendment to the original Hatch Act.

Mr. WALSH. Mr. President, I shall be very brief.

There are two groups—principally on this side of the Chamber—viewing the Hatch bill from different point of view, directly opposite points of view, as I see the situation. One group feels that the time has come to strengthen the existing Hatch Act by extending its provisions to State employees who benefit from Federal funds. They apparently feel that the same standards, so far as participating in elections is concerned, which are now applied to Federal employees, should apply to State employees who are paid from funds which the taxpayers of the country, regardless of party, contribute. Some of those who have taken that position feel that we are dealing with a primary, fundamental democratic problem in government—free elections, untrammeled elections, the right of those who do not hold public office to be free from the direction and management and control of those who are in administrative public office so far as voting and conducting elections are concerned.

To some of us, that is more important than the distribution of public funds to carry on various activities of the Government, especially when we think the matter goes to the very root of free government. There is nothing more precious or valuable than the right to vote. There is nothing more valuable than the right to have a free vote, and the right to vote as one's conscience dictates, without influence or control. It has taken years, many and long political battles, to obtain a free ballot and protect the citizen from improper influences at the ballot box.

Long ago we drove to the wall all private employers who sought to control the votes of private citizens; and now we are hesitating about driving out of election booths paid government officials who seek to control the votes of the free men and women of this country.

There is another group here—a group who believe that the issue of States' rights is involved. Their pretended position is, "We are not going to permit this bill to pass until this bill is thoroughly discussed and argued." They place great stress upon the fact that the solemn, serious question of States' rights is involved.

It seems to me, Mr. President, the orderly way to proceed would be for both these groups to go on and fight out these issues, have the various amendments presented, vote upon them, and an effort made to reach a decision which represents the views of the majority of this body. That, it seems to me, is the course we ought to pursue, and the exact issue that is now before us is whether or not we shall so proceed.

The other side of the picture is that there are apparently in this body some who say, "We are not going to permit a vote on the Hatch bill anyway. We are going to filibuster. We are not willing to go ahead and see if the amendments can be discussed in an orderly manner, and a sound solution obtained, and have vote after vote taken as to how we shall perfect the legislation. We intend, if not openly and directly but by indirection, to kill the bill."

Are we who represent the group here who believe that the time has come, after hearings and favorable report by the Committee on Privileges and Elections, and discussions in the Senate for days, to go forward in improving our election machinery to help assure a free ballot; or are we going to surrender under the threat that, "If you do not substitute another bill now, we will prolong this discussion; we will filibuster, and we will nullify and make useless the majority favorable to this bill"?

Those who want to surrender great fundamental principles under those circumstances may do so. I, for one, am unwilling to surrender under any such threat, and I believe many other Senators entertain the same determination. Let us be not affrighted.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia [Mr. RUSSELL] that the Senate proceed to the consideration of the agricultural appropriation bill.

Mr. HATCH and other Senators called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Utah [Mr. KING] are absent from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST], the Senator from California [Mr. DOWNEY], the Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from Illinois [Mr. SLATTERY], and the Senator from New Jersey [Mr. SMATHERS] are detained on important public business.

The Senator from Utah [Mr. KING] is paired with the Senator from Maryland [Mr. TYDINGS]. I am advised that if present and voting, the Senator from Utah would vote "yea," and the Senator from Maryland would vote "nay."

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I am advised that, if present and voting, he would vote as I shall do. I vote "nay."

Mr. AUSTIN. I announce the following pairs:

The Senator from New Hampshire [Mr. TOBEY] with the Senator from New Jersey [Mr. SMATHERS]. If present, the Senator from New Hampshire would vote "nay," and the Senator from New Jersey would vote "yea."

The Senator from Wisconsin [Mr. WILEY] with the Senator from Illinois [Mr. SLATTERY]. If present, the Senator from Wisconsin would vote "nay," and the Senator from Illinois would vote "yea."

I also announce the unavoidable absence of the Senator from New Hampshire [Mr. BRIDGES] and the absence of the Senator from Wisconsin [Mr. WILEY] because of illness.

The result was announced—yeas 36, nays 47, as follows:

YEAS—36

Adams	Bulow	Clark, Idaho	Guffey
Bailey	Byrd	Conally	Harrison
Bankhead	Byrnes	Donahey	Hayden
Bilbo	Caraway	Ellender	Herring
Brown	Chavez	Glass	Hill

Hughes	McKellar	Pittman	Sheppard
Lee	Miller	Russell	Smith
Lucas	Minton	Schwartz	Stewart
Lundeen	Murray	Schwellenbach	Thomas, Okla.

NAYS—47

Austin	Gibson	McCarran	Taft
Barbour	Gillette	McNary	Thomas, Idaho
Barkley	Green	Maloney	Thomas, Utah
Burke	Gurney	Mead	Townsend
Capper	Hale	Neely	Truman
Chandler	Hatch	Norris	Vandenberg
Clark, Mo.	Holman	Nye	Van Nuys
Danaher	Holt	O'Mahoney	Wagner
Davis	Johnson, Calif.	Overton	Walsh
Frazier	Johnson, Colo.	Reed	Wheeler
George	La Follette	Reynolds	White
Gerry	Lodge	Shipstead	

NOT VOTING—13

Andrews	Downey	Radcliffe	Tobey
Ashurst	King	Slattery	Tydings
Bone	Pepper	Smathers	Wiley
Bridges			

So Mr. RUSSELL's motion was rejected.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, COMMERCE, JUSTICE, AND FOR THE JUDICIARY

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the Judiciary, for the fiscal year ending June 30, 1941, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McKELLAR. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. RUSSELL, Mr. McCARRAN, Mr. BANKHEAD, Mr. PITTMAN, Mr. LODGE, and Mr. BRIDGES conferees on the part of the Senate.

FIRST DEFICIENCY APPROPRIATIONS

Mr. ADAMS. Mr. President, I desire to inquire of the Senator from Kentucky and the Senator from New Mexico whether this would not be a propitious time to suggest taking up the deficiency bill.

Mr. BARKLEY. Mr. President, in view of the fact that it is nearly 4:30 o'clock, and I suppose no Senator would care to proceed to speak on the Hatch bill, it is agreeable to me, if it is to the Senator from New Mexico, that the deficiency bill be taken up.

Mr. HATCH. Mr. President, I have understood from the Senator from Colorado that this is really an emergency matter, that it covers salaries which will expire on the 15th of this month, and that it will take only a short time to dispose of the bill; so I have no objection.

Mr. BARKLEY. If the Senator from Colorado wishes to ask unanimous consent that the pending bill be temporarily laid aside in order that we may proceed with the consideration of the deficiency bill, I have no objection.

Mr. ADAMS. Mr. President, I ask unanimous consent that the pending bill be temporarily laid aside, and that the Senate proceed to the consideration of House bill 8641, the first deficiency appropriation bill.

Mr. McNARY. Mr. President, I wish to know a little more about the bill. What is the bill?

Mr. ADAMS. It is a deficiency appropriation bill, which has been on the table for some days.

Mr. McNARY. I have no objection.

Mr. HATCH. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. I think it is the practice, under unanimous-consent agreements such as that proposed by the Senator from Colorado, for the pending business to be temporarily laid aside, and automatically to become the pending business at the conclusion of the consideration of the bill brought forward.

The PRESIDING OFFICER. The Senator is correct. Is there objection to the request of the Senator from Colorado?

There being no objection, the Senate proceeded to consider the bill (H. R. 8641) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ADAMS. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be considered for amendment, and that committee amendments be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The clerk will proceed to state the amendments of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Title I—General Appropriations—Legislative," on page 3, after line 14, to insert:

EXECUTIVE OFFICE OF THE PRESIDENT

Portrait of former President Herbert Hoover: For the procurement of an oil painting of former President Herbert Hoover in accordance with Public Resolution No. 42 of the Seventy-sixth Congress, approved August 5, 1939, fiscal year 1940, $2,500, to remain available until expended.

The amendment was agreed to.

The next amendment was, under the heading "Independent Establishments," on page 7, after line 5, to insert:

TEMPORARY NATIONAL ECONOMIC COMMITTEE

For an additional amount for carrying out the purposes of the joint resolution creating the Temporary National Economic Committee, approved June 16, 1938, to be available only for allocation to the departments and agencies represented on the committee for the necessary expenses thereof, including the objects specified under this head in the Second Deficiency Appropriation Act, fiscal year 1938, $90,000, fiscal year 1940, to remain available until the expiration of the Seventy-sixth Congress.

The amendment was agreed to.

The next amendment was, under the heading "Department of Agriculture—Bureau of Entomology and Plant Quarantine," on page 9, line 24, after the numerals "1940", to strike out "$2,000,000" and insert "$3,000,000"; so as to read:

Control of incipient and emergency outbreaks of insect pests and plant diseases: To enable the Secretary of Agriculture to carry out the provisions of and for expenditures authorized by the joint resolution approved May 9, 1938 (52 Stat. 344), fiscal year 1940, $3,000,000, to remain available until June 30, 1941.

The amendment was agreed to.

The next amendment was, under the heading "Department of the Interior—Bureau of Reclamation," on page 11, after line 9, to insert:

Colorado-Big Thompson project, Colorado: For continuation of construction, $1,000,000, from the reclamation fund, special fund, fiscal year 1940, to remain available until expended.

The amendment was agreed to:

The next amendment was, under the heading "Department of Justice—United States courts", on page 15, line 2, after the numerals "1937", to strike out "$40,000" and insert "$70,000", so as to read:

Conciliation commissioners, United States courts: For an additional amount for fees and expenses of conciliation commissioners, United States courts, fiscal year 1940, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, $70,000.

The amendment was agreed to.

The next amendment was, under the heading "Navy Department—Office of Secretary of the Navy", on page 16, line 9, after the word "in", to insert "Senate Document Numbered 154, and", and in line 11, after the name "Congress", to strike out "$2,789.78" and insert "$3,040.78", so as to read:

Claims for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the act entitled "An act to amend the act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 23, 1922, as fully set forth in Senate Document No. 154, and House Document No. 625, Seventy-sixth Congress, $3,040.78.

The amendment was agreed to.

The next amendment was, under the heading "Department of State—Office of Secretary of State", on page 16,

line 22, after the numerals "1940", to strike out "$23,000" and insert "$47,000", so as to read:

Salaries: For an additional amount for salaries, office of the Secretary of State, fiscal year 1940, subject to the limitations specified under this head in the Department of State Appropriation Act, 1940, $47,000.

The amendment was agreed to.

The next amendment was, under the heading "Treasury Department—Bureau of the Mint," on page 21, line 9, after the numerals "1940", to strike out "$256,000" and insert "$356,000", so as to read:

Salaries and expenses, mints and assay offices: For an additional amount for salaries and expenses, mints and assay offices, fiscal year 1940, including the same objects and subject to the same limitations specified under this head in the Treasury Department Appropriation Act, 1940, $356,000, of which not to exceed $675 may be transferred to the appropriation "Contingent expenses, Office of Director of the Mint, 1940."

The amendment was agreed to.

The next amendment was, under the heading "War Department—Civil Functions—Corps of Engineers", on page 22, line 11, after the word "in", to insert "Senate Document Numbered 153, and", and in line 13, after the name "Congress", to strike out "$649.78" and insert "$2,119.89", so as to read:

Claims for damages, rivers and harbors: To pay claims for damages under river and harbor work adjusted and determined by the War Department under the provision of section 9 of the River and Harbor Act, approved June 5, 1920 (33 U. S. C. 564), as set forth in Senate Document No. 153, and House Document No. 620, Seventy-sixth Congress, $2,119.89.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Judgments and authorized claims—Property damage claims", on page 23, line 4, after "Sec. 201.", to insert "(a)", so as to read "Sec. 201. (a)", and so forth.

The amendment was agreed to.

The next amendment was, on page 24, after line 4, to insert:

(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding $1,000 in any one case," approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document No. 152 of the Seventy-sixth Congress, as follows:

Civil Aeronautics Authority, $1,327.08;
Federal Works Agency—Work Projects Administration, $2,516.33;
Department of Agriculture, $374.99;
Department of the Interior, $111.15;
Navy Department, $1,031.03;
War Department, $1,344.70;
In all, $6,705.28.

The amendment was agreed to.

The next amendment was, under the subhead "Judgments, United States courts", on page 25, line 5, after the word "in", to insert "Senate Document Numbered 158, and"; in line 11, after the name "Navy Department", to strike out "$2,166.96" and insert "$2,390.39"; after line 11, to insert "Post Office Department, $1,808.09"; and in line 14, after the words "In all", to strike out "$12,724.80" and insert "$14,756.32", so as to read:

SEC. 202. (a) For the payment of the final judgments, including costs of suits, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," as amended by the Judicial Code, approved March 3, 1911 (28 U. S. C. 761), certified to the Seventy-sixth Congress in Senate Document No. 158 and House Document No. 613 under the following establishment and departments:

Federal Works Agency, $4,933.37;
Department of Commerce, $28.34;
Department of Labor, $2,073;
Navy Department, $2,390.39;
Post Office Department, $1,808.09;
War Department, $3,523.13;
In all, $14,756.32, together with such additional sum as may be necessary to pay costs and interest as specified in such judgments or as provided by law.

The amendment was agreed to.

The next amendment was, on page 26, line 1, after the word "in", to insert "Senate Document Numbered 156, and"; in line 2, after the word "the", to strike out "War Department, $5,370.65; together with such additional sum as may be necessary to pay interest as and where specified in such judgments or as provided by law" and insert the words "following departments"; after line 5, to insert "Treasury Department, $8,093.68"; after line 6, to insert "War Department, $5,370.65"; and after line 7, to insert:

In all, $13,464.33, together with such additional sum as may be necessary to pay interest as and where specified in such judgments or as provided by law.

So as to read:

(b) For the payment of judgments, including cost of suits, rendered against the Government of the United States by United States district courts under the provisions of an act entitled "An act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 781–789), certified to the Seventy-sixth Congress in Senate Document No. 156 and House Document No. 617 under the following departments:

Treasury Department, $8,093.68;
War Department, $5,370.65;
In all, $13,464.33, together with such additional sum as may be necessary to pay interest as and where specified in such judgments or as provided by law.

The amendment was agreed to.

The next amendment was, under the subhead "Judgments, Court of Claims", on page 27, line 6, after the word "in", to insert "Senate Document Numbered 155, and"; in line 7, after the word "following", to insert "establishment and"; after line 8, to insert "Veterans' Administration, $71,069.65"; after line 9, to insert "Department of Agriculture, $6,773.56"; in line 12, after the words "Navy Department", to strike out "$4,613.02" and insert "$7,804.22"; after line 12, to insert "Post Office, $222,825.96"; in line 15, after the name "War Department", to strike out "$89,799.98" and insert "$124,951.33"; and in line 16, after the words "In all", to strike out "$111,413" and insert "$450,424.72", so as to read:

SEC. 203. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-sixth Congress in Senate Document No. 155 and House Document No. 614 under the following establishment and departments, namely:

Veterans' Administration, $71,069.65;
Department of Agriculture, $6,773.56;
Department of Labor, $15,000;
Navy Department, $7,804.22;
Post Office Department, $222,825.96;
Treasury Department, $2,000;
War Department, $124,951.33;
In all, $450,424.72, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

The amendment was agreed to.

The next amendment was, on page 27, after line 18, to insert:

(b) For the payment of judgment No. 44629 rendered by the Court of Claims in favor of William W. Brunswick, covering retirement pay withheld from the plaintiff by the Comptroller General, $4,233.65, to be paid from the Foreign Service retirement and disability fund.

The amendment was agreed to.

The next amendment was, on page 27, line 24, before the word "None", to strike out "(b)" and insert "(c)", so as to read:

(c) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired, except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

The amendment was agreed to.

The next amendment was, under the subhead "Audited claims", on page 28, line 6, after "Sec. 204.", to insert "(a)", so as to read "Sec. 204. (a)", and so forth.

The amendment was agreed to.

The next amendment was, on page 48, after line 15, to insert:

(b) For the payment of the following claims, certified to be due by the General Accounting Office, under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1937 and prior years, unless otherwise stated, and which have been certified to Congress under section 2

of the act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document No. 157, Seventy-sixth Congress, there is appropriated as follows:

Independent offices: For Thomas Jefferson Memorial Commission, $64.65.

For operations under Mineral Act of October 5, 1918, $4,161.24.

For medical and hospital services, Veterans' Bureau, $29.40.

For vocational rehabilitation, Veterans' Bureau, 40 cents.

For salaries and expenses, Veterans' Administration, $1,890.73.

Federal Security Agency: For pay of personnel and maintenance of hospitals, Public Health Service, $33.41.

For medical and hospital services, penal institutions (Justice, transfer to Treasury, Public Health Service, act March 22, 1935), 70 cents.

Federal Works Agency: For National Industrial Recovery, Federal Emergency Administration of Public Works, $16.25.

For repairs, preservation, and equipment, public buildings, Procurement Division, 50 cents.

Department of Agriculture: For salaries and expenses, Forest Service, $173.74.

For salaries and expenses, Bureau of Animal Industry, $37.22.

For exportation and domestic consumption of agricultural commodities, Department of Agriculture, $1,196.79.

For National Industrial Recovery, Resettlement Administration, submarginal lands (transfer to Agriculture), $1,568.80.

For National Industrial Recovery, Interior, soil-erosion prevention (transfer to Agriculture), $15.25.

For emergency conservation fund (transfer from War to Agriculture, act June 19, 1934), $1,681.46.

For National Industrial Recovery, Agricultural Adjustment Administration, $46.72.

Department of Commerce: For salaries and expenses, Bureau of Marine Inspection and Navigation, $49.25.

For testing, inspection, and information service, National Bureau of Standards, $495.

Department of the Interior: For National Industrial Recovery, Interior, oil regulation, $23.06.

For operations under Mineral Act of October 5, 1918, $58.88.

For Indian school support, $10.26.

For conservation of health among Indians, $19.50.

For emergency conservation work (transfer to Interior, Indians, act February 9, 1937), $177.38.

Department of Justice: For fees of jurors and witnesses, United States courts, $7.80.

For salaries, fees, and expenses of marshals, United States courts, $457.76.

For salaries and expenses, Division of Investigation, $168.76.

Department of Labor: For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Labor), $15.43.

Navy Department: For transportation, Bureau of Navigation, $140.40.

For pay, subsistence, and transportation, Navy, $11.83.

For maintenance, Bureau of Supplies and Accounts, $125.93.

For aviation, Navy, $47.25.

For pay, Marine Corps, $104.61.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), $187.01.

For increase of the Navy, emergency construction, $32,613.23.

For care of the dead, Bureau of Medicine and Surgery, $25.

For organizing the Naval Reserve, $3.60.

Department of State: For transportation of Foreign Service officers, $690.11.

For salaries, Foreign Service officers, $953.16.

For office and living quarters, Foreign Service, $45.83.

Treasury Department: For salaries, lighthouse vessels, $7.59.

For general expenses, Lighthouse Service, $3.85.

For collecting the internal revenue, $128.42.

For salaries and expenses, Bureau of Narcotics, 86 cents.

For collecting the revenue from customs, 50 cents.

War Department: For general appropriations, Quartermaster Corps, $8,345.46.

For pay, etc., of the Army, $1,873.04.

For Air Corps, Army, $152.57.

For increase of compensation, Military Establishment, $147.22.

For pay of the Army, $8,478.97.

For travel of the Army, $256.67.

For Engineer Service, $1.70.

For National Guard, $230.40.

For Organized Reserves, $6.43.

For library, Surgeon General's Office, $1.06.

For supplies, services, and transportation, Quartermaster Corps, $2.94.

For Reserve Officers' Training Corps, $43.79.

For clothing and equipage, Army, $13.63.

For Army transportation, $33.75.

For ordnance service and supplies, Army, $289.61.

For Chemical Warfare Service, Army, $4.99.

For subsistence of the Army, $33.64.

For cemeterial expenses, War Department, $1.53.

For emergency conservation fund (transfer to War, act March 31, 1933), $2.57.

For emergency conservation fund (transfer to War, act June 19, 1934), $208.21.

For loans and relief in stricken agricultural areas (transfer from emergency conservation work to War, act June 19, 1934), $94.13.

For emergency conservation work (transfer to War, act June 22, 1936), $261.53.

For emergency conservation work (transfer to War, act February 9, 1937), $111.82.

Emergency Relief: For emergency relief, Agriculture, Biological Survey, flood control and other conservation, $9.50.

For emergency relief, Agriculture, Forest Service, forestation, and so forth, $615.

For emergency relief, Agriculture, Soil Conservation Service, $23.57.

For emergency relief, Agriculture, administrative expenses, $16.10.

For emergency relief, Resettlement Administration, rural rehabilitation (transfer to Agriculture), $538.74.

For emergency relief, Resettlement Administration, sanitation, prevention of soil erosion, and so forth (transfer to Agriculture), $3,059.69.

For emergency relief, emergency conservation work, Interior, Indians, miscellaneous projects, Indian reservations, $8.40.

For emergency relief, Resettlement Administration, flood control and other conservation (transfer to Agriculture), $343.72.

For emergency relief, Resettlement Administration, rural rehabilitation, loans and relief to farmers, and so forth (transfer to Agriculture), $15.60.

For emergency relief, Interior, National Park Service, sanitation, prevention of soil erosion, and so forth, $350.

For emergency relief, Treasury, Public Health Service, assistance for educational, professional, and clerical persons (certified claims), $3.81.

For emergency relief, Treasury, administrative expenses, $1.07.

For emergency relief, emergency conservation work, War, Civilian Conservation Corps, $284.83.

For emergency relief, War, Corps of Engineers, flood control, and other conservation (non-Federal projects), $103.25.

For emergency relief, Works Progress Administration, National Youth Administration (non-Federal projects), $51.50.

For emergency relief, Works Progress Administration, grants to States, and so forth, $943.94.

For emergency relief, Works Progress Administration (non-Federal projects, approved prior to June 22, 1936), $427.57.

For emergency relief, Works Progress Administration, highways, roads, and streets, $44.52.

For emergency relief, Works Progress Administration, public buildings, $25.75.

For emergency relief, Works Progress Administration, public utilities, and so forth, $18.40.

For emergency relief, Resettlement Administration, administrative expenses (transfer to Agriculture), $36.

For emergency relief, Works Progress Administration, forestation, prevention of soil erosion, and so forth, $2.25.

For emergency relief, Works Progress Administration, administrative expenses, 41 cents.

Post Office Department—Postal Service (out of the postal revenues): For foreign mail transportation, $20,456.83.

For transportation of equipment and supplies, $30.06.

For operating supplies for public buildings, Post Office Department, $162.81.

For rent, light, and fuel, $115.

Total, audited claims, section 204 (b), $95,773.50, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency and interest as specified in certain of the settlements of the General Accounting Office.

The amendment was agreed to.

The next amendment was, on page 56, line 14, after the word "in", to insert "Senate Document Numbered 159, and", and in line 16, after the name "Congress", to strike out "$201.60" and insert "$247.20", so as to read:

SEC. 205. For the payment of claims allowed by the General Accounting Office pursuant to the acts of January 12, 1899, and May 26, 1900, which have been certified to Congress under the Permanent Appropriations Repeal Act, approved June 26, 1934 (31 U. S. C. 725b), in Senate Document No. 159, and House Document No. 624, Seventy-sixth Congress, $247.20.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, I desire to offer an amendment. The President sent to the Congress a Budget estimate, which is document No. 600 of the Seventy-sixth Congress, third session. The amendment is carried in the Budget estimate. It has to do with the payment of the expenses of our delegates to a so-called Indian conference to be held in Mexico next month, April 1940.

In connection with the amendment, the President sent a statement to the Congress, and in order that the amendment and statement may appear in the RECORD, I ask that the amendment proposed by me and the complete statement of the President accompanying the amendment be printed at this point in connection with my remarks.

The PRESIDING OFFICER. Is there objection?

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

First Inter-American Conference of Experts on Indian Life in the Americas, Patzcuaro, Mexico, 1940 ..... $8,000

"For the expenses of participation by the United States in the First Inter-American Conference of Experts on Indian Life in the Americas, to be held at Patzcuaro, Mexico, in 1940, including personal services in the District of Columbia or elsewhere, without regard to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); rent; travel expenses; local transportation; transportation of things; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; printing and binding; official entertainment; cost of assembling, installing, packing, transporting, safekeeping, demonstrating, and renovating a suitable exhibit, and the purchase of supplies incident thereto, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, to remain available until June 30, 1941, $8,000 (convention February 20, 1928; 53 Stat. 1290)."

Section 6 of article 6 of the Pan American Union Convention provides, in general, that the Governing Board of the Union may promote and arrange international conferences of experts to study problems of a technical character of common interest to the Americas, and, to this end, may request the governments concerned to appoint experts to represent them at these conferences. The governments represented at the Eighth International Conference of American States, held at Lima, Peru, in December 1938, adopted a resolution approving the holding of a conference of experts on Indian life in the Americas at La Paz, Bolivia, in August 1939. Due to unsettled conditions in Bolivia, the place for holding this conference was changed to Patzcuaro, Mexico, and the date of the conference fixed at April 14–24, 1940. The Mexican Ambassador at Washington has extended an invitation to this Government to be represented at the conference.

The purpose of the conference is to study the desirability of creating an Inter-American Indian Institute; to explore generally problems which are common to all American Indians, including that of land tenure and land use; and to promote mutually the growing friendship and good will of the American states.

This estimate is for the expenses of the American delegation attending the conference.

HAROLD D. SMITH,
Director of the Bureau of the Budget.

Mr. THOMAS of Oklahoma. Mr. President, I desire to offer an amendment to the amendment sent to the Senate by the President. On page 3 of the Budget estimate we find the conditions under which these delegates shall be paid.

The proposed conference originated in other conferences. During the past several years a number of conferences have been held in South America, and at those conferences the desirability of another conference was suggested, and the conference now proposed is the culmination of those suggestions.

A number of delegates are to be appointed to this conference by nations having large Indian populations. Canada has a large Indian population, and so Canada is preparing to participate in the conference. The United States has 300,000 Indian citizens, so the United States desires to participate in the conference.

This conference is limited to the Western Hemisphere, and on the Western Hemisphere there are in the neighborhood of 30,000,000 Indian citizens of the several countries located in North America, Central America, and South America. Therefore, at the end of the amendment submitted by the President I desire to add the following language as a modification of my amendment:

Provided, That in the selection of official delegates to such conference due representation shall be accorded actual Indian citizens of the United States.

In the committee it was pointed out that the conference did not of necessity have to be made up of Indian citizens, which would make it possible for the delegates from the United States to be persons of non-Indian blood. I therefore desire to have it provided that in appointing delegates to the conference from this country due regard shall be given to our Indian population, to the end that they may participate.

I am advised by those in authority in the Department of the Interior that it is contemplated that if the conference is held, a number of Indians of the several tribes of the United States shall be appointed delegates, and they will go to the conference, which is to be held close to Mexico City, with credentials from the Government of the United States.

These conferences are called and held under general law. The coming conference has developed to the present point under general law. The House refused the appropriation. In the Senate Committee on Appropriations it was likewise refused. It seems to be the opinion that no such conferences as the one now proposed should be hereafter held unless the money shall have been appropriated in advance and the conference shall have been authorized in advance.

Mr. President, so far as we have general law permitting the calling of conferences without money being specifically appropriated for that purpose, I see no way of avoiding the payment of the expenses now sought to be met unless we repeal the existing law and provide, by precedent, at least, that no future conference shall be held unless it shall have been authorized in advance and the money appropriated in advance.

Inasmuch as the general law provides for this particular conference, and inasmuch as a number of South American conferences have agreed, and, we might say, have called this conference, and because of the fact that Mr. Collier, the present Commissioner of Indian Affairs, has been designated to perform a very important function at the conference, it is up to Mr. Collier to see that the Indians of North America, at least, are represented there. Mr. Collier tells me that our Government is preparing to participate in the conference, and that the South American and Central American republics are preparing to participate.

If that be true, I think it would be very unfortunate if an Indian conference should be held in Mexico, practically at our border, and the United States, the sponsor of the conference, should be denied representation. The item calls for a sum of only $8,000. So I offer the amendment based upon the Budget estimate, with an amendment to the amendment, so as to provide that in calling the conference due representation shall be given our Indian citizens in attendance on behalf of the United States.

I ask that the amendment as modified be read.

The PRESIDING OFFICER. The amendment as modified will be read as suggested by the Senator from Oklahoma.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert:

For the expenses of participation by the United States in the First Inter-American Conference of Experts on Indian Life in the Americas, to be held at Patzcuaro, Mexico, in 1940, including personal services in the District of Columbia or elsewhere, without regard to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); rent; travel expenses; local transportation; transportation of things; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; printing and binding; official entertainment; cost of assembling, installing, packing, transporting, safekeeping, demonstrating, and renovating a suitable exhibit, and the purchase of supplies incident thereto, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, to remain available until June 30, 1941, $8,000 (convention February 20, 1928; 53 Stat. 1290): *Provided*, That in the selection of official delegates to such conference due representation shall be accorded actual Indian citizens of the United States.

Mr. CHAVEZ. Mr. President, I hope the Members of the Senate will listen to me very briefly. I shall vote for the first part of the amendment submitted by the Senator from Oklahoma. I believe it is in order for the Indians of North America to get together and discuss their problems. But there is one particular point I want to call to the attention of the Senate. It is perfectly proper to have a committee of persons from the United States go to Mexico City and meet with the delegates or the representatives of the Indians from south of the border. However, I have a different idea as to who should be the representatives to go from the United States. I do not believe that the second part of the amendment submitted by the Senator from Oklahoma covers

what I have in mind. If Indians are going to meet in Mexico City, or elsewhere, it appears to me that there should be a delegation of Indians from the United States. We have Indians within the United States who are as able to present their desires and their wishes as are white persons living within the United States. I do not believe it would be proper to leave to Washington the discretion as to the selection of the Indians or Indian representatives. If representatives from the United States are to go to the city of Mexico or elsewhere they should be Indians and not representatives of the Indian Office. I make that statement very seriously. I want the Indians to be taken care of, but I want the Indians to decide for themselves as to who should represent them in a particular meeting.

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

Mr. CHAVEZ. I yield.

Mr. CLARK of Missouri. Speaking of international meetings, the Senate, after rather extended debate and a record vote the other day, voted not to make an appropriation for the American delegates to the Interparliamentary Union, a delegation which would have been composed of Members of the House and Senate. Does the Senator know any reason why a gang of job holders from the Interior Department should be appropriated for and sent down to Mexico?

Mr. CHAVEZ. That is the point I wanted to make.

Mr. CLARK of Missouri. They ought to take at least one Indian along with them as an exhibit.

Mr. CHAVEZ. Yes. I want an Indian to represent the United States in the meeting to be held in Mexico, and not a representative of the Department of the Interior. That is why I do not want to have the discretion left to anyone.

I wish to mention the name of one Indian from the State of Oklahoma. He is a real Indian, and not a bureau Indian. His name is Will Durant, of the State of Oklahoma, former member of the State legislature.

I mention the name of another Indian, Mr. Wade Crawford, of the State of Oregon, the State which sends our worthy minority leader to the Senate.

I mention the name of another Indian, Mrs. R. L. Jamison, a Seneca and Cherokee Indian from the State of New York, an Indian, not a bureau representative.

If we are to discuss Indian affairs why not let the Indians decide once in a while what is good for them.

I shall nominate a Navajo Indian, a real honest-to-goodness Navajo from my State, J. C. Morgan, of the city of Farmington.

So I submit an amendment, Mr. President, providing that the selection of the Indian delegates shall not be left to the Indian Office, or to the Department of the Interior, but to the Indians themselves.

At the proper time, to be inserted at the proper place in the bill, I wish to submit the names of Will Durant, of the State of Oklahoma; J. C. Morgan, a Navajo of Farmington, N. Mex.; Wade Crawford, of Klamath, Oreg.; and Mrs. R. L. Jamison, a Seneca and Cherokee Indian from New York.

Mr. THOMAS of Oklahoma. Mr. President, I happen to know each of the persons mentioned by the Senator from New Mexico, and, to my personal knowledge, they would be a credit to any conference, and I shall be glad, so far as I can, to accept the amendment. Then I shall ask the Senator from Colorado [Mr. ADAMS], in charge of the bill, this question: The Senator from New Mexico has suggested the names of four Indians he would like to see named as delegates; would it be agreeable to accept his amendment to my amendment and let the whole item then go to conference to be worked out in conference?

Mr. ADAMS. May I ask a legal question of the Senator, whether or not in legislation we can name Indians? That is a matter of appointment.

Mr. THOMAS of Oklahoma. That can be worked out in conference.

Mr. WHEELER. There are many Indians in Montana, and I should like to name some to this delegation.

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

Mr. WHEELER. I yield.

Mr. CHAVEZ. I have no objection to a real Indian from Montana being appointed on the delegation. Inasmuch as I wanted real Indians to go as representatives, I submitted the names of some of those I knew.

Mr. WHEELER. Mr. President, I want real Indians to go as delegates. I do not want bureaucrats to go down there. I agree with the Senator in that respect. I think it is a rather dangerous policy to name Indians in the legislation, however, because every Indian in my State, if he is not named in this bill, will feel slighted. It seems to me what we should do is to let the Indians in each particular State select their own representative as delegate.

Mr. CHAVEZ. Does the Senator think that will be done if it is left to the discretion of the Bureau?

Mr. WHEELER. Not if it is left to the discretion of the Bureau to pick them out. Let the Indians themselves select the delegates. Do not let the Bureau pick them out, but let the Indians themselves do so. However, they cannot be named in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. THOMAS], as modified.

Mr. CHAVEZ. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CHAVEZ. Does agreeing to the amendment of the Senator from Oklahoma mean agreeing to the suggestion made by the Senator from New Mexico?

The PRESIDING OFFICER. It does.

Mr. WHEELER. May we have the amendment again read?

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert the following:

For the expenses of participation by the United States in the First Inter-American Conference of Experts on Indian Life in the Americas, to be held at Patzcuaro, Mexico, in 1940, including personal services in the District of Columbia or elsewhere, without regard to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); rent; travel expenses; local transportation; transportation of things; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; printing and binding; official entertainment; cost of assembling, installing, packing, transporting, safekeeping, demonstrating, and renovating a suitable exhibit, and the purchase of supplies incident thereto, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, to remain available until June 30, 1941, $8,000 (convention February 20, 1928; 53 Stat. 1290): *Provided*, That in the selection of official delegates to such conference due representation shall be accorded actual Indian citizens of the United States; and that the following persons be included in the list of delegates: Will Durant, of Oklahoma; J. C. Morgan, of New Mexico; Wade Crawford, of Oregon; Mrs. R. L. Jamison, of New York; and Eugene Little Coyott, of Montana.

Mr. CLARK of Missouri. Mr. President, I should like to inquire of the Senator who offered the amendment whether or not the amendment is pure legislation on an appropriation bill. As I understood the reading of it from the desk, it provides for disregarding certain provisions of existing law, and is therefore clearly legislation.

The PRESIDING OFFICER. Does the Senator from Missouri make the point of order?

Mr. CLARK of Missouri. I am merely making an inquiry of the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. Mr. President, in answer to the inquiry, I ask that the clerk may read the lines in the Budget estimate immediately following the amendment.

Mr. CLARK of Missouri. The Budget estimate does not authorize changes in existing law.

The PRESIDING OFFICER. Without objection, the matter referred to will be read.

The legislative clerk read as follows:

Section 6 of article 6 of the Pan American Union Convention provides, in general, that the Governing Board of the Union may promote and arrange international conferences of experts to study problems of a technical character of common interest to the Americas, and, to this end, may request the governments concerned to appoint experts to represent them at these conferences. The governments represented at the Eighth International Conference of American States, held at Lima, Peru, in December 1938, adopted a resolution approving the holding of a conference of experts on Indian life in the Americas at La Paz, Bolivia, in August 1939. Due to unsettled conditions in Bolivia, the place for holding this conference was changed to Patzcuaro, Mexico, and the date of the conference fixed at April 14–24, 1940. The Mexican Ambassador at Washington has extended an invitation to this Government to be represented at the conference.

The purpose of the conference is to study the desirability of creating an Inter-American Indian Institute; to explore generally problems which are common to all American Indians, including that of land tenure and land use; and to promote mutually the growing friendship and good will of the American States.

This estimate is for the expenses of the American delegation attending the conference.

Mr. CLARK of Missouri. Mr. President, I ask the Senator from Oklahoma what provision of the existing law it is proposed to disregard.

Mr. THOMAS of Oklahoma. Mr. President, the President sent the estimate to Congress and he gave the authority on which he based the estimate. If that is not good in law, the item is out of order.

Mr. CLARK of Missouri. There is a provision for disregarding some section of the statutes. All I am trying to find out is what section of the statutes is to be disregarded.

Mr. HAYDEN. Mr. President, there is a provision of law, for example, requiring advertising for bids in connection with stenographic expenses. There are other emergent matters of that kind. The amount of money is very small.

Mr. CLARK of Missouri. How much is involved?

Mr. HAYDEN. $8,000.

Mr. CLARK of Missouri. What was the amount in connection with the Interparliamentary Union?

Mr. BYRNES. Mr. President——

The PRESIDING OFFICER. The Senator from Missouri [Mr. CLARK] has the floor.

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

Mr. CLARK of Missouri. I yield.

Mr. BYRNES. I wish to call attention to the fact that the estimate submitted by the Bureau of the Budget shows that section 3709, if not repealed, is certainly disregarded in at least two different places. I do not know exactly what it is proposed to disregard. The language of the amendment covers the purchase of supplies without regard to the existing law, the payment of expenses without regard to the existing law, and the appointment of personnel without regard to the Classification Act. There are really three changes in existing law. So, as offered, the amendment is legislation.

Mr. HAYDEN. If the amendment is to prevail at all, it is necessary to waive those requirements. It is impossible to hold a civil-service examination between now and the 14th of next April, when the meeting is to take place.

Mr. BYRNES. The Senator will agree that the amendment is legislation, will he not?

Mr. HAYDEN. If the amendment violates any law, it also violates common sense not to include a provision of this kind. Who would want to limit the delegation to Mexico City to civil-service employees? That is exactly what the Senator from New Mexico [Mr. CHAVEZ] is trying to avoid.

Mr. CLARK of Missouri. Mr. President, the amendment provides for including travel expenses, local transportation, transportation of things, the purchase of necessary books, documents, newspapers, and periodicals, and so forth. I do not know what section 3709 of the Revised Statutes is. I do not carry it in my head and do not pretend to do so. However, it seems to me that after the Senate has declared its policy in the matter of the Interparliamentary Union, it is bad practice to authorize ignoring a statute, whatever it may be, with regard to travel expenses without any consideration.

Let me ask the Senator from Colorado [Mr. ADAMS] if I am correct in my impression that the Senate committee rejected this amendment?

Mr. ADAMS. It was rejected by the full committee, I think on a tie vote.

Mr. CLARK of Missouri. Mr. President, I feel constrained to make the point of order.

The PRESIDING OFFICER. The point of order is well taken. The bill is still before the Senate and open to amendment.

Mr. FRAZIER. Mr. President, I offer an amendment which has been printed, and which lies on the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, after line 9, it is proposed to insert the following:

BUREAU OF INTERNAL REVENUE

The funds continued available (by the Treasury and Post Office Departments Appropriation Act, 1941) during the fiscal year 1941 for refunds of processing and related taxes shall be available during such fiscal year for the payment, hereby authorized under such regulations as may be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, to any person who raised or produced and marketed hogs for slaughter on which there was levied, collected, or paid a processing tax under the provisions of the Agricultural Adjustment Act (of 1933), or his legal representative, of so much of such tax as was in fact borne by such person: *Provided*, That the amount of such tax borne by such person with respect to any particular quantity of hogs shall be deemed to be an amount equal to the processing tax payable upon an equal quantity of hogs at the time such particular quantity of hogs was marketed minus any amount by which the spread between the average hog product value at Chicago of such particular quantity of hogs during the month in which they were marketed and the average hog price at Chicago of such particular quantity of hogs during such month was less than the amount of such processing tax plus 65 cents for each hundredweight of such particular quantity of hogs: *Provided further*, That the rate of processing tax levied, collected, or paid with respect to any particular quantity of hogs marketed by a claimant under the provisions of this paragraph shall be deemed to be the rate prevailing on the day following the day upon which such hogs were marketed by such claimant: *Provided further*, That any claim for payment under the provisions of this paragraph shall be filed with the Commissioner of Internal Revenue after the date of enactment of this act and prior to July 1, 1941, and proof upon such claim must be submitted prior to December 31, 1941: *Provided further*, That the allowance or disallowance by the Commissioner of Internal Revenue of any claim filed under the provisions of this paragraph shall be reviewable in the same manner and to the same extent that the allowance or disallowance of a claim filed under the provisions of title VII of the Revenue Act of 1936 is reviewable under section 906 of such act: *Provided further*, That account sales kept by a vendor, or a vendee, or by an agent of either, with respect to a particular quantity of hogs shall be accepted as proof of a claim for payment under the provisions of this paragraph with respect to such quantity of hogs: *Provided further*, That no part of any payment made under this paragraph in excess of 10 percent thereof shall be paid to or received by any agent or attorney on account of services rendered in connection with obtaining such payment, and the same shall be unlawful, any contract to the contrary notwithstanding; and any person violating the provisions of this proviso shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not exceeding $1,000.

Mr. BYRNES. Mr. President, I make the point of order that this amendment proposes legislation on an appropriation bill.

Mr. FRAZIER. Mr. President, in the first session of the present Congress I introduced a bill to provide for the refund to farmers of the processing tax on hogs paid when that law was in effect in cases in which they could prove that the processing tax had been paid by the farmer himself in a lower price of hogs. The bill was similar to a measure which was passed for the cotton growers, to refund to them their cotton-processing taxes. The same situation exists with regard to hogs today.

This measure passed the Senate on a former occasion, but was referred to the Committee on Agriculture in the House; and there it has been held up, just as the bill was held up to provide for a refund of the processing tax on cotton. That bill was held up in the other body of Congress; and an amendment similar to this one was attached to a deficiency appropriation bill to provide for the refund of the processing tax on cotton out of a fund which was carried over.

This amendment provides for making these payments out of a fund of $31,000,000 carried in the Treasury Department appropriation bill for refund of processing taxes. No new money is appropriated. The money already appropriated will be used for this purpose. The farmers sold their hogs at that time at a lower price than they otherwise would have sold them for; and the Department of Agriculture admitted that the processing tax on hogs was largely paid by the farmer himself in lower prices for those products.

We believe that the farmers are entitled to the refund of these processing taxes just as much as the cotton growers were, just as much as the factories were that were paid under previous acts. As you will note, it is provided in the amendment that the farmer has to prove his case before any consideration will be given him. In my opinion, farmers who can prove their cases are entitled to refunds just as much as the cotton growers were, just as much as the manufacturers or processors were who have had refunds paid to them.

So I hope the Senator from South Carolina will not press his point of order on the amendment. A technical point of order may lie against the amendment. I do not know; but, at any rate, the situation is similar to the one that existed in the case of the cotton bill, and the hog farmers are just as much entitled to refunds as the cotton growers were.

After the act was declared unconstitutional we voted for the payment of refunds to the cotton growers and the processors who paid processing taxes. The hog growers are entitled to it, too, if they can prove that they themselves paid the processing tax in the form of a lower price for their hogs. Many of them can do so; and I urge the Senator from South Carolina in all fairness to withdraw his point of order on this amendment and let it go into the bill and go to conference.

Mr. BYRNES. Mr. President, I know nothing about the merits of the amendment which has been offered to this bill. If the Senator from North Dakota will offer the amendent and have it considered by the committee, the committee may conclude that it is equitable and should be recommended for adoption by the Senate; but, reading it now, it is impossible for me even to know what is in the amendment. It is subject to a point of order, and I must insist upon it.

If the Senator will give the committee time to consider the amendment, it may be offered to the agricultural appropriation bill or to some other bill; but until I know more about it, and know what the Department has to say with reference to it, and what the charge on the Treasury would be, I shall have to insist upon the point of order.

The PRESIDING OFFICER. The point of order is well taken.

Mr. FRAZIER. Mr. President, this amendment follows the precedent set in the case of the cotton bill; and this matter was also taken care of by the Senate in a vote on the bill to provide a refund of the processing tax to hog farmers.

Mr. BYRNES. When the Senator a while ago made the statement that the amendment is in accord with the policy adopted as to cotton I was greatly impressed by it. I desire, however, to read the language of the amendment to see whether or not it is and whether or not any reason is urged by the Department of Agriculture or the Treasury Department in opposition to the bill.

The Senator is a member of the Committee on Agriculture and Forestry. If this amendment in the form of a bill has been pending before that committee, why has not the committee reported it?

Mr. FRAZIER. It has not been pending before the Committee on Agriculture and Forestry.

Mr. BYRNES. Before what committee has it been pending?

Mr. FRAZIER. I introduced it on Friday. I had planned to have it referred to the Appropriations Committee, which was considering the deficiency bill, but got word that the deficiency bill had been closed that morning, and that it had been reported to the Senate, so the only thing to do was to have the amendment printed and take it up when the deficiency bill came up.

Mr. BYRNES. Has any report been made as to how much the amendment would cost?

Mr. FRAZIER. The amount of $31,000,000 is carried over in the fund, so it could not cost more than that.

Mr. BYRNES. If the amendment involves an expenditure of $31,000,000, I think some committee should have an opportunity to consider it.

Mr. FRAZIER. No new money is appropriated. It is money that is carried over for the purpose of paying refunds of processing taxes.

Mr. BYRNES. It must involve payment out of the Treasury of the $31,000,000 if it is to be of any help to the farmers.

Mr. FRAZIER. I say, though, that no new money is appropriated. It is in the fund which is carried over in the Treasury Department appropriation bill.

Mr. BYRNES. It is to refund processing taxes paid several years ago?

Mr. FRAZIER. That is correct.

Mr. GURNEY. Mr. President, will the Senator from South Carolina yield to me?

Mr. BYRNES. I have not the floor. I make the point of order.

Mr. O'MAHONEY. I call for the regular order.

Mr. GURNEY. Mr. President, I wish to say that a bill authorizing this refund passed the Senate on August 2, 1939. The bill was on the calendar at that time and had been through committee, so the Senate has already acted on it; but the measure is held up in the House. This is the same provision to which the Senate has already given its approval.

Mr. BYRNES. I have already suggested that the Appropriations Committee has had no chance at all to consider the amendment. It may be offered to the agricultural appropriation bill, and it will be just as effective on that bill as on this one. That bill will be considered by the Senate within the next week, and within that time we shall have an opportunity to determine whether or not the amendment should be adopted.

Mr. GURNEY. I inquire if the Chair has ruled on the point of order.

The PRESIDING OFFICER. The Chair has ruled. The point of order has been sustained.

The bill is still before the Senate and open to amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

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

Mr. BILBO. Mr. President, I hope the chairman of the committee will permit the bill to go over until tomorrow morning. The bill was reported on the 8th of March. It reached the Senate in printed form last Saturday and was not put on the desks of Senators until today.

I do not like the idea of passing in so short a time a bill involving over $90,000,000. I have some correspondence from constituents about some items in the bill, and I should like to have an opportunity to read it. I have not had a chance to do so. I do not want to be put in the attitude of trying to stop the legislation. I hope the chairman of the committee will agree to let it go over until the morning. Of course, if he cannot agree to that, I will ask for the regular order, which is the consideration of the Hatch bill.

The PRESIDING OFFICER. That is correct. The Chair lays the Hatch bill before the Senate.

Mr. ADAMS. Mr. President, just a minute. Am I to understand that when a bill has passed its third reading, it may then be sent back to the Calendar on a demand for the regular order?

The PRESIDING OFFICER. At any time before passage, if the regular order is called for, the Senator who makes the point is in order, and the bill goes back to the Calendar.

Mr. ADAMS. I simply want to make the comment that this is a bill made up of a very considerable number of items. It is not a regular appropriation bill for the next fiscal year. It is made up of emergency items, salaries which are required to be paid at this time, and so forth.

If the bill drags along employees in some of the departments will be let out of the service. One that occurs to me is the State Department. A number of persons—not a great number, but some—were put on the rolls in order to meet the situation caused by the war in Europe. The funds for their payment have been expended. There is not a thing in the bill of great importance other than a $60,000,000 item for the benefit of the farmers, that is, to make available immediately parity payments in order to release the same amount out of the annual agricultural appropriation bill, of which the Senator from Georgia is in charge.

Of course, the Senator from Mississippi has a perfect right to have the bill go over, and we are quite helpless. The employees affected, of course, will have to leave the service and perhaps go on relief. The Hatch bill, about which the Senator is not enthusiastic, will be before the Senate tomorrow. It may not be possible to bring this deficiency bill back before the Senate. The Senator will accomplish some things which are dear to his heart, but he will not be helping the departments of this Government, nor will it be helping in his opposition to the Hatch bill.

Mr. BILBO. Mr. President, in response to the observations of the Senator from Colorado, I merely wish to say that a little while ago I realized that 30,000,000 people had their eyes on the Senate, looking for the passage of the agricultural appropriation bill. The farmers of this country are anxious to know just what Congress is going to do about parity payments, and what it is going to do about the surplus commodity question. There are many things in the bill in which the farmers are keenly interested. They are now making out their budgets. They are now hitching up the old mare and starting on the way to the field to begin plowing for another crop. They are anxious to know what is going to take place. They are not anxious to know whether we are going to hatch out a Hatch bill, for the benefit of the Republicans, as it seems, since they are so unanimous in its support, although they are not really so much interested in that as in the legislation carried in the agricultural bill. If it is not necessary to be expeditious in the passage of the legislation in which 30,000,000 people are interested, I cannot see that a delay of 18 hours on this deficiency bill will be seriously objected to by anyone.

I have no doubt the bill will be taken up in the morning when the Senate meets and will be passed. I do not know whether there is a line in it or a dollar of appropriation to which I would object, but, as a Senator representing my constituents, I have a right to know what is in a $92,000,000 appropriation bill before it passes the Senate, because I have a responsibility equal to that of other Senators. I have not had an opportunity to read the bill, and I do not like to have a $90,000,000 appropriation bill taken up and passed in 5 minutes, especially before anyone has had a chance to read it. I dare say not five Senators in this body, outside of the committee, know what is in the bill.

Mr. ADAMS. And the same thing will be true tomorrow.

Mr. BILBO. Possibly they do not care, but I do. I want to have an opportunity to read the bill.

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

Mr. BILBO. In just a moment. I notice that in the bill there is the sum of $42,500,000 for salaries for one branch of the Government, and $600,000 for communications.

Mr. ADAMS. I think the Senator is demonstrating the fact that he has not read the bill.

Mr. BILBO. I read the first page.

Mr. ADAMS. The Senator has not read that page, because that is not an appropriation he is reading.

Mr. BILBO. If the remainder of it is like this perhaps I had better wait and read it all. There is $4,200,000 for travel. I should like to know something about that. It is all set out, and there is a report. All I am requesting is an opportunity to read the bill. It means a delay of only 18 hours.

I yield to the Senator from Kentucky.

Mr. BARKLEY. I was about to suggest to both the Senator from Mississippi and the Senator from Colorado that of course this is a deficiency bill; it is brought in in the usual way, and the effort to pass it is the usual way of passing an urgent deficiency bill. But, at the same time, if the Senator from Mississippi insists on calling for the regular order, of course we will get nowhere this afternoon in the passage of the deficiency bill, and I suggest to the Senator from Colorado that if the Senator from Mississippi will withdraw his request for the regular order, the Senator from Colorado let the bill go over until tomorrow morning.

Mr. BILBO. I will be glad to agree to that. I have no doubt that I may be willing to let the bill pass without amendment or without any comment, but I take the position that, as a Senator, I have a right to read the bill, and I have not yet had an opportunity to read it. It involves $92,000,000, and I do not care to have my constituents know that I am sitting here with my hands folded letting a bill go through Congress appropriating $92,000,000 without any attention being paid to it.

Mr. ADAMS. I would not have that appear in the RECORD for anything. The Senator is the one calling attention to it.

Mr. BILBO. If there is something in the bill about which my constituents have written me and I let the bill go through without looking into the matter, I would not feel that I had done my duty as a Senator.

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

Mr. BILBO. I yield.

Mr. BYRNES. I suggest to the Senator from Colorado that the Senator from Mississippi advises me that he will make it his business to read the bill tonight——

Mr. BILBO. I always follow that course.

Mr. BYRNES. And that in the morning we will be able to dispose of the bill in a very few minutes.

Mr. ADAMS. Mr. President, in an attempt to make a virtue of my necessity, as I always try to do, if the Senator will withdraw his request, and wants the bill to go over until tomorrow to give him an opportunity to keep himself right with his constituents, I shall have no objection.

Mr. BILBO. That is all I ask, and I only resorted to the demand for the regular order in order to secure my right. I withdraw the request with that understanding.

The PRESIDING OFFICER. The Senator withdraws the request for the regular order.

INVITATION TO ATTEND SHOWING OF LAND OF LIBERTY

Mr. WAGNER. Mr. President, some time ago the United States New York World's Fair Commission extended an invitation to all the Members of Congress to attend on Thursday the showing of the picture called Land of Liberty. I desire to supplement the invitation and to express the hope that every Senator will attend and see the picture. It was exhibited at the New York World's Fair and was one of the most popular exhibits at the fair. It presents the documentary history of the United States in picture form. I hope every Senator will be present to witness the showing of the picture in the auditorium of the Department of Labor on Thursday evening at 8:30 p. m.

REDUCTION OF TAXES FOR EMPLOYERS OF HAND LABOR

Mr. O'MAHONEY. Mr. President, I regret very much to delay the Senate at this late hour in the afternoon, but I refrained from taking the floor earlier in the day because of my desire not to participate in any debate which might be interpreted by anyone as being intended to delay consideration of the pending business.

I gave notice Saturday of my intention to introduce the bill which I am now about to introduce, a bill designed to reduce unemployment, and there has already been a very great demand for copies of the measure. Therefore, I feel

under obligation to trespass upon the time of the Senate for a few moments. I shall make my remarks as brief as possible.

Mr. President, believing that there can be no solution of the economic problem until the country finds a permanent solution of unemployment, I am introducing, for the purposes of study and discussion, a bill which is intended to enable industry itself to provide work for the millions who are now without it.

The problem of farm surpluses, the problem of Government debt and of Budget balancing, as well as the problem of work relief, financed by Government borrowing, all have their roots in the fact that private industry is not supplying opportunities for work to all who want to work.

It seems to me clear that the only way to reduce unemployment is to stimulate private industry. Our experience has demonstrated that Government cannot provide the jobs that are needed to restore prosperity.

The bill which I am introducing is designed to make it profitable for every employer of labor to use the largest possible number of workers. It is made self-supporting by a system of tax credits and contributions computed on the basis of the present income-tax structure.

REWARDS TO EMPLOYERS OF LABOR

Rewards, in the form of tax reductions or even wage subsidies, are held out not only to those who create new opportunities for employment, but, indeed, to all employers of labor, and the program would be financed, not by Government borrowing, but by a labor differential tax to be assessed against profits which arise as a result of factors by which labor costs are disproportionately reduced.

The measure is intended to effect an alliance between men and machines that would insure the maximum use of both. It is based upon the fundamental concept that there can be no permanent prosperity even for the most highly mechanized industry unless the masses of the people are able to buy the products of the machine.

It rewards the employer of labor by giving him a tax credit based upon the amount of wages paid. Every employer would receive this credit, and it would become a cash payment when the employer's wage account was sufficiently large in proportion to the mark-up of the goods produced or services rendered.

On the other hand, however, in cases where the mark-up, that is to say, the difference between gross income and costs, is excessively large as compared with total wage payments, a tax would be paid by the employer.

The bill here offered is drafted in tentative form, but contains, I believe, the formula for the long-awaited permanent cure of unemployment. I ask that it may be printed in full in the RECORD so that it may be available for criticism to all who are interested in incentive taxation.

The tax credit or reward for which provision is made in the bill is assessed at a rate to be fixed on the total allowable wage account. This includes all wages or salaries up to $3,000 paid during the taxable year.

The tax payment provided for in the bill is measured by the difference between gross income and the total cost of materials, supplies, and wages. It will be determined by an assessment on this difference at a rate to be fixed after hearings. Since the bill provides for a wage credit in every case, a tax would be paid only in those industries in which the direct cost of labor is less than average.

The effect of the bill would be to stimulate the employment of men by making machines pay their way in terms of human production and of social value. The tax would not penalize the use of machines because even in the most highly mechanized industry the labor credit would be allowed.

WILL TEND TO CREATE NEW MARKETS

If the employer who uses machines chiefly imagines that this formula would be a deterrent, I remind him that the greatest possible deterrent is the ever-narrowing market for his products caused by unemployment, and that even those industries which are making profits have an interest in the public debt. Taxes for debt retirement or even for interest on the public debt do not tend to expand markets or create more customers for the products of either men or machines.

Taxes, such as provided in this bill, which stimulate employment, create new markets because they stimulate buying power through reduction of unemployment. And buying power is precisely what the country most needs.

The appalling fact is that the profits of industry are increasing, but that employment is not keeping pace with the increase of production.

The statistics of the Federal Reserve Board indicate that the index of manufacturing production is now two points above the index of 1929, before the crash, but that although there is a net gain of 600,000 persons annually in the number of available workers, the average of manufacturing employment today is less than it was in 1929. In other words, the trend of production is up and the trend of employment down.

This trend cannot be permitted to go on without eventual disaster.

CORPORATE PROFITS CLIMBING RAPIDLY

A compilation of the profits reports of 669 large corporations made by Standard Statistics Co. shows that in 1939 their profits had increased 83.1 percent over 1938. Profits for these companies, which include all the principal industrials, railroads and utilities amounted to $697,548,000 in 1938 and, during the next 12 months, increased at such a rate that the total for 1939 was $579,000,000 greater, or $1,236,983,000. Obviously, these profits will not continue if we have to increase taxes to balance the Budget, or if we cut off farm relief and work relief by cutting Government expenditures, and thus destroy the already poor purchasing power of the beneficiaries of those expenditures.

The only way out is to enable industry to finance itself, support itself, save itself. All of these industries which made such large profits in 1939 and which also made profits in 1938 are mechanized industries. Every one of them spends large sums to advertise and sell its products.

Why should they not be willing to contribute to the creation of new markets for their own products? That is precisely what they would be doing under this bill. They would be paying a tax for their own benefit. They would be paying a tax the proceeds of which would be used for only one purpose, the creation of buying power through the abolition of unemployment.

This, I believe, is the way to take the unemployment problem and the farm problem off the back of Government; to stop deficit spending; to stop piling up the public debt; and to make possible the full utilization of all our resources of men, money, materials, and machines.

GOVERNMENT CANNOT FURNISH EMPLOYMENT

No one industry can act alone to end unemployment because every industry is under constant pressure to reduce labor costs. When industry lays workers off, the Government perforce must take care of them. But Government cannot do it effectively because Government cannot furnish employment for all who are idle or pay the wages which modern civilization demands to those whom it does employ on work relief. The machine age has created a high standard of living, but that standard can be maintained only if the people are able to buy all of the goods and services which the machine age produces.

Since no one industry can solve the problem alone, it is necessary for the Government of all the people to act for all. I present the method outlined in this bill in the hope that it is the means by which Government can help industry to help itself, by which it can foster and encourage little business, provide opportunities for all in private enterprise and at the same time preserve our cherished democratic institutions.

The details of the proposal are set forth at length in an article by Mr. Karl Karsten which is to appear in the Journal of Electrical Workers and Operators to be published tomorrow.

Mr. President, the article is too long to be read at this time, but I ask unanimous consent to have printed in the RECORD as part of my remarks an extract from that article, together with a table showing the profits of 669 of the leading corporations of the country, as prepared by Standard Statistics Company.

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

The matter referred to is as follows:

The truth is that the Daggett proposal proposes a universal collection from all producers for the purpose of financing rewards to all who employ labor, because, by the employment they give, and the purchasing power they spread through wages, all employers provide customers and markets for all producers.

Seen in this light, a slight differential collection from the highly mechanized producer is not a destructive penalty, but, on the contrary, somewhat like an insurance premium, is a productive investment, insuring and protecting one's own markets and volume of sales.

4. DETAILS OF THE PROPOSAL

In the light of these facts, we are ready to look upon the proposal in detail.

"Who does what, and how"—to make this proposal work?

Administration of the Daggett proposal for job protection calls for no new or extensive Government agencies. The proposal can be administered by the present income-tax bureau in the course of collecting income taxes.

The amount of "differential collection" from each producer and the amount of "differential payment" claimable by each employer can be computed and shown upon the income-tax blanks in very little additional space. The former can be added to the amount of income taxes payable, the latter deducted, and in the comparatively infrequent cases when the "differential payment" exceeds both the "differential collection" and the income tax payable, the difference can be shown and made the basis of Government payments to the individual.

It is suggested that the computation of the following items on each personal and corporate income-tax report would effectuate the purposes of the Daggett proposal:

(1) Gross income, from all sources except compensation received for personal services but including the full amount of imputed wages received by self-employers.

(2) Total costs of deductible materials and supplies purchased.

(3) Total of claimable pay rolls paid including claimable portion of imputed wages of self-employers.

(4) Excess, if any, of the first item over the second item, which may here be called total mark-up or value added.

(5) Excess, if any, of the fourth item over the third, which excess may here be called nonlabor mark-up.

(6) Amount of differential collection found by multiplying the fifth item by the rate of collections established by Congress.

(7) Amount of differential payment found by multiplying the third item by the rate of payment established by Congress.

(8) Difference between the sixth and seventh items, which will be an addition to or a deduction from the income tax payable, and in the case of a differential payment greater than differential collection and income tax combined, will leave a balance payable by the Government to the taxpayer.

Provision should be made to limit the amount of wages or salaries or other fees and compensation for personal services, including imputed wages of self-employers, to any individual on the pay roll, which can be included in the total of claimable pay rolls for this purpose, to some moderate limit, such as three, four, or five thousand dollars, on the ground that larger salaries do not so greatly need protection and also in order to prevent undue evasion through bookkeeping procedures. By reason of such limits, the total claimable pay rolls here used may and usually will differ from the total of pay rolls used elsewhere in the income-tax report.

For the items which are to be included as income and as deductible materials and supplies, there should be detailed and perhaps to some extent arbitrary definitions. These definitions should have for their purpose a separation of items already subjected to a differential payment and differential collection by other taxpayers, in order to avoid multiple payment and collection, without defeating the underlying intent of the proposal which is to levy upon all values not created by direct labor and reward values created by direct labor. Accounting concepts should be shaped to that end.

Examples of these computations are shown for various industries and occupations in the exhibits.

Legislation to effectuate the proposal need only take the form of a bill setting forth the differential collection rates and the differential payment rates for job-protection purposes, and including the collection and payment thereof in the work of the Bureau of Internal Revenue, in conjunction with its administration of income taxes.

Net incomes of leading corporations for 1938 and 1939

Industry	Number of corporations	1938	1939	Percent of increase, 1939 versus 1938
Aircraft	8	$378,000	$3,397,000	798.7
Automobiles and parts	28	112,266,000	232,131,000	106.8
Auto tires, rubber goods, etc	10	22,795,000	33,978,000	49.1
Beverages (alcoholic and soft drinks)	17	13,873,000	15,221,000	9.7
Chemicals and drugs [1]	19	51,563,000	87,641,000	70.0
Electrical equipment and radio	12	3,587,000	7,264,000	102.5
Finance companies	16	24,997,000	24,691,000	[2] 1.2
Food products	27	45,294,000	48,888,000	7.9
Household furnishings	18	[2] 1,439,000	6,092,000	
Leather and shoes	12	4,009,000	11,560,000	188.4
Machinery (industrial and agricultural)	45	24,632,000	27,807,000	12.9
Meat packing	10	[2] 11,876,000	19,146,000	
Metal mining and fabricating	14	23,119,000	27,822,000	20.3
Motion pictures and amusements	4	11,328,000	12,775,000	12.8
Oil producing and refining	16	13,137,000	14,515,000	10.5
Paper and paper products	20	4,435,000	7,776,000	75.3
Railroad equipment	11	[2] 2,378,000	7,051,000	
Retail trade	34	63,000,000	79,543,000	26.3
Shipping and shipbuilding	6	[2] 363,000	434,000	
Steel and iron	29	[2] 7,066,000	106,861,000	
Sugar producing and refining	8	[2] 13,000	2,914,000	
Textiles and apparel	46	[2] 3,200,000	23,547,000	
Tobacco and tobacco products	11	54,200,000	57,652,000	6.4
Miscellaneous	93	52,345,000	77,883,000	48.7
Total industrials	514	498,623,000	936,589,000	87.8
Railroads	52	[2] 100,150,000	11,661,000	
Utilities	103	259,075,000	288,733,000	11.4
Total corporations	669	657,548,000	1,236,983,000	83.1

[1] Excluding du Pont de Nemours & Co. income from its investment in General Motors Corporation.
[2] Deficit.

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

Mr. O'MAHONEY. I yield to the Senator from Massachusetts.

Mr. WALSH. I am very much interested in the statement made by the Senator from Wyoming, and I wish to commend him for giving his attention and consideration to finding some possible additional solution to our unemployment problem. I agree with him that unemployment is perhaps the most important problem before the people of the country today and will remain so until it is solved. I gather that the Senator believes it may be possible to solve that problem, in part at least, by some method of taxing? What is the Senator's proposal?

Mr. O'MAHONEY. Mr. President, as I endeavored briefly and hastily because of the late hour to outline, the purpose of the bill is to provide a tax credit computed on the basis of the income-tax structure——

Mr. WALSH. For machinery.

Mr. O'MAHONEY. For those employers of labor who use more than the average of human labor. This credit or payment is to be financed not by government borrowing but by a tax assessed upon employers who use less than the average of human labor.

Mr. WALSH. That was my understanding, from what the Senator said and what I read in the press today. I think the Senator from Wyoming has directed attention to a phase of this subject which is entitled to great and serious study and consideration, and I hope the Senator will push this matter so it may be thoroughly heard and, if possible, some legislation be enacted along that line.

BILL CONTAINS WORKABLE FORMULA

Mr. O'MAHONEY. Mr. President, I am greatly encouraged that the senior Senator from Massachusetts should display such interest in this measure. I know that a great many Members of Congress, both Senators and Representatives, have been studying this problem. Numerous suggestions have been made from time to time. I believe there is embodied in this bill a formula which has a chance to work.

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

Mr. O'MAHONEY. I yield.

Mr. CLARK of Missouri. I have not had an opportunity to read the bill which the Senator has introduced, but I am glad he has introduced it, because it deals with a subject in which I am greatly interested, and I hope it will be referred to a committee which will give it appropriate study.

As I understand, it is a revenue matter and, therefore, must be put in a bill which originates in the House, but, nevertheless, a study may be made of it by a Senate committee.

I may say in that connection that when a revenue bill was under consideration in the Senate I introduced an amendment directing the Secretary of the Treasury to collect and furnish to the next session of Congress information looking to the imposition—I took the dilemma by the other horn—of a tax on labor-saving machinery. That amendment was included in the tax bill in the Senate, but was deleted in conference. That amendment of mine—and I take it the same thing is true of the bill of the Senator from Wyoming—was suggested to me by the fact that in the Unemployment Committee, of which I was a member for a period of nearly 2 years, we discovered that in some cases labor had been supplanted by machinery in the ratio of as high in one case, in the oil industry, as 2,000 to 1; in other words, 2,000 laborers had been displaced by a machine which it took only one laborer to operate.

With the development of labor-saving machinery, which we all hope will be progressive, it seems to me that the labor-saving machinery and the manufacturers who use such machinery must certainly be expected to pay a portion of the cost of taking care of unemployment and of the situations which grow out of unemployment.

Therefore I hope very much that the measure introduced by the Senator from Wyoming may receive the fullest consideration in this body, with the view to appropriate legislation when a bill comes over from the House to which it may be attached.

Mr. O'MAHONEY. Mr. President, it is most gratifying to find such distinguished Members as the Senator from Massachusetts [Mr. WALSH] and the Senator from Missouri [Mr. CLARK] express their sympathies with the purposes of this measure.

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

Mr. O'MAHONEY. I yield.

Mr. WAGNER. The Senator speaking is a less distinguished Senator.

Mr. O'MAHONEY. It would be difficult to find a Senator more distinguished than is the Senator from New York.

Mr. WAGNER. I know that the Senator, in the course of his chairmanship of the so-called Monopoly Committee, had placed before him a great deal of evidence on the subject of labor-saving devices, and I wonder whether I am reasonably accurate in stating that to produce an equal amount 3,000,000 less workers are employed today than were employed in 1929?

Mr. O'MAHONEY. That statement has been made, but the figures which have come to me from the Federal Reserve Board indicate that the index of production has increased from 119 in 1929 to 121 in 1939, and that the number of persons employed in manufacturing has been reduced from about 8,370,000 in 1929 to about 8,215,000 in 1939. The unemployment problem is made more difficult by reason of the fact that there are added to the employables every year between 500,000 and 600,000 persons.

Mr. WAGNER. I understand that.

Mr. O'MAHONEY. So that the proportion of employment to production is much smaller now than it was 10 years ago.

Mr. WAGNER. I looked into the figures somewhat. Perhaps I have a larger sum; but my very strong impression is that some statisticians and economists who have been working on the question figured that the total employment today for the same amount of production as in 1929 is three million less than it was at that time.

Mr. O'MAHONEY. Some experts make that statement.

Mr. WAGNER. Even if that is only an approximation, the seriousness of the technological unemployment problem is obvious.

NO OBSTACLE TO TECHNOLOGICAL IMPROVEMENT

Mr. O'MAHONEY. The remark of the Senator from Missouri [Mr. CLARK] prompts me to add this observation: Suggestions for taxes upon machines have in the past not been acted upon because of the fear that to tax machines as such would be to raise obstacles to technological development. There can be no doubt that new machines make new industries. We see evidences of that everywhere. On the other hand, there can be no doubt that machines have the effect of the immediate displacement of particular persons.

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

Mr. O'MAHONEY. I am glad to yield.

Mr. CLARK of Missouri. Is it not also true that, while ultimately, by creating new industries, the introduction of machines may create a greater aggregate of employment, as to the people who are thrown out of employment in which they have been skilled all their lives, it is very rare that they ever obtain any job that is nearly as good as the one they had, and usually they do not obtain any employment at all?

Mr. O'MAHONEY. That is exactly correct. Those are the persons who are completely displaced, and whose livelihood is taken away from them. The senior Senator from Pennsylvania [Mr. DAVIS], former Secretary of Labor, spoke to me earlier in the day, having read in the newspapers this morning that I intended to introduce this bill, and likewise expressed his general approval of the principle upon which the measure is based. He said that he had frequently discussed the matter when he was Secretary of Labor, and had made suggestions of this kind in his reports at various times. So, I find everywhere a general sympathy with the purpose. The doubts are as to whether or not a formula has been developed which will preserve the value of the machine while at the same time preventing the destruction of jobs. My personal belief is that we come pretty close to that formula in this bill.

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

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

Mr. WAGNER. Of course, this is a tremendous subject. I wish to call to the Senator's attention one experience I had while traveling in Europe. I was interested in the subject of unemployment. The experience to which I refer shows that we have not yet taken the really constructive steps we should take to see that the individual worker who loses his trade because of a labor-saving machine is rehabilitated. We have done nothing to rehabilitate the particular worker, whereas in some of the European countries, perhaps because of economic necessity, schools for the purpose have actually been established. I saw one of those schools. I saw a number of workers in a shop in connection with the employment exchange in one of the German cities; and when I inquired what work was being done I was informed that the men had lost their trade in an industry because of an invention and that they were young enough to be rehabilitated and retrained for the aircraft industry, a new industry which was growing up at that time. So an effort is being made to save those particular workmen from a drop in their standard of living and wages by teaching them other trades, so as to keep up their standard of living and also help to solve the question of unemployment.

The PRESIDING OFFICER. Does the Senator from Wyoming desire to introduce the bill at this time?

Mr. O'MAHONEY. I have introduced it. I ask that it be referred to the Committee on Finance.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

Mr. AUSTIN. Mr. President, what is the nature of the request?

The PRESIDING OFFICER. The Senator from Wyoming wishes to introduce the bill and to have it referred to the Committee on Finance.

Mr. AUSTIN. Mr. President, I think it would be well to let it lie on the table and be printed.

Mr. O'MAHONEY. That is my request that it be introduced and referred to the Committee on Finance.

Mr. BARKLEY. Mr. President, it will be printed.

Mr. AUSTIN. Mr. President, I think we might as well not take any action tonight. I shall object to unanimous consent to do anything of this kind.

Mr. O'MAHONEY. Mr. President, I am sure the Senator from Vermont does not know what has transpired. The request of the Senator from Wyoming when he rose—now perhaps almost a half-hour ago—was to introduce a bill. I thought the bill had been introduced. In any event——

Mr. AUSTIN. Perhaps the Senator from Wyoming is correct. However, assuming that that is so, my objection stands, for exactly the same reason I previously stated.

Mr. O'MAHONEY. May I ask the Senator from Vermont to what he is objecting?

Mr. AUSTIN. I am objecting to the unanimous-consent request of the Senator from Wyoming.

Mr. O'MAHONEY. To do what?

Mr. AUSTIN. To introduce his bill.

The PRESIDING OFFICER. Objection is heard.

Mr. O'MAHONEY. Mr. President, in order that there may be no doubt that this bill shall appear in the RECORD, I am forced, in the circumstances, to read it:

Be it enacted, etc., That part I of subchapter B of chapter I of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"SEC. 16. Labor differential tax:

"(a) Rate of tax: In addition to other taxes there shall be levied, collected, and paid for each taxable year upon the labor differential income of every producer a tax of — percent of the amount of the labor differential income.

"(b) Definitions: 'Labor differential income' means the gross income defined in section 22 (a), less the deductions allowed by subsection (c). 'Producer' means an individual, partnership, company, corporation, joint-stock association, or organization, producing goods or services.

"(c) Deductions from gross income: In computing labor differential income there shall be allowed as deductions:

"(1) The total cost of materials and supplies purchased and used during the taxable year in carrying on any trade or business producing goods or services; and

"(2) The total amount of remuneration paid as salary, wages, or other compensation for personal services, but not including that part of the remuneration which, after remuneration equal to $3,000 has been paid to an individual by a producer with respect to such services during any taxable year, is paid to such individual by such producer with respect to such services during such taxable year.

"(d) The provisions of this section shall not be applicable (1) to any producer for any taxable year for which such producer had no taxable income under this chapter, or (2) to any producer exempt from income tax under section 101."

SEC. 2. Part III of such subchapter B is amended by adding at the end thereof the following new section:

"SEC. 34. Labor differential credit:

"(a) Credit against labor differential tax: There shall be allowed as a credit against the labor differential tax imposed by section 16 (a) an amount equal to — percent of the total amount of remuneration paid during the taxable year as salary, wages, or other compensation for personal services, but not including that part of the remuneration which, after remuneration equal to $3,000 has been paid to an individual by a producer with respect to such services during such taxable year, is paid to such individual by such producer with respect to such services during such taxable year.

"(b) Labor differential payment: In the case of any producer whose labor differential credit for any taxable year exceeds the tax imposed by section 16 (a), the amount of such excess shall be paid to such producer by the Secretary of the Treasury, out of any money in the Treasury not otherwise appropriated. In the case of any producer who, for any taxable year, is not liable for the tax imposed by section 16 (a) because such producer had no taxable income under this chapter for such year, the Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to such producer an amount equal to — percent of the total amount of remuneration paid during the taxable year as salary, wages, or other compensation for personal services, but not including that part of the remuneration which, after remuneration equal to $3,000 has been paid to an individual by a producer with respect to such services during such taxable year, is paid to such individual by such producer with respect to such services during such taxable year."

SEC. 3. The amendments made by this act shall apply with respect to taxable years beginning after December 31, 1940.

Mr. President, I am really at a loss to understand why the Senator from Vermont does not permit this measure to go through the regular order so that it may be printed and lie on the table for Senators to see in readable form.

Mr. AUSTIN. Mr. President, I have stated my position. I do not know, but I think there is a misunderstanding.

Mr. O'MAHONEY. I was quite sure the Senator misunderstood what I was asking.

Mr. AUSTIN. If the Senator is willing to allow the regular order to take place, and to allow his bill to lie on the table and be printed——

Mr. O'MAHONEY. That is all I was asking.

Mr. AUSTIN. He will save much energy, although we are always charmed with the voice of the Senator from Wyoming.

Mr. O'MAHONEY. The Senator certainly misunderstood me. I did not ask anything but the introduction and printing of the bill and its reference to the Finance Committee.

Mr. AUSTIN. Mr. President, I do not want any action taken tonight.

Mr. O'MAHONEY. I am not asking for any action.

Mr. AUSTIN. I have no objection to the bill going into the RECORD or being printed.

Mr. O'MAHONEY. Mr. President, it is my understanding, then, that the bill has been introduced.

Mr. AUSTIN. Mr. President, I cannot see how the Senator could infer that.

Mr. O'MAHONEY. Mr. President, I know of no way to present a bill for consideration, to be printed, and to lie on the table, except to introduce it.

Mr. AUSTIN. Very well, if the Senator thinks that is the only way it may be done. I suppose that on my objection to the unanimous-consent request to set aside the pending business for that purpose it could not be done.

Mr. O'MAHONEY. Mr. President, I have no desire, of course, to set aside the pending business, if that is what the objection means.

Mr. AUSTIN. Yes.

Mr. O'MAHONEY. So the bill may lie on the table.

The bill (S. 3560) to reduce unemployment, was read twice by its title, and ordered to lie on the table.

Mr. NORRIS. Mr. President, I should like to have the attention of the Senator from Wyoming (Mr. O'MAHONEY). It seems perfectly clear to me, if I correctly understand the situation, that the Senator's bill—which, as I understand, will appear in the RECORD and be printed in regular bill form—relates to a subject of which, under the Constitution of the United States, the Senate has no original jurisdiction.

Mr. O'MAHONEY. Mr. President, the Senator is quite correct in that understanding. Although I have asked to have the bill referred to the Finance Committee, it is my intention to ask the Ways and Means Committee of the House to hold a hearing on the measure. Of course, it would be possible from a parliamentary point of view to attach the bill as a rider to any other tax bill that might come over from the House; but I will say to the Senator from Nebraska that that is not my intention. I have no desire to present this measure as a rider upon any other bill. My purpose in introducing it now is merely to have it printed and available and open to discussion, study, and criticism.

Mr. NORRIS. Mr. President, the Senator's purpose is commendable, even though it may unnecessarily take up some of the time of a committee of the Senate.

I was moved to make the suggestion I have made about the Senate having no jurisdiction because this very day I wrote a letter to a constituent who represents a very large organization, one of the largest in the State. He had called my attention to an error in a law on the statute books from which the organization suffered, which I think would be very readily changed if the Senate had the right to proceed with it.

I wrote him that legislation to correct the error must originate in the House of Representatives, and that the Senate had no right to pass legislation of that kind, although they could put on such an amendment if the House sent to the Senate a revenue bill; but I also had to tell him that, in my judgment, the House of Representatives had no intention of

passing a revenue bill at this session, so that however meritorious the legislation was, and however little change was necessary to bring it about, from a practical standpoint, it would probably be an impossibility. I did not want my constituent to read the RECORD and see that the Senate had received a proposition which was clearly beyond their jurisdiction, and, so far as the RECORD showed, were ready to proceed with its passage as soon as they could get to it.

I should like also to say that while I have no objection to the study of the bill, though I have not read it, in reading what the newspapers said about it this morning and listening to the Senator's argument it seemed to me that however worthy the purpose of the bill may be, attention ought to be called to the fact that the effect of the bill would be, as I see it, to put a tax upon human progress, and that it would act as a preventive of all technological inventions that would improve anything now in existence.

As I see the matter, the history of civilization is simply the story of technological inventions that have been made and put into use. I dislike to hear so many Senators speaking in commendation of the Senator's bill, all of whom have been highly complimented by the Senator from Wyoming, and to run the risk that I may receive not only not a compliment but a rebuke from the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I never could do anything but compliment the senior Senator from Nebraska.

Mr. NORRIS. But, I say, it seems to me that we ought to hesitate long—I think forever, unless there is a real compulsion under conditions that we cannot resist—before we try to put a stop sign on the road of human progress, or to levy a tax upon the improvement of any machinery now in existence which will bring about a happier and a more prosperous people; and I am afraid that is what the Senator's bill would have a tendency to do.

I know that technological inventions have resulted in huge unemployment, that there are many people out of employment because of such inventions; but if there had been no technological inventions, we would be in a state of barbarism today. It seems to me clear that the leaders of human progress should look with commendation and favor upon any invention which reduces the labor of human beings.

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

Mr. NORRIS. I yield.

Mr. O'MAHONEY. I desire merely to say to the Senator that I agree with everything he has said. I would be the last person to attempt to raise a stop sign on the road of technological improvement. No one recognizes more readily than do I, and no one is more prepared to acknowledge, that the development of the machine has been the cause of most of our improvement. I stated earlier in the discussion—perhaps the Senator did not hear the statement—that one of the reasons why measures of this kind, which have been suggested heretofore on numerous occasions, have not ripened into legislation was the very fear the Senator expresses, but I believe that this measure contains a formula which will make it possible for us to balance men and machines, and to get the best possible result out of both.

Mr. NORRIS. At least, I will say to the Senator, I welcome any study of the subject which may be made, no matter what point of view the student may have to begin with, or what his outlook may be.

While I am speaking of the bill which the Senator has introduced, I should like to say that the technological improvement of machinery in this country has long held my close attention. I have become a firm believer that we should welcome all technological inventions which reduce human labor, and that to meet the unemployment situation which must follow from the application of such machinery to human industry we should reduce the hours of labor of human beings.

I have thought, and I believe now, that we never will settle the unemployment question until we do reduce the hours of human labor. It would dislocate things a little to start with and bring about some inconveniences, but in the long run it would bring about an improvement of living conditions and would bring more happiness and more contentment and more prosperity to the human race.

We should reduce as much as we can the hours of labor of all human beings. We should welcome at any time the production of a mechanical instrument of any kind, and we should put it into application if it will reduce the necessary labor of human beings. It seems to me that one of the things we should do, and one of the things we will have to do, will be to reduce drastically much more than we have provided for by statute up to this time, the hours of labor of our people without reducing the wages, and in the end such action on the part of the Congress to meet the situation, so far as they have jurisdiction under the Constitution, while it would not bring about entirely the relief we seek of unemployment, it would reduce unemployment of men and women to a very great extent, so much so that it would go a great way toward solving the unemployment problem and bringing about prosperity.

Mr. President, I do not believe we can fully meet the situation until we have done something such as I have briefly outlined, or its equivalent, to meet the unemployment problem.

ADDRESS BY SENATOR PITTMAN ON WORLD AFFAIRS

Mr. PITTMAN. Mr. President, I find it necessary to call attention to an error in a newspaper quotation from a very short speech which I made on Saturday night, which was broadcast. I very rarely pay any attention to errors in quotations. However, I could not be committed to this error, because it is quite material in its effect.

On Saturday night I delivered before my fraternity a very brief address on the subject of World Affairs. It was broadcast. Mimeographed copies were made of it. I find in the Washington (D. C.) Sunday Star of March 10 a report of that address, and I find this statement by the reporter:

He—

Meaning me—

characterized the mission of Under Secretary of State Welles as a "splendid undertaking on the part of the President," and said Mr. Welles had been sent abroad to "make further efforts to bring about a cessation of war and an adjustment of the controversies that are the cause of war."

Certainly I never stated that. I never stated that Mr. Welles was sent abroad for the purpose of trying to bring about a cessation of war. I did use in my address the language quoted, but in a very different context and at a very different place.

What I said was this:

The President has sent to Europe Mr. Sumner Welles, the Under Secretary of State, to ascertain confidentially the attitude of the governments of the warring powers, their objectives, and, if possible, to ascertain some possible formula that might be the foundation at the proper time for the United States to make further efforts to bring about a cessation of war and an adjustment of the controversies that are the causes of the war.

It was a splendid undertaking upon the part of the President. There was some fear expressed at the time that the mission of Mr. Welles was announced by the President. Some thought that Mr. Welles might unfortunately be led into the controversies. His actions in Italy, Germany, and France have proven conclusively that he has made no such mistakes and will make no such mistakes, that he is only seeking information in confidence that may be of value to our country in the future. It appears that he has won the confidence of the various high officers of the governments with whom he has conferred. Never by word or action has he violated that confidence. Some said that the President could obtain the same information through his ambassadors. Ambassadors cannot be the recipients of the same confidence of foreign governments as a special envoy, because ambassadors frequently in their efforts to better the position of their own governments in the eyes of the world talk too much. Mr. Welles has not talked at all.

I ask leave to have the entire speech published in the CONGRESSIONAL RECORD.

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

The address is as follows:

Mr. Toastmaster; Dr. Brown, eminent supreme archon; members of the Supreme Council, Washington City Rho Chapter; and members of the Sigma Alpha Epsilon fraternity: I deeply appreciate your invitation to address you this evening on the subject of

World Affairs. There was never in the history of the world a subject that so vitally affects the lives of people and, in fact, civilization. In addressing my fraternity tonight, I am speaking to a cross-section of men who hold high positions in every profession and industry in the United States. It is well that in this period when humanity has imposed upon it suffering beyond expression that those who believe in brotherly love should give consideration to the sad condition of the world.

Great races of people, dominated by the brute instincts of greed and fear, have abandoned the teachings of Christ, the natural laws of humanity and justice. The efforts of powerful governments with mass control of their peoples are bent upon the unrestrained destruction of human life—soldiers, civilians, women, and children. In their madness they have closed their minds and souls to the dictates of reason. Czechoslovakia, an ideal democratic state composed of a high-class citizenry has been destroyed. Poland, which through the ages has been fighting for its independence, has had its people slaughtered and its government wiped out of existence. Finland—loyal, patriotic, honest Finland—has been invaded without excuse by Russia, a country a hundred times as powerful as Finland. The Finnish people are dying for the love of their country and for the honor of their people. China, with its 400,000,000 of peaceful, energetic, and honorable people, without legitimate cause or excuse, is being destroyed and its men, women, and children tortured and exterminated with barbarity never exceeded. Denmark, Norway, and Sweden, who have lived by peace and who even remained neutral during the first Great World War, are now threatened with extermination from two powerful sources. Rumania, who desires neutrality alone, is being forced into an untenable position by the Allies on one hand and by Germany upon the other hand. In fact, all the Balkan states are trembling today in fear of conquest by Germany and Russia.

When this war reaches the apex of its intensity and destruction, its results, as far as destruction of life and civilization are concerned, will be as a mountain to a molehill by comparison with the last war. The instruments of destruction in the air and under the water have been developed to a degree that they may carry their destruction many times further and with far greater destructive powers.

And what is the hope of stopping this catastrophe? Our Government, through the passage and the administration of the Neutrality Act, is strictly maintaining its neutrality as between the warring powers and has prevented the destruction of our ships and the lives of our sailors by restraining commerce with warring powers and by keeping our ships out of the war zones; and yet, while this act and its administration has very probably eliminated our people from the destruction of their lives and property, nevertheless, we cannot escape the dire effects of the destruction of the lives of the best people in the world and the chaos that must follow.

Our Government did everything in its power to induce the great governments of Europe who were threatening war to desist and to reach a reasonable peaceful understanding. The madness of Europe was too great. Our sincere efforts failed.

The President has sent to Europe Mr. Sumner Welles, the Under Secretary of State, to ascertain confidentially the attitude of the governments of the warring powers, their objectives, and, if possible, to ascertain some possible formula that might be the foundation at the proper time for the United States to make further efforts to bring about a cessation of war and an adjustment of the controversies that are the causes of the war. It was a splendid undertaking upon the part of the President. There was some fear expressed at the time that the mission of Mr. Welles was announced by the President. Some thought that Mr. Welles might unfortunately be led into the controversies. His actions in Italy, Germany, and France have proven conclusively that he has made no such mistakes, and will make no such mistakes—that he is only seeking information in confidence that may be of value to our country in the future. It appears that he has won the confidence of the various high officers of the governments with whom he has conferred. Never, by word or action, has he violated that confidence. Some said the President could obtain the same information through his ambassadors. Ambassadors cannot be the recipients of the same confidence of foreign governments as a special envoy because ambassadors frequently in their efforts to better the position of their own governments in the eyes of the world talk too much. Mr. Welles has not talked at all.

The situation in Asia is improving. It has become apparent to the Japanese Government that they cannot conquer China. The cost of their invasion already has been almost destructive of the monetary and economic systems of Japan. In this situation there is hope that a satisfactory adjustment between China and Japan will be worked out eventually.

Both Germany and Great Britain realize more fully now the cost in life, money, and materials of this great war if it continues to its end. And yet the madness still prevails to such an extent that rulers see no way yet except to continue this war of destruction. Each of the warring powers has laid down conditions of peace which anticipate the destruction of the economic life of the other. Certainly this is unnecessary. It is unreasonable. It is impossible. The entry of Russia into the war through its invasion of Poland and Finland and its alliance with Germany has greatly complicated the efforts for peace. Italy may be forced into the war on Germany's side and yet the Italian people will never favor an alliance with communistic Russia. Italy would not be happy at the conquest of the Balkan states by Germany and Russia. When Italy and the Balkans are drawn into this war, peace will be long deferred. If there is not an armistice before the summer commences, the chances are that the war will continue to its finish.

Now is the time for neutral countries to constantly hammer for the thought of peace. Possibly if an armistice could be induced for 30 days and fear could be allayed during that period of time, then maybe the neutral powers could offer their services. It is inconceivable that the warring powers should refuse an armistice to permit of calm discussion of the alleged causes of war and the objectives of such war. To refuse such an undertaking is to carelessly and selfishly pronounce the doom of civilization. We realize, of course, the difficulty of neutrals approaching warring powers in the intense heat of war. We are aware, of course, that unless such good services are welcomed by the warring powers, they can accomplish no good. And yet, sad as the picture appears, our citizens should be well satisfied with the high and patriotic position taken by their own Government. They should be happy to such extent as may be, considering the suffering of the world, that their sons will not be destroyed in this foreign war, that their Government and their civilization will not be threatened with destruction, and that their Government is maintaining a position that will enable it to render valuable services in bringing about peace, and if not peace then to maintain the seeds of civilization to reestablish it after the war in the devastated areas of the world.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate messages from the President of the United States submitting several nominations in the Army, which were referred to the Committee on Military Affairs.

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

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the executive calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

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

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc. That completes the executive calendar.

RECESS

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

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 12, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received March 11 (legislative day of March 4), 1940

APPOINTMENTS IN THE REGULAR ARMY

TO BE ASSISTANTS TO THE QUARTERMASTER GENERAL, WITH THE RANK OF BRIGADIER GENERAL, FOR A PERIOD OF 4 YEARS FROM DATE OF ACCEPTANCE

Col. Clifford Lee Corbin, Quartermaster Corps, from April 1, 1940, vice Brig. Gen. Augustus B. Warfield, assistant to the Quartermaster General, whose term of office expires March 31, 1940.

Col. Joseph Edward Barzynski, Quartermaster Corps, from August 1, 1940, vice Brig. Gen. Richard H. Jordan, assistant to the Quartermaster General, whose term of office expires July 31, 1940.

Col. Charles Dudley Hartman, Quartermaster Corps, from August 1, 1940, vice Brig. Gen. A. Owen Seaman, assistant to the Quartermaster General, to be retired July 31, 1940.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICER

Brig. Gen. Raymond Hartwell Fleming, Louisiana National Guard, to be brigadier general, National Guard of the United States, from March 8, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 11 (legislative day of March 4), 1940

POSTMASTERS

ARIZONA

Vivian E. Dodge, Cavecreek.
John W. Lawson, Oracle.
Jesse L. Boyce, Williams.
William H. Daley, Window Rock.

DISTRICT OF COLUMBIA

Vincent C. Burke, Washington.

GEORGIA

John J. Story, Ashburn.
Walter E. Schilling, Marietta.

MASSACHUSETTS

John F. Larnard, Amesbury.
George G. Henry, Ashfield.
Paul E. Haley, Chester.
Richard F. Pender, Dalton.
Frances B. Stevens, East Falmouth.
Charles E. Morrison, Falmouth.
J. Francis Megley, Holbrook.
Martin J. Healey, Hubbardston.
James E. Harte, Lee.
Regina C. West, Littleton Common.
James Connaughton, North Grafton.
Wilfred J. Tancrell, North Uxbridge.
William F. Eggo, Pinehurst.
Francis G. Fanning, South Lee.
John C. Donnelly, Walpole.

NORTH DAKOTA

Clair M. Christensen, Kensal.
Edward H. Berheide, St. Michael.

VIRGIN ISLANDS

Adele Berg, Frederiksted.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 11, 1940

The House met at 12 o'clock noon.

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

Our heavenly Father, behind all changes Thou dost ever abide in eternal constancy. As Thou hast counseled us in our unwisdom to ask of Thee, we beseech Thee to bestow upon us now and evermore the wisdom of righteous living. We thank Thee for the light that reveals unto us the divine estimate of human life, that lifts the veil of mystery from struggle and sacrifice. As humanity is growing weary in its tramp down the ages, as evil roars through the world, awaken intellect and character to banish its sin and shame and let us understand that nothing built on the crumbling rock of wrong can finally last. O may we learn to know Thee in the world about us and in the secret places of our own hearts. Blessed be Thy holy name. Thou wilt speak to us when we are in trouble, guide our footsteps when we have lost our way, and renew our courage when we have become disheartened. Today let us hear Thy voice saying, Peace be unto thee; be strong, be strong." In the Redeemer's name. Amen.

The Journal of the proceedings of Thursday, March 7, 1940, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 7863. An act to amend section 602 (e) of the Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States.

The message also announced that the Senate had passed a bill and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 3209. An act granting the consent of Congress to the Mississippi State Highway Commission to construct, maintain, and operate a free highway bridge across the Pearl River at or near Carthage in the State of Mississippi; and

S. J. Res. 226. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1449. An act for the relief of Robert Stockman;

S. 1998. An act for the relief of Ernestine Huber Neuheller; and

S. 2284. An act to amend the act of May 4, 1898 (30 Stat. 369), so as to authorize the President to appoint 100 acting assistant surgeons for temporary service.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed a joint resolution of the House of the following title:

On March 9, 1940:

H. J. Res. 424. Joint resolution to authorize the United States Maritime Commission to acquire certain lands at St. Petersburg, Fla.

STATE, COMMERCE, JUSTICE, AND JUDICIARY APPROPRIATION BILL, 1941—APPOINTMENT OF CONFEREES

Mr. McANDREWS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8319) making appropriations for the Departments of State, Commerce, and Justice, and for the Judiciary, for the fiscal year ending June 30, 1941, and for other purposes, with Senate amendments, disagree to the amendments of the Senate and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and appoints the following conferees:

Messrs. McANDREWS, RABAUT, CALDWELL, KERR, HARE, CARTER, STEFAN, and WHITE of Ohio.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain excerpts in connection therewith.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of the American merchant marine, and to include therein an editorial recently appearing in the Journal of Commerce.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLAND. Mr. Speaker, I also ask unanimous consent to extend my own remarks on the subject of the War Department civil functions appropriation bill relating to labor in the Canal Zone and to include therein excerpts from reports made by the Governor of the Panama Canal, other official reports, and a copy of a letter from the Acting Secretary of War to me with enclosures.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FORD of Mississippi and Mr. FERNANDEZ asked and were given permission to extend their own remarks in the RECORD.

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement appearing in the magazine The Nation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein messages that were received by the annual conference for the protection of the foreign-born.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in three particulars:

First, on the subject of the Metropolitan Opera House, New York.

Second. By inserting on the subject of the fiscal policy of the United States addresses by Senator JOSH LEE, of Oklahoma, and our colleague the gentleman from Pennsylvania [Mr. RICH], and others.

Third. To include an address by the Secretary of War on the subject United We Stand. It is a brief address.

The SPEAKER. Without objection, the requests of the gentleman from New York will be granted.

There was no objection.

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative business for the day on Wednesday next I may address the House for 30 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that on today at the conclusion of the special orders heretofore made I may address the House for 30 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on two subjects—to include in one a brief article from the Poultry Tribune and in the other to insert a short summary of a speech by Milo Perkins.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE PINK BOLL WORM

Mr. RANKIN. Mr. Speaker, I submit a concurrent resolution from the Legislature of the State of Mississippi memorializing Congress to appropriate funds to the Department of Agriculture to prevent further spread of the pink boll worm.

PERMISSION TO ADDRESS THE HOUSE

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE FARM CREDIT ADMINISTRATION

Mr. PIERCE. Mr. Speaker, the speech I am putting in the Appendix is a discussion of bills now pending which are very important to the farmers of the Nation, bills dealing with the Farm Credit Administration. One bill now pending before the House Committee on Agriculture builds constructively for the future, in the interests of the farmer. Another bill, introduced by several Senators, would reinstate the Farm Credit Administration as an independent agency, closely allied to Wall Street bankers. The real issue is not only whether the Farm Credit Administration shall remain as it is now under the Department of Agriculture or whether it shall be reestablished as a separate agency, but in whose interests it shall be administered. I am asking my colleagues in the House to read my remarks which will be found in the RECORD tomorrow morning.

[Here the gavel fell.]

EXTENSION OF REMARKS

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

Mr. SCHWERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include two resolutions pertaining to the St. Lawrence waterway.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. SCHWERT]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TABER. Mr. Speaker, I ask unanimous consent that at the conclusion of any special orders heretofore granted I may address the House for 15 minutes this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

RESOLUTION REQUESTING STATEMENT OF GOVERNMENT EMPLOYEES

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

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

Mr. TABER. Mr. Speaker, I have just introduced a resolution requiring the different departments and agencies of the Government to file with the Congress not later than April 1, a statement of the name of each employee and all his expenses who has been to Florida at Government expense since November 15, 1939. My information is that we will find a lot of high-toned bureaucrats enjoying a vacation at Government expense.

[Here the gavel fell.]

CENSUS QUESTIONS

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, ladies and gentlemen of the House, anything that I might say at this time perhaps is not informative, enlightening, or even sensational. Members on both sides of the aisle I know will agree with me when I say I want to call your attention to the numerous letters I have been receiving showing the displeasure of many people on account of the personal questions that have been asked, or will be asked, in connection with the taking of the census.

On March 8 there was sent to me a resolution introduced in the senate of the State of New York, and this was concurred in by the assembly March 6, 1940. Many of these questions, in my humble opinion, are somewhat personal; many of these questions are of a most personal nature. I have read the questions which have proved so objectionable, and I must agree with those whose objections I have received.

I consider the forthcoming census is an inquisition instead of an interrogation. I heartily sympathize with those individuals who I am positive will have their displeasure incurred. I thoroughly agree with Senator TOBEY, and I will vote for the Tobey resolution if it comes before the House; and let us hope that it does come before this body

so that we might correct the unjustifiable, un-American course proposed by the Bureau of the Census.

STATE OF NEW YORK, IN SENATE,
Albany, March 5, 1940.

(By Mr. Mahoney)

Whereas a bitter controversy arose in the First Constitutional Convention of the United States, in that the representatives of the smaller States as a rule claimed that the vote, and so the influence of the States in the proposed government, should be equal and the representatives of the larger States as a rule claimed that their greater population and wealth were entitled to recognition; and

Whereas the controversy ended in the creation of a bicameral legislature; in the lower branch, the House of Representatives, the claim of the larger States found recognition, while in the upper branch, the Senate, the claim of the smaller States found recognition, and each State having two votes; and

Whereas since the House of Representatives' seats were to be distributed in proportion to the population, the Convention, foreseeing the rapid changes of population, ordained an enumeration of the inhabitants and a redistribution or reapportionment of seats in the House of Representatives every 10 years; and

Whereas the Federal Census began in 1790 and has been taken every 10 years since, under mandate contained in the Constitution of the United States; and

Whereas the classifications for statistical information have increased in number from one census to another, so that it has now reached a point where the underlying purpose of the census has become secondary, and that some of the questions required to be answered in the present census are of a very personal nature; and

Whereas the Congress has also decreed that a criminal penalty be imposed upon persons refusing to answer said questions or who give false information: Now, therefore, be it

Resolved (if the assembly concur), That the Congress of the United States be, and it hereby is, memorialized to amend this legislation so that the personal questions may be eliminated from the questionnaire and the criminal penalty abolished; and be it further.

Resolved (if the assembly concur), That copies of this resolution be immediately transmitted to the President and to each United States Senator and each Member of the House of Representatives of the United States elected from the State of New York, and to the Clerk of the House of Representatives and the Secretary of the Senate at Washington, D. C.

By order of the senate.

WILLIAM S. KING, *Clerk.*

In assembly, March 6, 1940: Concurred in without amendment.
By order of the assembly.

ANSLEY B. BORKOWSKI, *Clerk.*

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and to include therein the resolution referred to.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

Mr. RANKIN. Mr. Speaker, reserving the right to object, that is a resolution passed by the Legislature of the State of New York with reference to the taking of the census?

Mr. O'BRIEN. No. It objects to some of the personal questions.

Mr. RANKIN. Just the Senate of the State of New York passed it?

Mr. O'BRIEN. Yes.

Mr. RANKIN. That is a Republican Senate?

Mr. O'BRIEN. Yes.

Mr. RANKIN. I do not object to your inserting anything they might say; it will not affect anything.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an excerpt from the CONGRESSIONAL RECORD.

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

There was no objection.

UNITED AMERICA, PART 5

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

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

There was no objection.

Mr. THORKELSON. Mr. Speaker, in article I, section 8, of the Constitution specific powers are granted to Congress in these words, "Congress shall have the power to," and the power is then stated.

In section 9 specific powers are denied Congress with the word "no" or the words "shall not," which are entirely restrictive, and then the restrictions are stated.

In section 10 restrictions of powers of the States are expressed in the words "No State shall," followed by explicit statements as to matters prohibited.

It follows, therefore, that article I, sections 8, 9, and 10, are written into the Constitution to clarify all powers granted or denied by the Constitution to Congress and to the States for the common defense and the general welfare of the United States.

Article I, section 9, of which I shall now quote one paragraph, deals entirely with restrictions imposed upon Congress by all the United States in order to protect the rights of the State:

> No money shall be drawn from the Treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

The founders of our country, foreseeing problems which might confront our Nation, wisely incorporated this provision in the Constitution. Why was this stipulation made? It was made in order to furnish pertinent information to the public as to expenditures and the purpose of such expenditures, not only of money appropriated by Congress but of all moneys appropriated, earned, or collected by the Federal Government, its departments, bureaus, and the many new Federal-owned corporations over which Congress unfortunately has no control except in appropriation of money.

This provision of the Constitution has been and is being violated by Congress, by the executive department, and by the extraconstitutional Federal corporations which have been created by special acts of Congress, and for which there is no legal authority.

The question should be asked: Are appropriations for these Federal-owned corporations made according to law? And the answer is "No," for these corporations are, as I have said, extraconstitutional, and therefore illegal. The Constitution provides that a regular statement and account of receipts and expenditures of all public money shall be published from time to time; the purpose of this is to give those who furnish the money, namely, the taxpayers of the United States, an opportunity to be informed as to what the Government is doing with their money.

Congress alone is responsible for the glaring violations of the Constitution that have resulted in the chaotic condition in which we find our Nation today. But when I say that Congress alone is responsible, I do not absolve the public, for it is the people who elect these incompetent officials to office. The people should therefore take care that Members represent the wishes of the people and not the wishes of a political machine.

I shall now, to bring home the pernicious evil of political power, quote from the Gold Reserve Act, section 3699, section 10B:

> To enable the Secretary of the Treasury to carry out the provisions of this section there is hereby appropriated, out of the receipts which are directed to be covered into the Treasury under section 7 hereof, the sum of $2,000,000,000, which sum when available shall be deposited with the Treasurer of the United States in a stabilization fund (hereinafter called the fund) under the exclusive control of the Secretary of the Treasury, with the approval of the President, whose decisions shall be final and not be subject to review by any other officer of the United States.

Did Congress conform to the Constitution when it set aside $2,000,000,000 in gold and said that this money should be "under the exclusive control of the Secretary of the Treasury, with the approval of the President, whose decisions shall be final and not subject to review by any other officer of the United States"? Certainly not! Congress did not give the

Constitution the slightest consideration, and neither did the Supreme Court when it upheld this act.

It is acts of this sort—and do not forget that there are many of them—which are now causing disintegration of industries and business. How can this be corrected? It can only be corrected when the Members in both Houses of Congress adhere to their obligation "to preserve, to protect, and defend" the rights of the people, as set forth in the Constitution of the United States.

Let us now proceed to consider article I, section 10. In this section the 48 United States deny certain rights to each State exactly in the same manner and with the same intent as the 48 States reserve the rights to themselves and to the people of this great Nation to regulate their own affairs.

It is not my desire to dwell too long on section 10, but allow me to call your attention to a part of paragraph 1:

> No State shall * * * coin money, emit bills of credit, make anything but gold and silver coin a tender in payment of debts.

Did Congress adhere to this paragraph in section 10 when the Gold Reserve Act was passed? It did not, for the people were not only deprived of gold and gold-secured investments, but Congress made it a criminal offense for the people, for you and me, to be secured by gold, which is not only our own property but is even more valuable and useful than real estate, as it represents a standard value in every country in the world.

What are we using for money today? We are using inflated currency or the so-called commodity or managed dollar with less inherent value than the wampum used by the Indians a thousand years ago. This is not all, for the people in the United States have been degraded to the point where they are now compelled to use blue and yellow checks for money to obtain the necessities of life, and this in the richest country in the world.

The present chaotic state is not due to the obsolescence of the Constitution, but is instead entirely due to the fact that our own Government does not adhere to it.

Members of Congress should read article I, sections 8, 9, and 10, for these sections clearly state, as I have already said, the powers delegated to Congress, the powers denied to Congress, and the powers which the States have denied to themselves. We, the Members of Congress should, for the common defense and the general welfare of the United States, be honorable enough not to betray this trust which the people have placed in us.

The 1940 election is now coming up and the people should, in their own interest, give consideration to the future of our Nation. To protect their own rights they should insist that every Member elected to Congress make a solemn promise that he will repeal all unconstitutional legislation now enacted into law, and that he will repeal all the extraconstitutional powers granted to the President of the United States, so that he may conform to article II. The people should also insist that the candidates elected for office promise to impeach all public officials who do not adhere to their oath of obligation in the true meaning of the oath. It is only in this manner that the Government can be cleaned of the rot which is infiltrating every Federal department. If this is done, we will restore the fundamental principles of this Republic as set forth in the Constitution of the United States. What does this mean? It means nothing less than that industries will operate, furnishing employment to those who are now idle, with gradual rehabilitation, recovery, and prosperity to our people.

The opportunity to clean Congress of dead timber comes up every 2 years, and it is a public duty to remove this "for the common defense and the general welfare of the United States."

WHAT ARE THE RIGHTS OF THE STATE?

It is the right of the State to be administered by a government elected by its own citizens according to the State constitution.

It is a further right of the State to be represented in the Senate of the United States by 2 Senators, who, in conjunction with 94 Senators from the other 47 States, are the Government of the United States of America. Each State is a sovereign Commonwealth within itself, operating under its own laws within its own borders. The Federal Government, or the Government of the United States, is composed of 2 representatives from each of the 48 Commonwealths, whose power is no greater than that granted in articles I, II, and III. It is, however, well to bear in mind that the people have not only reserved the unwritten power in the Constitution to the States and to themselves, but they have in addition to that reserved all written power to the States and to themselves which are not clearly delegated to the Government in the Constitution of the United States. I quote amendments 9 and 10:

> The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.
>
> 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.

It should be clear from this that the only power assigned to Congress is that set forth in the Constitution of the United States. This power is clearly defined in article I, section 8, restricted in article I, section 9, and further clarified in article I, section 10, until it should be sufficiently clear even for Members of Congress to understand.

Congressional meddling within the States is clearly limited in article I, section 8, paragraph 3:

> Congress shall have the power to regulate commerce * * * among the several States.

It should be clear from this that the only power assigned to Congress is to regulate commerce among the several States, which must be confined to establishing such measures as will protect passengers, crew, and freight. Let it be understood, however, that the Constitution does not give power to Congress to enact legislation that in any sense interferes with or restricts the private capital structure of business within the State. It is therefore clearly within the right of the State to regulate its own business entirely free from all Federal interference and meddling. The State may provide laws for banking and operate banks under the laws of the State. The Constitution makes it imperative that nothing but gold and silver shall be used in payment of debts, and when Congress deprived the State of this right it betrayed the people. All these rights must be restored for the general welfare of our own people and for the security of our Nation.

I may say at this point that article I, section 8, provides that Congress shall have the power "to coin money, regulate the value thereof, and of foreign coin." Let me say further that Congress still retains the power to coin money, but can no longer regulate value since the Gold Reserve Act was adopted in 1934. What Members of Congress fail to understand is that the people reserve the right to the States and to themselves to own and operate banks and to own and use gold for money. This is no more than right, because it is only by the use of stabilized and secured currency that investments may be protected. Industries and businesses cannot operate successfully without universally recognized sound currency. When industry and business are deprived of this medium of protection we can only expect unemployment. It is for this reason that each State must own banks and have the use of internationally standardized money. The very life of this Republic depends upon 48 independent State governments, directing the Government of the United States in its foreign relationships and among the several States.

This arrangement was not only just, but it was indeed wise, for that administration of State governments becomes a training school for those who eventually must assume their positions in the Government of the United States. In maintaining State rights and the freedom of the State government to administer the affairs of the State, Federal cost is reduced in direct proportion to the efficiency of the 48 States. It is therefore possible, under efficient State governments, that the Federal Government will only be required to administrate the United States Government in foreign relationships and to adjust differences when such arise among the several States.

Under the present system we are not only faced with an ever-increasing cost in State governments but we are also

submerged by an unwarrantable increase in costs of Federal administration, all of which are responsible for closed factories, stagnant business, and industrial unemployment.

It is we, the people, that pay the expenses of the Government, and when the cost reaches such proportions that it can no longer be controlled, nothing but national bankruptcy can be expected.

Mr. Speaker, in previous remarks I have discussed parts of articles IV, V, VI, and VII, so I shall refrain from entering into an extensive discussion at this time. However, it is my desire to call attention to article IV, section 3, from which I quote:

> That Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

I have taken the liberty of quoting this paragraph because the Philippine Islands are to receive their independence in 1946.

It is my desire to say at this point that Congress has no power to dispose of these islands and set up a foreign state without obtaining the consent of the United States. Each and every State in our Union owns a forty-eighth interest in the Philippine Islands, and the consent of the States must, therefore, be obtained first, before Congress can dispose of this property.

Since the adoption of the seventeenth amendment, the State government cannot give such consent, but it must, instead, be obtained from the majority of the electorate in the State, the same people that elect the Senators and Representatives to office. It is true that previous to the adoption of the seventeenth amendment, the State legislature could have given such approval to its United States Senators, but this condition no longer exists, for the State has lost its representation in the Senate of the United States.

What is the people's interest in territories? The people's interest may be found in the fact that they pay the expenses of the Federal Government, and they are paying for the Spanish-American War, and should, for that reason, if no other, be consulted before being deprived of their own property.

The point I wish to make is that the Philippine Islands could become a very productive colony under the proper management. If the Philippine Islands were administered like other colonies, the islands would pay not only for their own protection, but actual dividends from business, and a greater dividend as protection to the west coast of the United States.

We cannot, however, expect any colonies to be operated successfully when under supervision of political parties. It can only end like all other things which are under political supervision; namely, in a complete and dismal failure.

The people have been entirely too dilatory in asserting their rights and must, for their own protection, insist, as I have already said, that Congress adhere to its obligations as set forth in the Constitution.

It is high time that all Federal branches and departments take notice that the people of this Nation are still the supreme power, and when important issues arise the people must be consulted before drastic changes are made. We are indeed in a deplorable state, which, I believe, the people are beginning to realize. We must have a change, and it should be based upon the rights and protection the people have reserved to themselves in the ninth and tenth amendments.

Our Nation cannot be rehabilitated by the constitutional saboteurs now employed in many Government branches and departments. Our Nation will not be rehabilitated by those in society, for many of them are internationalists. It is up to us, the so-called common or middle class, to set this Nation right, so let us join hands and, shoulder to shoulder, unite for the return of sound constitutional government.

ECONOMY—WHERE HAS IT GONE?

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and I further ask unanimous consent to revise and extend my remarks and include therein House Resolution 28 of the Seventy-third Congress with regard to the Economy Committee, as well as an excerpt from the message of the President of the United States appearing in the RECORD of March 10, 1933.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, who wrote that resolution?

Mr. RICH. The Democratic administration in power at that time.

Mr. RANKIN. Does the gentleman mean he is going to insert a resolution of a previous Congress?

Mr. RICH. It is about 2 inches long, and it is in regard to the Economy Committee. Where is it? Where has it gone? We want to find the Democratic Economy Committee.

Mr. RANKIN. It is one of the resolutions passed back in 1933?

Mr. RICH. It was passed by the House in 1933. It is called House Resolution 28, and takes up about 2 inches of the RECORD.

Mr. RANKIN. It is already in the RECORD?

Mr. RICH. It is in the RECORD of March 10, 1933, and it deals with what is called the Economy Committee. I am trying to find any economy in this administration. I am unable to do it.

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

There was no objection.

House Resolution 28

> *Resolved*, That the Speaker of the House of Representatives be, and he is hereby, authorized to appoint a select committee of five Members of the House of Representatives to be known as the Economy Committee, for the purpose of considering and reporting upon the subject matter contained in the message of the President of the United States of March 10, 1933. The said committee is hereby empowered to sit and act during the session or recess of Congress or of either House thereof. Said Economy Committee is hereby authorized to report to the House at any time, by bill or otherwise, its recommendations upon any matters covered by this resolution; and any bills so reported shall be placed upon the calendar and have a privileged status.

Mr. RICH. What happened to the Economy Committee? Now, Members of the House, let me place here the statement of F. D. Roosevelt, President of the United States, to Congress March 10, 1933, and I quote:

ECONOMY IN GOVERNMENT

> For 3 long years the Federal Government has been on the road toward bankruptcy.
>
> For the fiscal year 1931 the deficit was $462,000,000.
>
> For the fiscal year 1932 it was $2,472,000,000.
>
> For the fiscal year 1933 it will probably exceed $1,200,000,000.
>
> For the fiscal year 1934, based on the appropriation bills passed by the last Congress and the estimated revenues, the deficit will probably exceed $1,000,000,000 unless immediate action is taken.
>
> Thus we shall have piled up an accumulated deficit of $5,000,000,000.
>
> With the utmost seriousness I point out to the Congress the profound effect of this upon our national economy. It has contributed to the recent collapse of our banking structure. It has accentuated the stagnation of the economic life of our people. It has added to the ranks of the unemployed. Our Government's house is not in order, and for many reasons no effective action has been taken to restore it to order.
>
> Upon the unimpaired credit of the United States Government rests the safety of deposits, the security of insurance policies, the activity of industrial enterprises, the value of our agricultural products, and the availability of employment. The credit of the United States Government definitely affects these fundamental human values. It therefore becomes our first concern to make secure the foundation. National recovery depends upon it.
>
> Too often in recent history liberal governments have been wrecked on rocks of loose fiscal policy. We must avoid this danger.
>
> It is too late for a leisurely approach to this problem. We must not wait to act several months hence. The emergency is accentuated by the necessity of meeting great refunding operations this spring.
>
> We must move with a direct and resolute purpose now. The Members of Congress and I are pledged to immediate economy.

Oh, how he repudiated these promises. Oh, where is the Economy Committee set-up? Where, oh where, has it gone? Mr. Speaker, I wish to call attention to the fact that this Economy Committee ought to be functioning. Why not bring it back to life again? I also wish to call attention to the fact

that in the President's message he made this memorable statement:

For 3 long years the Federal Government has been on the road toward bankruptcy.

I want to show you that today the administration has taken you for 7 long years on the road to bankruptcy, and that the Economy Committee has not functioned as it should. Today you are $2,689,000,000 more in the red since the 1st of July, last. You will be close to four billion before July 1, next, and that is near the deficit in the 3 long years the President referred to. Why does not the President do as he said he would do? Why did he completely change? Why the somersault? In the 7 long years in which the President has been handling the affairs of the Nation he has had a great deficit each year. He has been the greatest spender and squanderer of public money the world has ever known. This administration has been carrying the Nation to the brink of the abyss, and we will soon go over. Where are you going to get the money? Where is this administration's economy? [Applause.]

[Here the gavel fell.]

EXPAND THE CURRENCY AND RESTORE PROSPERITY

Mr. RANKIN. Mr. Speaker, the gentleman from Pennsylvania reminds me of the drunk fellows who paddled all night long trying to cross the Tennessee River, only to find the next morning that they had never untied their boat from the bank.

You will never balance this Budget on the present price levels. You never will get prosperity restored in this country until you restore the prices of farm commodities. You will never do it by borrowing from the rich and giving to the poor. You will never do it until you reverse the present monetary policy, and take some of that gold out of the ground and issue currency against it and put it into circulation, without paying interest on it. We should issue our own money, and issue enough of it to bring farm prices back to 20-cent cotton and $2 wheat. Until you do that you will never restore prosperity in this country. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting an article that recently appeared in the New York Sun.

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

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein resolutions adopted by the United States Live Stock Association.

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

There was no objection.

NATIONAL LABOR RELATIONS ACT

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

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

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I asked for this time in order to ask unanimous consent to print in the RECORD in connection with my remarks at this point in parallel columns the present N. L. R. A., the amendments proposed to that act by the Smith committee, and the bill H. R. 4990, introduced on March 13, 1939.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, does not the gentleman think it ought to be printed in the Appendix and not in the body of the RECORD?

Mr. HOFFMAN. It is immaterial to me. The point I wish to call to the attention of the House is that such material will exceed the regular limitation if the material is printed in the Appendix in the way I have requested, because there will be blank spaces in the RECORD that will take more space than it would take if inserted in the usual manner.

Mr. RANKIN. If the gentleman will modify his request so that the matter will appear in the Appendix of the RECORD, I shall not object.

Mr. HOFFMAN. That is all right with me, but I want the House to know that this will cost more than the regular amount; that is all. I do not need to get an estimate if I put the material in the body of the RECORD, but if you put it in the Appendix you do. I have the estimate.

[Here the gavel fell.]

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

There was no objection.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a very brief editorial from the Washington News.

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

There was no objection.

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Postmaster General Farley, with an introductory statement by the Governor of Maryland.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that this afternoon, at the conclusion of the legislative program of the day and following the last special order heretofore entered, which is that of the gentleman from New York [Mr. TABER], I may address the House for 20 minutes.

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

There was no objection.

REFUND OF PROCESSING TAX

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

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

There was no objection.

Mr. MUNDT. Mr. Speaker, I take this time to call the attention of the House to the fact that I have today placed on the Speaker's table discharge petition No. 25, which would discharge the Committee on Agriculture from further consideration of Senate Joint Resolution 66, and bring it before us for immediate action.

As most of you know, this resolution provides for the refund of the processing tax on hogs marketed for slaughter by the raisers and producers while they were paying this tax, which was later declared to be unconstitutional. The average claim due to the farmers of America who have a claim before the Government is $433.

This resolution has been before the Committee on Agriculture since August 5, and I think it is time we gave justice to these farmers by paying back to them the unjust taxes which they have paid the Federal Government. I urge all Members to sign this discharge petition so that this Government may keep faith with the American farmer. I shall have more to say on this subject at a later date and I expect to provide this House with ample evidence to demonstrate the justice and equity of refunding these taxes which were illegally collected from the farmers of America.

[Here the gavel fell.]

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend in the RECORD at this point Senate Joint Resolution 66, so the Members may be fully informed about the bill.

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

There was no objection.

The joint resolution is as follows:

Joint resolution making provisions for the refund of the processing tax on hogs marketed for slaughter by the raisers and producers who in fact bore all or part of the burden of such tax

Whereas the Agricultural Adjustment Act, levying a processing tax, has been held unconstitutional and said processing tax as previously assessed on hogs marketed for slaughter was in fact charged to the raisers and producers and was deducted from the market price of such hogs paid to such raisers and producers; and

Whereas provisions were made under title VII of the Revenue Act of 1936 for the refund to the processors of such part of the tax only, which they in fact bore and did not shift to the consumers or the raisers and producers; and

Whereas neither title VII of the Revenue Act of 1936 nor any other act made provision for a refund of such processing tax to the raisers and producers of hogs, who in fact bore the burden of such tax on hogs marketed for slaughter: Therefore be it

Resolved, etc., That any person who raised or produced and marketed hogs for slaughter on which there was levied, collected, or paid a processing tax, under the provisions of the Agricultural Adjustment Act, prior to the time that such act was held unconstitutional, or his legal representative, may have such tax, or part thereof, refunded to him, if it is shown to the satisfaction of the Commissioner, in accordance with regulations to be prescribed by the Commissioner with the approval of the Secretary, or to the satisfaction of the Board of Review, or the trial court, as the case may be, under provisions of title VII of the Revenue Act of 1936, insofar as such title may be applicable, that all or part of the burden of such processing tax was in fact charged to and borne by such person and was in fact deducted from the market price of such hogs. The amount of refund of such processing tax to which any claimant shall be entitled with respect to any particular quantity of hogs marketed shall be an amount equal to the processing tax payable upon the processing of an equal quantity of hogs at the time such particular quantity of hogs was marketed minus any amount by which the spread between the average hog-product value at Chicago of such particular quantity of hogs during the month in which they were marketed and the average hog price at Chicago of such particular quantity of hogs during the month in which they were marketed was less than the amount of such processing tax plus 65 cents. The account sales kept by the vendor, or by the vendee, or by an agent of either, shall be accepted as proof when properly identified. Any claimant may prove his claim under the provisions of title VII of the Revenue Act of 1936, insofar as such title may be applicable, and shall be entitled to all the rights and benefits, including the right of review and appeal, provided for by title VII of the Revenue Act of 1936 insofar as such title may be applicable: *Provided, however*, That such claim, if not previously filed, must be filed with the Commissioner at Washington, D. C., within 1 year from the date of enactment of this act, and proof must be submitted on any and all claims within 18 months from such date in accordance with regulations to be prescribed by the Commissioner. No fees shall be charged for filing any such claim. It shall not be necessary that the claimant be represented by an attorney.

PERMISSION TO ADDRESS THE HOUSE

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

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

There was no objection.

Mr. ANGELL. Mr. Speaker, I have filed with the Clerk of the House today two petitions, one signed by Mr. James Logan and 29 others and one by Zoe Thompson and 30 others, all residents of my district, petitioning the Seventy-sixth Congress to enact the General Welfare Act, H. R. 5620, for the purpose of relieving the suffering of our needy citizens over 60 years of age and providing prosperity for America.

This proposed law, known as the General Welfare Act, is supported by a large group of citizens, and many members of this House have signed the petition to bring the measure upon the floor.

It is practically conceded by all that unemployment is the major economic problem confronting us as a Nation. We have not solved it. It is closely allied with old-age assistance and with the farm problem. The farmers raise the food which the old people and the unemployed need to sustain themselves and their families but which they cannot buy by reason of unemployment. Employment gives jobs; jobs give purchasing power; purchasing power gives markets; markets give prosperity to the farmer. The farmers make up 25 percent of our population and yet they get only 11 percent of our national income. The Bureau of Labor Statistics, the Bureau of Home Economics, and the National Resources Committee recently made a study of incomes in the United States during 1935 and 1936. It covered 126,000,000 people, consisting of 29,400,000 families and 10,000,000 single persons. The report of this study shows that 4,000,000 families, or 14 percent, had an average income of $312 a year. Eight million families, or 27.5 percent, had an average income of $758 per year. Seven million families, or 23 percent, had an average income of $1,224. Thus, nearly two-thirds of our families had incomes of less than $1,500 and the average was only $826 a year, or $69 a month for a whole family.

This is less than half of the requirements for a minimum standard of living. These studies further disclose that the 14 percent of these families with the lowest income, namely, $312 on the average, are spending approximately $1 per person for food per week to keep body and soul together. Those in the next group with an average income of $758 spend 62 percent more for food and those with an average income of $1,224 spend 118 percent more for food per week than those in the lowest-income group. These studies show the close interrelationship between assistance for our old people, employment of those out of work, and markets for farmers. Industry has discarded workers over 60 years of age and very few of them are self-supporting.

The Supreme Court recently said:

> Congress did not improvise a judgment when it found that an award of old-age benefits would be conducive to the general welfare. * * * The plight of men and women at so low as 40 is hard, almost hopeless, when they are driven to seek for reemployment. Statistics are in the brief. A few illustrations will be chosen from many there collected. In 1930, out of 224 American factories investigated, 71 or almost one-third, had fixed maximum hiring age limits; in 4 plants the limit was under 40; in 41 it was under 46; in the other 153 plants there were no fixed limits, but in practice few were hired if they were over 50 years of age. With the loss of savings inevitable in periods of idleness, the fate of workers over 65, when thrown out of work, is little less than desperate. A recent study of the Social Security Board informs us that one-fifth of the aged in the United States were receiving old-age assistance, emergency relief, institutional care, or private funds; two-fifths to one-half were dependent on friends and relatives; one-eighth had some income from earnings; and possibly one-sixth had some savings or property. Approximately 3 out of 4 persons 65 or over were probably dependent wholly or partially on others for support.

Many students of these perplexing problems have come to the conclusion that the solution to the economic and social problems which are keeping America down is:

First. To provide a Nation-wide program for assistance to our old people, which will give them purchasing power as well as the means to sustain themselves.

Second. To put back on private pay rolls the 10 or 12 million unemployed, and

Third. To provide a market and parity prices for farmers.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein a short article on the wool situation in my district.

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

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I desire to submit two requests.

Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a letter to me from the Academic and Civil Rights Council of California, and my reply thereto.

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

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, my second request is to extend my remarks in the RECORD and to include therein a recent brief address by Philip Bancroft, of California.

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

There was no objection.

THE LATE EDWARD W. PATTERSON

Mr. WINTER. Mr. Speaker, I ask unanimous consent to speak for 1 minute.

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

There was no objection.

Mr. WINTER. Mr. Speaker, it is my sad and solemn duty to announce that on the 7th day of this month the Grim Reaper struck from the rolls of the living, Edward W. Patterson, of Pittsburg, Kans., former Member of the House of Representatives.

Mr. Patterson, or "Pat," as he was affectionately known to those who were intimately acquainted with him, was an outstanding Democrat in Kansas. He served as prosecuting attorney of Crawford County, Kans., and from 1935 to 1939 represented the Third Congressional District of Kansas in Congress, being the only Democrat to represent the Third District of Kansas in the past 36 years. Those of you who associated with him in the Seventy-fourth Congress and Seventy-fifth Congress will recall his integrity, his sincerity of purpose, and his loyal devotion to his party and his friends. Those who knew him personally have lost a friend.

To his good wife and family our hearts go out in sympathy.

EXTENSION OF REMARKS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an address given by Senator STYLES BRIDGES in Phoenix, Ariz., on February 21, 1940.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, an address by whom?

Mr. CHIPERFIELD. Senator STYLES BRIDGES.

Mr. RANKIN. Is he a State senator in the Arizona Legislature or a United States Senator?

Mr. CHIPERFIELD. Senator STYLES BRIDGES, of New Hampshire.

Mr. RANKIN. I have no objection.

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

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter addressed to the Secretary of State, Hon. Cordell Hull, concerning the St. Lawrence seaway project.

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

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein a short article from the Milwaukee Sentinel regarding milk prices.

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

There was no objection.

Mr. WINTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject Have We Helped the Wheat Farmer?

The SPEAKER. Is there objection?

There was no objection.

CONTESTED-ELECTION CASE—SWANSON AGAINST HARRINGTON

Mr. THOMAS of Texas. Mr. Speaker, by direction of the Committee on Elections No. 3, I present the following privileged resolution, which I send to the desk and ask to have considered at this time. The report is unanimous.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 419

Resolved, That Albert F. Swanson is not entitled to a seat in the House of Representatives in the Seventy-sixth Congress from the Ninth Congressional District of Iowa.

Resolved, That Vincent F. Harrington is entitled to a seat in the House of Representatives in the Seventy-sixth Congress from the Ninth Congressional District of Iowa.

The SPEAKER. The resolution will be referred to the House Calendar and ordered printed. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include a report of the Sedgwick County, Kans., Medical Association on a plan for medical care.

The SPEAKER. Is there objection?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter received from the councilor of the Polish Embassy, to which is attached a copy of a letter addressed to the chairman of the Committee on Foreign Affairs relative to the present Polish relief situation.

The SPEAKER. Is there objection?

There was no objection.

Mr. LESINSKI. Also, Mr. Speaker, I ask unanimous consent to have placed in the RECORD a resolution of the Polish Army Veterans Association of America.

The SPEAKER. Is there objection?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I also ask unanimous consent to have placed in the Appendix of the RECORD a resolution regarding the condemnation and execution of the mayor of the city of Warsaw, Poland.

The SPEAKER. Is there objection?

There was no objection.

Mr. LESINSKI. Also, Mr. Speaker, I ask unanimous consent to have placed in the RECORD a letter written by the United Dairy Workers, signed by Kenneth L. Vardon, with two copies of letters, if the gentleman who has written them will consent to have them placed in the RECORD; that is, the gentleman from Michigan [Mr. HOFFMAN].

The SPEAKER. Is there objection?

Mr. HOFFMAN. Mr. Speaker, I reserve the right to object, because I would like to see what the letters are.

Mr. LESINSKI. It is a letter written by the gentleman from Michigan to George McLean, recording secretary of the United Dairy Workers, and a reply to Mr. HOFFMAN by Kenneth L. Vardon.

Mr. HOFFMAN. Mr. Speaker, I wish the privilege of looking them over first, because I do not know what they are.

Mr. LESINSKI. Mr. Speaker, I withdraw that last request temporarily.

INTERNATIONAL TECHNICAL COMMITTEE, AERIAL LEGAL EXPERTS

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that Public Resolution No. 254, approved August 7, 1935 (49 Stat. 540), be amended by repealing section 2 of the resolution which terminates the provisions of the resolution as of June 30, 1941; so as to provide an annual appropriation to meet the share of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts and for participation in the meetings of the committee and the commissions established by that committee.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 8, 1940.*

AMERICAN YOUTH CONGRESS

Mr. MAY. Mr. Speaker, I present herewith a privileged resolution, House Resolution 402, together with a report thereon from the Committee on Military Affairs.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 402

Resolved, That the Secretary of War be, and he is hereby, directed to furnish the House of Representatives all such information as he may possess, or which may be available in the War Department and which will show, or tend to show—

(a) Whether at any time 3 days prior to or 3 days after the 10th day of February 1940 the War Department furnished lodging, transportation, or sustenance to any person who represented himself to be, or was represented by some other person to be, a member of the organization known as the American Youth Congress, or to any person who was in Washington in attendance at any of the meetings held by the American Youth Congress.

(b) If lodging, transportation, or sustenance was furnished to any such person or persons, the number of such persons to whom it was furnished, and a statement of what was furnished such persons.

(c) The name of the person or persons at whose request such lodging, transportation, or sustenance was furnished.

(d) Whether the War Department has been reimbursed for the cost of such lodging, transportation, or sustenance.

(e) To what account the cost of such lodging, transportation, or sustenance was charged.

(f) Under what authority or by virtue of what law such lodging, transportation, or sustenance was furnished.

Mr. MAY. Mr. Speaker, I ask unanimous consent that the report of the committee on the resolution be also read.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Report to accompany House Resolution 402

The Committee on Military Affairs, to whom was referred House Resolution 402, requesting that information be furnished concerning accommodations furnished certain members of the American Youth Congress during the recent meeting held in Washington, D. C., having considered the same, submit the following report thereon, with the recommendation that it do not pass:

The action of the committee is based upon a letter from the Secretary of War of date of March 11, 1940. Other information on file in the rooms of the Committee on Military Affairs for examination by Members of Congress shows that the War Department was at no expense in connection therewith.

Attached hereto and made a part hereof is a letter from the War Department:

WAR DEPARTMENT,
Washington, March 11, 1940.

Hon. ANDREW J. MAY,
Chairman, Committee on Military Affairs,
House of Representatives, Washington, D. C.

DEAR MR. MAY: This is in response to your request, dated March 6, 1940, for information in connection with House Resolution No. 402, concerning accommodations furnished certain members of the American Youth Congress during the recent meetings held in Washington.

A careful search of the records of the War Department has resulted in failure to disclose any record of the receipt of any request from this organization. However, inquiry of the commanding officer at Fort Myer, Va., elicits the following:

It appears that on the night of Saturday, February 10, 1940, an appeal was made directly to Fort Myer from the White House that certain members of this youth organization be permitted to sleep there, no previous arrangements having been made for their housing. It was a cold, rainy night; War Department offices were closed; and in view of the emergency conditions, some 95 or 100 persons were permitted to occupy cots in the riding hall at Fort Myer, each cot being supplied with 2 blankets. The following night, Sunday, 6 were furnished similar accommodations in the local guardhouse.

The authorities at Fort Myer advised me that reimbursement has been made of all funds expended and that every item of Government property used has been properly accounted for to them. This being the case, no charge is outstanding against any account.

The action taken at Fort Myer was by virtue of the authority reposing in any military commander to relieve distress in cases of emergency.

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

Mr. MAY. Mr. Speaker, I move that the resolution be laid on the table.

The motion was agreed to.

EXTENSION OF REMARKS

Mr. LESINSKI. Mr. Speaker, the gentleman from Michigan [Mr. HOFFMAN] stated to me that he has no objection to placing his letters in the Appendix of the RECORD. I therefore renew my request that I may place in the Appendix of the RECORD a letter written by the United Dairy Workers and two letters attached.

The SPEAKER. Is there objection?

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, I simply wish to state that I have no objection.

There was no objection.

DISTRICT OF COLUMBIA LEGISLATION

The SPEAKER. This is District of Columbia day. The Chair recognizes the acting chairman of the Committee on the District of Columbia, the gentleman from Indiana [Mr. SCHULTE].

COMMITTEE ON INAUGURAL CEREMONIES

Mr. SCHULTE. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the joint resolution (H. J. Res. 465) authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1941, and for other purposes, and I ask unanimous consent that the same may be considered in the House as in Committee of the Whole.

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

Mr. RICH. Mr. Speaker, reserving the right to object, I know that will be perfectly satisfactory on this side to make preparation for that inauguration, because we will have a Republican as sure as the sun rises tomorrow morning. [Laughter and applause.]

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of the Interior, and such other officers of the District of Columbia and the United States as control any public lands in the District of Columbia, are hereby authorized to grant permits, under such restrictions as they may deem necessary, to the Committee on Inaugural Ceremonies to be appointed with the approval of the President-elect for the use of any reservations or other public spaces in the District of Columbia under their control on the occasion of the inauguration of the President-elect in January 1941: *Provided*, That in their opinion no serious or permanent injuries will be thereby inflicted upon such reservations or public spaces or statuary thereon; and the Commissioners of the District of Columbia may designate for such and other purposes, on the occasion aforesaid, such streets, avenues, and sidewalks in said District of Columbia under their control as they may deem proper and necessary: *Provided, however*, That all stands or platforms that may be erected on the public space, as aforesaid, including such as may be erected in connection with the display of fireworks, shall be under the said supervision of the said inaugural committee, and no stand shall be built on the sidewalk, streets, parks, and public grounds of the District of Columbia, not including the area on the south side of Pennsylvania Avenue directly in front of the White House, except such as are approved by the inaugural committee, the building inspector of the District of Columbia, and the Secretary of the Interior: *And provided further*, That the reservations or public spaces occupied by the stands or other structures shall, after the inauguration, be promptly restored to their condition before such occupation, and that the inaugural committee shall indemnify the appropriate agency of the Government for any damages of any kind whatsoever upon such reservations or spaces by reason of such use.

SEC. 2. The Commissioners of the District of Columbia are hereby authorized to permit the committee on illumination of the inaugural committee for said inaugural ceremonies to stretch suitable overhead conductors, with sufficient supports wherever necessary, for the purpose of connecting with the present supply of light for the purpose of effecting the said illumination: *Provided*, That, if it shall be necessary to erect wires for illuminating or other purposes over any park or reservation in the District of Columbia, the work of erection and removal of said wires shall be under the supervision of the official in charge of said park or reservation: *Provided further*, That the said conductors shall not be used for conveying electrical currents after January 24, 1941, and shall, with their supports, be fully and entirely removed from the streets and avenues of the said District of Columbia on or before January 31, 1941: *Provided further*, That the stretching and removing of the said wires shall be under the supervision of the Commissioners of the District of Columbia, or such other officials as may have jurisdiction in the premises, who shall see that the provisions of this resolution are enforced, that all needful precautions are taken for the protection of the public, and that the pavement of any street, avenue, or alley disturbed is replaced in as good condition as before entering upon the work herein authorized: *And provided further*, That no expense or damage on account of or due to the stretching, operation, or removal of the

said temporary overhead conductors shall be incurred by the United States or the District of Columbia.

SEC. 3. The Secretary of War and the Secretary of the Navy be, and they are hereby, authorized to loan to the Committee on Inaugural Ceremonies such hospital tents, smaller tents, camp appliances, ensigns, flags, signal numbers, etc., belonging to the Government of the United States (except battle flags), that are not now in use and may be suitable and proper for decoration, and which may, in their judgment, be spared without detriment to the public service, such flags to be used in connection with said ceremonies by said committee under such regulations and restrictions as may be prescribed by the said Secretaries, or either of them, in decorating the fronts of public buildings and other places on the line of march between the Capitol and the Executive Mansion, and the interior of the reception hall: *Provided*, That the loan of the said hospital tents, smaller tents, camp appliances, ensigns, flags, signal numbers, etc., to said committee shall not take place prior to the 11th of January, and they shall be returned by the 25th day of January 1941: *Provided further*, That the said committee shall indemnify the said Departments, or either of them, for any loss or damage to such flags not necessarily incident to such use. That the Secretary of War is hereby authorized to loan to the inaugural committee for the purpose of caring for the sick, injured, and infirm on the occasion of said inauguration such hospital tents and camp appliances and other necessaries, hospital furniture and utensils of all descriptions, ambulances, horses, drivers, stretchers, and Red Cross flags and poles belonging to the Government of the United States as, in his judgment, may be spared and are not in use by the Government at the time of the inauguration: *And provided further*, That the inaugural committee shall indemnify the War Department for any loss or damage to such hospital tents and appliances, as aforesaid, not necessarily incident to such use.

SEC. 4. The Commissioners of the District of Columbia and the Secretary of the Interior be, and they are hereby, authorized to permit telegraph, telephone, and radio-broadcasting companies to extend overhead wires to such points along the line of parade as shall be deemed by the chief marshal convenient for use in connection with the parade and other inaugural purposes, the said wires to be taken down within 10 days after the conclusion of the ceremonies.

Mr. SCHULTE. Mr. Speaker, I offer three amendments.

The Clerk read as follows:

Committee amendment: Page 1, line 3, after the word "That", strike out "the Secretary of the Interior" and insert in lieu thereof "the Administrator of the Federal Works Agency."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 19, after the word "and", strike out "Secretary of the Interior" and insert "Administrator of the Federal Works Agency."

Mr. KNUTSON. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, whoever prepared this resolution and report labored under a delusion, as witness this language:

To maintain public order and protect life and property in the District of Columbia from January 15 to January 26, both inclusive.

That phraseology——

Mr. SCHULTE. May I say to the gentleman that he has the wrong report.

Mr. KNUTSON. I am reading from House Joint Resolution 466.

Mr. SCHULTE. House Joint Resolution 465 is the resolution under consideration.

Mr. KNUTSON. Is this not for the inauguration?

Mr. SCHULTE. House Joint Resolution 465 is the resolution under consideration.

Mr. KNUTSON. Well, I will go on. Of course, if this were going to be a New Deal inauguration you would probably need $25,000 and more to maintain law and order and to protect life and property, but let me say to the distinguished chairman that this will be a Republican inauguration. [Applause.] We are not going to need a dollar to maintain law and order because the people are going to come here with hearts full of thankfulness because on that day we will strike the shackles of the New Deal from their hands and feet, and liberate them just like Abraham Lincoln liberated the colored man back in 1862. [Applause.]

Of course, I am for the resolution but I want to see the money spent in celebrating that great event, not in repressing a natural feeling of joy and exaltation over the end of 8 long and expensive years.

Mr. SCHULTE. Mr. Speaker, I will say that if the trend continues as it is, we will need more than the appropriation that is asked for, in view of the fact that everybody in the United States wants to come here to Washington to see President Roosevelt be inaugurated for a third term. [Applause.]

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 17, after the word "and", strike out "Secretary of the Interior" and insert in lieu thereof "Administrator of the Federal Works Agency."

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRESIDENTIAL INAUGURAL CEREMONIES, 1941

Mr. SCHULTE. Mr. Speaker, I call up the joint resolution (H. J. Res. 466) to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1941, and I ask unanimous consent that the same may be considered in the House as in Committee of the Whole.

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

There was no objection.

The Clerk read the resolution as follows:

Resolved, etc., That $25,000, or so much thereof as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, is hereby authorized to be appropriated to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District from January 15 to January 26, 1941, both inclusive, including the employment of personal services, payment of allowances, traveling expenses, hire of means of transportation, cost of removing and relocating streetcar loading platforms; for the construction, rent, maintenance, and expenses incident to the operation of temporary public-comfort stations, first-aid stations, and information booths, during the period aforesaid, and other incidental expenses in the discretion of the Commissioners. Said Commissioners are hereby authorized and directed to make all reasonable regulations necessary to secure such preservation of public order and protection of life and property, and to make special regulations respecting the standing, movements, and operating of vehicles of whatever character or kind during said period; and to grant, under such conditions as they may impose, special licenses to peddlers and vendors to sell goods, wares, and merchandise on the streets, avenues, and sidewalks in the District of Columbia, and to charge for such privilege such fees as they may deem proper.

SEC. 2. Such regulations and licenses shall be in force 1 week prior to said inauguration, during said inauguration, and 1 week subsequent therto, and shall be published in one or more of the daily newspapers published in the District of Columbia and in such other manner as the Commissioners may deem best to acquaint the public with the same; and no penalty prescribed for the violation of any of such regulations shall be enforced until 5 days after such publication. Any person violating any of such regulations shall be liable for each such offense to a fine of not to exceed $100 in the police court of said District, and in default of payment thereof to imprisonment in the workhouse of said District for not longer than 60 days.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING ACT TO REGULATE ADOPTION PROCEEDINGS IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 7084) to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937, and I ask unanimous consent that the same may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of the act entitled "An act to regulate proceeding in adoption in the District of Columbia" be amended by adding thereto the following new sentence: "If the birth occurred outside of the District of Columbia, the clerk of the court shall, upon petition by the adopter, furnish him with a certified copy of the final decree of adoption."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAMSBURG LANE

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 8639) to change the name of a portion of Twenty-fourth Street NW. to Williamsburg Lane, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the name of that portion of the street in the District of Columbia now known as Twenty-fourth Street NW., which begins at Porter Street and extends one block in a northerly direction to Rock Creek Park, is hereby changed to Williamsburg Lane.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONGRESSIONAL AUTOMOBILE TAGS

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 7114) to amend paragraph (c) of section 6 of the District of Columbia Traffic Act, as amended by act approved February 27, 1931, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill:

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the proviso of paragraph (c), section 6, of the District of Columbia Traffic Acts, as amended by the act approved February 27, 1931, be, and the same is hereby, further amended by adding thereto the following: "*Provided further*, That such congressional tags shall be valid only for the session of Congress in which such tags are so issued, and it shall be unlawful to display such congressional tags for a period longer than sixty days after the expiration of the session in which such congressional tags are issued.

"At the expiration of the said sixty-day period it shall be unlawful to display such tags and the Commissioners shall be authorized and empowered to order removal of any such tags from any motor vehicle so displayed.

"Any person violating this section shall be fined not more than $300 or imprisoned not more than 90 days, or both."

With the following committee amendments:

Page 1, line 8, strike out the words "session of."

Page 2, line 1, strike out the word "sixty" and insert the word "fifteen."

Page 2, line 1, strike out the word "expiration."

Page 2, line 2, before the word "of", insert the word "opening."

Page 2, lines 2 and 3, strike out the words "session in which such congressional tags are issued" and insert in lieu thereof "next Congress."

Page 2, line 4, strike out the words "sixty-day" and insert in lieu thereof "fifteen-day."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMPLOYMENT OF MINORS IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 8694) to amend an act of Congress entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

Mr. CELLER. Mr. Speaker, reserving the right to object, and I shall not, I want to compliment the Committee on the District of Columbia for reporting out this bill which will enable us in the Nation's Capital to see some very fine dramas we have been precluded from seeing because of present legislation which prevents children from acting in any place in the city of Washington.

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

Mr. MARCANTONIO. Mr. Speaker, I object.

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 8470) to amend section 6 of the District of Columbia Alcoholic Beverage Control Act, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

Mr. SHAFER of Michigan. Mr. Speaker, reserving the right to object, and I shall not, I want the RECORD to show that this bill provides an appeal to the Alcoholic Beverage Control Board of those dealers refused a license. Is that true?

Mr. SCHULTE. That is correct. It provides for an appeal to the Commissioners.

Mr. SHAFER of Michigan. That is what I mean, an appeal to the Commissioners from the District Alcoholic Beverage Control Board.

Mr. SCHULTE. That is right.

Mr. SHAFER of Michigan. Is any plan under consideration whereby an appeal may be taken by those protesting the issuance of a license?

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

Mr. SHAFER of Michigan. I yield.

Mr. NICHOLS. I may say to my friend from Michigan that the matter was called to the attention of the committee this morning. It was pointed out that no provision had been made for an appeal by protestants to the issuance of licenses. It was the consensus of the committee's opinion that probably there might be some merit to the amendment, but since the bill was already on the calendar and since it would have necessitated the offering of an amendment from the floor, which amendment would be rather long, the committee felt that perhaps it would be better to pass the bill in its present form allowing the amendment to be put on in the Senate.

I will say to the gentleman that I know of no opposition in the committee to the amendment.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That section 6 of the act of Congress entitled "An act to control the manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia," approved January 24, 1934, be, and the same is hereby, amended to read as follows:

"SEC. 6. The right, power, and jurisdiction to issue, transfer, revoke, and suspend all licenses under this act shall be vested solely in the Board, and the action of the Board on any question of fact shall be final and conclusive; except that, in case an application for a license is denied to one who has previously held a license of the same class for the same premises as applied for in said application, or, in case a license is revoked, or is suspended by the Board, the applicant or licensee may, within 10 days after the order of denial, or the order of revocation, or the order of suspension is entered appeal in writing to the Commissioners to review said action of the Board, the hearings on said appeal to be submitted either orally or in writing at the discretion of the Commissioners, and the Commissioners shall not be required to take evidence, either oral, written, or documentary. The decision of the Commissioners on any question of fact involved in such appeal shall be final and conclusive. Pending such appeal from an order of revocation or suspension, the license shall stand suspended unless the Commissioners shall otherwise order.

"That the right and power be vested in the Board, for good cause shown, to issue permits for the sales of stocks of beverages located in the District of Columbia by individuals, corporations, or associations, partnerships, executors, administrators, being owners thereof, receivers or other representatives of a court, to persons licensed under this act.

"Said Board shall have such other authority and perform such other duties as the Commissioners may, by regulation, prescribe."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER. In the event of the absence of the Speaker for the next 3 legislative days, the Chair designates the gentleman from Texas [Mr. RAYBURN] as the Speaker pro tempore.

EMPLOYMENT OF MINORS IN DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 8694) to amend an act of Congress, entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928, and I move that the House

resolve itself into the Committee of the Whole House on the state of the Union for the consideration of said bill. Pending that motion, I ask unanimous consent that debate may be limited to 1 hour, 30 minutes to be controlled by the gentleman from Illinois [Mr. DIRKSEN] and 30 minutes by me.

CALL OF THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Obviously there is not a quorum present.

Mr. SCHULTE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 41]

Arnold	Douglas	Johnson, Lyndon	Sheridan
Barton	Drewry	Kerr	Simpson
Bates, Ky.	Evans	Lea	Smith, Ill.
Bates, Mass.	Fay	Lemke	Smith, Maine
Bell	Ferguson	McArdle	Starnes, Ala.
Bender	Ford, Leland M.	Maciejewski	Steagall
Boland	Fulmer	Magnuson	Stearns, N. H.
Bradley, Mich.	Gamble	Mansfield	Sullivan
Buckley, N. Y.	Garrett	Marshall	Sweeney
Burdick	Gehrmann	Martin, Ill.	Taylor
Burgin	Gibbs	Merritt	Vincent, Ky.
Byron	Grant, Ind.	Murdock, Ariz.	Vinson, Ga.
Casey, Mass.	Hall, Leonard W.	Myers	Wallgren
Clark	Halleck	Osmers	Ward
Clason	Hart	O'Toole	Weaver
Cluett	Harter, N. Y.	Patman	Wheat
Coffee, Wash.	Hendricks	Polk	Whelchel
Creal	Izac	Powers	White, Idaho
Crowther	Jarman	Risk	Williams, Del.
Darrow	Jarrett	Sabath	Youngdahl
DeRouen	Jeffries	Secrest	
Dies	Jenks, N. H.	Seger	

The SPEAKER. On the roll call 340 Members have answered to ther names. A quorum is present.

On motion of Mr. SCHULTE, further proceedings under the call were dispensed with.

EMPLOYMENT OF MINORS IN THE DISTRICT OF COLUMBIA

The SPEAKER. Will the gentleman from Indiana repeat his unanimous consent with reference to the time of debate?

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that debate be limited to 1 hour, one-half to be controlled by the gentleman from Illinois [Mr. DIRKSEN], and one-half by me.

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

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. SCHULTE].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8694, with Mr. CELLER in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. SCHULTE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I feel I should take a few minutes at this time to explain the purposes of the pending legislation, as I believe there may be a misunderstanding among some of the Members as to just what it contains. Let me say at this time that this bill was reported out of the District of Columbia Committee 2 weeks ago by a unanimous vote of the membership present and may I say further, I am confident not one of those Members would think of voting for a measure which would be harmful to children or which would in any way break down the child laws now on the statute books.

The opposition to this bill will tell you that what a great many are trying to do is take children out of the homes and place them at hard labor, but this is not true. The only thing we are trying to do is allow these children to go on the stages and show their ability and they can only do this when they have received permission from the school authorities.

The purpose of the bill is to authorize the Board of Education of the District of Columbia to issue a work permit to any minor so that such minor may appear on the stage of a duly licensed theater in the District of Columbia in any professional traveling theatrical production or in a musical recital or concert providing the minor shall not appear after 11 p. m. nor more than 4 hours in 1 day. The Board of Education must see that the production is not offensive to public decency and that the parent or guardian has made provision for adequate educational instruction and for the safeguarding of the child's health and morals.

I might emphasize at this point that the bill states:

on the stage of a duly licensed theater in any professional traveling theatrical production or in a musical recital or concert.

It would in no way allow children to appear in night clubs, cabarets, or any other places which might be objectionable. Also, the bill requires a permit from the Board of Education before any minor can appear, and gives the Board the right to refuse such permit if, in its opinion, it would be harmful to the child to issue it.

We all know that there have been many splendid theatrical productions which required the appearance of a child in some scene or other. Just as an example I might mention The American Way, which ran for many months in New York last year, and which in my mind every American should see.

However, under existing law, this and many others could not be brought to Washington because of the minors who took part. As a result, the people of Washington who can afford it travel to Baltimore, New York, and other points to see these productions which they do not want to miss. I do not believe it is fair to our local theatergoers or theater owners to prohibit them from having these productions at home.

I hope the Members of this House will consider the bill on its merits and know that your committee has given it very careful consideration from every angle. We feel it should be passed.

I also might mention here that we have in our body a very distinguished colleague, a friend of practically everyone here, who grew up as a child in the theater, and, I might say, was raised in a trunk backstage. No one will deny the fact that he is a great success in life.

I refer to my good friend the gentleman from New York, SOL BLOOM. I know of no man in this House who has more genuine friends or is better thought of or more respected than our colleague. I am mighty proud to number him among my very intimate friends, and I hope it will last so long as one or the other of us are on this earth. There are several other Members who were in the theatrical business during their childhood, and certainly no one will deny that they have been a success in life. Some of the greatest actors we have on the stage and screen today were practically born on the stage, and, in the parlance of the stage, were raised in a trunk. Certainly no one will deny that they are a success. I hope this bill will pass.

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

Mr. SCHULTE. I yield to my good friend and distinguished colleague.

Mr. BLOOM. Is it not a fact that under this bill no child will appear after 11 o'clock?

Mr. SCHULTE. The gentleman is correct.

Mr. BLOOM. Furthermore, the manuscript of the play must be submitted with the application so the School Board may be shown what kind of a play it is in which the child will appear?

Mr. SCHULTE. That is right. It is similar to the situation that applies to the plays the children appear in today that are fostered by the teachers in the various schools and by various church organizations.

Mr. BLOOM. Without this legislation a child cannot appear either in concert as a pianist or violinist or on the radio or the stage?

Mr. SCHULTE. No; they cannot.

Mr. BLOOM. Under this bill must the children be 14 years of age?

Mr. SCHULTE. No; they may be of any age.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, we have a very restrictive child-labor act in the District of Columbia. As a matter of fact, under existing law children under 18 who play professional concerts or recitals for gain cannot perform in the District of Columbia. This has been settled law, and it is rather rigidly enforced.

Some years ago the first effort was made to relax the restrictions and requirements of the existing act to make it possible for children to appear on the stage. I believe I fought shoulder to shoulder with some of the Members of the House at that time. We engaged in hefty rhetorical battle all afternoon, with the result that the bill was defeated. Now it is back here, and I find myself approaching this measure with rather mixed emotions.

I have a daughter 11 years old. I can imagine how much she would give and how far she would go to see Shirley Temple on the stage in person. But Shirley Temple cannot come to Washington, D. C., if she is under contract, because she is a performer for gain, and it would be a violation of the District Child Labor Act. I have wondered, therefore, at time, whether those whose names are household words in the theater profession might not by some device be brought around, because I think it has both cultural and informative value for the children of the country.

I did not share in the drawing of this bill but I do want to tell you how the matter was approached. Before child actors can perform there are certain requirements that must be met. They must make application to the school board or to an agency designated by the school board. The school board may require that a copy be submitted of the script that is to be used in connection with the performance or presentation of such child. I believe the "may require" is one of the weaknesses of the bill. The word "may" should be changed to the word "shall."

As I read this language, the school board can without cause deny the granting of a license or a permit to perform, and so there is reposed in a local body made up of local citizens certain rights of guardianship and stewardship. If there are any abuses, obviously it is to be expected that the Board would be responsive to the dictates and to the influences of the good mothers of the District of Columbia. I therefore regard that as something of a safeguard.

I do suggest, however, that on page 2, in line 12, the word "may" be changed to "shall" so that instead of letting it be permissive it is a mandatory requirement that the script must be submitted so that local citizens may take a look and see whether any abuses may be created.

Mr. SCHULTE. If the gentleman will yield, I may say there will be no objection to that amendment.

Mr. BLOOM. It was in the original bill.

Mr. DIRKSEN. Probably some opposition comes up on this bill because no hearings were held. The bill has been in the Committee on the District of Columbia for a long time. The committee reported it out. Unfortunately, I was not in the committee session at the time, because of attendance in the House Appropriations Committee.

A great many leaders of civic groups and other organizations appeared before the committee this morning and indicated or expressed the hope that the bill might be returned to the committee for hearings. Of course, the answer of those who are proposing the bill is that it will have hearings over on the Senate side starting, perhaps, this week. So you may take your choice—there is the situation, with a local agency designated to issue the permits, the requirement that the manuscript must be submitted and authority to issue or deny a permit without any cause whatsoever. So there is at least some safeguarding in the pending measure which we did not find in the bill that came to us several years ago.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. Does not this put Congress on record as favoring child labor? I have listened attentively to the speeches that both the gentlemen have made and I have not heard any positive argument why we should vote for this bill. The gentleman states that Shirley Temple might not come here and we might miss her. But Temple does not make personal appearances, I am told. The first gentleman said that men born and brought up on the stage have achieved success and have become Congressmen, but perhaps the men you mention might have become Presidents instead of Congressmen if they had not been forced as children to work in the theater. I see nothing positive in this bill that is going to benefit children.

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

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself an additional 5 minutes and yield to the very distinguished gentleman from New York.

Mr. BLOOM. I would like to state that the wage and hour bill does not apply to stage or film children. So this has no effect upon that measure at all. The wage and hour bill specifically excludes them.

Mr. DIRKSEN. I must say to our charming colleague from Illinois, as I stated, this measure does not affect the existing restrictions in the District child-labor provision.

Miss SUMNER of Illinois. Will the gentleman permit me to say that this is a new subject to me, not having been informed until yesterday that such a bill was coming up. I am simply trying to bring to the attention of the House the fact that I have received numerous telephone calls from leading women in the District, women lawyers and welfare workers, who believe they should have the right to present their case because some of us, including myself, have not the experience, perhaps, that they have had.

Mr. DIRKSEN. I stated in the interest of absolute fairness that no hearings were held on this bill and that they preferred a request this morning to the committee that it be recommitted to the subcommittee for further hearings.

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

Mr. DIRKSEN. I yield to my colleague from Indiana.

Mr. SCHULTE. There were hearings held on a bill identical to this measure in 1932, also in 1935, and the objections at that particular time are the same as those that are being offered today, and those particular groups represent themselves as self-appointed dictators in the District of Columbia and object to practically every piece of legislation that is presented to the Congress. They are professional objectors, I may say.

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

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

Mr. MARCANTONIO. The gentleman, in my opinion, is one of the ablest legislators in this House——

Mr. DIRKSEN. I thank the gentleman.

Mr. MARCANTONIO. And I want his opinion on whether or not the section to have the Board of Education look over the script, supervise the morals, and supervise the working conditions of the child is really enforcable as a practical proposition, placing an additional duty on the Board of Education when the Board of Education has to do the job in every single case.

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

Mr. MARCANTONIO. I asked the question of the gentleman from Illinois.

Mr. DIRKSEN. I shall yield and then I shall make an observation on that.

Mr. BLOOM. The gentleman may make his observation and then yield to me.

Mr. DIRKSEN. I will say that there has been probably some reluctance on the part of the Board of Education, although it has not been indicated to me officially, and they are not too anxious to take on the additional burden of examining scripts and examining, as a matter of fact, theaters and the surroundings, and so forth, for the purpose of qualifying such a place as one where a child may perform or may make a presentation.

I rather fancy that they are not anxious to have that additional responsibility, and whether or not it can be enforced depends on the number of applications and the amount of work that may be thrown on the Board. If there were a large number, I would say that it probably would give the Board some cause for real concern in administering the provisions of such a measure.

Mr. BLOOM. I am frank to say to the gentleman that it is practically the same as the laws throughout our country for handling these matters. If we had a mayor in the city of Washington, the mayor would designate somebody. In New York City it is the Children's Society.

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

Mr. BLOOM. Let me finish my statement. The mayor is the one who can permit such a thing in the city of New York. He has the right to say either yes or no. Practically most of the shows when they come to Washington do so after having been produced in New York City, and the people here know what kind of shows they are. The shows that come here are not shows that are fly-by-night shows, or that pass out of existence very easily. These are tried-out shows, and the mayors or the administrators in the different cities have the same jurisdiction over the matter, just as the School Board here does.

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

Mr. DIRKSEN. Yes.

Mr. MARCANTONIO. May I say that in the city of New York the mayor has consistently refused to sign permits, except in a very few cases. He has been turning them down, and the city of New York will not permit any child acting or exploitation of children by theatrical agencies, and now they are trying to get the other cities of this country to do what cannot be done in New York City.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. DIRKSEN. Mr. Chairman, I yield myself an additional 5 minutes. We have no mayor in the city of Washington. We have no administrative head other than the Board of Commissioners, and when the Child Labor Act was up some 8 or 10 years ago this responsibility was vested in the School Board, so that all other provisions in the Child Labor Act in the District of Columbia relating to the employment of newsboys, the employment of minors in certain permitted occupations are administered by the School Board today on the basis of hearing and permit.

Miss SUMNER of Illinois. And may I point out that this does not apply to itinerant productions, but affects all productions.

Mr. DIRKSEN. Very definitely.

Miss SUMNER of Illinois. And also may I say that it is not the enlightened policy in handling child problems today to submit them to politically appointed bodies. Such questions as this should be given over to welfare workers, as they are in such rural counties as those from which I come. It seems to me a very sad thing that Congress should turn such a question as this over to a politically appointed body.

Mr. DIRKSEN. If that refers to the appointment of the School Board, it occurs to me that, inasmuch as we entrust to them the laying of foundations for the future lives of children, and as they act as stewards in the care of the child, that responsibility is not misplaced in the District of Columbia.

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

Mr. DIRKSEN. Yes.

Mr. MASON. Having issued some thousands of these work certificates as an agent of a school board, I am curious to know how the School Board in Washington is selected or elected. How do they secure their positions on the School Board?

Mr. KENNEDY of Maryland. They are appointed by the judges.

Mr. DIRKSEN. That is correct.

Mr. MASON. Then it is an appointive office rather than an elective one.

Mr. DIRKSEN. Yes.

Mr. MASON. It seems to me that the question raised here by our colleague the gentlewoman from Illinois [Miss SUMNER] is a very pertinent one and that it indicates a certain danger.

Mr. DIRKSEN. Let me add to that the observation that there is no suffrage in the District of Columbia. Consequently you have no body, no common council, where that responsibility could be lodged in the hands of a group that is directly responsive to the citizens, so you must pick out an agency to administer it. It might be the School Board or the Board of Public Welfare, but they are following the precedent set in 1928 when the administration of the Child Labor Act in respect to permission to employ minors was first lodged in the School Board. Apparently, and insofar as my knowledge extends, the matter has been rather satisfactorily handled, so it is only natural that you make no departure from the established set-up, and if you are going to expand existing law, enforcement of the law should be lodged in the hands of the same agency.

Mr. MASON. I have no criticism upon where the authority is lodged, because in the State of Illinois it is lodged in the school boards all over the State by State law. That is not the point. The point is that you are placing upon that School Board this additional responsibility, which they have no feasible means and no qualifications particularly for investigating, and therefore there is great possibility of harm being done.

Mr. DIRKSEN. I cannot agree that they do not have facilities for investigating, because they have a personnel and they can designate its own group in the School Board to examine, for instance, a licensed theater and determine what the atmosphere might be and also examine a manuscript that would be submitted in connection with the performance, and I would say that they are qualified.

Mr. MASON. But you will have to admit that the School Board of the District of Columbia is limited for funds today and cannot run the schools as they would like to do it today, and this is placing more work and more expenditure upon them.

Mr. DIRKSEN. Oh, I will say to my friend that his logic goes off at a tangent at that point, because there would be no quarrel with the administrative body. That quarrel, of course, would be with the Congress for appropriating an inadequate sum in order to do the work.

[Here the gavel fell.]

Mr. DIRKSEN. I yield myself 5 additional minutes, Mr. Chairman.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. SCHAFER of Wisconsin. I gather from the debate so far that the School Board is opposed to this legislation. Is that a fact?

Mr. DIRKSEN. I cannot say that it is a fact that they are opposed to the legislation. I understand they have indicated their reluctance to take on this additional responsibility, but it has not been officially indicated to me.

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

Mr. DIRKSEN. I yield.

Mr. MARCANTONIO. Would it not be proper to hold hearings to find out just how the School Board feels about it, because that is the body that administers this law.

Mr. DIRKSEN. I think everybody in this body will agree that I made it clear that there had been no hearings on this bill since 1935.

Mr. SCHAFER of Wisconsin. If that be so, as the gentleman has stated, and we charge the School Board with taking care of the welfare of our children, would not the proper procedure be to send this bill back to the committee to hold hearings and ask the School Board for a report for or against the legislation?

Mr. DIRKSEN. Let me answer the gentleman by indirection and say that because of absence from the committee on account of attendance at another committee at the time this

bill was reported, I do not accept that responsibility, to suggest that perhaps hearings must be held, but I must abide by the wisdom of the committee.

Mr. GEYER of California. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. GEYER of California. From what groups does the demand for this legislation come to exploit these young people and take them out of our schools?

Mr. DIRKSEN. That is difficult for me to answer, because this bill was introduced by the gentleman from West Virginia [Mr. RANDOLPH], chairman of the Committee on the District of Columbia. I cannot say that one group or another has sponsored the legislation or asked for it.

Mr. GEYER of California. Can the gentleman name some of the sponsors of it?

Mr. DIRKSEN. I am sorry that I must say I cannot name a single group that may have sponsored the legislation.

Mr. SCHULTE. Will the gentleman yield?

Mr. DIRKSEN. I will say to my good friend that this bill was introduced by the chairman of the Committee on the District of Columbia at the request of the Commissioners of the District of Columbia.

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

Mr. DIRKSEN. I yield to my fine old friend, who was born in the same town in Illinois as myself.

Mr. BLOOM. There are only two "Pekin-ese" in the House. [Laughter.]

Mr. DIRKSEN. That is right.

Mr. BLOOM. I would like to say in answer to the gentleman that there are very few cases that will come up in the District of Columbia when it comes to dramatic performances. I will venture to say that 50 percent of the cases asking for permits will come from artists, pianists, soloists, and when it comes to finding out whether we should allow a pianist to play, there is no question about it. They simply engage Constitution Hall or some other large hall and give a concert or play with a symphony orchestra. There is no question about it. The number of plays that would come to Washington during a season, where children are employed, would not amount to over seven or eight, in my opinion. Let me answer the gentleman from New York [Mr. MARCANTONIO]. The applications must be made by the parent or guardian of the child.

Mr. DIRKSEN. That is true.

Mr. BLOOM. And not through any theatrical agency or any other agency who wants to promote a child. The application must come direct from the parent or guardian.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MARCANTONIO. That is it exactly. These agencies present beautiful pictures to the parents, and they have the parents make application down at the city hall, and then after the situation is explained to the parents and they realize what kind of exploitation these children are being placed under, many times the applications are withdrawn. Certainly the parents are just as much hornswoggled by these agencies as are the children.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. BLOOM. Will the gentleman yield further?

Mr. DIRKSEN. I yield to my friend.

Mr. BLOOM. I would like to answer the gentleman from New York [Mr. MARCANTONIO] with reference to the agencies. That does not apply here, because when a child comes to Washington he is coming here with a successful play. He is not coming here to be promoted. The play is already booked throughout the country. There is no promotion in this thing. It is already a successful play.

Mr. DIRKSEN. I would say, with respect to that observation, it does not prevent the presentation from starting in Washington and then moving elsewhere in the country before it becomes an accepted play with a long run.

Mr. MARCANTONIO. And this bill does not limit the performances to a play; it opens the door for all kinds of entertainment.

Mr. DIRKSEN. Yes; the language of the bill—and we ought to be exact and precise—is this:

> In any professional, traveling, theatrical production, or in a musical recital or concert.

I yield to my friend from Massachusetts.

Mr. GIFFORD. I take it from this bill that if you are 17 years old and have talent you must keep out of Washington to receive theatrical training. Is it possible that in a concert a 17-year-old musician could not take part for gain?

Mr. DIRKSEN. No, indeed. A minor cannot perform in the District of Columbia for gain. One of the things that has disturbed me a good deal about the restrictions of existing law is that a child prodigy, let us say phenomenal on the violin or the cello, could not play for gain in the District of Columbia. To make sure that I had read the statute correctly, I talked with the corporation counsel this morning in the District Committee. I wanted to be real sure that I had interpreted the statute correctly, and that is the answer he made.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Miss SUMNER of Illinois. It would be relatively easy if we recommitted this bill for the committee to bring out a bill that would cover child prodigies and still not include babes in arms that parents wish to hire out to the theater.

Mr. DIRKSEN. I would say to my distinguished colleague that that is a matter that reposes within the discretion and the bosom of the Committee of the Whole.

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

Mr. DIRKSEN. I yield.

Mr. GIFFORD. When you recommit it, suggest that they keep all children away from the theater if they are 17 or 18.

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

Mr. DIRKSEN. I yield.

Mr. DONDERO. I think the test here is whether or not the committee found any other body within the District of Columbia more suitable to administer this law than the Board of Education.

Mr. DIRKSEN. My own opinion, borne out by experience and familiarity with the operation, in some degree at least, of the Board of Education here is that they can be just as well entrusted with this responsibility as any other agency in the District.

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

Mr. DIRKSEN. I yield.

Mr. VOORHIS of California. Would not this bill make the District of Columbia stand out as having much more lax provisions with regard to this than a great many States in the Union?

Mr. DIRKSEN. I admit that there probably are States that go infinitely further.

Mr. VOORHIS of California. And there are many that do not go nearly as far.

Mr. DIRKSEN. That is correct. One might argue very persuasively on either side.

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

Mr. DIRKSEN. I yield.

Mr. MARCANTONIO. Is it not a fact that under existing law boys under 16 and girls under 18 are not permitted to appear after 7 p. m.?

Mr. DIRKSEN. That is right.

Mr. MARCANTONIO. And boys from 16 to 18 may not appear after 10 p. m. Is that correct?

Mr. DIRKSEN. The gentleman is correct.

Mr. MARCANTONIO. And children 14 years of age and over may appear on the stage in afternoon performances only.

Mr. DIRKSEN. In afternoon performances but not in evening performances; and the gentleman will notice that the limitation in this bill is 11 o'clock at night.

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

Mr. DIRKSEN. I yield.

Mr. FITZPATRICK. Under this bill a child of even 4 or 5 years of age could appear on the stage if a permit were granted.

Mr. DIRKSEN. Yes; there is no limitation there.

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

Mr. DIRKSEN. Certainly.

Mr. ALEXANDER. It seems to me the bill is a little ambiguous as to whether or not its provisions apply to radio performances.

Mr. DIRKSEN. The gentleman will notice that the locale is described as a licensed theater, and that it embraces any professional traveling performance or presentation, theatrical production, or any musical recital or concert. The gentleman's interpretation is probably as good as mine as to what might be embraced within the term "professional traveling theatrical production."

Mr. ALEXANDER. The meaning does not seem to be clear.

Mr. DIRKSEN. There is no interdiction on a radio performance that I can see.

Mr. ALEXANDER. I think the intent of the sponsors of this bill is to take care of some of the injustices that are being perpetrated under the child labor laws in the District. Is that the intent of the sponsors of this bill?

Mr. DIRKSEN. Over a period of years let me say it has been my privilege to have attended concerts in which some child star performed on the violin or piano and was actually under contract and receiving pay.

Now, it is a very superb performance, and sometimes I doubt the wisdom of withholding that from the public, thinking in terms of a child of my own.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. THOMAS F. FORD. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. THOMAS F. FORD. My friend will not admit it, but I think what he is trying to do is get in behind the child-labor laws through the back door. The argument he makes about a child being permitted to work under contract is similar to the argument made on women's protective laws in industry. They said she was being denied her rights as an American citizen, and you are doing this to the children by this bill here.

Mr. DIRKSEN. May I answer the gentleman by saying I think he ought to modify his remarks when he said, "You are trying to get in behind the back door."

Mr. THOMAS F. FORD. I will modify it so far as the gentleman is concerned. I mean this bill.

Mr. DIRKSEN. I am not trying to get in the back door anywhere at any time on any act. I have tried to set the thing out as accurately and as fairly as I could so the members of the committee may be informed with reference to the issue before them. I am not completely sold on the bill. I think you may argue persuasively on both sides of the bill. All I am interested in at this time is to have the whole factual situation presented to the House.

Mr. PATRICK. Will the gentleman yield?

Mr. DIRKSEN. I yield to my good friend and debater from Birmingham.

Mr. PATRICK. I desire to ask just a short question, so help me. Will the gentleman from Illinois state who are the civic bodies, groups, and organizations in Washington that have promoted the bill and will he state the position they take in doing so?

Mr. DIRKSEN. I stated that a moment ago.

Mr. PATRICK. I missed it.

Mr. DIRKSEN. In response to a question asked by the gentleman from California [Mr. GEYER] I stated that I am not informed of a single organization that is sponsoring the bill. All I know is the bill was introduced by the chairman of the District Committee. I do know, however, that spokesmen for 18 organizations appeared this morning and requested that action be deferred until hearings could be held by the House committee.

Mr. BLOOM. Will the gentleman yield?

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

Mr. BLOOM. Is the gentleman in favor of this bill the way it is written?

Mr. DIRKSEN. With one change in it, namely, a change from "may" to "shall" on page 2, line 12, I rather fancy I can support the bill.

Mr. BLOOM. The bill will be supported by the gentleman?

Mr. DIRKSEN. I want it clearly understood that I concede the argument on the other side, but I may go along with the bill.

Mr. MARCANTONIO. Will the gentleman yield?

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

Mr. MARCANTONIO. The gentleman feels, however, that hearings should be held on this bill?

Mr. DIRKSEN. I may say that, as a general proposition, hearings ought to be held on all bills so that every angle and every aspect may be thoroughly explored.

Mr. RICH. Will the gentleman yield?

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

Mr. RICH. I notice from the committee report that, under the child-labor laws of the District of Columbia, no child under the age of 14 may be employed. In Pennsylvania it is 18 years of age. It was seen fit to protect child labor in both instances. Now, what is the purpose of this particular bill, insofar as permitting children to go on the stage, even though the department of education of the District may say a certain child is permitted to appear on a program for a short time? With the politics I have seen played since I have been in Washington——

Mr. DIRKSEN. They do not play politics here.

Mr. RICH. Certain people in the District could go out and influence the Board of Education to give permission to a particular child because the father or mother might want to get all the money they could out of that particular child because it is able to do something on the radio to entertain the people.

If the child-labor law is good for the District of Columbia in keeping them out under 14 years of age, and if it is good in my State, and keeps them out under 18 years of age, does not the gentleman think we should wait awhile until we have hearings on the bill and find out whether there are not going to be some people opposed to opening the doors again? We have closed them once. Now, why open them up again?

[Here the gavel fell.]

Mr. SCHULTE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DIRKSEN. Mr. Chairman, I must apologize for trespassing on the patience of the House, but here are the mechanics of the thing. Let us assume they wanted to bring Shirley Temple to Washington. The parent or guardian must first go to the Board of Education and there make a written application for a permit. If the Board desires and so requires, a script must be submitted, then the Board or agency designated by the Board can either grant or withhold the permit. If it is granted, then within the limitations cited in this bill, namely, a maximum of 28 hours a week, and at no time beyond 11 o'clock at night, the child can perform. That is the long and short of it.

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

Mr. DIRKSEN. I yield to the gentleman from Illinois.

Mr. MASON. That is the long and short of it as far as importing Shirley Temple or someone else in the theater is concerned, but that is not the long and short of it as far as taking a local child out of the local school system and giving him a permit to work for hire in the evenings in the theaters of Washington is concerned.

Mr. DIRKSEN. The gentleman is definitely correct.

Mr. MASON. That is the point about it entirely.

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

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

Mr. MARCANTONIO. The Board of Education is the body that will administer this bill?

Mr. DIRKSEN. Correct.

Mr. MARCANTONIO. We are going to vote on this bill without knowing the views of the Board of Education, which will administer this bill. Where does the Board of Education stand on this bill? Does the Board of Education want these additional duties? Is anybody ready to answer these questions?

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

Mr. DIRKSEN. I yield to the gentleman from Indiana.

Mr. SCHULTE. Will the gentleman from New York vote for the bill if the Board of Education say they would administer it?

Mr. MARCANTONIO. That does not make any difference. My opposition to this bill is basic, because this bill will permit a further exploitation of children, who should be in school, by chiselers up in the city of New York who have been running a racket on these children. They cannot get away with it in New York City, and now they are trying to put it over in other towns. This bill opens the door to flagrant evasion of the child-labor law in the District of Columbia.

I am also opposed to the bill because the administering body under this bill has not told this Congress and has not been given an opportunity to tell this Congress whether it wants this duty or not, and how it feels about this bill. How can we vote on the bill without knowing whether the administrative body under the bill is for the bill or against it, or is ready to undertake the duties, whether it can administer it, and what its views are?

Mr. DONDERO. If the gentleman will yield, does this House ever ask an administrative body whether or not it wants to administer the duties under a new bill?

Mr. DIRKSEN. I am afraid we have not in the past.

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

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. GEYER of California. Here we are passing a rather special brand of legislation and are doing it without hearings. Can the gentleman inform me whether or not there are on this committee any men who are specialists in the field of education?

Mr. DIRKSEN. I would have to comb the list in my mind and then seek to estimate their respective backgrounds. Offhand, I doubt very much that I can tell the gentleman whether there are any experts or specialists in pedagogy on the committee.

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

Mr. DIRKSEN. I yield to the gentleman from Alabama.

Mr. PATRICK. Does not every Member of Congress join in saying that every single Member elected by the people of his district is selected as a man who is expert on the subject of education?

Mr. DIRKSEN. Definitely, when one becomes a Member of this body there is compounded in him all the wizardry that is extant on every subject under the sun.

Mr. MARCANTONIO. Does not the gentleman feel we ought to find out what the Board of Education can do under this bill? Should not we have their views?

Mr. DIRKSEN. Inasmuch as there were no hearings, obviously there could not be officially before the committee the opinion of the school board with respect to certain administrative features. Whether they want to administer it, or whether they see difficulties there, certainly it is not officially before the committee.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I should like to point out that it is not just a question of what the school board thinks, it is a question of welfare policy and whether this is for the good of the health of children in general, not some exceptional child like the one that has been mentioned. I should also like to remind the Members that the general policy of all people who do welfare work with children is against extension of child labor.

Mr. DIRKSEN. May I remind my genial colleague that the question is more important than that, it is a question of what the Congress thinks, not the school board.

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

Mr. DIRKSEN. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. In view of the fact that no hearings have been held on this bill, would it not be in the interest of the children of the District of Columbia to send the bill back to the committee for hearings and a report, and not waste any more time considering it on the floor today? We could then take up the Schulte milk bill and break up the milk monopoly in the District of Columbia which is robbing the people of the District of Columbia and charging 14 cents a quart for milk which the children of the District of Columbia need.

Mr. DIRKSEN. I would say to my good colleague from Wisconsin that he ought to submit his question to the Chair at the proper time in the proceedings.

I have taken enough time now. I hope, however, that the issue is squarely before the Committee. [Applause.]

[Here the gavel fell.]

Mr. SCHULTE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, may I say to the members of the committee that there have been very exhaustive hearings on these bills for years. I hold in my hand a record of the hearings which were held in the Seventieth Congress, which went into this subject most exhaustively. This bill and bills in prior Congresses were the result of the deliberations of President Hoover's White House Conference on Child Health and Protection. These bills have had the unanimous support of dignitaries of the Catholic Church of the District of Columbia, as well as those of the Hebrew faith, and among other supporters have been the Central Labor Union of the District of Columbia, the Stagehands' Union, the Musicians' Protective Union, the Rev. James Shera Montgomery, of the Methodist Church, now chaplain of this House, who was himself a child actor; the Washington Board of Trade, the Merchants and Manufacturers' Association of the District of Columbia, the chamber of commerce, the Mid-City Citizens' Association, the Northeast Citizens' Association, and last but not least, the most important of all as far as thespians are concerned, the Actors' Equity Association, which has a very heavy stake in a bill of this character.

Washington is deprived of seeing many good plays. Producers are concerned because they cannot produce here at the Nation's Capital plays where one, or more, of the thespians are children.

The drama is supposed to hold the mirror up to nature. It is indeed a poor reflection if children are omitted. The stage presents human problems. Human problems require the presence of children.

The New York stage would become moribund if it had restrictions that now obtain in the District of Columbia.

It is true that in New York the law puts a limitation upon the discretionary power of the authorities. It would have been better if the bill before us contained a limitation as to the age of the child actors, below which the Board of Education of the District could not exercise discretionary power and grant a permit to the child actor.

The instant bill allows entire discretion to reside in the Board of Education of the District, regardless of age. The parent or guardian of the minor simply requests the Board to permit the child to act, regardless of its age.

A suitable amendment could be offered even today to correct this situation. The bill does not involve any break-down of general child-labor restrictions. It is not a case of permitting children in factories or sweatshops.

Time was when there were upward of three theaters for the legitimate drama in Washington. There is only one today. The movies made tremendous inroads into the legitimate drama. Strange to relate, the movies permit child actors. There are Shirley Temple, Jane Withers, Deanna Durbin, and formerly Jackie Coogan.

Put the drama upon a parity with the movies as far as child actors are concerned. That is all this bill does.

Helen Hayes, who was a famous child actress and now is one of our foremost character actresses on the American stage, has said this about child actors:

From my own observation I can truly say that the stage child is as well, and in many cases better, safeguarded in the way of health, education, and morals than the children of well-to-do homes. I have always felt that in a very large measure I owe my position on the stage today to the experience and training that I gained as a child actress. It is grossly unfair that the theater, already staggering under so many handicaps, should suffer a further hardship by the exclusion in certain towns and States of plays requiring a child in the cast.

The Actors' Equity Association furnishes a partial list of famous personages who were child actors—that is, Helen Hayes, Ina Claire, Ruth Chatterton, Mary Eaton, Kate Smith, Edith Taliaferro, Mabel Taliaferro, Ernest Truex, Joseph Santley, Fred Santley, Effie Ellsler, Ann Thomas, Della Fox, Minnie Maddern Fiske, little Corinne Lotta, Viola Dana, Mary Pickford, William H. Crane, Anna Laughlin, Maude Adams, William Jefferson, Wallace Eddinger, Frank Craven, Willie Howard, George Jessel, Harry Mestayer, Phoebe Foster, Mary Miles Minter, Queenie Smith, Elsie Leslie, Millie James, Florence Bindley, Lila Lee, Georgie Price, George M. Cohan.

There is a play in New York called Life With Father, a most estimable play. It is a so-called Broadway hit at the Empire Theater. It could not be brought to the District of Columbia because it has four or five child actors therein. Under the present situation obtaining in the District of Columbia you could not produce King John, of Shakespeare; you could not produce Richard III; you could not produce plays like Peter Pan, Mrs. Wiggs of the Cabbage Patch, or Pollyanna, because all of them have child—important child parts. Only after Herculean efforts were they able to produce Green Pastures a few years ago.

I remember in my earlier days seeing Minnie Maddern Fiske in some very estimable productions. She was a child actress, and had she not been a child actress you never would have seen her in such superb performances as Tess of the D'Urbervilles or Becky Sharp. Under present conditions you cannot produce here Booth Tarkington's Penrod, which must have child actors. You could not produce Mark Twain's Tom Sawyer; you could not produce Peter Pan; you could not produce Dear Brutus; you could not produce Porgy or Alias Jimmie Valentine, Rebecca of Sunnybrook Farm, Peter Ibbetson, Roar China, Alice Sit By the Fire, Blue Bird, Littlest Rebel, Good Little Devil—all would be tabu. David Warfield could not revive his great productions The Return of Peter Grimm or The Grand Army Man.

Just think of the anomalous situation! Most sections of the country can see these glorious plays with child actors and actresses, but the Nation's Capital, the hub of the Nation, must be deprived of such treasured pleasure and education. I think it is nothing less than utter ridiculousness that keeps us in such a situation. Cut loose these restrictions that shackle Washington; that make of the District a laughingstock of the Nation.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Miss SUMNER of Illinois. Before the gentleman breaks our hearts, may I remind him that Shakespeare's plays for years and years were produced without women, and one of the greatest child actors in America was Mary Pickford.

Mr. CELLER. Well, there were no restrictions against male child actors even in the old days. However that may be, Mary Pickford could not work in Washington in the old days when she was a child prodigy.

Miss SUMNER of Illinois. She was over 18 years of age when she was appearing in those plays.

Mr. CELLER. The statement has been made that men and women can play the child parts. Let me answer that. Youth might play old age, but age cannot play youth. Only children can play child parts. Otherwise all illusion of the stage is destroyed.

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

Mr. CELLER. I yield.

Mr. GEYER of California. I wish the gentleman would point out that the RECORD from which he has been reading there is yellow with age. It is at least 12 years old.

Mr. CELLER. Oh, no, indeed; I have given you productions that were not taken from this RECORD. I speak of my own knowledge as being interested in and a student of the current American drama. I see plays frequently in New York. I have seen them and studied them for years. I have given you the benefit of my own experience.

Mr. GEYER of California. The gentleman misunderstands me. I am speaking of the endorsements he has given for this bill.

Mr. CELLER. I am informed that the endorsements that were given for the bill in that Congress are from the same organizations that are endorsing this bill.

Mr. GEYER of California. Without hearings.

Mr. CELLER. You have had hearings and sufficient hearings. The hearings I read from were held in 1932.

Mr. GEYER of California. Eight years ago.

Mr. CELLER. The principle does not change, even in 8 years. Pass this bill and let us have the plays with child actors like Booth Tarkington's Penrod, Mark Twain's Tom Sawyer, Barrie's Dear Brutus and Peter Pan.

I herewith set forth two wires received:

NEW YORK, N. Y., *March 8, 1940.*

Hon. EMANUEL CELLER,
House of Representatives:

Urgently request your support of H. R. 6991, amending District of Columbia child-labor law. This law needs amending for the benefit of producers presenting plays in Washington. Frequently we have been obliged to change casts or even cancel bookings because of it. Just now we would book William Saroyan's new play, Love's Old Sweet Song, there but cannot because of restrictions applying to children in the company.

THEATRE GUILD, INC.

NEW YORK, N. Y., *March 7, 1940.*

Hon. EMANUEL CELLER,
House of Representatives.

DEAR CONGRESSMAN: Although we may differ regarding the ticket code, may we bespeak your support of bill H. R. 6991, which will alleviate the rather onerous conditions regarding stage children in Washington?

Regards.

JAMES F. REILLY,
Executive Secretary, The League of New York Theatres, Inc.

Mr. SCHULTE. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I claim to be one of the original child-labor advocates. When I came to Congress in 1922 that was one of my campaign issues, but I have learned to my sorrow that the 18-years-of-age limitation is a little too much to suit most people to apply to a so-called child-labor amendment. The amendment was proposed in my own district and in my own State and overwhelmingly defeated because these restrictions applied to so-called children up to 18 years of age.

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

Mr. GIFFORD. I yield.

Mr. SECCOMBE. Can the gentleman tell me, as a matter of record, how many States have a law of this kind?

Mr. GIFFORD. I cannot. I have felt that I was one of those people who were supposed to legislate for the Federal city of Washington. I hope to continue. We have had a real hearing today. We are supposed to tell the School Board what to do. We do not necessarily ask them. I have grandchildren that I wish to send to the movies occasionally. I cannot send them. There are so few suitable pictures for them. I wish there were a few more Shirley Temples and other children doing things in pictures. I want to protect child labor as much as anybody, I think, but I have learned that at 16 to 18, these days, they are children no more. They seem to know more than we do. They go places now that we do not. [Laughter.] If we should carry this out to its logical conclusion we should restrict, in a multitude of ways, the places where children between 16 and 18 should go. But times have changed. He took the 17-year-old young lady home. It was after 12 o'clock and he said to her, "What will your Mama say, keeping you out so late?" "Oh," she

said, "we might as well sit down here and wait until Mama comes home." [Laughter.]

The situation has changed greatly. When I read this bill and found that in the realm of music even, that is, in a concert attraction, in this city, a young person 17 years of age, and almost 18, would not be permitted to perform for pay, I was very much surprised. My feeling is that the bill is surrounded by sufficient safeguards. I have made up my mind that I must be reasonable inasmuch as I was so unreasonable 18 years ago. We killed the child-labor bill, because we insisted on 18 years of age, which was not really child labor. That is why it has not been ratified. I am congratulating myself that I am a little more reasonable in my demands and enthusiasm. [Applause.]

Mr. SCHULTE. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, I understand that someone in a few moments will move to recommit this bill to the committee for further consideration. I hope that that will not be done. Insofar as hearings on this bill are concerned, this bill had lengthy hearings in 1933 and in 1932. The bill has been discussed both in public and executive session by your Committee on the District of Columbia. This is not an involved question, one that would require long hearings. Only one question is involved. Will children be permitted to appear on stage or in other productions in the District of Columbia for pay? That is the only question involved. Hearings can only say, on the one hand, we believe that they should, and, on the other hand, we believe that they should not. A very interesting thing was related to the committee the other day at what I thought was more or less of a hearing. Many of the good ladies of the District of Columbia were heard to protest the passage of the bill, and I am sure that they were conscientious and sincere. After they had finished, the local director of the National Broadcasting Co., WJSV, pointed out to the committee a very interesting case. There is a girl in Virginia who has very remarkable talent. There is a sponsor for her to sing over WJSV at a salary of $25 a week. She was to be permitted to sing, and her schedule was so arranged that she could do it outside of school hours. They found they could not let her do that because of the law that now exists in the District of Columbia, but he pointed out that that girl or a girl of that same age, under the child-labor law in the District of Columbia, could be permitted to work in a 5-and-10 store in the District of Columbia to stand on her feet for 8 hours a day, for six or seven or eight or nine dollars a week. I ask the Members of this House to hold up the hands of this committee. I have been on the committee 6 years. We members of the committee are hard-working people, whether you believe it or not, and we are conscientious, and no one can justly be heard to say that people are denied hearings before this committee. Every Monday morning, including this Monday morning, that committee sits, and citizens of the District of Columbia come before it, and I have yet to see the first one denied the right to be heard on any subject they want to talk about.

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

Mr. NICHOLS. Yes.

Mr. FITZPATRICK. Take the girl to whom the gentleman referred who was not permitted to sing. Could she get a permit in the District of Columbia to work during the hours the gentleman stated?

Mr. NICHOLS. Oh, yes.

Mr. FITZPATRICK. The same girl?

Mr. NICHOLS. It was so stated by the witness, that under the law in the District of Columbia she could. Here is the safeguard in this bill. No child can appear on the stage or in any production in the District of Columbia if this bill passes, unless that child first gets permission of whom? The School Board of the District of Columbia, who are the specialists on youth, made up of men who devote their lives presumably to the protection of youth, and no child can appear until that body, under this law, in each particular, individual case gives its sanction. Is that an ample safeguard? I say that it is, if your School Board is good, and if the School Board is not good, then get one that is qualified to pass on whether or not children should be permitted to earn that kind of salary.

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

Mr. SCHULTE. Mr. Chairman, I yield myself 2 minutes. This matter has been referred to here repeatedly, as a matter pertaining to labor. The artists who are appearing on the stage, screen, and radio throughout the United States say themselves that they are not laborers in the sense that we think of labor, but they are artists in every degree. What we are trying to do here, so that my good friend, the lady from Illinois [Miss SUMNER], will not get all excited about it, is this. If this was strictly a labor bill, a matter of protecting little children, who are put to work, such as on farms or in households, I would say to my friend that I would stand up and fight to the last ditch to stop it.

Every mother and father through the United States who have children want to see that child or children a success in life, and thousands upon thousands of parents prefer the stage, screen, or radio. Why, right today, thousands of families are sending their children to dancing schools; they are sending them to vocal schools so that they may prepare themselves to display their talents. This is not labor. This is a pleasure enjoyed by the children. They are all proud of the fact that they can sing or dance, play a violin or a piano. So I want to correct the erroneous impression that is going around that a great many of us want to take children and actually place them at hard work. We do not want to do that. I had the pleasure of being in the show business and I know how happy those children are on the stage. There is not a child in America that is getting a better education today than the children in pictures and the children on the stage. They enjoy every minute of their work. Every minute of it is a pleasure to them, working and marking time so that they may go on and display that talent to the plaudits of the people.

Now, it is not labor in any sense. I again make the statement that if it was labor to work these children 1 minute, in the sense that the lady from Illinois spoke of, I would oppose it with every ounce of energy at my command.

[Here the gavel fell.]

The Clerk read as follows:

Be it enacted, etc., That the act of Congress entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928, be, and the same is hereby, amended by adding after section 7 a new section to read as follows:

"SEC. 7a. Notwithstanding the provisions of this act, the Board of Education of the District of Columbia, or a duly authorized agent thereof, is authorized to issue a work permit to any minor under 18 years of age, said permit authorizing and permitting the appearance of such minor on the stage of a duly licensed theater within the District of Columbia in any professional traveling theatrical production or in a musical recital or concert: *Provided*, That such minor shall not appear on said stage after the hour of 11 o'clock in the evening of any day, nor more than 4 fours in 1 day, nor more than 28 hours in 1 week. Application for such permit shall be made by the parent or guardian of such minor to the Board of Education of the District of Columbia, or a duly authorized agent thereof, and, before considering such application, the Board, or its duly authorized agent, may require that it or such agent shall be furnished a copy of the manuscript of such theatrical production or a program of such musical recital or concert. The Board or its agent may issue a permit when satisfied that such theatrical production, musical recital, or concert is not offensive to public decency and that the parent or guardian of such minor has made provision for adequate educational instruction of such minor and for the safeguarding of the health and morals of such minor."

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

The Clerk read as follows:

Amendment offered by Mr. SCHULTE: Page 2, line 12, after the word "agent", strike out the word "may" and insert "shall."

The amendment was agreed to.

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

I rise at this time, Mr. Chairman, to point out one or two features with respect to this bill that somehow or other have been overlooked.

The first thing we should bear in mind is that irrespective of the age of the child, and that means all the way below 14 years of age, the child may work on the stage 4 hours a day and 7 days a week. There is no denial of that.

Second, despite the hearings which the gentleman from New York [Mr. CELLER] mentioned and which incidentally took place in 1932, this bill—practically the same identical bill—was overwhelmingly defeated by this House in 1935.

The third point which I want to mention and which I could not make clear in the form of asking questions, is this: I do not contend that we must ask whether the Board of Education is in favor of this bill or not. That is not my contention at all. If this Congress thinks this bill is good, irrespective of what the Board of Education may feel, we should pass the bill. But my point is this: We provide in the bill that the Board of Education will issue these permits. The Board is going to read the scripts. The Board will supervise the working conditions. I think it is only reasonable for us to have the representatives of the Board of Education before us and inquire of them whether or not they can carry on this work; whether it is feasible and practical for them to carry on this work. Here we are being asked to vote on this bill despite the fact that there is no evidence before Congress to the effect that the Board of Education has been questioned as to the feasibility and as to the practicability of administering the various functions that this bill confers on the Board of Education.

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

Mr. MARCANTONIO. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that under the provisions of this bill a young minor might be able to obtain a permit to appear on the Gayety burlesque stage in the District of Columbia?

Mr. MARCANTONIO. Is it a licensed theater?

Mr. SCHAFER of Wisconsin. It is.

Mr. MARCANTONIO. If the Board of Education thinks that the script is not offensive and all of the other requirements of the bill are fulfilled, he may.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Miss SUMNER of Illinois. Does not the gentleman know that the work of acting is more nerve-racking and more injurious to the health of children than exercise ever can be?

Mr. MARCANTONIO. I am coming to that. I am very certain and confident that if you had before this Committee the leading educators of this country on this subject of child acting, you will find that the overwhelming opinion of the leading educators of all faiths and denominations, public schools and private schools, is opposed to having children work commercially on the stage except in very rare instances.

The mayor of the city of New York has refused consistently, except where there is a case of a child genius on the violin or something like that, to grant this permission.

Now, let us analyze the arguments for this bill. They say to you that you are depriving the people of Washington of seeing Shirley Temple, although she could appear in the afternoon performance under existing law. They say we are depriving the city of Washington of seeing certain plays where child actors are required. If you want to provide that the people of the city of Washington can see geniuses, say so in your bill. Set up a board. Set up some kind of an organization that will make that permissible. But what are you doing? For the sake of one or two or three people, or one or two or three shows, you are opening the door wide open to what? To what is one of the most pernicious rackets in existence. I am glad to expose it on this occasion. It is this: The chiseling agencies go into the poor communities of the city of New York, and they encourage many of those children who they think have talent that can be exploited, some who jig, some who sing, and they go to the father and mother and they sign them up with a contract, and then ship these kids out; because they cannot exploit them in New York, they ship them out to towns where it is permissible.

They are subjecting these children to nerve-racking strain, children who should be in school, who should be at home, who should grow up as normal boys and girls. They are sent out under abnormal conditions. Let me add further that the parents get very very few dollars in return. The child's health is impaired, the child's nerves become unstrung. Who profits? The chiseling gang that is behind the movement; they profit. Now, if you want to open the door to this kind of practice in Washington, then support the bill. [Applause.]

The Clerk concluded the reading of the bill.

Mr. SCHULTE. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. RAYBURN, having resumed the chair, Mr. CELLER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 8694) to amend an act of Congress entitled "An act to regulate the employment of minors within the District of Columbia," approved May 29, 1928, directed him to report the same back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. SCHULTE. Mr. Speaker, I move the previous question on the bill and the amendments to final passage.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

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

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

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

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BOLLES. I am.

The SPEAKER pro tempore. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BOLLES moves to recommit the bill H. R. 8694 to the Committee on the District of Columbia.

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

The question was taken; and the Chair being in doubt, the House divided, and there were—ayes 83, noes 53.

Mr. SCHULTE. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. Obviously there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 186, nays 135, not voting 108, as follows:

[Roll No. 42]

YEAS—186

Allen, Ill.	Clevenger	Ford, Thomas F.	Hope
Allen, La.	Cluett	Fries	Horton
Andersen, H. Carl	Coffee, Wash.	Gartner	Hull
Anderson, Calif.	Colmer	Gerlach	Izac
Andresen, A. H.	Connery	Geyer, Calif.	Jeffries
Andrews	Corbett	Gilchrist	Jenkins, Ohio
Angell	Crawford	Gillie	Jennings
Arends	Crosser	Gore	Jensen
Austin	Crowther	Graham	Johns
Beam	Culkin	Griffith	Johnson, Ill.
Blackney	Curtis	Gross	Johnson, Ind.
Boehne	D'Alesandro	Guyer, Kans.	Johnson, LutherA.
Bolles	Dempsey	Gwynne	Johnson, W. Va.
Bolton	Dingell	Hall, Edwin A.	Jones, Ohio
Brewster	Ditter	Hancock	Jones, Tex.
Brooks	Dunn	Harness	Jonkman
Brown, Ohio	Dworshak	Havenner	Kean
Bryson	Eaton	Hawks	Keller
Byrns, Tenn.	Elliott	Healey	Kelly
Carlson	Elston	Hess	Kinzer
Carter	Englebright	Hill	Kirwan
Case, S. Dak.	Fenton	Hinshaw	Kleberg
Chiperfield	Fish	Hoffman	Kocialkowski
Church	Fitzpatrick	Holmes	Kunkel
Clason	Flannagan	Hook	Lambertson

Landis	Michener	Robsion, Ky.	Taber
Larrabee	Miller	Rockefeller	Talle
Leavy	Mills, La.	Rodgers, Pa.	Tenerowicz
LeCompte	Monkiewicz	Rogers, Mass.	Thill
Lemke	Mundt	Routzohn	Thomas, N. J.
Lesinski	Murdock, Utah	Rutherford	Thorkelson
Lewis, Ohio	Murray	Ryan	Tibbott
Luce	Nelson	Schafer, Wis.	Tolan
Ludlow	O'Brien	Schiffler	Treadway
McDowell	O'Connor	Seccombe	Van Zandt
McGregor	O'Day	Shanley	Voorhis, Calif.
McKeough	Oliver	Shannon	Vorys, Ohio
McLean	Pearson	Short	Walter
McLeod	Pittenger	Smith, Conn.	Welch
McMillan, Clara G.	Plumley	Smith, Ill.	White, Ohio
Magnuson	Rabaut	Smith, Maine	Wigglesworth
Mahon	Reece, Tenn.	Smith, Wash.	Winter
Maloney	Reed, Ill.	Springer	Wolfenden, Pa.
Marcantonio	Reed, N. Y.	Stefan	Wolverton, N. J.
Martin, Iowa	Rees, Kans.	Sumner, Ill.	Woodruff, Mich.
Martin, Mass.	Rich	Sumners, Tex.	
Mason	Richards	Sutphin	

NAYS—135

Alexander	Delaney	Kitchens	Robertson
Anderson, Mo.	Dirksen	Knutson	Robinson, Utah
Ball	Disney	Kramer	Rogers, Okla.
Barnes	Dondero	Lanham	Romjue
Beckworth	Doughton	Lea	Sandager
Bland	Doxey	Lewis, Colo.	Sasscer
Bloom	Drewry	McCormack	Satterfield
Boren	Duncan	McGehee	Schaefer, Ill.
Brown, Ga.	Durham	McLaughlin	Schuetz
Buck	Eberharter	McMillan, John L.	Schulte
Buckler, Minn.	Ellis	Massingale	Schwert
Burch	Faddis	May	Scrugham
Byrne, N. Y.	Flaherty	Mills, Ark.	Shafer, Mich.
Caldwell	Flannery	Mitchell	Smith, Ohio
Camp	Folger	Monroney	Snyder
Cannon, Fla.	Ford, Miss.	Moser	South
Cannon, Mo.	Gathings	Mott	Sparkman
Cartwright	Gearhart	Murdock, Ariz.	Spence
Celler	Gifford	Nichols	Terry
Chapman	Gossett	Norrell	Thomas, Tex.
Claypool	Grant, Ala.	Norton	Thomason
Cochran	Green	O'Neal	Vinson, Ga.
Coffee, Nebr.	Gregory	Pace	Vreeland
Cole, Md.	Harrington	Parsons	Wadsworth
Cole, N. Y.	Harter, Ohio	Patman	Ward
Collins	Hennings	Patrick	Warren
Cooper	Hobbs	Patton	Weaver
Costello	Hunter	Peterson, Fla.	West
Courtney	Jarman	Peterson, Ga.	White, Idaho
Cox	Johnson, Okla.	Pierce	Whittington
Cravens	Kefauver	Poage	Williams, Mo.
Crowe	Kennedy, Md.	Ramspeck	Woodrum, Va.
Darden	Kilburn	Rankin	Zimmerman
Davis	Kilday	Rayburn	

NOT VOTING—108

Allen, Pa.	Dies	Jenks, N. H.	Risk
Arnold	Douglas	Johnson, Lyndon	Sabath
Barden	Edelstein	Kee	Sacks
Barry	Edmiston	Keefe	Secrest
Barton	Engel	Kennedy, Martin	Seger
Bates, Ky.	Evans	Kennedy, Michael	Sheppard
Bates, Mass.	Fay	Keogh	Sheridan
Bell	Ferguson	Kerr	Simpson
Bender	Fernandez	Lynch	Smith, Va.
Boland	Ford, Leland M.	McAndrews	Smith, W. Va.
Boykin	Fulmer	McArdle	Somers, N. Y.
Bradley, Mich.	Gamble	McGranery	Starnes, Ala.
Bradley, Pa.	Garrett	Maas	Steagall
Buckley, N. Y.	Gavagan	Maciejewski	Stearns, N. H.
Bulwinkle	Gehrmann	Mansfield	Sullivan
Burdick	Gibbs	Marshall	Sweeney
Burgin	Grant, Ind.	Martin, Ill.	Tarver
Byron	Hall, Leonard W.	Merritt	Taylor
Casey, Mass.	Halleck	Mouton	Tinkham
Clark	Hare	Myers	Vincent, Ky.
Cooley	Hart	O'Leary	Wallgren
Creal	Harter, N. Y.	Osmers	Wheat
Cullen	Hartley	O'Toole	Whelchel
Cummings	Hendricks	Pfeifer	Williams, Del.
Darrow	Houston	Polk	Wolcott
DeRouen	Jacobsen	Powers	Wood
Dickstein	Jarrett	Randolph	Youngdahl

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Cullen with Mr. Darrow.
Mr. McAndrews with Mr. Barton.
Mr. Smith of Virginia with Mr. Douglas.
Mr. Starnes of Alabama with Mr. Youngdahl.
Mr. Cooley with Mr. Osmers.
Mr. Lyndon B. Johnson with Mr. Marshall
Mr. Hendricks with Mr. Keefe.
Mr. Hare with Mr. Jarrett.
Mr. Gibbs with Mr. Wolcott.
Mr. Fulmer with Mr. Engel.
Mr. Steagall with Mr. Leonard W. Hall.
Mr. Tarver with Mr. Seger.
Mr. Mansfield with Mr. Harter of New York.
Mr. Mouton with Mr. Bender.
Mr. Ferguson with Mr. Tinkham.
Mr. Dies with Mr. Halleck.
Mr. Bulwinkle with Mr. Powers.
Mr. Boland with Mr. Stearns of New Hampshire.
Mr. Pfeifer with Mr. Gamble.
Mr. Cummings with Mr. Wheat.
Mr. Gavagan with Mr. Smith of West Virginia.
Mr. Whelchel with Mr. Williams of Delaware.
Mr. Vincent of Kentucky with Mr. Hartley.
Mr. Randolph with Mr. Risk.
Mr. Sullivan with Mr. Simpson.
Mr. Ferdandez with Mr. Maas.
Mr. Martin J. Kennedy with Mr. Jenks of New Hampshire.
Mr. Garrett with Mr. Grant of Indiana.
Mr. Keogh with Mr. Bates of Massachusetts.
Mr. Kerr with Mr. Leland M. Ford.
Mr. Creal with Mr. Burdick.
Mr. Clark with Mr. Gehrmann.
Mr. Boykin with Mr. Bradley of Michigan.
Mr. O'Toole with Mr. Casey of Massachusetts.
Mr. Wood with Mr. O'Leary.
Mr. Allen of Pennsylvania with Mr. Somers of New York.
Mr. Lynch with Mr. Kee.
Mr. Wallgren with Mr. Edmiston.
Mr. Dickstein with Mr. Sheridan.
Mr. Polk with Mr. DeRouen.
Mr. Burgin with Mr. Sheppard.
Mr. Taylor with Mr. Merritt.
Mr. Myers with Mr. Byron.
Mr. Fay with Mr. McArdle.
Mr. Barden with Mr. Secrest.
Mr. Sabath with Mr. Hart.
Mr. Edelstein with Mr. Sweeney.
Mr. Houston with Mr. Evans.
Mr. Barry with Mr. Sacks.
Mr. Bates of Kentucky with Mr. Maciejewski.
Mr. Bell with Mr. Michael J. Kennedy.
Mr. Buckley of New York with Mr. Bradley of Pennsylvania.

Mr. DUNN changed his vote from "present" to "yea."

Mr. McDOWELL changed his vote from "nay" to "yea."

Mr. DOUGHTON changed his vote from "yea" to "nay."

Mr. ALLEN of Louisiana changed his vote from "nay" to "yea."

The doors were opened.

The result of the vote was announced as above recorded.

EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, I ask unanimous consent to insert in the RECORD a resolution of the Pomono Grange of Tioga County, Pa.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. MOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by my colleague, the gentleman from New Hampshire [Mr. JENKS] before the Textile Square Club of New York, on March 4.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon [Mr. MOTT]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of business on the Speaker's table and at the conclusion of the legislative business in order for the day and any special orders previously entered, I may be permitted to address the House for 30 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from a Boston newspaper.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey [Mrs. NORTON]?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief article from the Poultry Tribune.

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

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain correspondence with reference to the information I sought to gather by resolution, which was acted on this morning.

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

There was no objection.

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

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein two articles, one appearing in the Washington Post and the other appearing in the New York Times.

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

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ELLIOTT] is recognized for 30 minutes.

Mr. ELLIOTT. Mr. Speaker, there has been much controversy and publicity on the migrant situation. I wish to speak on this subject at this time and to set forth facts and data showing how this migration is affecting not only the country as a whole but particularly the State of California and my district, the Tenth Congressional District. I dwell especially on California because that State receives a great portion of the migrant population.

About a year ago the California delegation met in regard to the migration of people to California and after we had studied the problem some, a letter was drafted and sent to President Roosevelt suggesting that migrant camps be built, but in other places than California. At that time I protested against any more migrant camps in California.

But due to the fact I was chairman of that committee, I signed the letter which was sent to the President. As each day passes, the situation is becoming more acute and distressing. It has come to such a point because the remedies used in aiding these migrants have been toward relieving the immediate needs of indigents, thereby placing an additional burden in the way of relief, hospitals, school facilities, employment, and housing on the citizens of States who receive the migrants. It is conceded that interstate migration is not confined to just one or two States in the Union; therefore the problem carries a more serious outlook, for, if it affected only a small community or one State, the problem could be solved, but, insomuch as it has a national aspect, it deserves consideration and attention upon that basis.

The problem not only affects those States receiving the migrants but also those who contribute the migrants, for, if the ratio of evacuation continues at the high figure it now is, soon there will be States whose population will be practically extinct, and therefore result in other States having a capacity population, and being unable to supply sufficient employment, housing, hospital, and school facilities. The Farm Security Administration has been providing housing facilities by way of migratory-labor camps. I grant that the intentions of the Farm Security Administration have been humanitarian and sincere; however, these migratory-labor camps in the State of California are now established to such an extent that, as the years pass by, each town and city in California will have an accompanying migratory camp. Therefore you see that this situation cannot go on and on indefinitely. Even at this time the residents and citizens of these receiving States are aroused and belligerent to some extent, for the burden of taxation is becoming exorbitant.

If the Farm Security Administration continues its policy of placing upon relief all those who cross the border to California, and thus aid them in establishing a residence, it is difficult to see how the State can maintain itself through the years to come. The migratory-labor camp serves only as a temporary lodging place, and during the past years, at the termination of 1 year, those migrants have been thrown upon the taxpayers of the county and State; but, 2 weeks ago, the California Legislature passed an act whereby the period of time has been raised to 3 years instead of 1 year, and, therefore, the migrants will have to be taken care of by the Federal Government for an additional 2 years. The construction of migratory-labor camps serves as an invitation for more migrants to come to California, and are a clearing house for additional relief upon the community.

I have been speaking in generalities, but now let me place before you figures that will bear up my statements—cold, exacting figures, which do not lie.

However, before making any comparisons, I wish to explain that, in using the various scales of payment of the States I shall mention, I assure you that no offense is intended, as the figures are merely stated as comparative. I have always had the utmost respect and admiration for the Members representing those States and the people they represent.

I shall use in my comparison of figures the States of Texas, Arkansas, Oklahoma, and Missouri, as compared with California and the average of the United States. I want each and every one of the Members from those States to know that I am doing this only to show the trend and explain why people have drifted to California.

Since 1930 it is estimated that California's population has increased 1,500,000. Most of this increase has taken place in the last 5 years. The exact population increases are as follows:

Kern County, in the Tenth Congressional District, 70 percent since 1930 and 48 percent since 1935.

Madera County, in the Ninth Congressional District, 52 percent, all since 1935, and 35 percent between 1936 and 1938.

Tulare County, in the Tenth Congressional District, 54 percent since 1930 and 46 percent since 1935.

Kings County, in the Ninth Congressional District, 44 percent since 1930 and 35 percent since 1935.

Fresno County, in the Ninth Congressional District, 26 percent, practically all in the last 2 or 3 years.

Causes for continued heavy migration are given as follows:

Unemployment; displacement of farm operators, tenants, and workers by machinery; inadequate local relief; ill health; and increased moving due to automobiles.

Where do they come from? The Farm Security Relief rolls in 1938 showed the origin of the migrants as follows:

Oklahoma contributed 42 percent, Texas 16 percent, Arkansas 11 percent, and Missouri 7 percent. Between 75 and 80 percent of the migrants come to California from these four States.

SCHOOLS

In Tulare County alone, the total elementary school enrollment has increased on an average of 1,100 to 1,200 each year for the past 4 years. This increase would not result in a serious problem if it were spread throughout the schools of the State. However, the fact is that the migrants are concentrated in labor camps in a few sections, and the schools in those sections receive the brunt of the increased enrollment through the migrant influx.

There is a migratory-labor camp near Visalia, Calif., in the so-called Union School District. This district has a taxable valuation of $1,051,825, and the school tax per $100 has increased from 79 cents in 1935 to $1.12 in 1939. In addition, it was necessary for the county Board of Education to supply $27,560 from the unapportioned fund. This has been appropriated during the past 2 years, and if the amount had been raised by taxation over a 2-year period, it would have meant an additional rate of $1.40 per year. Other school districts affected by the influx of migrants are as follows:

Farmersville—valuation, $376,135; school tax in 1935, 68 cents; in 1939, $1.11.

Woodville—valuation, $707,160; school tax 54 cents in 1935; and in 1939, school tax, $2.22.

Pleasant View district—valuation, $796,400; school tax in 1935, 61 cents; in 1939, school tax, $1.

Similar conditions exist in other counties in California, and, I ask you, Is it any wonder that the taxpayers in those districts are greatly opposed to the construction of migrant camps and the concentration of migrants?

In Tulare County, during the past 5 years, there has been considerable construction to meet the need placed upon the schools by the influx of migrants. Eight entirely new

school plants have been constructed; two of these are attended by migrants' children only.

The county and district tax levies for schools have increased in the past 5 years, as follows:

	Percent
Kings County	282
Tulare County	270
Kern County	186
Madera County	144
Fresno County	134

The average daily attendance in schools has increased as much as 100 to 150 percent in this period, one district showing an increase of 300 percent.

HEALTH EXPENSES, ALSO CORRECTION AND CHARITIES INCREASED

In 5 years, health and sanitation expenses have increased:

	Percent
In Kern County	97
In Kings County	77
In Madera County	66
In Fresno County	37
In Tulare County	30

SOCIAL-WELFARE COST OF OPERATION

The social-welfare cost of operation has also increased, and during the past 3 years this is proven by the following figures:

	Percent
Tulare County	85
Kings County	102
Kern County	159
Madera County	155
Fresno County	66

RELIEF, CASE LOADS, AID TO CHILDREN

Now, let us compare the case load of relief, as between Oklahoma, Arkansas, and United States average, and California. Compiled by Government and State agencies:

Oklahoma has been paying $3.50 per case load per month; Arkansas averaging $4.68; United States average, $23.45; and California, $31.10, or six to nine times that of Oklahoma and Arkansas.

For old-age relief, Arkansas pays $5.96 per month per case. Oklahoma pays $17.61 per month per case. United States average is $19.36. California pays $32.45 per month per case.

However, since January 1, California is paying an additional $5 per month.

Right here may I pause to ask if this does not show that the United States should have uniform aged-relief payments? No matter whether you live in Florida, Oklahoma, Ohio, or in California, every aged person throughout the United States should receive the same just amount of money.

For aid to children, Arkansas pays $8.09 per month per family; Oklahoma pays $12.08 per month per family; United States average is $31.35; California pays $42.23 per month per family for aid to children.

For aid to the blind, Oklahoma pays $14.86 per month, while California pays $48.06 per month.

WAGE-SCALE COMPARISONS

Since it has been stated that the majority of migrants in California went there with the purpose of seeking employment, let us consider and compare the wage scales of Arkansas, Texas, Oklahoma, the United States average, and California.

In Arkansas farm laborers, per day, without board, are paid $1.05; in Texas the farm laborer is paid $1.30 per day; Oklahoma pays its farm laborers $1.55; and the United States average for farm laborers is given to be $1.59; but the State of California pays its laborers $2.80 per day.

But, regardless of the amount paid to farm laborers by any State, it is unfortunate that these people must migrate 1,500 miles or more to seek employment. Self-preservation is the first thought in every man's mind, and therefore we cannot condemn the action of these people.

Nevertheless, by their migration to the laboring and farming centers of California, they have brought hardships, not only upon themselves but also upon the local resident workers, for the migrants have the willingness to work for lower prices, and thereby throw local residents on relief.

On September 19, 1938, the California State Federation of Labor, in regular convention, adopted a resolution petitioning all agencies of the Federal Government to provide adequate and immediate relief for these unfortunate people in their own home communities, and further resolved that the Federal Government aid and encourage these idle thousands to return to their respective States, and that they be given proper aid and assistance by the Government. The State Federation of Labor wrote in their resolution as follows:

> The Farm Security Administration is soliciting and encouraging hundreds of indigent families to migrate to our State for the purpose of eking out an existence in our agricultural districts; and
>
> This same Farm Security Administration extends immediate relief to these thousands of families under the supposition that there will be work available for them in the agricultural districts.

The State Federation of Labor's resolution also reads:

> These refugees have been and are unable to secure sufficient employment in the farming belt, and are now raiding the craft industry to work for any wage and under any condition the employer may impose, and thereby destroying the wage structures of our organized workers by taking the jobs of thousands of men and women of the State Federation of Labor.

QUESTION OF LARGE FARMS AND FRUIT RANCHES

There has been much misinformation about big business controlling the agricultural lands of California. The figures in that connection are enlightening. There are 1,864 apricot orchards in California; 1,345 of them are 10 acres or under, and includes 46 percent of the entire apricot area.

Three hundred and seventy-seven orchards from 10 to 20 acres make 26 percent of the whole; 114 orchards are from 20 to 40 acres, or 15 percent of the whole. This list accounts for 90 percent of the total acreage devoted to the growing of apricots.

Those figures that have to do with small farms will, of course, attract attention. Twenty-two percent of the ground tilled by farmers is made up of 10-acre lots, 17 percent from 10 to 20 acres, 25 percent from 20 to 50 acres, 11 percent from 100 to 175 acres, 3 percent from 175 to 260 acres, and 4 percent from 260 to 500 acres, which makes about 92 percent of all the land devoted to farming in the State of California, leaving less than 7 percent in the hands of big business.

MIGRANT CAMPS IN CALIFORNIA

The Tenth Congressional District of California has at the present time three migratory camps, and with the building of the proposed camp near Woodville, Calif., will make a total of four migratory camps in my congressional district.

Other congressional district in California having migratory camps are as follows:

	Camps
Twentieth Congressional District	1
Ninth Congressional District	2
First Congressional District	2
Nineteenth Congressional District	1
Third Congressional District	2
Second Congressional District	1

This makes a total of 12 migratory camps in the State of California.

I have received from individuals and organizations many letters and resolutions protesting the establishment of additional migratory-labor camps.

Such resolutions have been received from the Tulare County Board of Supervisors; Lemon Cove Chamber of Commerce; Tulare Center Farm Bureau; Visalia Chamber of Commerce; Orosi Farm Bureau; Exeter Kiwanis Club; Porterville Farm Bureau; Exeter Chamber of Commerce; Tulare Grange, No. 198; Exeter Lions Club; Tipton Lions Club; the American Legion, Department of California; the American Legion Posts of Tulare, Kings, and Mono Counties; Alta Post, American Legion, Dinuba; Pomona Grange, No. 5; Parent-Teachers' Association, Porterville.

I will not read any of the resolutions at this time, but I will ask the Clerk to read the resolution received from the American Legion, whose administration includes parts of three congressional districts.

At this point I ask unanimous consent to have the Clerk read the following letter.

The SPEAKER pro tempore. Without objection, the Clerk will read.

The Clerk read as follows:

THE AMERICAN LEGION,
DEPARTMENT OF CALIFORNIA,
Tulare, Calif., February 27, 1940.

Hon. ALFRED J. ELLIOTT,
Member of Congress,
Washington, D. C.

DEAR ALFRED: In accordance with instructions of the delegates to the fifteenth district of the American Legion, Department of California, in a meeting held in Tulare, Calif., February 25, 1940, below is a resolution approved by the delegates. The fifteenth district of the American Legion consists of the legion posts in Tulare, Kings, and Mono Counties.

"Whereas the Farm Security Administration of the Federal Government have built a number of camps for migratory workers in the southern San Joaquin Valley; and

"Whereas there is now in existence more than sufficient housing for all the migratory labor needed in agriculture in the counties of Kern and Tulare and there is a large concentration of surplus labor that cannot be used by agriculture or industry, has been maintained here at public expense, and is a constant menace to the well-being of our communities: Therefore, be it

"*Resolved*, That we, the fifteenth district of American Legion, Department of California, at meeting assembled at Tulare, February 25, 1940, protest the building of further camp or housing facilities for labor by the Federal Government, and we request the Farm Security Administration to advise those seeking employment throughout the Nation that there are no opportunities for them to secure work in agriculture or industry in California. That they spend what money they have available to rehabilitate those unfortunate people in communities where their distress has originated. That they return these thousands of idle people to a place where they can find opportunity for work. We call upon the California delegation in the Congress of the United States to urge these views upon the Federal Government and that copies of this resolution be forwarded to the Administrator of the Farm Security Administration, Washington, D. C., and the Administrator of Farm Security Administration for the State of California, and to the Members of the House of Representatives and the Senators of the United States from the State of California."

Your consideration of this resolution will be appreciated.

F. C. SCHUREMAN,
Fifteenth District Adjutant, American Legion, Department of California.

Mr. ELLIOTT. Mr. Speaker, the question is simply one of whether or not the Federal Government should expand and increase the migrant camps, and thus invite new migrants to a State already unfairly burdened with indigents it cannot usefully employ.

Certainly the Federal Government should not offer further inducements for more to come.

I reaffirm my stand made in 1937 on the policy that the Government should rehabilitate these indigents into their home States, starting immediately reclamation and land-conservation programs.

Where the people of one's district or one's home county appeal to the Federal Government that no more migrant camps be built there, and by showing definitely that the tax burden is too great for the people at home to carry, and the Federal Government refuses to cooperate with them in taking that tremendous load off their shoulders, I am wondering what Members of Congress would think of such a situation. I wonder how many of you realize the seriousness of this problem in the congressional districts which are so affected. I want to be fair, but I think it is time that the Members of Congress start operating some of these agencies of Government themselves, and not leave it to one person appointed under an administrative measure. I will read at this time from a letter of Colonel Harrington, dated Washington, D. C., March 15, 1939, addressed to President Roosevelt. He suggested legislation which should provide for Nation-wide planning, that might take the form of authorized action along the following lines:

(a) The resettlement of migrants who are now in California and other destination States, and who can become self-supporting there.

(b) The return of those migrants who are willing to resume residence in their State of origin and giving assistance in establishing them there.

(c) The resettlement of other migrants in those areas where employment suited to their ability is most likely to be found.

I, myself, feel that we will have to care for these people undoubtedly as we are at the present time, but why not work out a program such as we work in the State of California. Let us provide something for these people to do in their respective States.

If their soil no longer serves to produce a crop, let us put those people back in their respective States, provide them with a home there, and reclaim the soil to the point where they will produce crops again. Then we will be doing two things at once instead of spending funds and not accomplishing anything.

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

Mr. ELLIOTT. I yield.

Mr. KITCHENS. I suppose the gentleman saw in the paper a few days ago where some 20,000 of these migrants were scattered up and down along the Atlantic coast. Does the gentleman realize that this situation will become more and more serious; these migrants will continue to seek out the places where there are no discriminations? You know that under our present system of freight rates Oklahoma, Texas, and Arkansas have the highest freight rates of any section of the United States, which requires the people there to pay higher freight rates, requires the workingmen to pay higher rates for the things they consume and produce, and they do not manufacture one single thing down there that they wear or one single thing that they have in their homes. Then we are prevented from having any industry down there because in the first place we are discriminated against by these discriminatory freight rates, and we are required to pay the same minimum wage as is paid in the highly industrialized cities. Therefore it is reasonable to believe, and we know that these people are going to seek the higher prices that are paid in the North and the East and in California. They will go away from these discriminatory freight rates. They will get away from these discriminations and go to sections of this country where they are not discriminated against. I say to you that the people who have gone from Oklahoma, Arkansas, and Texas to California are pure-blooded Americans, and they are seeking to better themselves and to avoid the discriminations that this Congress has imposed upon them or permitted to be imposed upon them, and that the Federal Government, the Secretary of Agriculture, cannot replace those people down there and enable many of them to make a living or to sustain themselves on the American standard of living.

Mr. ELLIOTT. That is quite true.

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

Mr. ELLIOTT. I yield.

Mr. ALEXANDER. I think the statement of the gentleman from Arkansas [Mr. KITCHENS] is quite true, but I think he should include in his statement the exorbitant and unjust freight rates of the Northwest section, including Minnesota, the Dakotas, and Nebraska, because I do not believe the freight rates in Arkansas are any more unjust or any higher or any more out of line than are ours. Does the gentleman have a freight rate of more than 15 cents per bushel on wheat for a distance of 400 miles?

Mr. KITCHENS. We have the highest freight rate in the Southwestern zones in the United States. That is, Arkansas, East Texas, and Oklahoma.

Mr. ALEXANDER. Will the gentleman yield further?

Mr. ELLIOTT. I yield.

Mr. ALEXANDER. I think this is a vital subject, and a point that is well worthy of the consideration of this House.

[Here the gavel fell.]

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent that the gentleman be allowed 5 additional minutes.

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

There was no objection.

Mr. ALEXANDER. Will the gentleman yield further?

Mr. ELLIOTT. I yield.

Mr. ALEXANDER. You cannot expect anything else than that these people from these inland sections, these land-locked sections, will go to the coast where living conditions are lower, freight rates are lower, under this rule that we have

operated under, imposed by the Interstate Commerce Commission for so many years.

Mr. ELLIOTT. I thank the gentleman.

Mr. ANDERSON of California. Will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. ANDERSON of California. The gentleman has given an excellent description of the most serious situation confronting the State of California today. The gentleman represents an agricultural district, and I understand is a farmer himself. I wonder if he agrees with the statement made in New York City the other night by Carey McWilliams, California commissioner of immigration and housing, in a radio address over Town Hall of the Air, when he said as follows:

Grapes of Wrath—

Speaking of the book written by John Steinbeck—

which, incidentally, is an accurate account of the living conditions of migratory labor in California.

I want to ask the gentleman if he agrees that that book is an accurate description of the living conditions that confront migratory labor in California in general? We will admit that there are exceptions where these people are placed under extremely ill-housed conditions, but is that a true picture of the general situation as it exists in California today?

Mr. ELLIOTT. It is not; and I will say further to my colleague from California: I perhaps know the San Joaquin Valley, my congressional district, as well as any man who lives in California. I know more about it than the man who wrote the book, Grapes of Wrath. I think that is the most damnable book that ever was permitted to be printed and put out for the public to read.

Statements are made in that book that women and children should never read. I could take any Member of this House of Representatives to places here in Washington that are just as much a disgrace with regard to living conditions as any spot in the Tenth Congressional District or the State of California. I can take you across the street from the Senate Office Building and I can show you large families living in brick structures with just one door and a small window. I will admit that people do live in tents in California in the harvest season; but, my God, they certainly have got fresh air, and that is more than I can say for some of these slums I have seen in the District of Columbia and various other places in the eastern cities.

Why pick out a State and start dumping them there, as in California, when the figures I gave the House of Representatives show what the American people in that State are doing for these helpless ones? I feel sorry for these people, just as sorry as anybody in the United States. I have some employed at the present time, paying them $3 a day; and I am happy to do so. I do not believe there is a problem confronting the American people today so great as the one about which I am now talking. We spend hours debating little bills, yet here we are confronted with the great problem of finding a place for these people to live and of providing them with jobs and thereby saving the waste of Federal funds. I maintain that building Federal migrant camps is not solving the problem at all. You provide a place for them to live temporarily but do you provide anything for them to do? They are there in such great numbers that there are 7 people for every job. To put 1,500 or 1,600 people in a camp without giving them some means of earning a living is no real help at all.

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

Mr. ELLIOTT. I yield.

Mr. NORRELL. The gentleman has made a very fine statement. Personally I know that the people who have gone out to his State from Arkansas have been well cared for. In addition to what has been said with regard to the cause of the migration, does the gentleman not believe that another factor has been the Federal policy of old-age assistance whereby the National Government pays into a State an amount of money equal only to what the State itself pays out in old-age pensions, that this causes people to migrate from States which have no pension system, or a small one, to those which pay greater pensions?

Mr. ELLIOTT. I thank the gentleman very much for his contribution. Let me say further along that line that I believe that before this Congress adjourns, it should approve uniform pensions for the aged people of the United States regardless of where they live, with a policy under which they would receive the same amount of pension; those people would not migrate from States which pay $7 or $8 a month pension to a State like California, where they receive $40. This is no longer a local matter, no longer a State matter, it is national in character and must be dealt with as such.

Mr. ANDERSON of California. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. ANDERSON of California. I know the gentleman agrees with me in the statement that California has done everything possible to meet this situation, but we must have national help or the State of California is going to go bankrupt. Is that correct?

Mr. ELLIOTT. The gentleman's statement is correct.

Mr. Speaker, we have heard statements made that the farmers of California are against these migrating people. I do not agree with these statements at all. The farmers in my State, particularly in my district with which I am so familiar, go out of their way to assist these needy people. Many of the migrants reach California sick and in ill health. The interest of the people of California is amply demonstrated by the fact that counties have increased their hospital staffs, and built new buildings. Tubercular sanitariums have been increased to several times their original size. Why? To care for these people who have come to the State. Who is paying the bill? The taxpayers of California.

Instead of running around trying to find or stir up a quarrel between laborers in agricultural areas and the farmers we should do everything in our power to unite those groups, because one depends upon the other, employer and employee are mutually dependent regardless of the business, whether it be farming or industry. Cooperation is the keystone.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. O'CONNOR. I believe that another factor causing people to migrate into the gentleman's State is the fact that many of the farmers have been droughted out in what is known as the Great Plains area. When they are droughted out they go into the States of Washington, Oregon, and California looking for a place to live. We find many economy-minded Members of the House voting against reclamation appropriations whereas, as a matter of fact, if we provided that money, which is always paid back into the Treasury, we could keep those people on the farms in the Great Plains States and save California, Washington, and Oregon much of the trouble they now have as a result of our not building up the land and water resources in the Great Plains area. Am I not correct?

Mr. ELLIOTT. The gentleman is entirely correct. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a recent article by Hubert Kay on the accomplishments of our distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN].

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to place in the RECORD at this point a letter addressed to a newspaper in my district concerning this problem.

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

There was no objection.

The matter referred to follows:

[From the Antelope Valley Ledger-Gazette, Lancaster, Calif.]

"OKIE" GIRL HITS "GRAPES OF WRATH"; FINDS CALIFORNIA FAIR

(Editor's note: The following letter is printed through the permission of the Tulare Times, to which it was written as an unsolicited refutation of accusations hurled in such books as Grapes

of Wrath against the people of California for their treatment of migrants. It was written by a young mother from Oklahoma, orphaned at an early age, who arrived in California less than a year ago. This letter, since its first publication last week, has been widely quoted and has brought much attention.)

DEAR TULARE TIMES: I have just finished reading a story about "migrant horde." It sure did make me mad the way people run down California. Lies—dirty mean lies * * * and this letter is not from a Californian but an Oklahoman.

I don't believe the things I read in that story because people are not as mean in California like the stories that you read and hear about; and, believe me, I am not writing this just for fun, or that I don't know what I am talking about, because I am not one of those girls that had an easy life. My mother died when I was born and I had to work hard for my living and I liked it. I did not find people mean to me. The world treated me O. K.

DEAR CALIFORNIA: I think it's a dirty shame the way these migrant stories are printed so the world can read them. I came to California nearly a year ago and I am not one bit sorry. California treats me swell.

My husband had a friend here in California who wrote us a letter to come to California and he would help him get work—so we came to California.

Back in Oklahoma my husband worked hard for $30 a month. We had to walk a mile for water that was fit to drink and burned a stinking oil lamp at night. Yes; and go hungry sometimes. Here in California we got a job, $60 a month, just driving tractor; lights in the house, water right in the kitchen, and all the good tested cow's milk we want.

It makes me tired to hear people around me whining what they were used to back home. I could write a story about what they were used to back home. They make me feel ashamed how they abuse this State. I am not blind. I see plenty.

If they would stop whining, "Taint fair; it ain't fair," they would see for themselves the hard work it took to make this county around Tulare and all around what it is today.

I have seen the bosses work hard all day and all night while the hired man had a good night's sleep. And it's not "Good morning, boss," he hears but, "Taint fair." "Back home it was like this, or like that." Why don't they go back home to what they were used to. Oh, yeah, I could tell a few of them what they were used to. Some people want a lot for nothing.

I've seen people who loved to be on relief and I have heard this saying many times, "Let's go to California and get on relief." I've heard them planning what to say and hide, so the relief wouldn't be wise. Back home, I've seen stock die because people were too busy talking about California relief to care for them.

I saw a poor cow die having a calf one day. I asked the man, "Why don't you help that poor cow. I know a little help will save her." He just looked up at me and said, "Oh, it's too much trouble. We are planning to go to California. I hear relief is pretty good there." And so that man and his family came to California.

That's what's wrong, too many on relief. It gives them too much time to sit around and breed trouble. And it gives them too much time to have more babies for California relief to keep.

It's a funny thing, we could always find work. I guess it's because we wanted it. Please forgive me if I talk too plain for some people, but it's the truth and the truth hurts, and I am in the mood right now to write it.

It's a funny thing that some people are not satisfied no matter where they live. I've seen them come back to Oklahoma for a visit from California, driving a beautiful car and bragging what they made since leaving Oklahoma. I notice they don't stay back home, and when they get back to California it's, "Taint fair."

When we arrived in California, the pal, an Oakie that is not a pal any more, was driving a beautiful new car and living in filth and nearly starving to death. They had to sit on old boxes to eat what they had, just because they were trying to be a big shot on the outside. Yes; and those folks were on relief one time. They tried to get my husband to get on relief. "Tell them this, and tell them that. Put a hard-luck story to them. You got to act to put it over on them." That's the way the Oakies talk about California, who have all they can do to look after their own.

Well, California, here is one Okie that's for you, and, believe me, I mean every word of it.

I notice the Oklahoma people don't help one another here. The pal that wrote us to come to California treated us so mean that one morning I left his place. I sat under a tree nearly a day, waiting for my husband to come back from looking for work.

Across the road lived some of my own people from Oklahoma. They did not ask me in, but it was a California family that noticed me and my baby. They stopped and asked me what was wrong. I told them my story, and those people took me home, gave me my supper, and that dear woman of the house bathed my baby for me. And that's not all. They kept us for a week and found my husband a good job. They are my best friends today.

A California bus driver paid our way from a small town to Visalia. He noticed we didn't get on the bus and asked us, "What's the trouble?" We told him we were broke. He put his hands in his pockets and said, "Pay me back some day when you can," and he paid for our coffee and doughnuts. He, too, is a Californian.

Another thing that gets in my hair is the things you read about poor girls who had to go wrong after they got to California. The story I was reading told of a poor girl who ended up with a hobo, with tears in her eyes, after she got to California. Well, let me tell poor Betty, she did not have to end up with a hobo.

I was up against it one time when I lost my job. Like I told you before, my mother died when I was born and I had no one. But that did not make me go the wrong way. Oh, no; there's too many kind people in the world.

I went to the police and told them my story. They sure were swell to me. They found me a good place to stay for the night, and I didn't end up with a hobo or rich man. I soon found myself another job doing housework, all the good food I wanted, and bedroom, in a district attorney's home.

Some girls I knew were shocked to think I went to the police and told them I was broke. They would do this and that before they would sink so low. They were too proud.

I am proud myself, but I would not do the things they would do when down and out.

There are too many homes that want girls to help with the work for a girl to go wrong, and I mean good, kind homes.

It's the ones who were shiftless and lazy in Oklahoma who are out here in California trying to get something for nothing, complaining "'Tain't fair."

Again I say, the "Migrant Horde" is a pack of dirty lies. California people are as fine as any in the world and are willing to help anyone that wants to make an honest living.

—From an Oklahoma Girl, 23 years old.

P. S.—Mr. Editor, I am not well educated enough to word this letter the way I would like, but it will please me very much if you print every word of it, if you wish, and I hope you do. Thank you.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an article by Mr. Frank J. Taylor that appeared in the Forum magazine of last November, dealing with the California migrant situation.

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

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under a special order heretofore entered, the gentleman from California [Mr. VOORHIS] is recognized for 30 minutes.

Mr. VOORHIS of California. Mr. Speaker, the problem that has been discussed here this afternoon is one I started to talk about 4 years ago. No one else talked about it then. The first time I got up on the floor of this House and said I felt it was important that steps be taken for the rehabilitation of people in the areas from which this migration was coming, I received very little response from anywhere.

WE NEED MORE WORK ON THE MIGRANT PROBLEM—NOT LESS

Since then the situation has changed. It has changed rather tragically on the whole. In the first place, may I say that the gentleman who just preceded me has, in my judgment, made a most eloquent and forceful appeal for a greater amount of work by the Federal Government concerning this problem and not less.

The burden of his argument is a very forceful one for the establishment of a uniform and general system of old-age pensions in this country which will apply to all sections of the country equally and leave less inducement for people to migrate from States where low pensions are paid to States with higher ones. His argument has brought before the House the magnitude of a situation which has two great major factors in it: First, the unemployment situation in American industry, and, second, the problem of American agriculture, which is bottomed on inadequate returns to the farmer, exhaustion of our soil and natural resources, and a number of other factors. I am unable to see how objection to a program of trying to give clean, decent places to some of these people to pitch their tents is in accord with the positive approach to its solution. I know that people naturally do not welcome a great and sudden influx of people into the area where they live, where they pay taxes, and where are located their school districts. I wish that some program could be worked out so that the location of these particular camps might be in places where there would not be objection.

I also realize how difficult that would be, and certainly I am not going to advocate the cutting down of any of the constructive work being done either in California or elsewhere on this problem. It seems to me what California has a right to ask and what California ought to ask with all the vigor at her command is that in view of the fact that she is carrying a large part of the burden of human need in this Nation, because of the fact these people come

from all parts of the country to our State, therefore we have a right to call this a Federal problem and to insist that the burden of dealing with it shall be borne in major part by the Federal Government. In this connection may I say it would be entirely just for the school district which is burdened beyond capacity, I have no doubt, by the increase in the child population due to the migration of these people, to expect grants in aid to enable that school district to deal with the problem of education. I also agree with the gentleman from California [Mr. ANDERSON] that our people have made a very great effort to meet this problem and are laboring under a great difficulty. There is one school district in Los Angeles County, in my district, where the school population of that district has tripled in the past 3 years.

AN AGE-OLD PROBLEM AND THE ONE MEANS OF REALLY SOLVING IT

Mr. Speaker, may I point out furthermore that this is no passing matter. This is a part of an old American tradition. Ever since this country was founded people have been moving west. They have been moving on in search of a solution to their problem some place else if they could not solve it where they were. Now, however, the frontier is gone and we are up against a situation where there is only one kind of expansion remaining to the American Nation, only one way in which mass production can be made possible, only one way in which we can reemploy the people now unemployed, only one way that we can over a long period of time make for prosperity of agriculture, not only in California, not only in Kansas, Oklahoma, and Texas, but every place else, and that is by making possible mass consumption to accord with mass production; by raising the standard of living of the American people and by an earnest effort to discover the sound and proper manner in which to reflect an increase in production due to mass industry in a corresponding increase in mass consumption on the part of the people.

We are not going to solve this problem, California is not going to solve the problem, and no one else will solve the problem until this central thing is done. I am not going to talk today about the things that I think ought to be done. I have spoken on that subject many times.

PRODUCTION AND CONSUMPTION MUST BE BALANCED

I believe our method of bringing into circulation the medium of exchange should be in accord with the Constitution. I think when this Nation as a whole needs an additional volume of money to transact business because the production of wealth is increased, it is up to the National Government to put it into circulation without increasing the national debt. I believe we need a general system of old-age pensions in this country. It costs industry and agriculture all the income that they pay out to produce the goods and crops which they turn out.

The total national income is equal at all times to the cost of producing the goods that agriculture and industry turn out. If that be true, then agriculture and industry must get back at least that much if they are going to proceed with profitable operations, but if, as is true, 15 percent of our national income is today saved, if it is true that 15 percent is neither spent nor promptly invested in new capital goods and new capital equipment, then obviously you cannot employ all the people nor even continue to produce as much as before. The problem of producing enough, the age-old problem of mankind, is solved.

We are confronted with a brand new problem and we do not know it, namely, the problem of enabling our country to consume what it produces.

So the things we have been talking about here today—such as the migrant camps—are things that affect only the immediate attempts to mitigate a problem, a problem the real solution of which lies along some of the lines that I have just mentioned.

CALIFORNIA'S HOPE LIES IN GREATER WELL-BEING IN REGION FROM WHICH PEOPLE MIGRATE

The gentleman who preceded me said that we ought to provide in the region from which these folks come the means of enabling them to remain there. Oh, yes; I agree thoroughly with that, but that means it is going to cost money. It means in many cases you will have to have a program of soil conservation, that you will have to have a means of enabling more of those farm folks to earn a little money on the side through means like that.

It means you are going to have to be in earnest about the proposition of seeing to it that the farmer secures his fair share of the national income. It means, to me, anyway, that I, as a Californian, have to have a very deep and profound interest in the work of the Tennessee Valley Authority, for example, in raising the standard of living and enabling the people to get along better in that section; that I have to have a profound interest, yes, in parity payments to the farmers, even though not one penny of it goes into my district; and that I must have an interest in the rehabilitation of the people in all the United States, because, after all, unless that is done you cannot stem this migration. It means that we must work for reclamation—for lands where some of these people can go and start out on their own again.

Now California is up against a great problem.

I do not find any evidence whatever that the Farm Security Administration has encouraged this migration. On the contrary, they have spent $134,000,000 in loans to people in other States to attempt to enable them to stay where they were and make a go of things, but they have spent only $6,000,000 altogether in California.

The 12 camps that have been built in California have a total capacity of 7,200 people. The persons who know anything about California agriculture know what an infinitesimal drop in the bucket that is compared to the number of people that are needed at certain seasons to harvest California's crops.

In addition to the number to whom grants have been made in such States as Oklahoma, Arkansas, Texas, and other States to the north, 119,000 families have applied for loans but could not get them. These loans made to people because they did not have security, not because they did have, are today 80 percent current, and yet we threw a $25,000,000 item out of the agricultural appropriation bill for farm-tenant loans, which would have been secured loans, because we thought we were balancing the Budget. Those loans have been gilt-edged from the very beginning. They were not farm-security loans, even.

If you want to solve this California problem you have to face up to the problem of unemployment, to the problem of agricultural welfare in the States where these people come from. As a matter of actual fact, the total volume of migration to California has varied sharply in recent years. In 1937 it was the largest, when 90,000 people came into our State in immediate need of manual labor.

That was when there were 5 camps in the State, and today there are 12. In 1939 there were 64,000 people, far too many, but not as many as before. I do not believe the construction of camps is the cause of their coming. Indeed, we find that 45 percent of all this migration into California has come to the county I have the honor to represent in part, namely, Los Angeles County, where there are no camps at all.

When those people have come there, it is true that in many cases the result has been that they have gotten jobs that formerly went to people who worked for higher wages. That happened. In other words, the State of California is today up against very largely the same problem as the whole United States was up against when we had large-scale immigration into the country.

In my judgment, the solution of the problem lies not in the direction of curtailing Federal activity, which is helpful in meeting this problem and in bringing about a more decent method of handling it, but rather in an extension of those things which, as I say, I believe we have the right to expect.

FEDERAL GOVERNMENT SHOULD BEAR COST OF RELIEF

The one thing that seems to me most clear as a first step in this matter is this: I ask you to imagine yourself a resident of a California community where seasonal labor is

required. I ask you to imagine that you find that there are a large number of homeless people, people with no other place to go, who have moved in there and work as much as they can find work, but for whom after awhile there is no work left any more. Those folks have been following the setting sun to greater opportunity. They have been doing exactly what Americans have always done. As the gentleman from Arkansas has said, by and large they are the salt of the earth. They are of old American stock, deeply religious folks, most of them, too.

On the other hand, persons who have little homes, who have their community built, who have their school districts organized are naturally concerned; they are worried; they are distressed. We have tried to maintain high standards in various ways, in old-age pensions, for example, and matters like that. We have not done so very well ourselves, but we have done better than some other States have been able to do. This has been partly due to the greater amount of wealth in our State, I am free to admit.

Here is all the stuff of possible social conflict. My appeal primarily is that it be recognized once and for all that the problem of interstate migration is due to national problems, due to national unemployment, and due to national distress of agriculture, and so on, and that it be recognized as a Federal problem and not a local one to be dealt with as best it may by the States that are the recipients of migration.

Therefore we should pass legislation here in this House to provide that whenever there is need for medical attention, whenever there is need for relief of people who are not citizens of a certain State to which they have moved, the Federal Government should bear the expenses, but it should be administered locally. Oh, this will help a little bit, but, fundamentally, the things I spoke about a few moments ago are the only things that will help; and, fundamentally, the thing that California wants more than anything else is to have legislation that will enable people to live and live decently in other parts of the country so they will not need to move; and if you really mean this then we must work upon not only the members of our delegation, but of all the delegations to see to it that we push forward with a solution of the unemployment problem, to see that we push forward with a solution of the problem of agricultural distress. Much has been done to this end, but we cannot rest. We cannot wait for an election year to pass. We cannot wait a single week or a single month without giving to these problems the most earnest and the most continuous attention that can possibly be given to them.

I have hoped that out of this great problem there will be a great gain. I have hoped that it will teach us all, those of us who come from California and those of us who come from other parts of the country, that this great Nation is all one Nation and that the problems that affect the people of one part of the country inevitably react upon the people in other parts of the country; that one part cannot be prosperous without all the other parts being prosperous; and if one suffers, all others must suffer, too. I have hopes that, having discovered this, we will likewise begin to realize that never can any nation be prosperous if it attempts to leave behind in its forward march one-fifth or one-sixth of its population. I have hopes that we will understand that to try to economize at any point, largely at the expense of human need, is always wrong, and that there has to be a better answer than that, a more fundamental answer.

Some way that will not unbalance the Budget? Yes; some better way to do it—all right—but until you find that better way it is necessary that you see to it that you do not make the same mistakes that have been made before. It is necessary that you see to it that as your people produce, so they must consume, and that we find ways in which we can either solve that problem of excess savings and a lack of consumer buying power or else we find a way to compensate for it in order that we may have not only a continuous and steady production in this country and a continuous and steady income to our Federal Government, but also a Budget balanced on a decent and fair basis. [Applause.]

I have another speech here, but I know that there are many Members of the House who are rather anxious to get on with other business. I thank you very much for listening to me, and I assure you that there is a complete speech here on the subject of unemployment that I did not deliver this afternoon. I thank you very much.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life, character, and public service of our late friend and former colleague, Hon. Royal C. Johnson.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TABER. Mr. Speaker, on behalf of the gentleman from New York [Mr. CROWTHER] I ask unanimous consent that he may extend his remarks in the RECORD and include therein a joint statement by a group of distinguished Democrats, dealing with the question of tariff making by the Executive.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, on behalf of myself I ask unanimous consent to extend in the RECORD a statement by the Chamber of Commerce of the State of New York on the foreign purchases of silver.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under an order previously made, the Chair recognizes the gentleman from New York [Mr. TABER] for 15 minutes.

INCREASE IN FEDERAL EXPENDITURES

Mr. TABER. Mr. Speaker, it has become increasingly evident as this session progressed that Federal expenditures day by day are steadily increasing and that notwithstanding the efforts that are being made to avoid increasing the national debt by shifting the borrowing to the Reconstruction Finance Corporation instead of direct borrowing through the Treasury, that the debt situation of the United States is more and more becoming a bar to economic recovery. Until we get to the point where we are balancing our Budget and where we are permitting industry to employ our people, the condition of the United States is continually becoming worse.

An agricultural appropriation bill has been reported to the Senate carrying increases over the amount carried in the House totaling approximately $300,000,000. This is made up of:

Surplus Commodities Corporation, approximately	$90,000,000
So-called parity payments, approximately	212,000,000

As to the surplus-commodity payments, I call attention to a quotation from the Saturday Evening Post of last week, as follows:

> BENTONVILLE, ARK.—The Federal Surplus Commodities Corporation shipped 3 carlots of Washington relief apples here. Benton is one of the first five apple-producing counties in America, with 30 carlots now in cold storage here for a lack of a market, and more than half a million bearing apple trees.

This is just one of many instances of the way our money is being wasted by this organization. Its officers have that supreme qualification which has been a requisite for appointment to administrative positions all through the Roosevelt administration—total incompetence. This is not an isolated case but is one that can be duplicated thousands of times. This appropriation should be watched very carefully, and the House should make every effort to either do away with it or reduce it very substantially. If there is any alleged need, that need should be carefully covered and the item not just included without any basis whatever.

The proposal to continue so-called parity payments has a much less valid basis than the other item. At the present time wheat is selling in Chicago for a little over $1 a bushel. Its producers are being paid 9 cents a bushel on account of soil conservation and 10 cents on account of parity payments. Dollar wheat in Chicago permits a farmer to operate successfully. There can be no excuse for additional payments

to farmers either on soil conservation or on parity payments when we have dollar wheat. With dollar wheat and these payments, farmers are receiving $1.19 per bushel.

With reference to cotton—cotton is 11 cents a pound in New York. The market on the farm is certainly 9 cents. With the cotton farmer receiving 9 cents on the farm, 1.6 cents for conservation payments, and 1.55 cents for parity payments, it makes a total of 12.15 cents per pound. My understanding is that cotton farmers who can get 9 cents for their cotton are pretty well taken care of. That is, with modern machinery and modern handling, that 9 cents lets them grow cotton and make a profit. Why we should hand them 3.15 cents is beyond me.

Corn at Chicago is about 57 cents. Soil-conservation payments of 10 cents are provided and 5 cents parity payments, making a total of 72 cents. During our best years, if a farmer got 60 cents for his corn he did not do so bad.

I am putting this out in tabular form, indicating what the farmer is now getting and what he will get in 1941 if the parity payments are continued and if the $212,000,000 is appropriated for parity payments and if the market price stays the same:

	1940				1941			
	Price	Soil Conservation payment	Parity payment	Total	Price	Soil Conservation payment	Parity payment	Total
Wheat	$1.00	$0.09	$0.10	$1.19	$1.00	$0.09	$0.09	$1.18
Corn	.57	.10	.05	.72	.57	.10	.05	.72
Cotton	.09	.016	.0155	.1215	.09	.016	.0155	.1215

The result of the soil-conservation payments has been to crowd farmers out of wheat, cotton, and corn and into dairy products and into other agricultural products which are facing the same kind of a situation. To put it another way, the total cash farm income in 1939 was $8,518,046,000. The total income of farmers from corn, wheat, and cotton was $1,331,521,000. This means that we are paying to farmers who contribute 15.6 percent toward the total agricultural income a bonus amounting to approximately $800,000,000 this year, and the result of that operation is to reduce the price of other farm products such as fruits, vegetables, dairy products, poultry, and livestock, so that the producers of these commodities will not fare so well.

When the promoters of the so-called parity proposition came before Congress, with wheat at 60 cents, corn at 40 cents, and cotton at 6 or 7 cents, they had a right to say that the price was below a fair one; when they come to us at a time when the price is high enough to yield a moderate return, and we have already provided $500,000,000 for soil-conservation payments to continue, are we not in a situation of some of those people who would deceive the farmer for political purposes, crying "Thief, thief!" when there is no thief?

At this time and with the situation that appears to be confronting the country there is absolutely no excuse for continuing the so-called parity payments in 1941.

I am not going to say what is a fair price on the farm; it depends on the farmer's method of production; it depends upon the price of farm labor; it depends upon the taxes the farmer has to pay; and the general average price of the things he has to use. I am going to say that you cannot determine that price by what the price was 25 years ago and be fair. I am going to say this: That you cannot continue such large payments to farmers for so-called parity payments when the market prices are what they are today and when the soil-conservation payments are being used to destroy the 84 percent of agriculture which does not receive much of the soil-conservation payments and none of the parity payments.

Continually the debt is growing larger. Continually it is getting to be more and more a bar to the return of prosperity. I ask the agricultural representatives to stand four-square against these parity payments at this time so that we may have an opportunity of keeping down the appropriations to a moderately reasonable figure and preventing such a large deficit as to totally prevent recovery and the employment of our people.

The SPEAKER pro tempore. Under an order of the House heretofore made, the gentleman from Indiana [Mr. LUDLOW] is recognized for 20 minutes.

THE APPROPRIATION TO COMBAT VENEREAL DISEASES

Mr. LUDLOW. Mr. Speaker, in a few days the House of Representatives will be face to face with the question as to whether the warfare against venereal diseases in the United States shall go on with zeal and effectiveness or whether it is to be starved by a lack of the necessary funds to a point where it is certain to be disorganized, disintegrated, and in many places entirely abandoned.

This is an issue that ought to challenge the attention of the American people.

I am posed here today in what for me is a very unusual role. As a member of the Appropriations Committee, I have helped to cut innumerable items, but in my 9 years of service on the committee the times when I have advocated the raising of Budget estimates could be enumerated on the fingers of one hand, with one or two fingers to spare. This is one of those rare occasions. The Budget Bureau is a man-controlled instrumentality, and, being human, it is not infallible. It is likely to err, just as we are all likely to err. In my opinion its general tendency, especially in recent years, when zeal for recovery has been a strong impelling force, and experimentation has been the order of the day, has been to recommend excessive appropriations, which have not always harmonized with sound economics and the national welfare, but in this matter of an appropriation to fight venereal diseases I think the Budget has cut too low.

It was my privilege last year to lead the fight in the committee and the House which resulted in the Budget item of $3,000,000 for this purpose being increased to $5,000,000, which is the amount available for the current fiscal year—1940. There is a statutory authorization for $7,000,000 to carry on the antivenereal campaign during the fiscal year 1941, but the Budget Bureau has recommended that the amount be cut back to $3,000,000, the sum appropriated for the first year of the 3-year program. The Budget's action has created no end of sadness and disappointment among the sincere people who have thrown all of their energies and resourcefulness into the war on this devastating scourge, as they see in it the virtual collapse of all their plans.

BILLIONS FOR WAR PURPOSES, THOUSANDS FOR HEALTH

We are spending astronomical sums, the magnitude of which no human mind can conceive, for preparedness against wars which are not likely ever to happen, which, pray God, never will happen, and which I do not think ever will come, if we keep out of world meddling and attend to our own affairs, and in our zealousness in that direction we seem to overlook the fact that we are up to our necks in another war, a war not of the future but of the present, a real war and not one of the imagination—a war against insidious and malignant disease in our own country. The number of persons killed and disabled by syphilis every year in the United States would make the American casualties in the World War seem small in comparison. Every year there are 500,000 new cases of syphilis in the United States and at the very minimum twice that many new cases of gonorrhea—an appalling picture.

It would challenge the descriptive ability of a Victor Hugo or a Dickens to portray the tragedies that have been brought into countless thousands of the homes of our land by the stealthy antisocial diseases which this appropriation is set up to combat. Along with their other terrible effects, syphilis and gonorrhea are responsible for a conspicuous proportion of blindness in this country. Current studies of the National Society for the Prevention of Blindness reveal that more than

25,000 blind men, women, and children in the United States—approximately one-sixth of the entire blind population—lost their sight as the result of syphilis or gonorrhea.

Do not these poor mortals, groping in eternal darkness, touch our heartstrings? Even if they did not, even if we were to forget all humanitarian considerations in our thought of these pitiful unfortunates, the fact remains that the cost of educating and otherwise assisting sightless persons throughout their lifetime is a notable item in the public budget. Up-to-date records of schools for the blind in all sections of the country show that about 12 percent of the blind children lost their sight through syphilitic infection and about 8 percent through gonorrheal infection—a total of 20 percent whose blindness can be traced directly to venereal diseases. Scarcely less despairing are the statistics relating to the adult blind. At least 13 percent of the blind adults in the United States are sightless as a result of syphilitic infection and at least 4 percent as the result of gonorrheal infection. The pity of it is that most of these tragedies are needless.

It is a proven fact that prospective mothers who are infected with syphilis can bear healthy children if prenatal antisyphilitic treatment is administered in time. If all cases of syphilis among expectant mothers could be discovered, which is possible through blood tests, and followed up with early treatment, their babies might be born into the world without being doomed to blindness. Oh, there are many things to be done to curb this awful infliction on the human race, and the campaign, so full of hope and promise, has only fairly begun! Let us not starve it by withholding the necessary funds.

COLLAPSE OF ANTIVENEREAL CAMPAIGN FEARED

Let us consider for a moment the disastrous effects that would result if this appropriation should be reduced, as proposed by the Budget. That, I think, would be nothing less than a major blow to humanity. I do not know how better to describe the certain and inevitable effect in a word or two than to say that it would take all of the heart out of the antivenereal campaign. It would knock the props out from under all that has been so well builded up to date. It would mean the virtual collapse of the antivenereal campaign on the widespread scale of efficiency on which it has been projected and carefully thought out.

After years of efforts the interest of the States has at last been aroused to a high pitch and the program is now going ahead with the utmost degree of harmonious coordination and cooperation. Taking away Federal funds will mean that the plan of combating venereal diseases which has been so carefully devised will be tremendously affected, abandoned entirely in some places and in other places drastically curtailed, and the sufferers will be the millions of victims, actual and potential, of this dreadful disease, who should be the objects of our tenderest solicitude. The States which are now cooperating splendidly with the Federal Government would lose interest and spirit. It is not an overdrawn picture to say that in some States the work would be completely wrecked and in even the most prosperous States progress would be halted and retarded.

If we think of that gloomy prospect and then contemplate the hopeful prophecy of Dr. William F. Snow, of New York, one of the world's greatest authorities on venereal diseases, I doubt whether there will be any sentiment for reducing the appropriation. In a letter to me Dr. Snow makes this statement:

> I would say that, to my mind, there is no doubt whatever, of our ability eventually to stamp out venereal diseases in this country if we can go forward uninterruptedly with the appropriations for Federal assistance to the States envisaged in the Venereal Disease Control Act of May 24, 1938.

STATES DOING THEIR PART

I have stated that under the stimulus of this Federal appropriation the States, counties, and cities are showing themselves alive to their responsibilities and are doing their part willingly and with alacrity in this antivenereal campaign, and I wish I had time to cite illustrations of cooperation to prove this undeniable fact. It has been understood from the beginning that no payments of Federal money were to be used to replace existing State or local appropriations for venereal activities. Congress distinctly had in mind aiding States to expand and perfect their facilities and personnel for conquering syphilis and gonorrhea. There was no thought of assuming responsibility for either administration or costs in the several States and Territories. With this understanding the States have risen nobly to their obligations.

In the present fiscal year 1940, for which Congress appropriated $5,000,000, the States and their subdivisions have appropriated upwards of $7,000,000, and current data indicate that from all sources to date approximately $2 of State and local funds are available for each Federal dollar. By the close of 1939 every State, the Territories, and the District of Columbia had established bureaus or subdivisions for administration of the venereal disease control program. In 1938 such units existed in only 27 of these 53 areas. Every State now employs case finding and case workers.

Meanwhile, under the aegis of this program, important scientific research projects in problems relating to diagnosis and treatment of syphilis and gonorrhea are making substantial headway.

Special training courses for physicians and public-health administrators have produced more and better trained personnel. One of the most hopeful signs is the change in the public's attitude. No longer is the word syphilis spoken with bated breath. The new view is that syphilis is a great evil, not to be hid under a bushel and ignored but to be sought out and eradicated. There is no longer any doubt about the general public's understanding and support of the program, or the appreciation of the services by sick people in need of diagnosis and treatment for these diseases.

TESTIMONY OF STATE HEALTH OFFICERS

I wish I might read letters that have come to my attention from scores of State health officers attesting to the progress that is being made toward stamping out venereal diseases in their States under this program. In a letter expressing his appreciation of this Federal aid, Dr. Verne K. Harvey, director of the State Board of Health of my home state, Indiana, says:

> There is much to be done yet in syphilis control. We have only begun to scratch the surface.

Dr. George W. Bowman, an eminent expert, who has been appointed to head the division of venereal diseases in Indiana, is in complete agreement with Dr. Harvey in regard to the value of this Federal appropriation.

Dr. C. D. Bowdoin, of the Department of Health of the State of Georgia, writes:

> We now have approximately 100 clinics established in the State of Georgia and a number of our older clinics have been reorganized. Drugs are now furnished free to clinics and private physicians for all patients. Our organized health counties are showing greater activity than ever and we are very much encouraged over prospects. Allotments of Federal money for venereal disease purposes have made possible a program which undoubtedly will be of inestimable value to our future generations.

Dr. W. B. Grayson, State health officer for Arkansas, writes:

> I believe all of the States can make better use of their allotments for the fiscal year 1941 than they did for the first year, due to the fact that they now have some plans and programs operating, and the service is very popular and in demand.

Dr. F. P. Helm, of the Kansas State Board of Health, writes:

> We would deplore any future reduction in our allotment, or the authorized appropriation. It would be disastrous for us to get the thing going well and then not have the funds to carry on.

Dr. Harry F. Parker, State health commissioner of Missouri, says:

> To begin a new program, it was necessarily delayed in securing and training of personnel, and for that reason we were unable to complete our plans. We hope during the coming year to have all our funds budgeted to widen the scope of the work.

Dr. Fred S. Kent, for the Department of Public Health of Vermont, writes:

> The funds available the last 2 years have meant a greatly expanded program for Vermont. We have operated on a five-point program. Federal funds have made this possible.

And so on, over and over again, in a hundred different ways, the State health officers from all of the States, who are in close touch with the venereal problem, express their faith in the Federal program and testify that the Federal investment has already meant restored health and employment for thousands of people who have been successfully treated for syphilis and gonorrhea, who would not have had such treatment if the Government had not taken the initiative in offering Federal assistance to the States in launching this Nation-wide campaign against the venereal diseases.

NATIONAL-DEFENSE PHASE

There is one other phase of this problem I should like to discuss briefly. It perhaps is not the most important phase and yet it is really important. I refer to the national antivenereal campaign in its relation to national defense. In a warring world our thought and attention are being centered as never before in national defense. It is well when we think of preparedness to bear in mind that we cannot fight a war with an army that is lowered in morale and weakened in endurance by disease. We have heard a great deal about where our first line of defense is and I think I know where it is located. I think our first line of defense is in the fine, healthy, vigorous manhood of America. I would like for some expert to tell me how we can expect to win wars with men whose morale is broken and whose bodies are weakened by disease.

In this connection I wish to read to the House a letter I have just received from Gen. John J. Pershing, who commanded the American Expeditionary Force in France and who is now the highest ranking officer in the American Army. When I thought of this venereal-disease problem in its relation to national defense I thought of General Pershing as the highest authority whom I could consult. I sent to him the following letter:

JANUARY 31, 1940.

Gen. JOHN J. PERSHING,
Tucson, Arizona.

DEAR GENERAL PERSHING: There is now pending before the Committee on Appropriations of the House of Representatives an estimate for an appropriation to the Public Health Service to provide funds for grants to the States to combat the venereal diseases. The appropriation is in response to the La Follette-Bulwinkle bill, passed on the same subject several years ago.

The same matter was before the House last year and at that time I took occasion to make some study of it and became interested in it. My studies led me to statements made by yourself during the war on the importance to the military forces of the control of these scourges. At this time when the country is aware of the necessity for preparedness, it seems to me that this matter is of unusual importance. I write to respectfully suggest that you send to me a short statement of your views on the subject so that I may present them to the committee.

We shall all be interested in your opinion on the matter, as we are in your continued good health.

Very sincerely,

LOUIS LUDLOW.

GEN. PERSHING'S WISE ADMONITION

Writing from his winter home in Arizona he sends me the following reply:

TUCSON, ARIZ., *February 17, 1940.*

Congressman LOUIS LUDLOW,
House of Representatives, Washington, D. C.

MY DEAR MR. CONGRESSMAN: In your letter of January 31 you request a statement of my views on the question of social diseases.

Upon our entry into the World War it was well known that these diseases had always been a serious handicap to the effectiveness of armies. At the outset, therefore, we instituted regulations by which we were able to keep the incidence of venereal diseases at a lower rate than ever before known in our own or any other army. A very different and appalling national situation is presented by statistics today. As military preparedness depends largely upon the health of our Nation, the prevalence of these diseases would be a serious problem in a national emergency. Moreover, we owe it to posterity to do something about it.

The Public Health Service has undertaken to solve this problem, and I am gratified to know that you and the Appropriations Committee are interested in its importance.

Sincerely yours,

JOHN J. PERSHING.

This is not an ordinary testimonial. It is a testimonial from the head of the Military Establishment, the general of the Army, who know all about the subject. When he says that military preparedness depends largely upon the health of our Nation and that the prevalence of these diseases would be a serious problem in a national emergency, he speaks an almighty truth that cannot be controverted.

LET US SPEND A FRACTION OF OUR WAR COSTS TO RELIEVE HUMAN SUFFERING

We are spending for national defense this year $2,000,000,000 and next year the appropriations for that purpose will be around $1,800,000,000. I do not have the slightest doubt that this proposed small appropriation of $7,000,000 to stamp out venereal diseases would be worth more to the cause of national defense than a battleship, yet the amount proposed to fight venereal diseases is not more than one-fifteenth of the cost of a modern battleship and a mere bagatelle compared with the total national-defense appropriations. I believe in adequate national defense, but I do not think that such an overwhelming preponderance of our national expenditures should be for the destruction of life. Let us think a little more about saving life and allaying misery. The difference between the authorization and the amount provided for in this estimate for the antivenereal campaign would mean many more clinics, many more treatments, and many more cures in the warfare against this awful disease, and the cost would be a very small fraction compared with the money we are spending for preparations to destroy life. This campaign against syphilis is a going campaign; it is a well-organized and well-directed campaign; and let us not do anything to stop it just when it is becoming effective. The smallest naval unit costs more to construct than this proposed appropriation to build up the health and hope and happiness of mankind. But dismissing entirely the national defense value of the appropriation and directing my plea, for whatever it may be worth, to the humanities, I would like to leave in the minds of Members this thought:

When we are pouring out such colossal sums for the instruments of death and destruction should not we, as representatives of a Christian Nation, appropriate this relatively insignificant amount, not to destroy lives and wreck worlds, but to relieve human suffering and save and conserve life and health in our beloved land?

I leave that question with you and I thank you for your kind attention. [Applause.]

I present for the thoughtful consideration of the House certain illuminating documents which I have received, including letters from Dr. William F. Snow and Dr. Thomas Parran and a statement by Mr. Alan Johnstone, as follows:

THE AMERICAN SOCIAL HYGIENE ASSOCIATION, INC.,
Washington, D. C., March 2, 1940.

Honorable LOUIS LUDLOW,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN LUDLOW: I wrote you in my preliminary acknowledgment of your letter of February 26 that I would bring to your office today some data and material relating to your very pertinent questions regarding progress made under the Federal appropriations for control of venereal diseases. The attached correspondence and tabulation convincingly show, I think, that real progress has been made and that Congress should appropriate the authorized $7,000,000 for the fiscal year 1940–41 in order to avoid any danger of this program lapsing, or losing the enthusiasm and practical benefit of uninterrupted public support and local as well as State activities.

You ask, first, "What kind of a set-up has been established under the appropriations?"

(a) The United States Public Health Service has organized its Venereal Disease Division with regional offices so as to give the most helpful personnel advice, and assistance to the States and their subdivisions in developing the most effective venereal disease control and treatment activities.

(b) In addition, the Public Health Service has provided a limited number of experienced consultants on syphilis, gonorrhea, and administration of venereal disease control measures, who are available for consultation and field assistance on unsettled and difficult problems in relation to these diseases.

(c) The Public Health Service is making available to State health officers mobile diagnosis and treatment units and other facilities for demonstration purposes where demonstrations will accelerate the understanding and launching of more effective methods.

(d) Similarly, the Service is providing important assistance in adequate record keeping and particularly in prompt tabulating of data, for current use in health departments not yet equipped with modern mechanical devices for such purposes.

(e) In many other ways, such as providing source material for public-information programs of the States and communities and in developing research with particular reference to more effectively applying existing knowledge in diagnosis, treatment, and public-health control, the Public Health Service Division of Venereal

Diseases is operating to cut the costs and increase the effectiveness of existing State and local programs for dealing with the venereal diseases.

The Federal set-up sketched above has been very important in relation to interpreting to States and communities the purposes of Congress in providing the venereal disease Federal grants-in-aid, and in arriving at mutually acceptable conditions for allotting and expending these grants without centralizing control with the Federal Government or handicapping the freedom of planning and carrying out the work to be done in the several States.

(f) On the basis of this Federal set-up, every State has already established a venereal-disease division with a director of venereal disease control work. These divisions or bureaus have made remarkable progress in the 2 years of operation of this act. The Surgeon General's reports are convincing on this point.

Without going into detail, it may be said that the objectives of these bureaus and their cooperative relations with county and city health-department staffs and citizen groups have been concerned with (1) finding existing cases of syphilis and gonorrhea; (2) getting these persons (especially the early infectious cases) under adequate treatment promptly; (3) building up nursing and social-service follow-up activities to prevent these cases from infecting others; (4) informing and educating selected groups of the population in ways and means of safeguarding themselves from infection.

(g) In carrying out the above State and local programs, the following facilities have been concentrated upon in these first 2 years: (1) Providing dependable and accessible laboratory diagnostic aids and securing the cooperation of physicians in utilizing these laboratory facilities to the best advantage in controlling syphilis and gonorrhea; (2) distribution of drugs to clinics, institutions, and medical practitioners for use in cases particularly where provision of free drugs is important; (3) provision of medical consultant services in centers of greatest prevalence of these diseases; (4) similar provisions of special nursing and social-work consultants.

The reading of letters and statements in which the several State health officers have described their activities provides most interesting and encouraging evidence of the setting up of practical administrative procedures for putting at work the joint Federal-State funds for venereal-disease control.

2. "To what extent will that set-up and its capacity for effective service be diminished or destroyed if the appropriation for the fiscal year 1940-41 is reduced to $3,000,000?"

(a) Correspondence and testimony last year indicated how damaging health officers and informed citizens throughout the entire country viewed the possibility of a reduction to $3,000,000 for the current year. The steady growth of State and local activities since that time, on the basis of the $5,000,000 appropriated substantiates the wisdom of the congressional decision to appropriate the $5,0000,000 authorized for the fiscal year 1939-40.

(b) The reduction at this time of the expected $7,000,000 to $3,000,000 would, in the judgment of health officers and citizens who have observed this work most closely, result in completely wrecking the work in a large number of States, and would stop progress even in the most prosperous States of the Union.

(c) Probably, however, the most damaging influence would be the loss of enthusiasm and confidence on the part of everyone concerned. It should be kept in mind that during the present fiscal year, only three or four State legislatures are in session, and the State and local medical and public-health authorities cannot look to their legislatures to provide any emergency funds even if the States could afford to provide them to take the place of the expected allotments for Federal assistance for the last 6 months of the year 1940. It should also be kept in mind that it will be that same period between July and December 1940; that State legislators and citizens everywhere will be considering State, county, and city budgets for consideration and adoption, beginning January 1941. If Congress now considers the money situation so difficult that $7,000,000 confidently counted upon for Federal participation in this program must be cut to $3,000,000, both the quality and the quantity of good work which is now being done will suffer to a much greater degree than is represented by the approximate 60-percent reduction in money.

The reading of letters received from State and local health officers indicates in specific terms what the actual losses would be, and on this basis it is conservative to express the opinion that the syphilis germ will regain most of the ground it has lost in the last 2 years if this reduction to $3,000,000 takes place.

3. "What plans have been made for the future?"

(a) The reports of the Surgeon General of the Public Health Service and the several State health officers show that definite plans have been made for perfecting the administrative and technical facilities to provide fully satisfactory laboratory and diagnostic services within the next few years in all the States and Territories.

In this connection, one of the greatest factors is competent personnel; and the continued growth of adequate training facilities for the required personnel constitutes one of the important items in plans for the future.

(b) The encouragement of steady growth of active participation of the medical, nursing, and social work professional groups is another vital factor in rapid progress toward the control of syphilis and gonorrhea. The appropriation of the $7,000,000 will enable the Federal, State, and local authorities to include in their programs effective cooperation in this direction.

(c) The constant objective, of course, is to get beyond the immediate program of finding and treating of more and more cases to the real preventive measures program of increasing the number of people who are not exposed and who can be taught how to avoid exposure. It is perfectly sound administration to concentrate in these early years upon finding cases and getting them under treatment, both for their own sakes and for the benefit of communities through rendering such cases promptly noninfectious. But as in other diseases which have been controlled, it is important to have in mind the great mass of people who have not yet been infected and who may be safeguarded from infection by knowledge, by protection of their environment, and by additional measures which may from time to time apply to them as individuals or groups. In these directions, the steady development of public information and education regarding the venereal diseases is important. For the same reasons, it is important that men and women planning marriage should be particularly examined and protected from infecting each other and the families they are founding. Similarly, it is important to protect children by requiring prenatal examinations for syphilis and by other types of group examinations, carefully worked out and tactfully applied.

Once the big job has been done of finding and getting under treatment all the syphilis and gonorrhea cases which have accumulated in past years because of secrecy and lack of action, this whole field of new and effective measures for prevention can be tackled. When this point is reached, results may be expected in a rapid decline of new cases of these diseases because their nature and difficulties of spread are such that they will yield ground rapidly under a determined and continued preventive medicine program in which not only health authorities, physicians, and the allied professions but the general public as well are engaged.

In your letter of February 26, you state that you are "impressed with the great importance of this anti-venereal-disease campaign." I join you heartily in this viewpoint. General Pershing recently said, as chairman of the American Social Hygiene Association's Anti-Syphilis Committee, that he had accepted that chairmanship because of his "desire to help this body of distinguished and representative men and women stimulate voluntary support of the health authorities and arouse local leadership in all parts of the United States. If this can be accomplished; and if these groups of our people, both individually and collectively, will take hold of this problem and stick to it, there is no doubt whatever of our ability eventually to stamp out venereal disease in this country. Let us go forward from this social hygiene day with courage, and with confidence in our ability to accomplish this great task than which there is nothing more important in our national life."

Applying General Pershing's view not only to the importance of the general public's participation but to the continued participation of Congress in this program, I would say that to my mind there is "no doubt whatever of our ability eventually to stamp out venereal diseases in this country," if we can go forward uninterruptedly with the appropriations for Federal assistance to the States envisaged in the Venereal Disease Control Act of May 24, 1938.

Very sincerely yours,

WILLIAM F. SNOW, *M. D.*

DEAR MR. LUDLOW: I have not made any mention of the present limited emergency or national defense, because the vital importance of this venereal disease control work should be considered on the basis of its value to people in civil life and to their children, irrespective of any necessity for military and naval forces or other personnel for national defense.

However, everything which is done now in this matter for the sake of civilians will immediately benefit and reduce the cost of medical care and preservation of high standards of health among the military and naval personnel now in training or being selected for future service.

In this sense, the entire $7,000,000 asked as an appropriation might be counted as a wise and most profitable national-defense expenditure.

W. F. S.

By unanimous consent, Mr. LUDLOW was granted leave to include in his remarks three letters and a brief statement.

FEDERAL SECURITY AGENCY,
UNITED STATES PUBLIC HEALTH SERVICE,
Washington, February 29, 1940.

MY DEAR MR. LUDLOW: Your letter of February 26 has been received, and it is very encouraging to know of your continued interest in the venereal disease control campaign and your desire to continue this work in the most effective manner.

Replying to your question as to what amount was asked for venereal disease control work for the fiscal year 1941, I wish to report that when the original budget estimates for the fiscal year 1941 were prepared, the Public Health Service asked that the full $7,000,000 authorized in the act of May 24, 1938, be appropriated. The Federal Security Agency reduced this estimate from $7,000,000 to $5,000,000. The Federal Security Administrator advised us that the reason for the reduction of our estimate was his stated policy for this year of not asking for an increase in appropriations for 1941 over 1940, except when made necessary by new legislation or new or enlarged facilities. Subsequently, the estimates as submitted to the Congress contained an item of only $3,000,000 for the control of the venereal diseases by the Public Health Service in the fiscal year 1941. The reasons for the latter decrease were not given.

Replying further to your inquiry of February 26, I wish to state that the proposed $2,000,000 reduction in the appropriation for the control of the venereal diseases represents almost one-fifth of the

total amounts being expended by Federal, State, and local governments for this purpose. During the last fiscal year, as well as the fiscal year 1940, there has been considerable expansion in the diagnostic, treatment, and case-finding work pertaining to the control of the venereal diseases and this expansion has been stimulated largely by the Federal grants-in-aid for the purpose. It is obvious that if the total governmental funds employed for the provision of fundamental venereal disease control services are decreased by almost 20 percent, the services themselves must be correspondingly decreased. If State and local governments become discouraged through failure of the Federal Government to provide funds in accordance with the authorization contained in the act of May 24, 1938, the extent to which services may be reduced will be even greater should the State and local governments follow the example and make reduced appropriations themselves.

Very sincerely yours,

THOMAS PARRAN,
Surgeon General.

Hon. LOUIS LUDLOW, M. C.,
House of Representatives,
Washington, D. C.

STATEMENT BY MR. ALAN JOHNSTONE PREPARED FOR CONGRESSMAN LUDLOW

Syphilis is more expensive than dollars. At this time when this Nation is giving its attention to military preparedness it should recognize the enemy within its gates as well as think about its enemies abroad. Public enemy No. 1 in times of war and in times of peace is syphilis. It kills and maims more soldiers and sailors and more men, women, and children than any known disease. The late Sir William Osler, one of the founders of the Johns Hopkins Hospital, said that 10 percent of the population of American cities had syphilis either in an active or dormant stage.

At the Second Battle of the Marne, the French Army had more soldiers in hospitals from venereal infection than from battle wounds. In the draft army of 4,000,000 men recruited in America in the World War the percentage of those called under the Selective Service Act who had a venereal infection ranged from 0.4 percent in the State of Oregon to 12 percent in the State of Mississippi. The program inaugurated by the United States Army, United States Navy, and the Public Health Service during the World War period to reduce that rate of infection was the most remarkable achievement in sanitary science in this generation. It was conceived and prosecuted by a modest patriot whose name is Dr. William Freeman Snow, who has appeared and urged the necessity for this current appropriation. He worked first with that great sanitarian, William C. Gorgas, then Surgeon General of the United States Army, and Major General Ireland (retired), former Surgeon General of the United States Army. If Dr. Gorgas were living today he would say that no appropriation before this Congress is more important than this one. General Ireland, who is living today, says just that.

When I addressed the Congress on this subject last year, I had occasion to quote the statement made to Lord Milnor, the Secretary of War of Great Britain. General Pershing, after an extended and bitter experience with this baffling problem on the Mexican border, reached and expressed the conclusion that venereal disease is the most powerful enemy an army has to face.

The La Follette-Bulwinkle bill declares war on these diseases. It proposed an initial appropriation of $3,000,000 for the fiscal year of 1939, $5,000,000 for 1940, and $7,000,000 for 1941, and thereafter such appropriations as the Congress deemed appropriate for so long a period as is necessary to conquer this curse. The Congress appropriated $3,000,000 in 1939, $5,000,000 in 1940, and the question is, Will the Congress appropriate $7,000,000 for the year 1941?

Fine progress has already been made. These funds are to be used by the Surgeon General of the United States Public Health Service as grants-in-aid for health authorities for the several States of the Union. For every dollar invested by the United States in this campaign more than $1 is supplied from local revenue. For every recruit mobilized in the national campaign against these conditions, many recruits join the local forces. A statement of the results achieved to date from the appropriations already authorized is handed me by the Surgeon General of the United States Public Health Service. Let me brief it for you:

In 1939, 5,600,000 blood tests for syphilis were made, as compared with 3,600,000 in 1938. The number of persons seeking treatment showed proportional gains. Almost 60 percent more persons were brought under treatment for the first time in the fiscal year 1938–39 (315,000) than in 1937–38 (197,000).

Clinics have increased. In 1939, 2,405 venereal-disease clinics reported to the Public Health Service an increase of 37.7 percent over 1938 and an increase of 287 percent over 1930, when only 659 clinics reported. Treatments administered in these clinics increased from 5,200,000 in 1938 to 8,000,000 in 1939. Free drugs distributed to private physicians and clinics for treatment of indigents rose from 2,800,000 doses in 1938 to 4,700,000 in 1939.

As a result, during the fiscal year 1938–39, 103,000 persons were discharged from clinics as cured or with syphilis arrested. In 1937–38 the figure was 25,000 less, or 78,000.

Progress in prenatal and premarital detection of syphilis has been achieved. Nineteen States now require examinations including blood tests for syphilis of all applicants for marriage licenses, and 17 States require physicians to perform blood tests for syphilis on expectant mothers.

The medical statesmen of this country favor this appropriation in full, as well as the sanitarians—both national and local—yet the sinews of war get encouragement from war. The mothers of this country who know the terrible toll in death and pain that they and their daughters might suffer from these scourges favor this appropriation. The great religious leaders are for it. The soldiers of this country, both past and future, favor this appropriation. Young men and women—the future fathers and mothers of the citizens of the United States—favor this appropriation. It is not unreasonable to hope that since we know the danger of these diseases; that since the doctors know how to fight it; that since we are making progress in the fight and since the overwhelming body of informed opinion is behind the fight giving force and weight and rigidity to the cutting edges of our weapon, that the Congress of the United States in the interest of all people and for their protection will vote their money to do their work.

CALENDAR WEDNESDAY BUSINESS

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of this week may be dispensed with.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a radio address which I delivered the other evening.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. GIBBS, for one week, on account of official business in his district.

To Mr. BEVERLEY M. VINCENT, for today, on account of official business.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and a joint resolution of the Senate of the following titles were taken from the Speaker's table and under the rule, referred as follows:

S. 3209. An act granting the consent of Congress to the Mississippi State Highway Commission to construct, maintain, and operate a free highway bridge across the Pearl River at or near Carthage in the State of Mississippi; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 226. Joint resolution providing for the filling of a vacancy in the Board of Regents to the Smithsonian Institution of the class other than Members of Congress; to the Committee on the Library.

ENROLLED BILL SIGNED

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

H. R. 7863. An act to amend section 602 (e) of the Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1449. An act for the relief of Robert Stockman;

S. 1998. An act for the relief of Ernestine Huber Neuheller;

S. 2284. An act to amend the act of May 4, 1898 (30 Stat. 369), so as to authorize the President to appoint 100 acting assistant surgeons for temporary service.

BILL PRESENTED TO THE PRESIDENT

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

H. R. 7863. An act to amend section 602 (e) of the Communications Act of 1934, as amended, relating to a study of radio requirements for ships navigating the Great Lakes and inland waters of the United States.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 15 minutes p. m.), the House adjourned until tomorrow, Tuesday, March 12, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Tuesday, March 12, 1940:

H. R. 5476, to create the Alaska Fisheries Commission, and for other purposes.

H. R. 6690, making further provision for the protection of the fisheries of Alaska, and for other purposes.

H. R. 7542, to amend section 6 of an act of Congress entitled "An act for the protection of the fisheries of Alaska, and for other purposes," approved June 6, 1924.

H. R. 7987, to amend section 1 of the act of June 6, 1924, as amended, relative to the fisheries of Alaska.

H. R. 7988, making provisions for employment of the residents of Alaska in the fisheries of said Territory, and for other purposes.

H. R. 8115, making provision for employment of residents of Alaska only in the salmon fishery of the Bristol Bay area, Alaska, during the year 1940.

H. R. 8172, to amend section 5 of the act of Congress approved June 26, 1906, relative to the Alaska salmon fishery.

Tuesday, March 19, 1940:

H. R. 6136, to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911 (36 Stat. 1353; 34 U. S. C. 1122), so as to authorize an appropriation of $50,000 annually to aid in the maintenance and support of marine schools.

H. R. 7094, to authorize the United States Maritime Commission to construct or acquire vessels to be furnished the States of New York, Massachusetts, Pennsylvania, and California, for the benefit of their respective nautical schools, and for other purposes.

H. R. 7870, to extend the provisions of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, to include Astoria, Oreg.

H. R. 8612, to authorize the United States Maritime Commission to construct or acquire vessels to be furnished the States of New York, Massachusetts, Pennsylvania, and California for the benefit of their respective nautical schools, and for other purposes.

Thursday, March 21, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Thursday, March 21, 1940, at 10 o'clock a. m. on the following bills providing for the establishment of marine hospitals: H. R. 2985 (GREEN), at Jacksonville, Fla.; H. R. 3214 (GEYER of California), at Los Angeles, Calif.; H. R. 3578 (CANNON of Florida), at Miami, Fla.; H. R. 3700 (PETERSON of Florida), State of Florida; H. R. 4427 (GREEN), State of Florida; H. R. 5577 (IZAC), at San Diego, Calif.; H. R. 6983 (WELCH), State of California.

Wednesday, March 27, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Wednesday, March 27, 1940, at 10 o'clock a. m. on the following bills providing for Government aid to the lumber industry: H. R. 7463 (ANGELL) and H. R. 7505 (BOYKIN).

Tuesday, April 9, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Tuesday, April 9, 1940, at 10 o'clock a. m., on the following bill: H. R. 7637, relative to liability of vessels in collision.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 13, 1940, at 10 a. m., there will be continued before Subcommittee No. 1 of the Committee on the Judiciary public hearings on the following bills:

H. R. 3331 and S. 1032, to amend the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes."

H. R. 6395, to extend the provisions of the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936, to certain contracts carried out with the aid of Federal funds.

The hearings will be held in room 346, House Office Building.

COMMITTEE ON PATENTS

The Committee on Patents, House of Representatives, will hold hearings Thursday, March 14, 1940, at 10:30 a. m., on H. R. 8445, to protect the United States in patent-infringement suits. H. R. 8445 is a substitute for H. R. 6877.

The Committee on Patents will hold hearings Thursday, March 21, 1940, at 10:30 a. m., on S. 2689, to amend section 33 of the Copyright Act of March 4, 1909, relating to unlawful importation of copyrighted works.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday next, March 13, 1940, at 10:30 a. m., for the consideration of H. J. Res. 334, H. R. 5918, H. R. 7833, and S. 2609.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of a subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Friday, March 15, 1940, for the consideration of H. R. 7615 and H. R. 8511.

There will be a meeting of a subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Monday, March 18, 1940, for the consideration of H. R. 6939 and H. R. 7633, the identical titles of both bills being "Prescribing tools to be paid for the use of locks on all rivers of the United States."

COMMITTEE ON INSULAR AFFAIRS

There will be a meeting of the Committee on Insular Affairs on Tuesday, March 19, 1940, at 10 a. m., for the consideration of H. R. 8239, "Creating the Puerto Rico Water Resources Authority, and for other purposes."

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1435. A letter from the Secretary of War, transmitting an interim report dated February 27, 1940, from the Chief of Engineers, United States Army, on reexamination of Connecticut River and tributaries, Connecticut, Massachusetts, New Hampshire, and Vermont, requested by resolution of the Committee on Flood Control, House of Representatives, adopted June 16, 1938, together with accompanying papers (H. Doc. No. 653); to the Committee on Flood Control and ordered to be printed.

1436. A letter from the Postmaster General, transmitting a draft of a proposed bill designed to give the Inspection Service of the Post Office Department authority to serve warrants and subpenas in connection with violations of the postal laws and also to authorize them to make arrests without warrants where there is danger that a person believed, upon reasonable grounds, to have been guilty of a postal felony may escape before a warrant can be obtained for his arrest; to the Committee on the Judiciary.

1437. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of the organization covering its operations for the fourth quarter of 1939, and for the period from the organization of the Corporation on February 2, 1932, to December 31, 1939, inclusive (H. Doc. No. 654); to the Committee on Banking and Currency and ordered to be printed.

1438. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 5, 1939, submitting a report, together with accompanying papers and an illustration on reexamination of Fall River and Beaver Creek, S. Dak., requested by resolution

of the Committee on Flood Control, House of Representatives, adopted August 18, 1937 (H. Doc. No. 655); to the Committee on Flood Control and ordered to be printed with an illustration.

1439. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Winooski River, Vt., and Dog River, Vt., authorized by the Flood Control Act approved June 22, 1936 (H. Doc. No. 656); to the Committee on Flood Control and ordered to be printed with an illustration.

1440. A letter from the Administrator of Veterans' Affairs, transmitting a draft of a proposed bill to provide uniform apportionment of benefits payable under laws administered by the Veterans' Administration; to the Committee on World War Veterans' Legislation.

1441. A letter from the Secretary, Prison Industries, transmitting the annual report of the directors of Federal Prison Industries, Inc., for the fiscal year 1939; to the Committee on the Judiciary.

1442. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting an interim report, together with accompanying papers and an illustration, on reexamination of Alabama-Coosa branch of the Mobile River system, Georgia and Alabama, requested by resolutions of the Committee on Rivers and Harbors, adopted April 1, 1936, and April 28, 1936, and the Committee on Commerce, United States Senate, adopted January 18, 1939 (H. Doc. No. 657); to the Committee on Flood Control and ordered to be printed with an illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 8470. A bill to amend section 6 of the District of Columbia Alcoholic Beverage Control Act; without amendment (Rept. No. 1720). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 8639. A bill to change the name of a portion of Twenty-fourth Street NW., to Williamsburg Lane; without amendment (Rept. No. 1721). Referred to the House Calendar.

Mr. THOMAS of Texas: Committee on Elections No. 3. House Resolution 419. Resolution providing for the seating of Vincent F. Harrington in the House of Representatives for the Seventy-sixth Congress; without amendment (Rept. No. 1722). Referred to the House Calendar.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 2176. A bill to amend subsection 10 of section 4 of the act of June 29, 1906 (34 Stat. 596; U. S. C., title 8, sec. 377); without amendment (Rept. No. 1724). Referred to the House Calendar.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 8753. A bill to amend subsection (d) of section 4 of the act of Congress approved May 26, 1924, entitled "An act to limit the immigration of aliens into the United States, and for other purposes", without amendment (Rept. No. 1725). Referred to the House Calendar.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 8537. A bill to provide for the enlargement of the Coast Guard depot at Seattle, Wash., and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tenn.; with amendment (Rept. No. 1726). Referred to the Committee of the Whole House on the state of the Union.

Mr. EDMISTON: Committee on Military Affairs. S. 134. An act providing for continuing retirement pay, under certain conditions, of officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability while in the service of the United States during the World War, and for other purposes; with amendment (Rept. No. 1727). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1728. Report on the disposition of records in the Federal Works Agency. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1729. Report on the disposition of records in the Navy Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1730. Report on the disposition of records in the Interior Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1731. Report on the disposition of records in the Federal Trade Commission. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1732. Report on the disposition of records in the Commerce Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1733. Report on the disposition of records in the Treasury Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1734. Report on the disposition of records in the Treasury Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1735. Report on the disposition of records in the War Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1736. Report on the disposition of records in the Department of Agriculture. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1737. Report on the disposition of records in the Home Owners' Loan Corporation. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1738. Report on the disposition of records in the Navy Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1739. Report on the disposition of records in the Federal Communications Commission. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1740. Report on the disposition of records in the United States Civil Service Commission. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1741. Report on the disposition of records in the War Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1742. Report on the disposition of records in the War Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1743. Report on the disposition of records in the War Department. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1744. Report on the disposition of records in the Department of Labor. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1745. Report on the disposition of records in the Department of Agriculture. Ordered to be printed.

Mr. SPRINGER: Committee on the Judiciary. H. R. 7421. A bill to provide for terms of the District Court of the United States for the Western District of Arkansas at Fayetteville; with amendment (Rept. No. 1746). Referred to the Committee of the Whole House on the state of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 8702. A bill to amend the Judicial Code with respect to the continuation of grand juries to finish investigations; without amendment (Rept. No. 1747). Referred to the House Calendar.

Mr. ELLIOTT: Committee on the Public Lands. H. R. 1788. A bill to confirm title to certain railroad grant lands located in the county of Kern, State of California; with amendment (Rept. No. 1748). Referred to the Committee of the Whole House on the state of the Union.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. MAY: Committee on Military Affairs. House Resolution 402. Resolution requesting certain information from the Secretary of War (Rept. No. 1723). Laid on the table.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 8189) for the relief of Alice W. Farnell, widow of Daniel N. Farnell, deceased; Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 8829) granting an increase of pension to Raymond E. Daniels; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BLAND:

H. R. 8836. A bill for a preliminary examination and survey of the southwest side of the Rappahannock River in the vicinity of Bowlers Wharf, Essex County, Va.; to the Committee on Rivers and Harbors.

By Mr. BREWSTER:

H. R. 8837. A bill to provide for the establishment of the Farm Credit Administration as an independent agency of the Government, and for other purposes; to the Select Committee on Government Organization.

By Mr. BURDICK:

H. R. 8838. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of regulating interstate and foreign commerce in wheat, providing for the orderly marketing of wheat at fair prices in interstate and foreign commerce, insuring to wheat producers a parity income from wheat based upon parity price or cost of production, whichever is the higher, and for other purposes; to the Committee on Agriculture.

By Mr. CASE of South Dakota:

H. R. 8839. A bill for a relief of 60 days to certain purchasers of, and entrymen upon, opened lands of certain Indian reservations; to the Committee on Indian Affairs.

By Mr. HINSHAW:

H. R. 8840. A bill to amend the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 22, 1936, as amended; to the Committee on Flood Control.

H. R. 8841. A bill to amend the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved June 22, 1936, as amended; to the Committee on Flood Control.

By Mr. MARTIN of Iowa:

H. R. 8842. A bill to provide for the payment of pensions to widows and minor children of persons who served 70 or more days in the Army, Navy, or Marine Corps of the United States during the War with Spain, the Philippine Insurrection, or the China relief expedition; to the Committee on Pensions.

By Mr. O'CONNOR:

H. R. 8843. A bill authorizing the restoration to tribal ownership of certain lands upon the Crow Indian Reservation, Mont., and for other purposes; to the Committee on Indian Affairs.

By Mr. SUMNERS of Texas:

H. R. 8844. A bill to provide for the punishment of persons conspiring to violate the laws relating to counterfeiting, and certain other laws; to the Committee on the Judiciary.

H. R. 8845. A bill to amend the United States Code to empower post-office inspectors appointed by the Postmaster General to serve warrants and subpenas, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHULTE:

H. R. 8846. A bill to provide for the retirement of certain members of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, and the members of the fire department of the District of Columbia; to the Committee on the District of Columbia.

By Mr. PIERCE:

H. R. 8847. A bill to authorize a preliminary examination and survey of the Silvies River and its tributaries in the State of Oregon for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

H. R. 8848. A bill to facilitate a more adequate program of forest land acquisition by the United States by authorization of the issuance of bonds in payment therefor, and for other purposes; to the Committee on Ways and Means.

By Mr. VREELAND:

H. R. 8849. A bill to remedy certain preexisting inequities in taxation, and for other purposes; to the Committee on Ways and Means.

H. R. 8850. A bill to remedy certain preexisting inequities in taxation, and for other purposes; to the Committee on Ways and Means.

By Mr. COCHRAN:

H. R. 8851. A bill to permit the Secretary of State to authorize disbursements of appropriated funds under a "State account of advances"; to the Committee on Expenditures in the Executive Departments.

By Mr. GOSSETT:

H. R. 8852. A bill to extend the time for filing of claims for refund of amounts paid or collected as tax under the Agricultural Adjustment Act; to the Committee on Ways and Means.

By Mr. SUMNERS of Texas:

H. R. 8853. A bill to make unlawful the transportation of convict-made goods in interstate and foreign commerce; to the Committee on the Judiciary.

By Mr. BOEHNE:

H. R. 8854. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.: to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER:

H. R. 8855. A bill to admit the American-owned steamship *Port Saunders* and steamship *Hawk* to American registry and to permit their use in coastwise and fisheries trade; to the Committee on Merchant Marine and Fisheries.

By Mr. O'LEARY:

H. R. 8856. A bill relating to the retirement of certain commissioned and warrant officers of the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. ALEXANDER:

H. R. 8857. A bill to amend the Social Security Act wherein repayment may be required from recipients of old-age assistance and to prevent requiring the same or so-called homestead liens; to the Committee on Ways and Means.

By Mr. BURCH:

H. R. 8858. A bill to reduce internal-revenue taxes on tobacco products; to the Committee on Ways and Means.

By Mr. GREEN:

H. R. 8859. A bill to authorize the Secretary of the Treasury to acquire, by condemnation or otherwise, such land in the city of Gainesville, county of Alachua, Fla., as may be necessary for the location of a post-office and Federal courthouse building in said city, and also to construct a suitable building thereon, and making an appropriation therefor; to the Committee on Public Buildings and Grounds.

By Mr. CANNON of Missouri:

H. J. Res. 485. Joint resolution establishing and legalizing farm day; to the Committee on the Judiciary.

By Mr. SHANLEY:

H. J. Res. 486. Joint resolution authorizing the acceptance of the invitation of the Government of Italy to participate in the Rome Universal Exhibition to be held at Rome, Italy, in 1942; to the Committee on Foreign Affairs.

By Mr. THOMAS of Texas:

H. Res. 419. Resolution providing for the seating of Vincent F. Harrington in the House of Representatives for the Seventy-sixth Congress; to the Committee on Elections No. 3.

By Mr. PETERSON of Florida:

H. Res. 420. Resolution creating a select committee to investigate the sugar situation; to the Committee on Rules.

By Mr. TABER:

H. Res. 421. Resolution to obtain information with reference to trips to Florida at Government expense upon the part of officers and employees of the departments and agencies of the Government; to the Committee on Expenditures in the Executive Departments.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to consider their resolution with reference to census legislation; to the Committee on the Census.

Also, a memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to consider their assembly resolution with reference to the elections of Presidents of the United States of America; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANGELL:

H. R. 8860. A bill for the relief of Owen Ewart Smith; to the Committee on Naval Affairs.

By Mr. DARDEN:

H. R. 8861. A bill granting an increase of pension to Alice W. Farnell; to the Committee on Invalid Pensions.

By Mr. DONDERO:

H. R. 8862. A bill for the relief of Charles Joseph Nahid and Angela Nahid; to the Committee on Immigration and Naturalization.

By Mr. ELSTON:

H. R. 8863. A bill granting an increase of pension to Mary Sheridan; to the Committee on Pensions.

By Mr. GEHRMANN:

H. R. 8864. A bill for the relief of Elizabeth Silas; to the Committee on World War Veterans' Legislation.

By Mr. GERLACH:

H. R. 8865. A bill for the relief of the Allentown Airport Corporation; to the Committee on Claims.

By Mr. GIFFORD:

H. R. 8866. A bill for the relief of Jordan Hospital and others; to the Committee on Claims.

By Mr. GWYNNE:

H. R. 8867. A bill granting an increase of pension to Anna H. Chapman; to the Committee on Invalid Pensions.

By Mr. HARTLEY:

H. R. 8868. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Bolinross Chemical Co., Inc.; to the Committee on Claims.

By Mr. KEFAUVER:

H. R. 8869. A bill for the relief of Mrs. C. A. Lee; to the Committee on Claims.

By Mr. MAAS:

H. R. 8870. A bill for the relief of Seward A. Dean; to the Committee on Claims.

By Mr. NICHOLS:

H. R. 8871. A bill for the relief of Felix Eli; to the Committee on Claims.

H. R. 8872. A bill for the relief of Arthur King; to the Committee on World War Veterans' Legislation.

By Mr. O'LEARY:

H. R. 8873. A bill for the relief of Dorothy Silva; to the Committee on Claims.

By Mr. PATRICK:

H. R. 8874. A bill for the relief of William E. Thomas; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 8875. A bill for the relief of O. M. Davis; to the Committee on Claims.

By Mr. ROBINSON of Utah:

H. R. 8876. A bill for the relief of Margaret S. Holton; to the Committee on Claims.

By Mr. ROBSION of Kentucky:

H. R. 8877. A bill granting a pension to May K. Jones; to the Committee on Pensions.

By Mr. SPRINGER:

H. R. 8878. A bill granting a pension to Charles Smith; to the Committee on Invalid Pensions.

H. R. 8879. A bill granting a pension to Peter Henry Eikenberry; to the Committee on Invalid Pensions.

H. R. 8880. A bill granting a pension to Zack Pool; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

6836. By Mr. ANGELL: Petition of Zoe Thompson, of Portland, Oreg., and others, asking for the enactment of House bill 5620; to the Committee on Ways and Means.

6837. Also, petition of Jas Logan, of Portland, Oreg., and others, asking for the enactment of House bill 5620; to the Committee on Ways and Means.

6838. By Mr. CARLSON: Petition of B. E. Bridges and 105 other citizens of Sherman, Rawlins, and Thomas Counties, Kans., urging enactment of House bill 1, the Patman chain-store bill; to the Committee on Ways and Means.

6839. By Mr. COLLINS: Concurrent resolution of the Mississippi House of Representatives, memorializing Congress to appropriate funds to the Department of Agriculture to prevent further spread of the pink bollworm; to the Committee on Agriculture.

6840. By Mr. CULKIN: Petition of the Senate of the State of New York, urging the Congress of the United States to amend census legislation so that the personal questions may be eliminated from the questionnaire, and the criminal penalty abolished; to the Committee on the Census.

6341. By Mr. ENGLEBRIGHT: Joint Resolution No. 6 of the California State Senate, relative to memorializing the President and the Congress of the United States to enact Senate bill 2212, relating to the development of marketing

and marketing services for farm commodities; to the Committee on Agriculture.

6842. By Mr. FITZPATRICK: Petition of the Bronx County Bakers' Board of Trade, Inc., Bronx, N. Y., and others, petitioning consideration of their resolution with reference to the imposition of new processing taxes, especially on bread; to the Committee on Ways and Means.

6843. By Mr. HARTER of New York: Petition of the Common Council of the city of Buffalo, N. Y., opposing the questionnaire to be used in taking the forthcoming census; to the Committee on the Census.

6844. Also, petition of Seyburn-Liscum Camp, No. 12, United Spanish War Veterans, Buffalo, N. Y., opposing the personal question to be asked in the taking of the forthcoming census; to the Committee on the Census.

6845. Also, petition of the Erie County (N. Y.) Board of Supervisors, opposing the personal questions contemplated to be asked during the taking of the coming census; to the Committee on the Census.

6846. Also, petition of the Erie County Assessors Association, Erie County, N. Y., opposing the St. Lawrence seaway and power project; to the Committee on Foreign Affairs.

6847. Also, petition of the Buffalo Stereotypers Union, No. 25, Buffalo, N. Y., opposing the St. Lawrence seaway and power project; to the Committee on Foreign Affairs.

6848. Also, petition of the New York State Assembly, favoring amending the census questionnaire so that all personal questions may be eliminated from the questionnaire and the criminal penalty abolished; to the Committee on the Census.

6849. Also, petition of the Niagara Frontier Planning Board, favoring adoption of the resolutions introduced by Congressmen MARTIN J. KENNEDY and J. FRANCIS HARTER, which resolutions call for a survey and hearings on the proposed St. Lawrence seaway and power project; to the Committee on Foreign Affairs.

6850. By Mr. HOUSTON: Petition of Mrs. James N. Myers, of Wichita, Kans., and 17 others, urging enactment of Senate bill 280, a bill to prohibit "compulsory block-booking" by motion-picture distributors; to the Committee on Interstate and Foreign Commerce.

6851. By Mr. MARTIN J. KENNEDY: Petition of the Montana Engineering Experiment Station, Montana State College, Bozeman, Mont., urging support of House bill 8260, engineering experiment station bill; to the Committee on Interstate and Foreign Commerce.

6852. Also, petition of the Sons of the Revolution in the State of New York, New York City, urging that immediate steps be taken by legislation and by appropriate executive action to provide proper and suitable measures of preparedness; to the Committee on Military Affairs.

6853. By Mr. SCHIFFLER: Petition of the Fairmont Board of Commerce, Fairmont, W. Va., protesting against the construction of proposed navigation-power dams on the Ohio River near Letart, W. Va., and Greenup, Ky., and that hydroelectric generating equipment be installed at the existing Gallipolis Navigation Dam near Hogsett, W. Va.; to the Committee on Interstate and Foreign Commerce.

6854. By Mr. JARRETT: Petition of Mollie F. Watterson and other residents of Oil City, Pa., urging embargo on materials to Japan; to the Committee on Foreign Affairs.

6855. Also petition of Fritz J. Johnson, secretary, Swedish Evangelical Mission Church, Ridgway, Pa., urging embargo on shipments of certain materials abroad; to the Committee on Foreign Affairs.

6856. By Mr. KEOGH: Petition of the National Concrete Masonry Association of Chicago, Ill., concerning Senate bill 591; to the Committee on Labor.

6857. Also, memorial of the Legislature of the State of New York, memorializing Congress to amend the census legislation; to the Committee on the Census.

6858. Also, petition of the Chamber of Commerce of the State of New York, concerning foreign silver purchases by the United States Government; to the Committee on Foreign Affairs.

6859. Also, petition of the Harbor Carriers of the Port of New York, concerning pending sugar legislation; to the Committee on Agriculture.

6860. Also, petition of the Grand Lodge, Brotherhood of Railroad Trainmen, Cleveland, Ohio, favoring the Harrington amendment to the omnibus transportation bill (S. 2009); to the Committee on Interstate and Foreign Commerce.

6861. Also, petition of the Polish Army Veterans' Association of America, Inc., favoring financial aid to the Republic of Poland; to the Committee on Foreign Affairs.

6862. By Mr. KRAMER: Resolution of the City Council of the City of Long Beach, Calif., relative to flood-control authorization; to the Committee on Flood Control.

6863. Also, resolution of the Los Angeles Traffic Managers' Conference, relative to discrimination in steamship service and freight rates between New York and Los Angeles to the Panama Canal Zone; to the Committee on Interstate and Foreign Commerce.

6864. Also, resolution of the Board of Water Commissioners of the City of Long Beach, relative to the construction of the proposed Whittier Narrows Dam, etc.; to the Committee on Flood Control.

6865. By Mr. LUCE: Petition of sundry residents of the Ninth Massachusetts Congressional District, urging action on House bill 5620, designated as the general welfare bill; to the Committee on Ways and Means.

6866. By Mr. PFEIFER: Petition of the Harbor Carriers of the Port of New York, urging continuation of the present Sugar Act; to the Committee on Foreign Affairs.

6867. Also, petition of the Grand Lodge, the Brotherhood of Railroad Trainmen, Cleveland, Ohio, urging enactment of the railroad reorganization bill (S. 1869), and defeat of the omnibus transportation bill (S. 2009); to the Committee on Interstate and Foreign Commerce.

6868. Also, petition of the Senate and Assembly of the State of New York, Albany, N. Y., urging the amendment of census legislation so that all personal questions may be eliminated from the questionnaire and the criminal penalty abolished; to the Committee on the Census.

6869. By Mr. RANKIN: Petition of the State of Mississippi, petitioning consideration of their resolution with reference to appropriation to the Department of Agriculture to prevent spread of the pink bollworm; to the Committee on Agriculture.

6870. By Mr. REED of Illinois: Petition of E. J. Vogel and 100 signers, protesting against the imposition of new processing taxes, especially on bread; to the Committee on Ways and Means.

6871. By Mr. SCHWERT: Resolutions of the Uniformed Firemen's Association of Buffalo, N. Y., Inc.; Erie County Assessors Association, Cheektowaga, N. Y.; Buffalo Stereotypers Union, No. 25, Buffalo, N. Y.; Buffalo Local, Journeymen Stone Cutters Association of North America, Buffalo, N. Y., opposing the St. Lawrence seaway and power project; to the Committee on Foreign Affairs.

6872. By Mr. SMITH of West Virginia: Resolution of the West Virginia Association of Retail Grocers, recommending passage of sugar legislation to assist the depressed cane-sugar refining industry of the United States; to the Committee on Ways and Means.

6873. By the SPEAKER: Petition of the Committee on Niagara Frontier Planning Board, County of Niagara, State of New York, petitioning consideration of their resolution with reference to the St. Lawrence seaway and power treaty between the United States and the Dominion of Canada; to the Committee on Foreign Affairs.

6874. Also, petition of the United Association of Plumbers and Steam Fitters, Los Angeles, Calif., petitioning consideration of their resolution with reference to Senate bill 591, concerning the United States Housing Authority; to the Committee on Banking and Currency.

6875. Also, petition of the National Concrete Masonry Association, Chicago, Ill., petitioning consideration of their resolution with reference to United States Housing Act; to the Committee on Banking and Currency.

6876. Also, petition of the American Federation of Labor, Washington, D. C., petitioning consideration of their resolution with reference to United States Housing Authority; to the Committee on Banking and Currency.

6877. Also, petition of the Brotherhood of Railway Agents, Telegraphers, and Signal Operators, Oakland, Calif., petitioning consideration of their resolution with reference to conducting a diligent investigation of labor union's camouflaged capitalistic enterprises; to the Committee on the Judiciary.

6878. Also, petition of the Brotherhood of Railway Agents, Telegraphers, and Signal Operators, Oakland, Calif., petitioning consideration of their resolution with reference to civil liberties and economic freedom; to the Committee on Labor.

6879. Also, petition of the Brotherhood of Railway Agents, Telegraphers, and Signal Operators, Oakland, Calif., petitioning consideration of their resolution with reference to an investigation of acts of violence, sabotage, and incendiarism; to the Committee on Rules.

6880. Also, petition of the National Cotton Council of America, Memphis, Tenn., petitioning consideration of their resolution with reference to trade barriers of the cotton South; to the Committee on Agriculture.

6881. Also, petition of the San Pedro Civic Council, San Pedro, Calif., petitioning consideration of their resolution with reference to House 7447, a bill providing for Federal aid in the construction of the T-tunnel project at San Pedro Harbor; to the Committee on Military Affairs.

6882. Also, petition of the United Association of Journeymen Plumbers and Steam Fitters, Pasadena, Calif., petitioning consideration of their resolution with reference to Senate bill 591, concerning the United States Housing Authority; to the Committee on Banking and Currency.

SENATE

TUESDAY, MARCH 12, 1940

(Legislative day of Monday, March 4, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

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

Blessed Son of God, who in the days of Thy flesh didst oft repair to the secret place for communion with Thy Father: Grant that as we come into Thy presence we may find it a sanctuary, secure from the clamor of the world, where no controversy penetrates, where no rivalries can live within its gates of peace. Here may we step out of the shallows of impetuosity into the clear depths of love; here may we unlearn the passion that worketh ill to our neighbor and find our futile questionings lost in a certainty deeper than our inquiring minds. And, as we turn again to respond to the call of the world's great need, toiling feverishly and often beyond our strength, when the evening bell still tarries and our work is still undone, do Thou open then the crystal fountains whence the healing waters flow, that again we may walk with Thee in the garden in the cool of the day. In Thy name, O blest Redeemer, do we offer up our prayer. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 11, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Austin	Barbour	Brown
Andrews	Bailey	Barkley	Bulow
Ashurst	Bankhead	Bilbo	Burke
Byrd	Green	McKellar	Sheppard
Byrnes	Guffey	McNary	Shipstead
Capper	Gurney	Maloney	Smathers
Caraway	Hale	Mead	Smith
Chandler	Harrison	Miller	Stewart
Chavez	Hatch	Minton	Taft
Clark, Idaho	Hayden	Murray	Thomas, Idaho
Clark, Mo.	Herring	Neely	Thomas, Okla.
Connally	Hill	Norris	Thomas, Utah
Danaher	Holman	Nye	Townsend
Davis	Holt	O'Mahoney	Truman
Donahey	Hughes	Overton	Tydings
Ellender	Johnson, Calif.	Pepper	Vandenberg
Frazier	Johnson, Colo.	Pittman	Van Nuys
George	La Follette	Reed	Wagner
Gerry	Lee	Reynolds	Walsh
Gibson	Lodge	Russell	Wheeler
Gillette	Lundeen	Schwartz	White
Glass	McCarran	Schwellenbach	Wiley

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Utah [Mr. KING] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Illinois [Mr. SLATTERY] are detained on important public business.

The Senator from Illinois [Mr. LUCAS] is unavoidably detained.

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

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Bradbury Heights Citizens' Association of Washington, D. C., favoring an appropriation for the purchase of a site for elementary-school purposes within Bradbury Heights in the vicinity of the intersection of Alabama Avenue and H Streets SE., in the District of Columbia, which was referred to the Committee on Appropriations.

Mr. WALSH presented a petition of sundry citizens of the State of Massachusetts, praying for the adoption of the so-called Tobey resolution, being the resolution (S. Res. 231) favoring the deletion from the Sixteenth Census population schedule of inquiries numbered 32 and 33, relating to compensation received, which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. CLARK of Missouri, from the Committee on Commerce, to which was referred the bill (S. 3231) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo., reported it without amendment and submitted a report (No. 1303) thereon.

Mr. WHEELER, from the Committee on Interstate Commerce, to which was referred the resolution (S. Res. 224) authorizing and directing an investigation of alleged wire tapping and installation of listening or recording devices (submitted by Mr. GREEN on February 1, 1940), reported it with an amendment and submitted a report (No. 1304) thereon, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on March 11, 1940, that committee presented to the President of the United States the following enrolled bills:

S. 1449. An act for the relief of Robert Stockman;

S. 1998. An act for the relief of Ernestine Huber Neuheller; and

S. 2284. An act to amend the act of May 4, 1898 (30 Stat. 369), so as to authorize the President to appoint 100 acting assistant surgeons for temporary service.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. BARBOUR:

S. 3562. A bill to provide for a maximum interest rate of 3 percent on loans secured by United States Government life-insurance policies; to the Committee on Finance.