pertaining to the use of the Espionage Act and agents of the Federal Bureau of Investigation by certain employers; to the Committee on Foreign Affairs.

8309. By Mr. VREELAND: Resolution of the New Jersey State Identification Association, endorsing the policies and practices of the Federal Bureau of Investigation and its Director, J. Edgar Hoover; to the Committee on the Judiciary.

8310. By Mr. WHEAT: Petition of the Illinois National Farm Loan Association of Champaign, Ill., opposing the Jones-Wheeler farm-credit bill; to the Committee on Agriculture.

8311. By Mr. WOLCOTT: Petition of Mrs. Elias Plane and 61 others, of Mayville, Mich., requesting that I give my aid to House bill 8264, known as the Townsend Old Age Pension Act; to the Committee on Ways and Means.

8312. Also, petition of C. J. Thornton and 110 others, of Millington, Mich., and nearby towns, requesting that I vote for the discharge petition to bring upon the floor of the House House bill 8264, known as the Townsend bill; to the Committee on Ways and Means.

8313. By the SPEAKER: Petition of A. A. Richards, of Dayton, Ky., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

8314. Also, petition of the Montgomery Electrical Contractors' Association, Montgomery, Ala., petitioning consideration of their resolution with reference to United States Housing Authority program; to the Committee on Banking and Currency.

8315. Also, petition of the Southwest Aviation Conference, Fairfax Airport, Kansas City, Kans., petitioning consideration of their resolution with reference to House bill 9049 and Civil Aeronautics Authority; to the Committee on Interstate and Foreign Commerce.

8316. Also, petition of the International Lodge, Amalgamated Association of Iron, Steel, and Tin Workers of North America, Pittsburgh, Pa., petitioning consideration of their resolution with reference to National Labor Relations Act; to the Committee on Labor.

8317. Also, petition of the National Public Housing Conference, New York City, petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8318. Also, petition of the Coast Laborers Local No. 1153, supporting Senate bill 591; to the Committee on Banking and Currency.

SENATE

MONDAY, MAY 20, 1940

(Legislative day of Wednesday, April 24, 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:

Eternal God and Father of mankind by whose spirit we are moved to hear Thy voice calling us to an ever deeper devotion to Thy service: Grant unto us a continual sense of Thine abiding presence and overruling guidance in our daily life, that every gift of Thy bestowal may be dedicated unto Thee. As we live in the light of Thy divine love for us, may we bring to other lives the spirit which has its source in Thee alone, the spirit of peace, good will, and understanding.

In these days that try men's souls let the watchword of our Nation be singleness of heart and mind with Duty as the ruling principle. Do Thou bestow upon our leaders the commanding qualities of intellect, unwearied energy, unbounded courage, with masterful intensity of will to bring our world, the world for which Christ died, back to the ideals for which we were created when man, made but little lower than the angels, was to be crowned with glory and honor, with peace regnant in the hearts of men. 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 of Thursday, May 16, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

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 and joint resolutions:

On May 7, 1940:

S. J. Res. 252. Joint resolution to amend section 5 (b) of the act of October 6, 1917, as amended, and for other purposes.

On May 11, 1940:

S. 3098. An act authorizing the Secretary of the Navy to accept on behalf of the United States a bequest of certain personal property of the late Dudley F. Wolfe.

On May 14, 1940:

S. 1542. An act to authorize the Director of the Geological Survey, under the general supervision of the Secretary of the Interior, to acquire certain collections for the United States;

S. 1780. An act to authorize the Secretary of the Interior to acquire property for the Antietam battlefield site in the State of Maryland, and for other purposes;

S. 3198. An act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army;

S. 3262. An act to authorize the Secretary of the Interior to grant a right-of-way to the highway commission of the State of Montana;

S. 3470. An act to amend the National Defense Act of June 3, 1916, as amended, to provide for enlistments in the Army of the United States in time of war or other emergency declared by Congress, and for other purposes;

S. 3654. An act to amend section 10, National Defense Act, as amended, with relation to the maximum authorized enlisted strength of the Medical Department of the Regular Army;

S. 3661. An act to amend the Perishable Agricultural Commodities Act, 1930, as amended, and for other purposes;

S. 3675. An act to authorize the establishment of boundary lines for the Wilmington National Cemetery, N. C.;

S. J. Res. 200. Joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes; and

S. J. Res. 217. Joint resolution to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor, and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor, and for other purposes.

On May 15, 1940:

S. 3633. An act to amend section 24e, National Defense Act, as amended, so as to add an alternative requirement for appointment in the Dental Corps.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 45) authorizing the temporary placement in the rotunda of the Capitol of a painting of the scene at the signing of the Constitution, and the holding of ceremonies in connection therewith.

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 Vice President:

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

S. 1036. An act to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota;

S. 1384. An act for the relief of Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim;

H. R. 2948. An act for the relief of Morris Hoppenheim, Lena Hoppenheim, Boris Hoppenheim, and Ruth Hoppenheim;

H. R. 3094. An act for the relief of Luise Ehrenfeld;

H. R. 7079. An act to provide for the appointment of additional district and circuit judges; and

H. R. 8826. An act to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Davis	Lucas	Schwartz
Andrews	Donahey	Lundeen	Sheppard
Ashurst	Downey	McCarran	Shipstead
Austin	Ellender	McKellar	Slattery
Bailey	George	McNary	Smathers
Barkley	Gibson	Maloney	Smith
Bilbo	Gillette	Mead	Stewart
Bone	Glass	Miller	Thomas, Idaho
Bulow	Gurney	Minton	Thomas, Okla.
Burke	Hale	Murray	Thomas, Utah
Byrd	Harrison	Neely	Townsend
Byrnes	Hatch	Norris	Tydings
Capper	Hayden	Nye	Vandenberg
Caraway	Herring	O'Mahoney	Van Nuys
Chandler	Hughes	Overton	Wagner
Chavez	Johnson, Calif.	Pepper	Walsh
Clark, Idaho	Johnson, Colo.	Pittman	White
Clark, Mo.	King	Radcliffe	Wiley
Connally	La Follette	Reynolds	
Danaher	Lee	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from West Virginia [Mr. HOLT], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily detained.

The Senator from Alabama [Mr. HILL] is absent on official business for the special committee on campaign expenditures.

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] is necessarily absent because of the primary in his State.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Kansas [Mr. REED], the Senator from Ohio [Mr. TAFT], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Oregon [Mr. HOLMAN] is absent on official business of the Senate.

The Senator from Massachusetts [Mr. LODGE] is engaged in war maneuvers at Camp Beauregard.

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

REPORT OF JUVENILE COURT OF DISTRICT OF COLUMBIA (H. DOC. NO. 780)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on the District of Columbia:

To the Congress of the United States:

I transmit herewith for the information of the Congress a communication from the Judge of the Juvenile Court of the District of Columbia, together with a report covering the work of the juvenile court during the fiscal year 1938–39.

FRANKLIN D. ROOSEVELT.

The WHITE HOUSE, *May 20, 1940.*

[NOTE.—Report accompanied similar message to the House of Representatives.]

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE NATIONAL DEFENSE (H. DOC. NO. 753)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States submitting emergency supplemental estimates of appropriations for further strengthening of the national defense, fiscal year 1941, to be immediately and continuously available until expended, totalling $895,770,364, plus proposed contract authorizations totalling $286,229,636; consisting of $545,770,364, cash, and $186,229,636, contract authorizations, for the War Department; $250,000,000, cash, for the Navy Department; and $100,000,000 cash, and $100,000,000, contract authorization, emergency funds for the President, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SPECIAL ARRANGEMENTS FOR TRANSPORTATION OF MAIL WITHIN ALASKA

The VICE PRESIDENT laid before the Senate a letter from the Acting Postmaster General, transmitting a draft of proposed legislation authorizing special arrangements in the transportation of mail within the Territory of Alaska, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads.

INCREASE OF CREDIT RESOURCES, COMMODITY CREDIT CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to increase the credit resources of the Commodity Credit Corporation, which, with the accompanying paper, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of Vanguard Lodge No. 217, Amalgamated Association of Iron, Steel, and Tin Workers of North America, Pittsburgh, Pa., endorsing the policies pursued by the Congress of Industrial Organizations in their aims and aspirations for American workers, which was referred to the Committee on Education and Labor.

He also laid before the Senate a petition of sundry citizens of San Mateo, Calif., praying that all possible assistance be given promptly to the Allies and invaded neutrals in Europe, outside of sending troops abroad, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a petition of sundry citizens of San Mateo, Calif., praying that the Government boycott aggressor nations who, by invading neutral countries and breaking treaties, have endangered the peace of the world, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of the annual convention of the Women's International League for Peace and Freedom, Pittsburgh, Pa., calling upon the Congress to remain in session throughout the summer months so as to keep the country out of war, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a telegram from the National Society of Professional Engineers, signed by John C. Riedel, its president, Washington, D. C., tendering in behalf of its member societies its good offices and services without qualification in aid of the national defense, which was referred to the Committee on Military Affairs.

He also laid before the Senate a resolution of the Pittsburgh (Pa.) Chapter of the Society of Professional Engineers, endorsing the President's program for the national defense and tendering their services in whatsoever capacity they may be required, 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 Shreveport (La.) Post of the American Legion, praying that the proposal of the President that provision be made promptly for gearing up the Nation's production of airplanes be adopted, but also that provision should be made for 75,000 airplanes this year instead of 50,000, which was referred to the Committee on Military Affairs.

He also laid before the Senate resolutions of Local No. 265, of Evansville, Ind., and Local No. 75, of Milwaukee, Wis., both of the International Union, United Automobile Workers of

America (affiliated with the C. I. O.), favoring the prompt enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, which were ordered to lie on the table.

He also laid before the Senate resolutions of the convention of the Georgia Cotton Ginners Association, Dublin, Ga., opposing the trading in cottonseed on a quantitative basis as determined by chemical analysis, and protesting against the enactment of the bill (H. R. 8642) to establish and promote the use of standard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes, and also the bill (H. R. 57) to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes, which were ordered to lie on the table.

THANKS OF CITY OF JUNEAU, ALASKA, TO SENATOR REYNOLDS

Mr. REYNOLDS presented a radiogram from H. J. Turner, city clerk, of Juneau, Alaska, which was ordered to be printed in the RECORD, as follows:

JUNEAU, ALASKA, *May 19, 1940.*

ROBT. R. REYNOLDS,
U. S. Senate Office Building, Washington, D. C.:

At regular meeting common council, city of Juneau, I was unanimously instructed to express city's appreciation for your interest as expressed in your attitude to keep Alaska as an integral part of the United States rather than experimental ground for altruistic theories. Our sincere thanks.

H. J. TURNER, *City Clerk.*

REPORTS OF COMMITTEES

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which was referred the bill (H. R. 9576) relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States, reported it without amendment and submitted a report (No. 1628) thereon.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (S. 3900) requiring approval by the Attorney General of the validity of title to lands purchased by the United States for the erection of public buildings thereon, and for other purposes, reported it with amendments and submitted a report (No. 1629) thereon.

Mr. KING. Mr. President, I shall ask for the consideration of this bill at an early date.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar.

Mr. SCHWARTZ, from the Committee on Pensions, to which was referred the bill (H. R. 4394) granting a pension to James G. Bailey, reported it without amendment and submitted a report (No. 1631) thereon.

Mr. MINTON, from the Committee on Pensions, to which was referred the bill (H. R. 1550) granting an increase of pension to Christopher C. Popejoy, reported it without amendment and submitted a report (No. 1632) thereon.

APPROPRIATIONS FOR THE MILITARY ESTABLISHMENT—REPORT OF THE APPROPRIATIONS COMMITTEE

Mr. THOMAS of Oklahoma. From the Committee on Appropriations, I ask consent to report back with amendments the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes, and I submit a report (No. 1630) thereon.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar.

Mr. BARKLEY. Mr. President, I wish to say that it is contemplated that the appropriation bill just reported by the Senator from Oklahoma [Mr. THOMAS] will be taken up for consideration by the Senate tomorrow.

INVESTIGATION OF RAILROADS, HOLDING COMPANIES, AND AFFILIATED COMPANIES—ADDITIONAL REPORT (S. REPT. 1182, PT. IV)

Mr. BARKLEY (for Mr. WHEELER), from the Committee on Interstate Commerce, pursuant to Senate Resolution 71, Seventy-fourth Congress, submitted an additional report relative to railroad combination in the eastern region, which was ordered to be printed, with illustrations.

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. BYRNES:

S. 3998. A bill to increase the credit resources of Commodity Credit Corporation; to the Committee on Banking and Currency.

By Mr. THOMAS of Oklahoma:

S. 3999. A bill for the relief of Franklin Benjamin McNew; to the Committee on Claims.

By Mr. NEELY:

S. 4000. A bill for the relief of the West Virginia Co.; to the Committee on Claims.

S. 4001. A bill granting an increase of pension to Mary E. Wallace; to the Committee on Pensions.

By Mr. BONE:

S. 4002. A bill for the relief of Raymond C. Knight; to the Committee on Claims.

S. 4003 (by request). A bill to authorize an appropriation to assist in defraying the expenses of the Columbia River International Exposition, a historical and electrical exposition to be held in Washington and Oregon during 1942; to the Committee on Commerce.

By Mr. MEAD:

S. 4004. A bill for the marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y.; to the Committee on Military Affairs.

By Mr. SHEPPARD:

S. 4005. A bill to further amend section 13 (a) of the National Defense Act so as to authorize officers detailed for training and duty as aircraft observers to be so rated, and for other purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of California:

S. 4006. A bill to amend section 3 (b) of the Securities Act of 1933, as amended, so as to increase the maximum limit of the amount of an issue of securities which the Securities and Exchange Commission may exempt from such act; to the Committee on Banking and Currency.

By Mr. JOHNSON of California (for himself, Mr. ASHURST, Mr. HAYDEN, and Mr. DOWNEY):

S. 4007. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of extending the marketing-quota provisions thereof to lettuce and to melons, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. MURRAY (for himself, Mr. ASHURST, Mr. HAYDEN, Mr. MCCARRAN, Mr. PITTMAN, Mr. MILLER, Mr. JOHNSON of Colorado, Mr. KING, Mr. THOMAS of Utah, Mr. CLARK of Idaho, and Mr. THOMAS of Oklahoma):

S. 4008. A bill to authorize the Reconstruction Finance Corporation to make loans for the development of deposits of strategic and critical minerals and other metallic and nonmetallic minerals, and to authorize the Reconstruction Finance Corporation to make more adequate loans for mineral developmental purposes; to the Committee on Military Affairs.

By Mr. SHEPPARD:

S. 4009. A bill to amend the act entitled "An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes," approved June 20, 1936; to the Committee on Education and Labor.

By Mr. KING:

S. 4010. A bill to provide for the acquisition of a site and the erection thereon of a post-office building at Fillmore, Utah; to the Committee on Public Buildings and Grounds.

S. 4011. A bill to authorize the Secretary of the Interior to accept payment of an annual equitable overhead charge in connection with the repayment contract between the United States and the Strawberry Water Users' Association of Payson, Utah, in full satisfaction of delinquent billings upon the basis of an annual fixed overhead charge, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. McCARRAN:

S. 4012. A bill for the relief of Maude Wilcox; to the Committee on Claims.

By Mr. McCARRAN (for himself and Mr. ASHURST):

S. 4013. A bill providing for small loans by the Reconstruction Finance Corporation to facilitate the preliminary development and production of strategic, critical, and other metallic and nonmetallic minerals; to the Committee on Military Affairs.

By Mr. GURNEY:

S. 4014. A bill to create a new group within the Air Corps, Regular Army, with the designations of junior flight officer, flight officer, and senior flight officer; to the Committee on Military Affairs.

(Mr. BILBO introduced Senate Joint Resolution 257, which was referred to the Committee on Appropriations, and appears under a separte heading.)

By Mr. WALSH:

S. J. Res. 258. Joint resolution to provide for the use and disposition of the bequest of the late Justice Oliver Wendell Holmes to the United States, and for other purposes; to the Committee on the Library.

ADDITIONAL APPROPRIATION FOR FEDERAL SURPLUS COMMODITIES CORPORATION

Mr. BILBO. Mr. President, I desire to address the Senate for a short while on the proposition to appropriate an additional $100,000,000 for the use of the Federal Surplus Commodities Corporation to absorb surpluses, in order to prevent the falling of priees on the farm products of the country.

Mr. President, on Thursday last the President of the United States said:

> These are ominous days—days whose swift and shocking developments force every neutral nation to look to its defenses in the light of new factors.

As hourly reports from Europe bring us new indications of the destructive madness which is sweeping the world, it becomes imperative that we neglect no aspect of our defense needs in our anxiety to be ready to defend our liberties. Today I should like to call your attention to a vital part of a comprehensive plan for national defense which might easily be slighted in the rush to arm the United States with the physical equipment for aggressor restraint. I refer to the necessity for maintaining a healthy, vigorous, and alert body of Americans in this time of stress.

Despite mechanization, the rise of the airplane, and the increasing use of mechanical agents of destruction the backbone of defense is still a smooth-functioning economy and a healthy people. We must be certain of maintenance of national-health defense.

The information I have obtained about consumer income and food expenditure reveals a shocking amount of underconsumption in this country.

In 1935, 42 percent of our families were receiving incomes of less than $1,000 per year.

Nearly two-thirds of our families had an average income of $826, or $69 per month.

Over 4,000,000 families were spending only about 5 cents per person per meal.

The developments of war have complicated many branches of agricultural life and thrown an increased burden on American farmers.

Cotton: 1934–38, about 40 percent of production exported; 1939–40, a subsidy of $41,000,000 needed to increase exports; 1940–41 problem likely to be at least as serious, and foreign sales of United States cotton in excess of 3,000,000 bales may be even more difficult.

Fats and oils: Most recent report of Bureau of Agricultural Economics says:

> No pronounced increase in exports of lard from the United States in prospect, particularly since the United Kingdom, our principal market, is reported to have large reserve stocks of fats * * * and imported vegetable oils * * * chiefly from countries attached to sterling exchange.

Raisins: 30 percent ordinarily exported; outlook very discouraging.

Prunes: 40 percent of production ordinarily exported; outlook very discouraging.

Apples: 10 percent of commercial crop ordinarily exported; very little prospect for exports.

Citrus: Export sales prospect extremely limited.

Wheat exports: Down to one-half of last year and competing foreign supplies continue large.

While domestic needs have become apparent, and export demand is uncertain or very limited, an effective program to use surpluses for American needy has been developed.

The Federal Surplus Commodities Corporation is already effectively functioning through its stamp plan, direct distribution program, and free school-lunch program in providing needy Americans with dietary essentials for a healthy vigorous life.

The Federal Surplus Commodities Corporation has provided the farmer with an outlet for his products in a market previously untouched or undeveloped. The undeveloped market lies in the unsatisfied needs of the portion of our population which lacks the purchasing power to obtain sufficient quantities of health-sustaining foods. The Federal Surplus Commodities Corporation, through its various programs, has found at least a partial answer to the "paradox of plenty."

By an economical use of an appropriation, small in relation to the size of the problem, the Federal Surplus Commodities Corporation, through its stamp plan and direct distribution operations, has kept food products moving to final consumers during times when farmers were almost daily seeing old markets disappearing.

Let us examine the facts:

First. Orderly marketing of needed farm products has been disturbed for some years by growing world chaos. A mad Europe is daily increasing the severity and the scope of the farm problem.

Second. The Federal Surplus Commodities Corporation, through a program of controlled experimentation, businesslike administration, and broad vision, has joined the needs of our unemployed to those of our farmers. That the program is highly successful is evidenced by the widespread support of all groups—business, farmers, and the unemployed—and by the physical record of surpluses moved.

Third. We have, ready at hand, methods for alleviating and softening the impact of these new blows. What have we done about it?

During the fiscal year 1938–39 we made available $203,000,000 to the Secretary of Agriculture for export encouragement, development of new uses, diversions into byproducts, purchase of surplus commodities for direct distribution to needy unemployed, and the beginning of the stamp plan.

As a result, more than 40 agricultural products and every phase of agricultural life were given material assistance.

For the year 1940–41 we have appropriated $185,000,000, or $18,000,000 less than last year, at a time when the needs are even greater. The Federal Surplus Commodities Corporation can hope to operate the food-stamp plan in only 150 cities in the next fiscal year, despite the fact that over 900 cities are demanding the plan. The new program to expand domestic consumption of cotton and cotton products has only begun, and must be limited with the available funds.

This is what the surplus-removal programs can do:

First. Provide direct and tangible benefits to farmers through expanded domestic markets.

Second. Maintain and improve the health of over 20,000,000 of our urban and rural population, through making available such products as dairy products, eggs, fruits and vegetables, pork and other meat products, and cotton goods.

Third. Aid business groups and employment through expanding the volume of goods moving through normal channels of trade.

Fourth. Develop a practical means for creating at once a new market for cotton goods in our own country.

At the same time, it is thoroughly popular with all groups in our population.

This is an activity which is broadening the market for agricultural products, and a program which does this by increas-

ing the welfare of the people of our own country. I do not like to face, before farmers and needy people, the responsibility for limiting the soundest development in agricultural policy that we have witnessed. If we will approve the additional expenditure of $100,000,000 for this purpose we shall know that millions of farmers have been assured better markets for meats, dairy products, poultry products, fruits, vegetables, and cotton products. By the same token we may be sure that millions of needy persons in our own country will have more of the food and cotton goods we are producing in abundance. That is why I believe it is simple caution and good sense to make available to the F. S. C. C. at least $100,000,000 more than we have thus far approved. I most earnestly urge this as a fundamentally sound program of national defense.

If we go ahead with our plans for national defense at a rapid rate, if we permit the carrying out of a program to take care of the health of our needy and the prosperity of our farmers, which are integral parts of preparedness, then the fact that "These are ominous days—days whose swift and shocking developments force every neutral nation to look to its defenses in the light of new factors" need not cause us great alarm; for once again we Americans will have successfully faced the challenge of new threats to our liberties.

Mr. President, I am today in receipt of a statement made yesterday evening by the secretary of the Association of Southern Commissioners of Agriculture. The author of this statement sent it to me with the request that I introduce in this body a joint resolution calling for an additional appropriation of $100,000,000 to the Federal Surplus Commodities Corporation.

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

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Oregon?

Mr. BILBO. I yield.

Mr. McNARY. I am very much interested in the Senator's discussion. Is he asking for an additional appropriation for the Federal Surplus Commodities Corporation?

Mr. BILBO. Yes, sir.

Mr. McNARY. The agricultural appropriation bill, now in conference, carries about $185,000,000 for that purpose. Does the Senator want a sum in excess of that?

Mr. BILBO. Yes, sir.

Mr. McNARY. How much?

Mr. BILBO. One hundred million dollars.

Mr. McNARY. Has the Senator proposed legislation along that line?

Mr. BILBO. I have it here, and will introduce it as soon as I get through with these remarks.

Mr. McNARY. Is it in the form of an authorization?

Mr. BILBO. It is in the form of a joint resolution; yes, sir.

Mr. McNARY. May I ask the Senator a further question? What use would the Senator make of the additional $100,000,000?

Mr. BILBO. Largely for the expansion of the food-stamp plan. The money provided up to date will take care of only 150 cities which have asked for it; and 900 cities that cannot get it are begging for it.

Mr. McNARY. If the Senator will permit me to make an observation, when the committee was in session, Milo Perkins, the very able Administrator of the act, said that it took quite a while to arrange for the additional cities which are now seeking charters. If the money were available it would be impossible simply to start out with a blue-stamp plan in every city merely because it wants the plan. It is a question of the personnel, the technique, and arranging matters in the cities, and with the grocers and those who desire groceries. I merely make the observation to the Senator that if an additional $100,000,000 were provided I do not know in how many cities the plan could be undertaken before the next session.

Mr. BILBO. Recently I had personal experience with the necessity of the installation of one of the programs in my own State; and I think I may say with certainty that if the money is provided there will be ample machinery to install it in all the cities that are making application.

Mr. President, a perusal of the statement to which I have referred, which is founded on fact, discloses a deep insight into the economics of our present agricultural price structure, and exhibits these in a manner which makes it a document well worthy of the careful and studied consideration of every Member of this body.

In speaking for agriculture, it is to be remembered that the Association of Southern Commissioners of Agriculture is itself a part and parcel of the National Association of the Agricultural Commissioners, Secretaries, and Directors of Agriculture. In this instance the southern commissioners are speaking in behalf of our national agricultural economy.

The request made by the secretary of that association is the expression of a group of farm associations and organizations, which held a meeting yesterday. The situation is so acute that they feel justified in working on Sunday. The statement is endorsed by the representative of the National Grange, the representative of the National Farmers Guild, the president of the Domestic Oils and Fats Conference, as well as by several leading Members of Congress, who are representatives not alone of southern agricultural districts and constituencies but of northern and western agriculture as well.

They come to this body with a righteous appeal. They ask that we in the Senate now take cognizance of the often-repeated declared policy of Congress to achieve in behalf of our farmers and agricultural producers a parity of income as well as a parity of price.

They not only point out the enormous losses already suffered, but the potential losses which will be continued and suffered by our agricultural producers unless we in Congress make it possible to temporarily stabilize the prices of our agricultural products and prevent the current disastrous decline continuing in the immediate future as a result of the present European war and its resultant financial upset and conditions.

Mr. President, I am introducing today a joint resolution formulated in accordance with the request made upon me by the secretary of the Commissioners of Agriculture in behalf of those farm groups. The document which they sent me, and to which I refer, is not a long document. I should therefore like to present it to the Senate in full for the consideration of Senators now present, and for the later and more studied perusal of all Members of the Senate.

The following is the statement issued by the agricultural meeting held yesterday:

STATEMENT BY SECRETARY OF THE ASSOCIATION OF SOUTHERN COMMISSIONERS OF AGRICULTURE—ONE HUNDRED MILLION DOLLARS ADDITIONAL APPROPRIATIONS FOR COMMODITY PURCHASES TO BE REQUESTED

Concurrent with Secretary Wallace's request that the board of trade prohibit trading in grains below yesterday's closing price, notice was sent out by the Southern Commissioners of Agriculture, making request for a meeting of farm leaders at the Raleigh Hotel, Washington, this afternoon.

There was a quick response to this call. The conference was attended by national representatives of leading farm producers and processors' organizations, as well as by Members of Congress from both the cotton-producing South and the Mississippi Valley Corn Belt.

Among the farm organizations representatives were Col. C. C. Hanson, secretary to the Southern Commissioners of Agriculture; W. S. Snow, president of the Domestic Oil and Fats Conference; Fred H. Brenckman, Washington representative of the National Grange; and E. E. Kennedy, National Farm Guild.

At the conclusion of the conference, Col. C. C. Hanson was directed to announce in behalf of the conferees that tomorrow they would seek to have introduced into the Senate a joint resolution asking that an additional $100,000,000 be placed at the disposal of the Surplus Commodity Corporation.

This sum, Colonel Hanson explained, "would be used in the purchase of agricultural crops in a price-supporting movement to insure against further price disturbance from current war developments."

The colonel pointed out that the present decline in agricultural prices might well presage more than a temporary upset in prices. "Despite the apparent shortage in our wheat crop this year," he declared, "wheat has now tumbled 30 cents a bushel in the last week. But worse still. The decline is occurring at the very time when farmers in the southern part of the Winter Wheat Belt are actually making plans for the harvest of this year's wheat crop."

Colonel Hanson then explained that those attending the conference had thoroughly reviewed in detail and discussed at length

the action of the Canadian authorities in pegging the price of Canadian wheat in order to protect their farmers. He disclosed the further fact that discussion was had as to the advisability of the United States Federal Government adopting similar measures with reference to our own major crops, inclusive of hog lard, peanut and cottonseed oil. He stated that they were in full concurrence with Secretary Wallace's attitude in this matter.

Declaring that the present price decline involved the potential loss of millions of dollars to American producers, the Colonel expressed the confidence of the conferees that Congress would make the appropriation of $100,000,000 available at once in order to protect our cotton, hog, and grain farmers, as well as livestock industry against further adverse and devastating effects upon domestic prices resulting from the war in Europe.

"Out of the entire field of commodities, which have suffered in the current price decline," Colonel Hanson declared, "lard and cottonseed oil were disclosed to be by far the weakest features in the price structure." "This," he said, "occurred despite the fact that there are no agricultural commodities more essential, either to a peacetime or to a wartime economy of any nation than are its supplies of oils and fats."

He told of the many military strategists who are even now saying that if Germany loses the war it will be primarily because of her shortage of oils and fats, animal and vegetable, as well as mineral.

In pointing out that our domestic producers were now face to face with a price of 5 cents per pound for lard, and but 5⅜ cents for cottonseed oil, Colonel Hanson concluded by saying that the joint resolution would provide that no less than $10,000,000 of the total appropriation spent would be for the purchase of oils and fats.

He further said, that it was the sense of the meeting that by the terms of the resolution, the Surplus Commodity Corporation should be authorized and instructed, not alone to purchase hog lard and cotton oil but also mandated, either to profitably export the overburden of our domestic surplus out of the country in export trade, or else make provision to insure that "the surplus" here present be subsidized into the soap kettles, at a price which would enable these domestically produced commodities to compete more readily with foreign oils now being imported.

Agreement has been reached that Senator BILBO (Democrat) Mississippi, would sponsor the joint resolution in the Senate. It was further stated that it would be offered in the House tomorrow by Congressman VINCENT E. HARRINGTON, of Sioux City, Iowa, Representative from a district which is virtually the center of American lard-producing industry.

Mr. HARRINGTON, when interviewed at his office late this evening declared:

"I have spent the entire day in my office drafting the joint resolution. In this effort I am acting in concert with Colonel Hanson, secretary to the southern commissioners of agriculture, in order to protect the Iowa corn and hog producers from one of the most serious and sudden price declines which has ever occurred in the history of American agriculture."

Mr. President, this statement sustains the contention I am making, that we are justified in anything we do for the farmer, distressed at this time because of falling prices of all farm products. It is said that wheat has suffered a loss of 30 cents a bushel. That means millions of dollars. It is said that fat is selling for 5 cents a pound. That has practically destroyed the hog industry, the lard industry, and the cottonseed oil industry. I am merely making an attempt to divert from relief money $100,000,000, to be added to the Surplus Commodities Corporation fund, in order that they may buy up agricultural surpluses, take them off the market, and thus increase the prices, which will result in benefit to the farmer.

The money we are appropriating for relief could not be better spent, for the relief needs of the country, than in enabling the Surplus Commodities Corporation to buy up surpluses and distribute them through the food-stamp plan, which has proven to be a greater success than any other undertaking of the present New Deal.

Mr. President, I ask consent to introduce this joint resolution for proper reference and also request that it be printed in the RECORD at this point.

There being no objection, the joint resolution (S. J. Res. 257) appropriating $100,000,000 additional funds for use by the Federal Surplus Commodities Corporation for stabilizing agricultural prices now suffering severe declines due to the emergency arising out of the European war and its repercussion upon our domestic prices for agricultural products, was read twice by its title, referred to the Committee on Appropriations, and was ordered to be printed in the RECORD, as follows:

Whereas the declared policy of this administration has been to protect American agriculture in all of its branches; and

Whereas it has repeatedly been the declared policy of this Congress to do everything within its power both to achieve and to sustain a parity of price as well as a parity of income for all American farmers; and

Whereas the European war now being waged has caused a most severe decline to occur both in the price of practically all major agricultural crops (and hence the income of our farmers), as well as to create further disparity between the prices of things which farmers buy as compared with the price of those which they sell; and

Whereas the price of wheat has declined almost 30 cents per bushel in the last week; and

Whereas hog lard, an agricultural product, most essential to our national economy, is now selling at the distressing price of 5 cents per pound, which is far less than its cost of production; and

Whereas the price of cottonseed oil, which is always dependent upon the current prices of hog lard, is now also selling at less than the cost of production; and

Whereas a national agricultural emergency has now arisen out of the European war, and which is resulting in serious repercussions upon all American farmers and agricultural producers: Now, therefore, be it

Resolved, etc., That the sum of $100,000,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for use by the Surplus Commodities Corporation in acquiring stocks of major agricultural products in such amounts as are deemed necessary to stabilize agricultural prices.

SEC. 2. The Surplus Commodities Corporation is hereby authorized and directed to immediately proceed to acquire, by purchase, hog lard and cottonseed oil in the sum of $10,000,000, and as soon thereafter as is practicable the Federal Surplus Commodities Corporation shall arrange for the export of the lard and cottonseed oil acquired under this joint resolution. In the event of their inability to profitably export these products, then the Federal Surplus Commodities Corporation is hereby directed to subsidize their sale into the soap kettles of the United States in amounts sufficient to relieve the overburden of present hog-lard and cottonseed-oil stocks upon domestic prices.

CHANGES OF REFERENCE

On motion by Mr. PITTMAN, the Committee on Foreign Relations was discharged from the further consideration of the bill (S. 3854) providing for the extension of nonquota status to Frederick Beck, and it was referred to the Committee on Immigration.

Mr. CLARK of Missouri. Mr. President, Senate bill 3754, to amend the Panama Canal Zone Code in certain particulars, was referred to the Committee on the Judiciary. The subject matter of the Panama Canal Zone Code and of all amendments to it has always been handled by the Committee on Interoceanic Canals, which has established quite a familiarity with that code. I have conferred with the Senator from Arizona [Mr. ASHURST] about it; and I ask unanimous consent that the Committee on the Judiciary may be discharged from the further consideration of the bill and that it may be referred to the Committee on Interoceanic Canals.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF HOME OWNERS' LOAN ACT—AMENDMENTS

Mr. MEAD submitted amendments intended to be proposed by him to the bill (S. 3447) to amend the Home Owners' Loan Act by reducing the rate of interest on obligations of home owners, by abolishing certain deficiency judgments, and by providing a moratorium on foreclosures, which were referred to the Committee on Banking and Currency and ordered to be printed.

EFFECTS OF PRESENT WARS UPON AGRICULTURE—AMENDMENTS TO TWO SEPARATE BILLS

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the bill (S. 3618) making appropriation for additional research in respect to the effects of the present wars upon agriculture, for the Department of Agriculture, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 2, line 12, to strike out the words "without regard to the civil-service laws and regulations."

Mr. SHEPPARD also submitted an amendment intended to be proposed by him to the bill (S. 3674) authorizing appropriation for additional research in respect to the effect of the present wars upon agriculture, for the Department of

Agriculture, and for other purposes, which was referred to the Committee on Agriculture and Forestry and ordered to be printed as follows:

On page 2, lines 12–13, to strike out the words "without regard to the civil-service laws and regulations."

ADDRESS BY COL. CHARLES A. LINDBERGH ON AIR DEFENSE OF AMERICA

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a radio address delivered on the evening of May 19, 1940, by Col. Charles A. Lindbergh on the subject of the air defense of America, which appears in the Appendix.]

COLONEL LINDBERGH ON NEUTRALITY

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD addresses on neutrality, delivered by Col. Charles A. Lindbergh on September 16 and October 14, 1939, respectively, which appear in the Appendix.]

ARTICLE BY DOROTHY THOMPSON ON COLONEL LINDBERGH AND PROPAGANDA

[Mr. BYRNES asked and obtained leave to have printed in the RECORD an article published in the Washington Post of September 30, 1939, written by Dorothy Thompson and entitled "Colonel Lindbergh and Propaganda," which appears in the Appendix.]

EDITORIAL COMMENT ON COLONEL LINDBERGH'S ADDRESS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial from the New York Times of May 20 and an editorial from the Washington Star of May 20 referring to an address by Col. Charles A. Lindbergh on the subject of national defense, which appear in the Appendix.]

ADDRESS BY SENATOR CAPPER AGAINST AMERICAN INTERVENTION IN WAR

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address in opposition to intervention in the European war delivered by him on May 17, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR VANDENBERG AT THE MICHIGAN REPUBLICAN STATE CONVENTION

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD the address delivered by him at the Republican State convention at Grand Rapids, Mich., on May 16, 1940, which appears in the Appendix.]

THE AMERICAN FLAG AND WHAT IT STANDS FOR—ADDRESS BY SENATOR CONNALLY

[Mr. MCKELLAR asked and obtained leave to have printed in the RECORD an address delivered Sunday, May 19, 1940, by Senator CONNALLY at the thirteenth annual massing of the colors held in the open-air amphitheater on the Washington Cathedral grounds, Washington, D. C., which appears in the Appendix.]

ADDRESS BY SENATOR LA FOLLETTE AT SIXTH ANNIVERSARY CELEBRATION OF PROGRESSIVE PARTY

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an address made by Senator LA FOLLETTE at the sixth anniversary celebration of the formation of the Progressive Party, delivered at Wisconsin Rapids, Wis., on Sunday, May 19, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR DANAHER BEFORE CONNECTICUT REPUBLICAN STATE CONVENTION

[Mr. MCNARY asked and obtained leave to have printed in the RECORD the address delivered by Senator DANAHER before the Republican State Convention at Hartford, Conn., on May 14, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY ON NORWEGIAN INDEPENDENCE DAY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him at Stoughton, Wis., on May 17, the Norwegian Independence Day, which appears in the Appendix.]

SENATOR WHEELER'S LABOR RECORD

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD the voting record of Senator WHEELER on labor issues, which appears in the Appendix.]

ADDRESS BY MAJOR GENERAL RIVERS ON EUROPE'S WAR AND AMERICA'S SECURITY

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a radio address on the subject Europe's War and America's Security delivered by Maj. Gen. William C. Rivers, United States Army, retired, on Saturday, May 18, 1940, which appears in the Appendix.]

STATEMENT BY ADMIRAL YARNELL ON AMERICA REMAINING OUT OF WAR

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a statement by Rear Admiral Harry E. Yarnell, United States Navy, retired, urging that America keep out of the European war, which appears in the Appendix.]

ADDRESS BY DR. MARSHALL E. DIMOCK AT NEW CITIZENS' DAY CELEBRATION, MIAMI, FLA.

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address delivered by Dr. Marshall E. Dimock, Second Assistant Secretary of Labor, at the new citizens' day celebration, Miami, Fla., May 14, 1940, which appears in the Appendix.]

BISHOP CANNON'S ATTITUDE TOWARD PARTICIPATION IN WAR

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an article from the Washington Daily News of Monday, May 20, 1940, relating to a letter from Bishop James Cannon, Jr., urging participation in the war, which appears in the Appendix.]

BALTIMORE SUN EDITORIAL ON NATIONAL DEFENSE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial from the Baltimore Sun of May 20 on the subject of national defense, which appears in the Appendix.]

EDITORIAL FROM NEW YORK DAILY NEWS ON NATIONAL DEFENSE

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an editorial from the New York Daily News of May 20, 1940, on the subject of national defense, which appears in the Appendix.]

NATIONAL DEFENSE

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an editorial from the Washington Times-Herald of today and an article from the same newspaper, both on the subject of national defense, together with certain statistics as to the strength of the Army and expenditures for national defense, which appear in the Appendix.]

STUDY BY UNITED STATES HOUSING AUTHORITY ON HOUSING AND HEALTH

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a study released by the United States Housing Authority entitled "Better Housing, Better Health," which appears in the Appendix.]

DIPLOMATIC RELATIONS WITH THE VATICAN

[Mr. BURKE asked and obtained leave to have printed in the RECORD a letter to the editor of the New York Times written by Most Rev. James H. Ryan, bishop of Omaha, Nebr., and published in the New York Times of May 12, 1940, which appears in the Appendix.]

COST OF HOMESTEAD PROJECTS

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article published in the May issue of the Mill and Factory as to the cost of Federal construction operation of homestead projects, which appears in Appendix.]

AMERICA'S GOLD POLICY

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an editorial from the Washington Post of May 20, 1940, under the heading "Mr. Morgenthau's Doubt," an article from the Canadian Financial Outlook of May 1, 1940, entitled "$41 Gold in the Offing," and an article from the New York Times of May 19, 1940, entitled "Gold Hoard Stirs Growing Concern," which appear in the Appendix.]

MOUNTAIN JUDICIAL DISTRICT, TENNESSEE

The Senate resumed the consideration of the bill (S. 1681) to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

Mr. McNARY. Mr. President, this is the bill which proposes to create a judicial district in Tennessee?

The VICE PRESIDENT. As the Chair understands, this is the bill of the Senator from Tennessee [Mr. McKELLAR], having been reported by the Senator from West Virginia [Mr. NEELY].

Mr. McNARY. When the bill was before the Senate on Thursday I objected to the consideration of the bill then, or until another date, because of the absence of the distinguished Senator from Vermont [Mr. AUSTIN]. I have no objection to going forward with it today. He is on the floor, or he was on the floor; at least, I have notified him. I have no objection to going forward with the bill now.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

Mr. KING. Mr. President, the Senator from Kansas [Mr. REED] had some objection to the bill.

Mr. BARKLEY. Mr. President, I will say to the Senator from Utah that the Senator from Kansas made his address last Thursday in opposition to the bill, and announced that he would be away the remainder of this week. The bill went over until today awaiting the return of the Senator from Vermont [Mr. AUSTIN], who is here, and who, I understand, has no objection. We might as well go ahead.

The VICE PRESIDENT. The Chair has been advised by the Senator from Mississippi [Mr. BILBO] that he desires to address the Senate. The Chair does not know whether he desires to address it on this bill or on some other. The question is on the engrossment and third reading of the bill.

Mr. BILBO. Mr. President, I prefer to wait until we get through with this bill.

Mr. WILEY. Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin. The Chair cannot guarantee the Senator from Mississippi recognition later, but he will do the best he can.

Mr. BILBO. I will endeavor to take the floor after this bill shall have been disposed of.

Mr. WILEY obtained the floor.

Mr. STEWART. Mr. President, will the Senator from Wisconsin yield to me for just a minute.

Mr. WILEY. I yield.

Mr. STEWART. I ask the Senator to yield long enough to let me ask for the passage of the bill we were considering at the moment the Senator got the floor. I thought perhaps the Senator was about to speak on this bill, which is Senate bill 1681. If the Senator will yield long enough to enable us to have a vote on the bill, I shall appreciate it.

The VICE PRESIDENT. If the Senator from Wisconsin yields for that purpose, and if the pending bill is passed, immediately the La Follette bill will be before the Senate.

Mr. WILEY. I shall be glad to accommodate the Senator.

Mr. STEWART. I thank the Senator.

Mr. President, the Senator from Kansas [Mr. REED] requested that I put into the RECORD the letter written by the Attorney General in opposition to the pending bill. I have here copies of three letters written to the Senator from Arizona [Mr. ASHURST], which are all the letters written by the Attorney General concerning the bill so far as I know or can learn. I ask unanimous consent that all these letters be printed in the RECORD as a part of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., April 6, 1939.

Hon. HENRY F. ASHURST,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This acknowledges your request for my views concerning a bill (S. 676) to create an additional district in Tennessee.

Under existing law the State of Tennessee is divided into three districts known, respectively, as the eastern, middle, and western. The bill under consideration proposes to create a fourth district to be known as the mountain district. It is to consist of portions of the present eastern and middle districts.

Only two States—New York and Texas—are divided into as many as four judicial districts. A number of States, of which Tennessee is one, consist of three districts, while the balance comprise either two districts or a single district.

There is one district judge in each of the three districts in Tennessee. By the act of May 31, 1938, provision was made for a fourth judge to serve as district judge in both the eastern and middle districts. This action was necessitated by the heavy volume of court business in those two districts. Experience may perhaps prove that the creation of this additional judicial position is sufficient to relieve the congestion. In any event before any further steps are taken it may seem advisable to wait until some experience has been had under the act of May 31, 1938.

The creation of a fourth district would necessarily involve the appointment of an additional United States attorney and United States marshal together with their staffs. The three United States attorneys and the three United States marshals now appointed for the three districts of Tennessee are sufficient for the disposition of Government business. Insofar as private litigation is concerned, only additional judicial personnel is needed in order to keep the business current, and this has been provided by the act of May 31, 1938.

It is estimated that the creation of a new district would involve an expenditure aggregating approximately $63,000.

The Acting Director of the Bureau of the Budget informs me that the proposed legislation is not in accord with the program of the President.

With kind regards,
Sincerely,

FRANK MURPHY,
Attorney General.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., April 25, 1939.

Hon. HENRY F. ASHURST,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This refers to the bill (S. 686) to create an additional district in the State of Tennessee, and is submitted in response to your oral request for an analysis of the estimate of the cost that would be involved if the bill were enacted.

Such a statement is enclosed herewith. Obviously, it must be considered as an approximate estimate, since it is impossible for us to foresee and calculate with precision the exact amount of expenditures that might ensue.

With kind regards,
Sincerely,

FRANK MURPHY,
Attorney General.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., July 22, 1939.

Hon. HENRY F. ASHURST,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: My attention has been directed to the bill (S. 1681) to create an additional judicial district in the State of Tennessee.

Some time ago I wrote you in response to your request concerning a prior bill (S. 676) on the same subject. The present bill, however, materially differs from the earlier measure.

Under existing law, the State of Tennessee is divided into three districts, known as eastern, middle, and western. Each district has one judge. In addition, there is a fourth judge in the State who is a roving judge for the eastern and middle districts. The earlier of the two bills would have increased the judicial personnel in the State of Tennessee by, in effect, requiring the appointment of a judge for the projected district. The bill to which I am now referring (S. 1681), however, does not contemplate the appointment of an additional judge, as under the terms of the measure the present roving judge would become the resident judge of the new district.

In view of the foregoing considerations, I find no objection to the enactment of the bill.

Sincerely,

FRANK MURPHY,
Attorney General.

The VICE PRESIDENT. The question is on the engrossment and third reading of Senate bill 1681.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9109), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such

District for the fiscal year ending June 30, 1941, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CALDWELL, Mr. MAHON, Mr. O'NEAL, Mr. RABAUT, Mr. HOUSTON, Mr. STEFAN, Mr. CASE, and Mr. LAMBERTSON were appointed managers on the part of the House at the conference.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

Mr. WILEY. Mr. President, last Thursday, in commenting on the message of the President, I stated that I was about to leave for my home State, and that on my way home on the train I would have an opportunity to look over the bill which the senior Senator from Wisconsin, my colleague [Mr. LA FOLLETTE], had been debating. I have had an opportunity to examine the bill, and I desire to express to the Senate some of my own ideas, and those of nobody else, in relation to the bill.

Without attempting to go very deeply into the technical phases of this proposed legislation, I should like to present the idea that this may not be the proper time to consider the bill. This morning I received a telegram from a man who served as an officer in the United States Army during the Philippine Insurrection, a man who was the chief quartermaster on the construction job of the Panama Canal, a man who was a colonel and a brigadier general while engaged in that work, and a quartermaster in the United States Army from 1918 to 1919. He holds the Philippine Insurrection Medal, the Panama Canal Medal, and the Distinguished Service Medal. He was a prominent member of the War Resources Board during its entire span of existence. I understand that he has served on the Business Advisory Council of the United States Commerce Department, and in the present, plans to correlate defense with industry he will doubtless again play an active role. This gentleman is Brig. Gen. Robert E. Wood; and his telegram, which I received this morning, reads as follows:

> Regardless of the merits or demerits, this is no time to act upon the La Follette Civil Liberties bill (S. 1970). This bill was written and approved by the committee nearly a year ago, before the European war developed. In view of the effect it would have upon our armament program by permitting communistic activities to go unreported, it should be recommitted for further study.
>
> (Signed) ROBERT E. WOOD.

Mr. President, this man, by reason of his experience with the Army, with the War Resources Board, and in the business world, is in a strategic position to know what type of legislation might possibly have an adverse effect on the industrial structure of our defense program. I am greatly concerned with any injustice which is being done labor, and for that reason I believe that any bill designed to assist labor should have fair and thorough consideration. I should not like to see the consideration of such legislation prejudiced by the thought that it might hamstring our present urgent defense program. If this proposed legislation is going to create a feeling of hazard and uncertainty among the business and industrial leaders who will shape our defense program, this may not be a desirable time for a fair consideration of the bill.

Mr. LA FOLLETTE. Mr. President, will my colleague yield at that point?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. I think General Wood is laboring under a misapprehension or a misinterpretation of the bill, just as are some of the editorial writers whose comments I have seen in one or two newspapers. There is nothing whatever in the provisions of the bill which prevents an employer from making an investigation of the political affiliations or activities of any prospective employee, or any employee now in his employ, providing said employee or employees are notified and give their consent that such investigation is to be made. Therefore, there is no foundation for the misapprehension which some persons seem to have had from a casual reading of the bill, that it prohibits investigation of the political affiliations of prospective or present employees.

I thank the Senator for yielding, because I wanted that statement to appear in connection with Mr. Wood's telegram.

Mr. WILEY. I am very happy to yield to my colleague, and I am grateful for his reassurances, but I am not certain that his statements are entirely correct. I have read the bill, and I made notations on it. In my opinion, the bill could be clarified to a great extent, and the few suggestions which will follow will show in what respects I think it should be clarified so that these reassurances will be written into the bill. I seriously feel that to go ahead and insist on the passage of the bill at this time not only is inopportune but might prove very prejudicial to both the cause of labor and the safety of the country. I think the "fifth column" in this country is a thing to which we should really give consideration; and I think the bill as it stands would make it very difficult to interrupt "fifth-column" activities.

As to whether or not "fifth-column" activities are going on in this country, there was handed to me just before I left the office, Chester Wright's labor letter. In that letter, among other things, on page 2, he says:

> Our own estimate, based upon facts obtained through labor channels, is that the Nazi fifth column in Mexico—

Right across the border—

> is as large as our own whole Regular Army; and it is quite possible that the communistic fifth column in the United States is nearly as large as our own Regular Army.

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

Mr. WILEY. Yes.

Mr. LUNDEEN. In that connection I wish to say that I have a letter from Secretary of War Woodring, dated March 18, 1940, which I placed in the RECORD on May 15, stating that the strength of the Army is now 624,200. If there is a fifth column in Mexico of such proportion it must certainly be of considerable size, I must say.

Mr. WILEY. Of course, I have not myself personally taken a census; I am merely quoting from Chester Wright's labor letter dated May 18, 1940.

Mr. President, the measure we are considering is the outgrowth of an investigation by the Senate Civil Liberties Committee into such matters as industrial espionage, employment of armed strikebreakers, and the use of armed guards to interfere with the rights of employees to organize and engage in collective bargaining. So far as that goes, the Civil Liberties Committee has performed a great function, but the term "civil liberties" in itself embraces more than the violation of the rights of labor in that respect.

We in this country know that there are three large interests—labor, the employer, and the much needed middle class, the public, to which the remainder of us belong. The public I maintain is generally neglected in these discussions. We know also, as was suggested by someone a few days ago, that too much legislation is based merely upon one piece of the pie, the pie being divided into three pieces—labor, capital, and the public—and when legislation is framed it is framed with the idea of looking after one side especially, let us say, if sufficient pressure is brought to bear.

There is no question as to the necessity or the desirability of suppressing certain abuses at which the pending legistion is aimed, but the sweeping prohibitions which the bill imposes upon the employers' activities may go far beyond any restraint of a legitimately protective nature. Its dangerous implications are especially well illustrated by the provision banning industrial espionage. To cure a condition we must not administer a dose that will kill the patient.

The first question that comes to mind is, Does the bill preclude an employer from investigating his employees? In other words, does not the bill prohibit him from protecting

his property against sabotage? The language as it reads, at least to me, and apparently to many editorial writers, is not very clear. Does it not prohibit an employer from investigating his employees to see whether or not they are communistic? Anyone operating a plant and employing labor, especially a large plant, and particularly if the plant is owned by a group of the public, as most plants are, has an interest in knowing whether its labor is communistic, and the property owners have a right to know.

If the bill is aimed, first, at protecting the rights of labor, so to speak, so that the laborers will not be interfered with when they strike, then it is all right. If the purpose is to protect the rights of labor so that the right of collective bargaining is maintained, then I say it is satisfactory. If the real purpose of the bill is to prohibit investigations by an employer of his personnel during a period of labor dispute, or during a period of labor organization, then I would say it should be limited specifically in that direction.

Should not subdivision (1), found on page 6 of the bill, be amended so that it would provide that it "shall not apply in case of an unlawful strike, and shall not apply in a case when the employer is under obligation, due to contract, to make delivery in a specified time"?

It will be noted that in subdivision (1), found on page 6, the bill contains an absolute prohibition that an employer cannot replace—

> Any regular employee whose work ceases as a consequence of or in connection with such labor dispute if such person receives or is offered a wage, salary, or other compensation from any source (including transportation to the place of employment, board, lodgings, or other facilities) at a rate in excess of the rate received by such regular employee immediately prior to the cessation of his work.

If the employer, in such a situation, is guilty, then this provision should apply, but if the strike by labor is unlawful and found to be so, then this provision should not apply. In other words, if the employer has a contract to deliver goods at a specific time and he has violated no law under this provision, he can pay no more in the way of wages in order to fulfill his contract. Has the public on interest here? Who is looking after the fellow who needs and purchases the goods?

I am assuming in this analogy that the union laborers have walked out, have left their employment, and the employer cannot deliver the goods. If he is not at fault—in other words, if the strike on the part of labor is unlawful and is not unlawful on the part of the employer—he should not be penalized, as is provided. This provision should be amended in that way.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. There is nothing in the section which the Senator has read which would prevent an employer from employing bona fide employees to replace his workers who are on strike, provided he does not indulge in the practice which is usually followed when professional strikebreakers are employed, who, the testimony of the committee shows conclusively, are usually not bona fide workmen but often are men with criminal records, whose appearance at the scene of a labor difficulty usually leads to violence. In short, the only thing which the employer is prohibited from doing is importing labor and paying it a higher wage than is paid the employees who are out on strike.

I intend to offer an amendment to this section which will provide that an employer may even pay a higher wage to new employees provided he makes the same offer to his former employees. So that, for example, if an employer has a strike in his plant, let us assume over the question of wages, there will be nothing to prevent him from deciding that, as a matter of compromise, in order to keep his plant in operation, he will offer a higher wage; and he can offer that wage and pay it to anyone who comes to work in his plant, but he must also have offered it to those who have gone out on strike. So the Senator need not worry concerning the ability of a manufacturing plant to operate, even if there has been a strike, provided the employees are bona fide employees, who have come in and are going to operate the plant. The bill does strike at and does seek to ban the importation of professional strikebreakers, who, our testimony shows, are recruited along the so-called "grapevines" of industrial cities, often sent thousands of miles across the country, and who for the most part are people of vicious character.

Mr. WILEY. Mr. President, I can agree with a great deal the distinguished Senator has said and certainly with his condemnation of the professional strikebreaker, but there is one point which he did not discuss, namely, if a strike is lawful so far as the employer is concerned, he should not be jeopardized so that he cannot fulfill a contract he may have, and he should not be prohibited from paying even increased wages in order to get other employees in to fulfill his contract, especially if Government agencies find that he is not at fault.

Mr. LA FOLLETTE. Mr. President, will my colleague yield?

Mr. WILEY. Not at this time. So far as injecting into the debate reference to the long array of incidents that was put into the RECORD a few days ago, of course we know, as some one has said, that there is probably 5 percent of capital which does not know how to play the game under the American flag, but there was not interjected into the picture one incident showing the activities of the labor racketeer—not the legitimate labor union—or anything to show the wrongs done by groups or individual laborers. In certain instances letters which are on file in my office indicate that throughout this land men have been compelled to join unions. Is that a violation of civil liberties?

We are talking about civil liberties in this debate, and there has been shown merely on one side, a group of violations by men who employ labor, and there should be shown the way in which civil liberties of labor itself have been violated by racketeers, by men who have gone throughout this country in the guise of aiding labor, and who have jeopardized the rights of labor, and again I specifically exempt the conscientious and sincere labor leader and I might add that I believe at least 98 percent of labor and its leaders are sincere.

The point I was discussing in relation to subdivision (1), on page 6, was that that should be amended so that in a case where a Government agency finds that the owner or manufacturer is not to blame, he should be able to pay additional wages, if necessary, in order to get labor, so that he will not be penalized in his business but can fulfill his contract.

I now yield to my colleague.

Mr. LA FOLLETTE. Mr. President, the Senator has in his remarks made several references to a lawful strike. There is no provision in any existing statute on the books for a determination as to whether a strike is lawful or not. The Wagner Act, and all of the other similar legislation, specifically provides that nothing therein contained shall interfere with the right of employees to strike. So that there is no agency which can determine whether a strike is lawful or not, or which can fix the blame.

Mr. WILEY. Mr. President, I am sorry the Senator and I cannot agree. He can take time to make his speech, but I still want to say that in this respect he is again mistaken. Time and time again there have been findings under the Wagner Act to the effect that an employer is not responsible, and that the employees or laborers are responsible, and that therefore, so far as the employer is concerned, a given strike is lawful, but, so far as labor is concerned, it is an unlawful strike.

Let us put the matter this way: That this provision should be so drawn that in cases where an agency finds that the owner or operator of a factory is not responsible, he should be permitted to hire labor at an excess wage, if necessary, in order to fulfill his contracts, so that he will not be penalized under the law of the land.

Mr. LA FOLLETTE. Mr. President, will the Senator yield to me at that point?

Mr. WILEY. I yield to my colleague.

Mr. LA FOLLETTE. No decisions of the Labor Board pass upon the right to strike. If a case is brought before the Board, for example, involving discrimination, or discriminatory discharges, there are decisions on that point. But all such legislation specifically exempts the right of labor to strike.

Under the amendment which I intend to offer to this section, an employer will be permitted to pay a higher wage, providing he at the same time has offered that higher wage to his former employees who may be on strike, or who may be locked out. There will be nothing to prevent that. Therefore, I think the situation the Senator is discussing will be amply cared for. But at the same time we desire, and it is the intent of the legislation, to prevent the employment and importation of professional strikebreakers, who in 9 cases out of 10 turn out to be trouble makers.

Mr. WILEY. Mr. President, I realize that if the amendment is offered it will be a step in the right direction, but it does not go far enough. The purpose of the amendment I suggested is to provide that if and when, I repeat, the position taken by the employer of labor in connection with a strike is not wrong and is found to be not wrong, he should not be prohibited in this land from hiring other workmen and paying them an additional wage, if necessary.

Mr. President, I hold no brief for the professional strikebreaker. All my life I have been a workingman. I know what it is to work in sawmills; I know what it is to work in planing mills and in lumber yards, and to work at painting houses. But at the same time I know that our country was built, not simply by one segment of our society, but was built by men of vision, energy, and foresight, and men who contributed their physical labor. They joined together and built the state.

Mr. President, the present is no time to think about hamstringing defense. In the last few years we have had enough of hamstringing of initiative, vision, and energy.

I repeat, the suggestion I have made is simply that the purpose of the measure is to protect certain rights of the employees. The purpose is not to damage the employer, I hope, and if an unlawful strike takes place, one for which the employer is not responsible, he ought not to be limited in his rights. Especially is this true when he is under contract to deliver goods at a specified time.

In relation to paragraph 2 on page 6 of the bill, this question might be raised: A man should not be prohibited from employing another, under the circumstances referred to, if there is a bona fide intention to transfer the location of the plant. There should be no prohibition of the employment of another employee if after such bona fide intention the intention is changed, provided the employer can show in addition that even though he made the statement with respect to his intention to change the location of his plant during a labor dispute, the statement at the time he made it was true, and that he did not make it for the purpose of discouraging labor organizations.

That refers to paragraph 2 on page 6 of the bill.

The next serious question that came to me as I was reading the bill is this: Does the bill as now proposed apply to any company which has a defense-materials contract with the United States Government? I will ask the Senator what his reaction is to that?

Mr. LA FOLLETTE. Mr. President, it most certainly does. It applies to any contractor or any producer who is producing for commerce, or whose production affects commerce, and the second title to the bill provides that all Government contracts made in the future shall contain stipulations that those who are the beneficiaries of Government business shall not engage in these vicious oppressive labor practices.

Mr. WILEY. Mr. President, if the bill applies to any company which has with the United States Government a contract, by the terms of which the employer is manufacturing something which is used or is to be used in the defense of the United States Government, then we have such a situation as various newspaper writers and columnists have mentioned. If the measure covers such employers then I say it is advisable that they should be excluded from being subject to the measure. Any employer who is manufacturing any material for the defense of the United States Government should be compelled carefully to scrutinize every individual who works in his plant, so as to prevent any possibility of impeding work among employees, the destruction of machines, or the giving of information outside the plant to anyone who might carry such information to agents of other countries, who may be part of the great international sabotaging column which is in evidence everywhere.

Mr. LA FOLLETTE. Mr. President, will the Senator again yield?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. I wish to repeat that there is nothing in the bill which will prevent an employer from making as a condition precedent to employment that all those receiving employment shall have their political affiliations and activities disclosed. There is nothing to prevent an employer from investigating every employee in his plant as to his political affiliations and activities, providing the employee is notified and gives his consent. If the employee refuses his consent, either the present employee or prospective employee, the employer may refuse a prospective employee a job or he may discharge one in his employ without any penalty.

The only thing which the bill seeks to do is to prevent the employer from employing detective agencies to investigate persons without their knowledge. The testimony given before the committee showed that the reports of detective agencies on such matters are utterly worthless and unreliable. In the second place there is the further protection, that the Federal Bureau of Investigation has ample power and authority to make the investigations of the character described by my colleague. And at a more appropriate time, without trespassing upon the time of my colleague, I shall quote from the testimony of Mr. Hoover himself, who says that such investigations should be made by a responsible governmental agency rather than by irresponsible private investigating agencies.

Mr. WILEY. Mr. President, again I do not disagree with my colleague except in certain particulars. I am talking about an industry owned by a group of Americans. I am talking about a group of men going in and working in that factory. The Senator says the thing to do is to have a governmental agency under Mr. Hoover determine whether or not those men are qualified. I say that the bill should be amended on page 11, after the word "action", in line 2, by inserting:

> Nothing herein shall be interpreted to prohibit any employer from doing the following: (1) Employing another for the purpose of ascertaining whether (a) any of his employees are competent—

If his employees are incompetent, then under the laws of most States if an accident happens the employees are responsible. Certainly such an amendment should go in the bill.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. I shall yield in a moment. Let me finish my sentence—

> (b) If any of his employees are spies of a foreign government or Communists.

Why do I make that suggestion? I do so under the doctrine that if I employ someone in my home or in my business I have a right to know whether my employee has faith in the things that my business stands for. My business stands for American principles, American ideals. I want to know whether the employee believes in the ideals of Hitler or Stalin. If he does, and if I do not know it, then if he desires to do so he can go right in my plant and innoculate other employees with those ideals and doctrines to the injury of my business.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. In a moment please. If I represent a thousand stockholders in the United States, and I operate a factory, I ought to know whether any of my employees are members of subversive groups, and I ought to be patriotic enough not to employ a person who is a member of one of these subversive groups.

I am eager to wipe out subversive agencies. There should be no stigma attached to such an investigation as that under discussion. I would be willing, I hope, to take even my own son, and put him in a position where he could find out whether a spy representing a foreign government is working in our factories.

Mr. President, a few years ago we thought the danger of such things was not great; but now we know that whole countries are taken over by the use of spies, among other means. We know that the business of spies is not only to know about the social, political, economic, and religious situation in a country, but to know everything else about it, so that if and when opportunity presents they will be the arm which paralyzes.

Mr. President, let us say I have a business. I represent a group of persons who own that business with me. Should I not have the right to have someone find out whether A, B, and C are competent, and that among them are no employees who would not throw a monkey wrench into the business? Should I not have the right to ascertain whether an individual of whom I am suspicious is the spy of another government, or whether the work done by an individual does not measure up to American standards, but is in fact inferior?

Let me call the attention of the Senate to this situation, because someone may say of the employer, "Oh, he is the representative of capital."

We disposed of such talk in the last election in Wisconsin. For the first time in a generation we had capital and labor pulling together. We showed them that the way to build a State is for capital and labor to pull together. They are in the same boat, pulling up the same stream.

There have even been instances in which men in competition in the same kind of business have turned a labor group into saboteurs whose business it was to make inferior goods or to put a monkey wrench in the machinery and damage the output of a competitor.

As I understand the provisions of the pending bill, if I were the owner of a business, I should not be permitted to send anyone out to investigate such things until after they had happened, because I should be accused of interfering with the rights of labor; and, the presumption would be that I was interfering with the rights of labor, saying, and so forth.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. Mr. President, the bill has been very carefully analyzed. I speak with assurance when I say that there is absolutely nothing in the bill to prevent the type of investigation about which the Senator is talking. He may employ his son as an investigator, or he may spend the income of the company to employ all the detective agencies in the United States, or anybody else, to investigate theft, to investigate sabotage, or to investigate the competency of his employees. There is absolutely nothing in the bill to prevent such investigations.

Senators may disagree about the provisions of the bill, or about its policy. I certainly accord to them that right, just as I claim for myself the right to be for the bill. However, Mr. President, in considering the bill I do not think we ought to consider issues for which there is no foundation in the bill.

Mr. WILEY. Mr. President, if the thing is so clear, then there should be no objection to recommitting the bill for an unhurried consideration which will be fairer to labor. The bill was drawn a year ago, before any of these questions had arisen. The bill was hurried to the floor. We were notified a day in advance that it was coming.

We are now talking about a larger issue. We are talking about America and things which are designed to paralyze the industry of America. Certainly all the columnists and lawyers who read the English language cannot be mistaken about the possible implications of the bill. As defined in the bill, industrial espionage means:

> Reporting, securing, and reporting, or attempting to secure and report to an employer, directly or indirectly—
>
> (1) information with respect to plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization—

Transmission of data with respect to the political and economic views or activities of employees or prospective employees is likewise forbidden as a form of industrial espionage.

Mr. President, I have quoted language from one of the great newspapers of the country——

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. Will the Senator quote the rest of the paragraph?

Mr. WILEY. I am simply reading from something I have before me. I cannot readily turn to it. I shall be very happy to have the Senator read it.

Mr. LA FOLLETTE. I quote:

> (2) Information with respect to the political or economic views or activities of any of his employees or prospective employees, or of any organizer, officer, or member of a labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization, without the express consent of such employees or prospective employees, or of such organizer, officer, or member of a labor organization, as the case may be.

That is the whole point.

Mr. WILEY. Mr. President, under cover of such comprehensive immunity from employer investigation, gangsters and racketeers would find it much easier to insinuate themselves into unions and force employers to deal with such unions as protected secret organizations. Moreover, if employers were liable to heavy fines and imprisonment for scrutinizing the affiliations of prospective employees agents of foreign governments would find it much easier to enter into our munition plants; and troublemarkers, preaching the doctrine of destruction, would have much better opportunity for putting their theories into practice.

I cannot believe that at this time the Senate, in carrying out our national defense program in this critical period, will weaken any of the safeguards against sabotage.

In speaking of the present bill, I wish to make it very clear—and I think I am expressing the opinion and conviction of all Senators and all right-thinking people, including practically all the employers in the United States—that no one justifies the violent methods used by certain employers in the instances cited by my colleague, in which labor spies were utilized, and strikebreakers were brought into action through strikebreaking agencies which make a business of violence. So we can wipe that issue off the slate. In America we have no place for that sort of thing under our system. As I stated before, it is admitted that only a small percentage of employers use such tactics.

Fortunately, my State is a well-balanced State. Fortunately, I know labor; and I know that no one who knows me will say that I am preaching against the interests of labor in my talk here today. I am talking about a tendency which is too frequent. Ever since I have been in the Senate, for a year and a half, I have noted the tendency to take one side of a question and forget the interests of those on the other side. Perhaps that is the reason why we spent $7,000,000,000 in 7 years and now find ourselves unprepared. Perhaps that is the reason why there has been so much unconscious sabotage of our great American values.

Mr. President, everyone recognizes the right of labor to collective bargaining. Everyone recognizes that oppressive methods have been used by certain employers. As I stated, most thinking people are against such methods and tactics. On the other hand, to place the whole picture before us, let us

recognize that because of the human inequality in all of us, portions of labor itself time and time again have been incited into being unfair and have used unjustified violence in their strikes. If anyone wants any proof of that statement, all he has to do is to consult the records of this country. However, in reaching that conclusion we may say of labor, just as we may say of the employers, that the large percentage of labor and the large percentage of employers were not to blame for such untoward happenings. Most employers and most employees are fair, and want to be fair.

Lest I forget, I want to say to the country that in my brief experience in the Senate I find that interest groups, groups which put pressure back of what they want, usually obtain the legislation they seek. Two such groups are labor and capital. As I stated in the beginning, there is a third group, which I feel has been too much neglected. I refer to the general public.

Years ago a great railroad man in New York said, "The public be damned!" The public has been forgotten by legislatures, because there has been no one to represent the public. In these troublous times, when legislation like this comes up, it is well for someone to look at the legislation from the viewpoint of the public interest.

Mr. President, as I stated, I have been a laborer all my life. I am sympathetic toward labor. I am also sympathetic toward those who in past years have been called men of capital, men who have tried to use capital to build the country, and who have been sabotaged at every turn of the road. They create jobs. The country needs men who create jobs and who meet pay rolls. Especially in these times, when the Nation itself needs all the energy, vitality, and vision it possesses, the men who employ labor are entitled to every consideration at the hands of Congress.

In my campaign in Wisconsin I believe I was elected because I, with others, convinced both labor and capital that there was no need for them to pull apart, and that they should pull together. False doctrines were preached only in the interest of those who would tear them apart. I reiterate what I then said: We are all Americans. We have a job to do in building and protecting America.

Mr. President, I am not questioning the intention of the sponsors of the bill. I am agreeing with the expressed purpose of the bill. I have no sympathy with the use of labor spies, strikebreakers, strikebreaking agencies, or oppressive armed guards. I am simply analyzing the bill from the viewpoint of labor, the employer, and the public. From those viewpoints I feel that the changes I have suggested should be made in the bill before it becomes law.

During my experience as a laborer I have seen laboring men settle their own strikes. I call to mind an instance in which a concern was going on the rocks. I saw a great labor union voluntarily come forth and take a cut in wages in order that the business might carry on. That was cooperation. I have also seen instances of racketeers coming in from outside, stirring up prejudice, hatred, and venom, and ruining an industry, forcing it to leave the city and the State. Such racketeering does not build a Nation; it does not build a State. It takes taxes away, it takes jobs away, it takes values away. Labor, Mr. President, does not want an unfair bill; neither does the employer; and I am sure that the public that pays the cost does not want an unfair bill. Therefore we should proceed to analyze the pending proposal with the idea if it has faults, of correcting those faults which may be made apparent, and if it is lily pure and does what it seeks to do without injuring labor, capital, or the public, then, no one can have much about which to complain. I am sure my colleagues can have no objection to this constructive approach.

Mr. President, on page 6 of the bill, paragraph 2, has to do with information with respect to the political or economic views or activities of any employees or prospective employees. My point is that the antisocial political views may be important for the employer to know, but they have nothing to do with the organization of labor unions or collective bargaining, and may also be a matter of interest to the United States Government; indeed, they are now a matter of interest. At any rate, the political views and other activities of labor, other than activities for the purpose of organizing a union to further the power of collective bargaining, should not be excluded from investigation according to the terms of this measure.

My own views, as I have said, with respect to the matter is that I see the possibility of an organization being formed among Communist employees for ulterior and un-American purposes and not for the purpose of organizing a union to promote collective bargaining. In that sphere the employer should not be limited in his activities. No honest American laborer will quarrel with this statement.

On page 12, paragraph 3, under section 5 (a), the intent should be clarified and carefully explained.

I think it means that if during a strike goods are manufactured they cannot be shipped in commerce, and if they are shipped in commerce such shipment is a violation of the proposed act.

My point is that supposing there is a strike that is lawful and the strike is settled to the satisfaction of all parties, does that provision mean that even though goods were manufactured during the strike they could not be shipped in interstate commerce, or does it mean that if they are shipped the employer would have to get the consent of the employees who struck? Further, if the strike should be an unlawful strike, would this proposed act prohibit the employer from shipping in interstate commerce any goods manufactured during an unlawful strike? Does the language of paragraph (b), section 5, starting with line 20 on page 13, mean that the shoe is put on the other foot? In other words, the usual practice followed by all the courts of the United States is that a person is innocent until proved guilty, but under this proposed legislation a man is guilty until proved innocent. This provision I feel should be changed.

Mr. President, I am concerned with the great civil rights of labor, of capital, and the public. I believe if this bill becomes law and is not changed in accordance with the suggestions I have made, it will damage the cause of labor.

I conclude as I began with the thought that consideration of this proposed legislation in its present shape is untimely.

Mr. BILBO obtained the floor.

Mr. LA FOLLETTE. Mr. President, will the Senator from Mississippi yield to me for a brief statement?

Mr. BILBO. I am glad to yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I thank the Senator from Mississippi.

Mr. President, I wish to reiterate what I said during the course of the statement of the junior Senator from Wisconsin [Mr. WILEY]. First, there is nothing in this bill to prevent an employer from making an investigation of the political or economic beliefs or activities of a prospective employee or employees, and there is nothing to prevent an employer from making the same type of investigation with regard to his present employees, provided only that the employee knows that such an investigation is to be made and gives his consent.

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

Mr. LA FOLLETTE. I will yield in a moment; let me finish the sentence. But if the employee refuses to give his consent, there is nothing in the bill to prevent the employer either from refusing to employ a prospective employee or from discharging a present employee. So there is absolutely no foundation for the Senator's apprehension that the enactment of the bill would constitute a screen to permit Communists or Fascists or anyone else to secure employment in American industrial plants manufacturing goods for interstate commerce or affecting interstate commerce. Now I yield.

Mr. WILEY. Mr. President, do I understand the distinguished Senator to say that before any employer in this country could investigate his employees to ascertain whether they were competent——

Mr. LA FOLLETTE. No; the Senator did not understand me to say anything about competency.

Mr. WILEY. Or whether they were Communists, he would have to get the consent of the employee to the investigation.

Mr. LA FOLLETTE. I did not say anything in regard to the employee's competency. However, if the employer wants to make an investigation of his employee's political or economic beliefs or activities, he has to get the consent of the employee, but if the employee declines to give his consent to such an investigation or to give the information, he may be discharged.

The purpose of that, Mr. President, is to prevent men and women who are seeking to exercise their rights guaranteed under the labor policy and the labor statutes of this Nation from being preyed upon without their knowledge, by irresponsible agents of detective agencies, and by company police. The records of the committee, 51 volumes of them, are replete with testimony, not only from the victims of such activities, but from those who carried on the activities themselves, and from the employers who engaged those who carried them on, that the reports submitted by such agents are "manufactured"; that they rely upon imagination whenever they have not any facts, and that employees have been discharged because it was reported they believed that labor has the right to organize.

Mr. President, the Senator talked long and loud about his firm adherence to the sound principles of American doctrines. I say that there is nothing more un-American than for an honest, upstanding employee of a corporation to be discharged from his employment because some detective agency has made a report which may be absolutely false, and the employee never know anything about it. Certainly it is a fundamental concept of American justice and fair play that an individual should have the right to know of what he is accused, and to face his accuser.

This detective business runs into the millions of dollars, and I say, Mr. President, that there is nothing more un-American in this country than the activities of these reprehensible industrial espionage agencies.

Mr. MALONEY. Mr. President, I should like to ask the Senator from Wisconsin a question if I may.

Mr. LA FOLLETTE. I will be happy to answer if I can, but I must not trespass very long on the time of the Senator from Mississippi.

Mr. MALONEY. I wish to preface my inquiry by the statement that I am familiar with the excellent work of the Senator's committee and by saying that I am completely in sympathy with what I think the Senator is trying to accomplish. I should like to put a hypothetical question to him, because I am slightly disturbed by the question which seems to have been raised by the Senator's colleague. The hypothetical question is this: An employee of a munitions plant, let us say, is under suspicion of being a representative of a foreign government; I should like to have the Senator tell me, if he will, what the employer might do under those circumstances. I realize that is not a very clear question, but I think the Senator knows what I mean.

Mr. LA FOLLETTE. I understand what the Senator means, and I will answer the question very briefly. Then I am done until I can get the floor in my own right, because I do not desire to trespass further on the time of the Senator from Mississippi.

First of all, the employer can go to the employee, if he so desires, and notify him that he intends to investigate him and ask for his consent. If the employee declines to give his consent, the employer can discharge him forthwith.

The second thing the employer can do is to take up the matter with the Federal Bureau of Investigation, which I think should be done in a case where there is any suspicion that an employee under such circumstances is in touch with a foreign government, because if such matters were turned over to detective agencies they would bungle the job nine times out of ten, as the records of the committee show.

Mr. MALONEY. I should like to ask the Senator one more brief question. Then, as I understand, under this proposed law the employer would have a right to turn the matter over to the Federal Bureau of Investigation for such investigation as the Federal Bureau may desire to make without consulting the employee involved?

Mr. LA FOLLETTE. There is no question about that. Mr. Hoover, who has had experience in these matters, stated in his testimony before the House committee that such an investigation should be made by the Federal Bureau of Investigation rather than by private agencies of private individuals.

Mr. MALONEY. I agree with that statement of Mr. Hoover.

NATIONAL DEFENSE

Mr. VANDENBERG. Mr. President, I desire to make reference to a vital phase of the national-defense program which should have attention while the appropriation bills are still in committee, bills which are intended to implement the President's program. I submit that it takes more than appropriations to make a national defense, as we have learned to our sorrow in recent years. It requires an effectual expenditure of the appropriations, and I frankly doubt whether we are geared to such procedure in any adequate degree.

Our defense problem today is chiefly a problem in industrial mass production. The answer to the President's message, therefore, is not to be found in the War College. It is to be found in civil production managers who have mastered the new mass-production technique.

It is no reflection on the Army and Navy, trained in a totally different field of action, to question their competence to handle these procurement necessities on the tremendous scale proposed. It is a profession apart and by itself. It has nothing to do with a soldier's or a sailor's training or experience.

I believe the statement is justified that every belligerent in the present war has set up a separate civilian administration to manage mass procurement. I fear that we shall fail of our objective, as we certainly have failed heretofore at least in part, if we continue existing methods and procedure. They are as outmoded as the ancient arts of war themselves.

I respectfully suggest, therefore, that the same law which authorizes these vast new defense appropriations, chiefly for mechanized defense, should also require the establishment of a Civilian Munitions Administration, which shall be put in charge of the ablest available mass-production manager in the United States, to control and manage this portion of this great and essential adventure.

It might take a few more days now to perfect this phase of the legislation, but, in my view, it would save many, many costly and perhaps heartbreaking days at the subsequent moment when we may want and need the defenses which we contemplate. In other words, this may well be another of those instances in which too much haste makes waste. There is no need for pell-mell hysteria about this thing. We are not at war, and I do not believe we are going to war. Our need is to proceed as swiftly as possible to fill up the gaps in national defense by methods which assure us that we shall get what we want and what we expect.

Now, Mr. President, I strongly suspect that there are official documents in existence which prove my point and show precisely what should be done to put us on safe ground in this renewed pursuit of an adequate national defense.

I think the views which I have briefly presented are probably already covered in a document which seems to be locked up in the White House safe. The President appointed a War Resources Board last fall. It was composed of Edward R. Stettinius, Jr., president of the United States Steel Corporation; Dr. Carl T. Compton, president of the Massachusetts Institute of Technology; Walter T. Gifford, president of the American Telephone & Telegraph Co.; John Lee Pratt, director of the General Motors Corporation; Gen. Robert E. Wood, chairman of Sears, Roebuck & Co.; Harold D. Moulton, president of the Brookings Institution; and John M. Hancock, president of the investment banking firm of Lehman Bros.

Certainly there could not be a more efficient or more formidable personnel upon a committee of this nature. This

was the President's so-called War Resources Board. He chose it. It was his instrument.

This Board reported in preliminary form on October 18 and in final form on November 3. But from that day to this, the report has never seen the light of day, although it deals fundamentally, and through the eyes and ears of those whom the President himself chose for this purpose, with the very problems with which we are now confronted in the Presidential message and obviously by the condition of the contemporary world. It has remained a complete and imponderable secret.

I submit that we as a Congress who now must face the responsibility presented to us by the President last Thursday are entitled to all the information which the President has so that we may be equally equipped to meet our share of this obligation. I submit that this report should be produced.

I wish to read from the New York Times of last Saturday just a few paragraphs about the situation, the rather amazing situation, which we confront in connection with this suppressed report.

With the status of national defense of the United States assuming mounting importance, industrial and financial leaders yesterday raised the question as to what had become of the report of the War Resources Board, submitted to the President in preliminary form on October 18 and in final form on November 3.

Time is of the essence with respect to industrial preparedness, it was said in these circles. Financing of the necessary armaments program has relatively little importance, it was explained, in contrast to the urgent problem of liberating industry from trammeling conditions and adjusting "bottle necks" which might seriously delay or wreck efforts to change industry to a wartime basis.

Now, listen—

The War Resources Board report—

The Board chosen by the President and assigned by him to this task last fall—

The War Resources Board report is believed to deal with this aspect of preparedness. It has not only been withheld from the public at large, it was asserted, but no committee of Congress and no Member of Congress has been able to obtain a copy or a digest of the report since its submission to President Roosevelt.

A leading public figure went to great lengths early this week in vain efforts to obtain the release of the Board's report. Each member of the Board gave an identical answer to the request. It also was urged that members of the Board give at least a verbal description of the report at a conference with certain congressional leaders. This plea also failed.

Mr. President, there are some other sections of this article which have a partisan political import. Therefore I do not read them, because that is the last thing on earth which interests me in connection with the situation I present to the Senate at the moment. I drop down to these final paragraphs:

If industrial mobilization is to proceed smoothly, it is pointed out, it must be in the hands of men who are fully acquainted with the problem, which is the speeding-up of production and the rapid adaptation of industry to the sudden changes in the requirements of the country's armed forces, which are to be expected in any war with a major world power.

Which is precisely what I said in introducing these brief observations.

In its broad outline, the War Resources Board report—

The report, which is locked up in the White House safe—

In its broad outline, the War Resources Board report is believed to consist of a blueprint on how to accomplish the efficient mobilization of industrial effort, and not what to make and in what quantities. Particular stress is said to have been laid on the matter of personnel.

Hence, there is a strong feeling in industrial circles that the country has a right to know what the report of the War Resources Board consists of, and that if there is any doubt, on the ground that its publication might be useful to a possible enemy power, appropriate committees of Congress should be permitted a review.

Mr. President, I completely concur in those observations which I have read from the New York Times. If there is anything incompatible with the public interest in the general publication of the War Resources Committee's report, then by all means let the communication be in executive session for the benefit of the Members of the House and Senate who face the responsibility of making these decisions. But if there is an important document bearing fundamentally upon the problem which we now confront, an important document which was prepared by a committee of the President's own choosing, which is held in such complete secrecy in the White House and the War Department and the Navy Department that none of us can even have a peek at it, the situation is utterly mystifying to me. I submit that there should be no airtight compartments of information upon a problem of this terrifically important magnitude.

The course that would naturally occur to one under the circumstances would be to present a Senate resolution asking for the submission of this report. I do not proceed to that length.

I have no disposition to be in any sense truculent about this matter. I am simply submitting as a matter of right and fair play and good faith, in behalf of a decent and responsible cooperation between the Executive and the Congress, that this report of the President's War Resources Committee be made available to the Congress of the United States before we are asked to act finally upon the President's national-defense recommendations. We must be strong, Mr. President. But we also must be wise. We must be liberal. But we must be prudent. We must act quickly. But we must not sacrifice sense to speed. It is not enough to make appropriations. We must make them count.

CONSTRUCTION OF WAR VESSELS IN GOVERNMENT NAVY YARDS

Mr. BONE. Mr. President, as a part of my remarks I am going to ask that there be inserted in the RECORD a copy of a memorandum recently posted on the bulletin board of the Puget Sound Navy Yard at Bremerton, Wash., which was prepared by Rear Admiral E. B. Fenner, commandant of that navy yard. It is a statement to the employees of the navy yard in the nature of a commendation of their work on the U. S. S. *Wilson*, one of the new destroyers just finished, and whose trials have been completed with entire success.

Admiral Fenner points out that the Board of Inspection and Survey commented most favorably on the high quality of the yard's workmanship, and that it now appears certain from the records of cost today that the cost of building the *Wilson* will be less than the cost of any of the navy-yard built destroyers of her group.

This bulletin, Mr. President, impels me to call attention to the fact that a few years ago the Bremerton yard built one of our large-size cruisers. When that ship was finished her over-all cost was about 40-percent less than the over-all cost of a similar boat built in a big eastern private yard to which a contract for the building had been awarded. That record of achievement and economy partly impelled me 5 years ago or more to rise in this body and suggest that our navy yards be enlarged so that they could take upon themselves the task of executing all of the work then contemplated by the Vinson-Trammell Act of 1934, which called for and authorized a great naval expansion. At that time, or somewhat subsequent thereto, I introduced a bill covering that matter.

As a result of the findings of the Munitions Committee of this body, and of inquiries submitted to the Navy Department, we were satisfied—and I have seen nothing that led us to an opposite conclusion—that for a sum of $27,000,000 the navy-yard facilities of the Government could have been expanded to handle that entire program. That sum would have provided welding and cutting equipment, cranes, new buildings, and changes in the old buildings, as well as docks, slips, and other facilities for building rapidly and launching speedily all the war vessels contemplated by the Vinson-Trammell Act. Mr. President, had we followed the suggestion which I made bold to offer at that time we would not now be confronted with the question of how we are going immediately to provide facilities for building some of the warships which we are assured we need quickly.

I have always believed, and I believe now, that national defense is, and should be, a national function, and not to be committed to the tender mercies of private individuals who, for some reason, obscure or otherwise, made such a wretched showing in preparing us for national defense in the critical period of the World War.

If there be any man living who can forget the Hog Island swindles, and the building of wretchedly poor ships which were not equipped to go out on the high seas, he has a remarkable sort of memory. Who can forget the billions of dollars poured into airplane construction, and the making of the artillery which did not put in an appearance in time to find placement on the battle lines in France? I do not want that sort of thing to overwhelm my country again.

Mr. President, I tried several years ago to get some consideration for a bill which called for the production forthwith of jigs, dies, and fixtures, so that the Government could have a great stored reserve of those most vital accessories which could be put, if need be, into a private plant, which could make gun barrels and all the other necessary equipment for immediate arming of a large number of men. But because objection was raised that it extended Government activities, and might interfere with the employment of private manufacturers, nothing was done with it, and nothing has been done since.

I am not going to indict the good faith of any human being. I merely point out that I sincerely tried to secure a better state of preparedness.

We cannot examine this whole picture of war cost without being appalled by it. The last battleship we built cost somewhere around $800 a ton deadweight. I use that figure because it is a more understandable figure to the lay mind. Today estimates of the cost of a battleship run around $2,000 a ton deadweight.

I have made an effort, and I know my friends on the Munitions Committee made an effort to secure from private concerns a break-down of figures indicating what created this ghastly gap between those costs and present-day costs.

What difference is there in the price of steel or labor between now and 1923 or 1926 which makes a battleship cost three times what it then did? When I came to this body destroyers of a certain type were being offered to the Government on bids around $3,000,000. Today destroyers of the same type bring bids around $9,000,000. To be sure, there are many changes in construction. There is heavier construction in turrets; there is better protection; and there is better fire control. But certainly that enormous difference in cost cannot be attributed solely to the introduction into these types of vessels of better fire control and technical equipment.

We shall know all too well that we are going through a course of preparation for war when the bills come in. Not long ago the Maritime Commission summarily rejected a number of bids on ships, and stated to the whole country that it was outraged by the bid prices tendered. If we had been in deadly earnest about this business of demanding and securing prices which reflect no more than a reasonable profit we could have secured a reasonable price for the American people, who have to pay the bills. Had we then and if we even now served notice that excessive prices would induce us to build our Navy in our own expanded yards we should witness a tumbling of prices which ought at least to please the taxpayers, if no one else. If the taxpayers of America—and I use the term in its collective sense—make no protest they will face the unpleasant consequences in their tax bills. We had to learn a bitter lesson of prodigal expenditure in the World War. The dictates of common prudence call for realistic thinking now about war costs.

I want to see my Government get 100 cents of national defense for every dollar we pay out in that sacred cause. That proposal seems wholly reasonable. I want to see my country adequately prepared, and to that end I have voted for every appropriation for that purpose; but I admit that with a great deal of fear in my heart I contemplate these enormous increases in prices, which in my judgment find no justification either in the cost of raw materials or in labor costs.

I recall asking some of the representatives of private concerns, when the Senate Munitions Committee members were examining them, for a break-down of figures on labor costs. To this day I have never seen it. I doubt if it was ever supplied to any member of the committee. Certainly labor is not receiving three times what it received in 1923. Steel does not cost three times as much. Then what is the answer? I cannot give it, and I have never had my attention called to any serious study of this vital subject.

At this moment, when we are confronted with the dire necessity of meeting exigent conditions, we still flounder in a morass of ignorance on costs—proper and legitimate costs. No one seems to know where the real truth resides in the matter of costs. That is why I wanted our own Navy yards, the very heart of national defense, to be adequately equipped to handle the naval building load in such an emergency. Had the Congress of the United States seen fit to follow my suggestion of 5 years ago, we should now have facilities to lay down the keel of our battleships and cruisers on 5 minutes' notice.

I call to the attention of my brethren one final consideration in this whole picture. I think the taxpayers and the people of the United States are entitled to know it. It is not denied. It is one of the things which are not even casually mentioned in some quarters. Under our naval program, every time a private shipbuilding yard expands its facilities to build a ship for the Navy Department, all the cost of that expansion is charged up against the United States as part of the building cost of the ship. We pay for it. It should be ours. When the emergency passes—and I hope it will soon pass—that cost should be reflected in the possession of valuable and vital naval property by this Government to be used in its program of national defense.

If we are to pay the cost of expansion of private yards to handle a program of national defense, it would be much better for the expanded facilities, for which our people paid, to be the property of those people.

We may well object to building a private yard and paying fully for it, and then not realizing the full benefit for taxpayers. The taxpayers are paying for it, Mr. President, and not the private company. All the cost of expansion goes into the cost of the ships and is reflected therein. So we gain nothing and lose much—for the taxpayers. Eighteen million dollars will be spent in the future, under the pending naval bill, for expansion of navy-yard facilities. It is a right step, but it comes very late.

Mr. President, I send to the desk the yard memorandum by Admiral Fenner and ask that it be printed in the RECORD as a part of my remarks.

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

MEMORANDUM

COMMANDANT'S OFFICE,
PUGET SOUND NAVY YARD,
Bremerton, Wash., March 26, 1940.

Subject: Commendation regarding work on the U. S. S. *Wilson*.

1. Incident to the completion of inspection and trials of the U. S. S. *Wilson* by the Board of Inspection and Survey, I have noted with considerable satisfaction that the trials were entirely successful, and that the Board of Inspection and Survey commented most favorably on the high quality of the yard's workmanship. Not only was the *Wilson* the first of the navy-yard group of destroyers to be completed and join the fleet, but it now appears certain from the records of cost to date that the cost of building the *Wilson* will be less than for any of the navy-yard-built destroyers of her group. It is also noted that the *Wilson* is the fifth destroyer in succession built by the Puget Sound Navy Yard at a lower cost than other navy yards building sister destroyers. It is most gratifying that this yard's splendid record of low cost has been achieved while maintaining its high standard of workmanship as demonstrated by highly successful tests and trials after completion of the vessels.

2. I desire to extend my commendation to all concerned in this splendid record in the building of the *Wilson*. I feel sure that every officer and civilian employee at this yard feels the same gratification that I do in being able to say with regard to the building of this vessel—well done.

E. B. FENNER,
Rear Admiral, United States Navy, Commandant.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on agreeing to the first amendment of the committee, which will be stated.

The first amendment of the Committee on Education and Labor was, under the heading "Title I", on page 2, line 8, after the word "commerce" and the semicolon, to insert "and", and in line 10, after the word "contract", to strike out the semicolon and "and (7) interferes with and obstructs the effective exercise by the several States of their respective police powers", so as to make the section read:

SECTION 1. (a) The Congress hereby finds that the utilization of labor spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions, (1) violates the right of employees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; (2) causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; (3) leads to labor disputes burdening and obstructing commerce and the free flow of commerce; (4) obstructs the settlement of labor disputes through negotiation and the orderly procedure of collective bargaining, thereby tending to prolong interruption of the free flow of commerce; (5) burdens and obstructs commerce and the free flow of commerce; and (6) interferes with the United States and its agencies in obtaining goods and services pursuant to contract.

(b) The Congress further finds that the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers engaged in the activities above referred to, or for the transportation or furnishing of supplies and services for engaging in such activities, tends to spread and perpetuate such activities and the evils resulting therefrom.

(c) It is hereby declared to be the policy of the United States to eliminate the activities referred to in subsection (a) when such activities affect commerce or are engaged in by employers who are engaged in commerce, in the production of goods for commerce, or in furnishing goods or services to the United States and its agencies pursuant to contract, and to prohibit the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers who engage in such activities, and for the transportation or furnishing of supplies and services for engaging in such activities.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The next amendment was, under the subhead "Definitions", on page 5, line 17, after the word "espionage", to insert a comma and "or in preparing or transmitting the report of a labor spy"; and on page 7, line 4, after the word "spy", to insert a comma and "or in preparing or transmitting the report of a labor spy", so as to make the section read:

SEC. 2. Whenever used in this act—

(a) The term "person" includes one or more individuals, partnerships, corporations, associations, business trusts, receivers, trustees, or legal representatives, but shall not include any State or political subdivision thereof.

(b) The term "State" means any State of the United States, the District of Columbia, Puerto Rico, Hawaii, or Alaska.

(c) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States, or between any State and any place outside thereof, or between points within the same State but through any place outside thereof, or within the District of Columbia.

(d) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(e) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, in relation to an employee, but shall not include the United States or any State or political subdivision thereof, or any labor organization, or anyone acting in the capacity of officer or agent of such labor organization.

(f) The term "employee" includes any individual employed by an employer and any individual whose work has ceased as a consequence of or in connection with any labor dispute or has been terminated in contravention of any State or Federal law.

(g) The term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(h) The terms "engage in", "employ", and "utilize" include to suffer or permit to be used.

(i) The term "industrial munitions" means any bomb, grenade, canister, or shell, designed to be projected or capable of being projected by explosive or mechanical force, by hand, or otherwise, and containing, or capable of emitting, any tear gas, sickening gas, or nauseating gas; any shotgun having a barrel of less than 25 inches in length; or any weapon which shoots or is designed to shoot, automatically or semiautomatically, more than one shot without manual reloading, by a single function of the trigger.

(j) The term "to furnish" includes to sell, lease, rent, lend, or give, and to supply funds for the acquisition of.

(k) The terms "sale" or "sell" each include any sale, exchange, contract to sell, consignment for sale, shipment for sale, or other disposition.

(l) The term "labor spy" means any person who for any compensation, promise of compensation, or other inducement, and whether done as a separate duty or as an additional duty in connection with other work, engages in industrial espionage, and includes any person engaged, in whole or in part, in the business of hiring, recruiting, enlisting, or inducing any person to engage in industrial espionage, or in preparing or transmitting the report of a labor spy.

(m) The term "industrial espionage" means reporting, securing and reporting, or attempting to secure and report to an employer, directly or indirectly—

(1) information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization, or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization, without the express consent of such employees or of such labor organization, as the case may be; or

(2) information with respect to the political or economic views or activities of any of his employees or prospective employees, or of any organizer, officer, or member of a labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization, without the express consent of such employees or prospective employees, or of such organizer, officer, or member of a labor organization, as the case may be.

(n) The term "strikebreaker" means any person who, during or in anticipation of a labor dispute, is hired—

(1) to replace any regular employee whose work ceases as a consequence of or in connection with such labor dispute if such person receives or is offered a wage, salary, or other compensation from any source (including transportation to the place of employment, board, lodgings, or other facilities) at a rate in excess of the rate received by such regular employee immediately prior to the cessation of his work; or

(2) to engage in activities which indicate that the employer is about to cease or transfer the operations of the plant when in fact the employer has no intention of doing so.

(o) The term "strikebreaking agency" means any person engaged, directly or indirectly, in whole or in part, in the business of hiring, recruiting, enlisting, or inducing any person to act as a strikebreaker or labor spy, or in preparing or transmitting the report of a labor spy.

(p) The term "armed" means equipped with, or carrying upon one's person, any firearm or other dangerous weapon.

(q) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(r) The term "goods" includes wares, materials, products, supplies and equipment, commodities, merchandise, or articles or subjects of commerce of any character or any part or ingredient thereof, and includes ships and marine equipment.

(s) The term "produced" means produced, manufactured, mined, packed, assembled, handled, or in any other manner worked on; and for the purposes of this act goods shall be deemed to have been produced in or about a place of employment if employees in or about such place of employment are employed in producing, manufacturing, mining, packing, assembling, handling, transporting, or in any other manner working on such goods or in any process or occupation necessary to the production thereof.

(t) The terms "includes" and "including" when used in a definition contained in this section shall not be deemed to exclude other things otherwise within the meaning of the term defined.

The amendment was agreed to.

The next amendment was, under the subhead "Oppressive Labor Practices," on page 8, line 25, after the word "transit" and the semicolon, to strike out "or (B) acts as a private guard or peace officer during, or in anticipation of, a labor dispute when the records of the Bureau of Investigation of the Department of Justice indicate that such person has at any time been convicted of a crime of felonious assault or homicide", and insert "or (B) acts as a private guard or peace officer during, or in anticipation of, a labor dispute when his employer knows or has reason to know that he has been convicted, under the laws of the United

States or of any State, of a crime of homicide or assault with a deadly or dangerous weapon.", so as to read:

SEC. 3. (a) For the purposes of this act, it shall be an oppressive labor practice for any person in any State—

(1) To employ or utilize any labor spy;

(2) To employ or utilize any strikebreaker or strike breaking agency;

(3) To pay or agree to pay any compensation or gratuity, directly, or indirectly, to, or to make any contracts or payments for the services of, any person who (A) with the authority, knowledge, or consent of his employer, acts as a private guard or peace officer while armed and while absent from the premises or place of business of his employer, whether or not such person holds a commission from any State or political subdivision thereof: *Provided,* That it shall not be an oppressive labor practice to employ armed private guards or peace officers to the extent reasonably necessary for the protection against theft of goods or money in transit; or (B) acts as a private guard or peace officer during, or in anticipation of, a labor dispute when his employer knows or has reason to know that he has been convicted, under the laws of the United States or of any State, of a crime of homicide or assault with a deadly or dangerous weapon.

The amendment was agreed to.

The next amendment was, on page 9, line 10, after the word "possess", to strike out "or utilize", and in line 17, after the word "labor", to strike out "practice" and insert "practice: *And provided further,* That the possession of industrial munitions by banking institutions or trust companies shall not be deemed to be an oppressive labor practice; or"; so as to read:

(4) (A) To possess industrial munitions in or about any place of employment, or to furnish industrial munitions to any person or to any law-enforcement officer or agency of any State or political subdivision thereof: *Provided,* That the possession, sale, or disposition of industrial munitions in the regular course of business by any manufacturer or importer thereof, or dealer therein, shall not be deemed to be an oppressive labor practice: *And provided further,* That the possession of industrial munitions by banking institutions or trust companies shall not be deemed to be an oppressive labor practice; or (B) to utilize industrial munitions in connection with any labor dispute, or to possess industrial munitions for the purpose of utilizing them in connection with any labor dispute.

The amendment was agreed to.

The next amendment was, on page 9, after line 23, to strike out:

(b) For the purposes of paragraph (3) (A) of subsection (a), proof that any person paid or agreed to pay any compensation or gratuity, directly or indirectly, to, or made a contract or payment for the services of, any person who thereafter acted as a private guard or peace officer while armed and while absent from the premises or place of business of his employer, shall be prima facie evidence that the former person engaged in an oppressive labor practice.

The amendment was agreed to.

The next amendment was, on page 10, after line 7, to strike out:

(c) For the purposes of paragraph (3) (B) of subsection (a) the Federal Bureau of Investigation of the Department of Justice is authorized and directed to make available any record of conviction for crimes of felonious assault or homicide committed by any person employed or to be employed as a private guard or peace officer when the fingerprints of such person are submitted by the employer to the Bureau of Investigation of the Department of Justice for search.

The amendment was agreed to.

The next amendment was, on page 10, after line 16, to insert:

(b) For the purposes of paragraph (3) (A) of subsection (a), proof that any person paid or agreed to pay any compensation or gratuity, directly or indirectly, to, or made a contract or payment for the services of, any person who, during the period covered by such contract, agreement, or payment or who within 120 days before or after any such agreement, contract, or payment, acted as a private guard or peace officer while armed and while absent from the premises or place of business of his employer, shall be prima facie evidence that his employer authorized, had knowledge of, or consented to such action.

The amendment was agreed to.

The next amendment was, under the subhead "Prohibited Acts," on page 11, line 10, after the word "practice" to insert "(1)"; in line 11, after the word "or" where it occurs the first time, to insert "(2)", and in line 12, after the word "employees", to insert "who are, or immediately prior to the cessation of their work as a consequence of or in connection with a labor dispute were,"; and after line 19, to strike out:

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has filed any complaint, or has testified or is about to testify with respect to any violation of the provisions of this act.

And insert:

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has made any statement with respect to purported violations of the act, or has made any complaint to his employer or to any other person or agency with respect to purported violations of the act, or has filed any complaint with the Department of Labor or the Department of Justice or any other governmental agency charging a violation of the act, or has testified or is about to testify with respect to any violation of the provisions of this act.

So as to make the section read:

SEC. 4. It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—

(a) To engage in any oppressive labor practice in or about any place of employment in or about which goods are being produced for commerce;

(b) To engage in any oppressive labor practice (1) affecting commerce or (2) involving or affecting employees who are, or immediately prior to the cessation of their work as a consequence of or in connection with a labor dispute were, employed in commerce or in the production of goods for commerce;

(c) To furnish any person with supplies or services for engaging in any oppressive labor practice affecting commerce or involving or affecting employees employed in commerce or in the production of goods for commerce; or

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has made any statement with respect to purposed violations of the act, or has made any complaint to his employer or to any other person or agency with respect to purported violations of the act, or has filed any complaint with the Department of Labor or the Department of Justice or any other governmental agency charging a violation of the act, or has testified or is about to testify with respect to any violation of the provisions of this act.

The amendment was agreed to.

The next amendment was, on page 13, line 1, after the word "practice", to strike out "existed" and insert "occurred"; in line 7, after the word "interested", to strike out "existed" and insert "occurred" ; in line 16, after the word "the", to strike out "existence" and insert "occurrence"; and in line 20, after the word "the", to strike out "existence" and insert "occurrence", so as to make the section read:

SEC. 5. (a) It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—

(1) to use the mails or the channels or instrumentalities of commerce to furnish or offer to furnish any person with supplies or services for engaging in any oppressive labor practice;

(2) to use the mails or the channels or the instrumentalities of commerce to procure supplies or services for engaging in any oppressive labor practice; or

(3) to transport, offer for transportation, ship, deliver, or sell in commerce, or transport, offer for transportation, ship, deliver, or sell with the knowledge that shipment, delivery, or sale thereof in commerce is intended, any goods produced in or about any place of employment in or about which, after 90 days from the date of the enactment of this act, any oppressive labor practice occurred at any time during the production of such goods; but nothing in this subsection shall impose any liability (A) upon any person with respect to any goods in which he has a substantial proprietary interest, solely because oppressive labor practices of which he had no knowledge or notice at the time of acquisition of such interest occurred prior to such acquisition, or (B) upon any common carrier for the transportation in commerce in the regular course of its business of any goods not produced by such common carrier, and nothing in this subsection shall excuse any common carrier from its obligation to accept any goods for transportation.

(b) For the purposes of paragraph (3) of subsection (a), if goods have been removed from a place of employment within 90 days after the occurrence of any oppressive labor practice in or about such place of employment, it shall be presumed that such goods were produced in whole or in part in such place of employment during the occurrence of such oppressive labor practice, and the burden of proof shall be upon the person accused of violating the provisions of such paragraph to rebut such presumption.

The amendment was agreed to.

The next amendment was, under the subhead "Enforcement and investigations", on page 16, line 3, after the word "attorney", to strike out "whose duty it shall be to bring the

matter before the grand jury for its action", so as to make the section read:

SEC. 8. (a) Whenever it shall appear to the Secretary of Labor that any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of this title, he may bring an action in the name of the United States in the proper district court of the United States, or the United States courts of any Territory or other place subject to the jurisdiction of the United States, to enjoin or restrain such acts or practices, or may designate an attorney to bring such action, and upon a proper showing a permanent or temporary injunction or decree or restraining order shall be granted without bond.

(b) No action to enjoin or restrain any such acts or practices shall be brought except by the Secretary of Labor or an attorney designated by him for such purpose. The provisions of the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932, as amended (U. S. C., 1934 ed., title 29, secs. 101–115), shall not be applicable to any such action, but the rights, benefits, and protection contained in the provisions of such act shall not be affected in any other manner by any provision of this title.

(c) The Secretary of Labor may transmit such evidence as may be available concerning such acts or practices to the appropriate United States attorney, or to the Attorney General, who may institute appropriate proceedings under this title.

The amendment was agreed to.

The next amendment was, on page 16, line 7, after the name, "The Secretary of Labor", to insert "or his duly authorized representative", so as to read:

SEC. 9. (a) The Secretary of Labor or his duly authorized representative may investigate any facts, conditions, practices, or matters the investigation of which he may deem necessary or proper to aid in the enforcement of the provisions of this title, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this title relates.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Provisions Relating to Government Contracts," on page 17, line 9, before the word "That", to strike out "(f)" and insert "(i)"; and, after line 12, to strike out:

(b) Section 2 of such act is hereby amended to read as follows:

"SEC. 2. Any breach or violation of any of the representations and stipulations in any contract for the purposes set forth in section 1 hereof shall render the party responsible therefor liable to the United States for liquidated damages, in addition to damages for any other breach of such contract, (1) in the sum of $10 per day for each male person under 16 years of age, for each female person under 18 years of age, and for each convict laborer, knowingly employed in the performance of such contract, (2) in a sum equal to the amount of any deductions, rebates, refunds, or underpayment of wages due to any employee engaged in the performance of such contract, and (3) in a further sum amounting to $1,000 for each day during which any breach or violation of any representation or stipulation relating to oppressive labor practices shall have occurred, which further sum shall be covered into the United States Treasury as miscellaneous receipts; and, in addition, the agency of the United States entering into such contract shall have the right to cancel the same and to make open-market purchases or enter into other contracts for the completion of the original contract, charging any additional cost to the original contractor. Any sums of money due to the United States by reason of any breach or violation of any of the representations and stipulations in said contract for the purposes set forth in section 1 hereof may be withheld from any amounts due on any such contracts or may be recovered in suits brought in the name of the United States by the Attorney General thereof. All sums withheld or recovered as deductions, rebates, refunds, or underpayments of wages (except those withheld or recovered for a breach or violation of section 1 (f)) shall be held in a special deposit account and shall be paid, on order of the Secretary of Labor, directly to the employees who have been paid less than minimum rates of pay as set forth in such contracts and on whose account such sums were withheld or recovered: *Provided*, That no claims by employees for such payments shall be entertained unless made within 1 year from the date of actual notice to the contractor of the withholding or recovery of such sums by the United States."

The amendment was agreed to.

The next amendment was, on page 19, after line 3, to insert:

(b) Section 2 of such act is hereby amended by inserting after the semicolon following the word "amount" in the first sentence thereof the following: "and in a further sum amounting to $1,000 for each day during which any breach or violation of any representation or stipulation relating to oppressive labor practices shall have occurred, which further sum shall be covered into the United States Treasury as miscellaneous receipts."

So as to make the section read:

SEC. 201. (a) Section 1 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, is hereby amended by striking out the period at the end thereof and inserting a semicolon and the following new subsection:

"(i) That in the performance of the contract, the contractor will not engage in any oppressive labor practice as defined in section 3 of the 'Oppressive Labor Practices Act of 1939.'"

(b) Section 2 of such act is hereby amended by inserting after the semicolon following the word "amount" in the first sentence thereof the following: "and in a further sum amounting to $1,000 for each day during which any breach or violation of any representation or stipulation relating to oppressive labor practices shall have occurred, which further sum shall be covered into the United States Treasury as miscellaneous receipts."

Mr. LA FOLLETTE. Mr. President, I ask that this amendment be rejected.

The PRESIDING OFFICER (Mr. GURNEY in the chair). The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment was, on page 19, line 21, after the word "which", to insert "agency or instrumentality", and on page 20, line 2, after the word "payable", to insert a colon and the following proviso: "*Provided*, That this subsection shall not apply to loans made to farmers or to cooperative associations as defined in the Agricultural Marketing Act, as amended", so as to make the section read:

SEC. 203. (a) Any loan hereafter made by any agency or instrumentality of the United States, which agency or instrumentality is financed by means of public moneys or obligations guaranteed by the United States, shall be conditioned upon the borrower making a stipulation with the United States that he will not engage in any oppressive labor practice, and that upon any breach of such stipulation the loan shall immediately become due and payable: *Provided*, That this subsection shall not apply to loans made to farmers or to cooperative associations as defined in the Agricultural Marketing Act, as amended.

(b) Any subsidy made pursuant to the provisions of the Merchant Marine Act of 1936, as amended, shall be conditioned upon the making of a stipulation with the United States by the recipient of such subsidy that he will not engage in any oppressive labor practice, and that upon any breach of such stipulation the subsidy or any part or balance thereof shall not be payable.

Mr. LA FOLLETTE. Mr. President, I offer a substitute for the committee amendment and section 203.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin to the amendment reported by the committee will be stated.

The CHIEF CLERK. On page 19, after line 19, it is proposed to strike out section 203, and insert in lieu thereof the following:

SEC. 203. (a) All notes, mortgages, or other documents evidencing loans made by any agency or instrumentality of the United States which is financed by means of public moneys or obligations guaranteed by the United States, shall contain a condition that the maker will not engage in any oppressive labor practice, and that if the Secretary of Labor finds that such maker has engaged in such oppressive labor practice, the indebtedness evidenced by the note, mortgage, or other document shall become immediately due and payable: *Provided*, That where the maturity of any indebtedness is accelerated under this paragraph, such indebtedness may thereafter be extended if the Secretary of Labor finds that such oppressive labor practice has been discontinued, and receives assurances satisfactory to him that such oppressive labor practice will not be repeated: *And provided further*, That this subsection shall not apply to loans made to farmers or to cooperative associations as defined in the Agricultural Marketing Act, as amended.

(b) All contracts for the payment of financial aid in the construction or operation of a vessel or vessels under the provisions of the Merchant Marine Act of 1936, as amended, shall contain a condition that the contractor will not engage in any oppressive labor practice, and that if the Secretary of Labor finds that the contractor has engaged in such oppressive labor practice, no further payments shall be made by the Maritime Commission under the contract: *Provided, however*, That where payment of financial aid is withheld under this paragraph, such payment may thereafter be resumed if the Secretary of Labor finds that such oppressive labor practice has been discontinued, and receives assurances satisfactory to him that such oppressive labor practice will not be repeated: *And provided further*, That no payment of financial aid may be made for the period between the finding of the Secretary

of Labor that the contractor has engaged in acts or practices in violation of this act and the subsequent finding that such acts or practices have been discontinued.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. BARKLEY. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Kentucky.

Mr. BARKLEY. I have a telegram from the Senator from Michigan [Mr. BROWN] received this morning, which I will read. It is as follows:

Hon. ALBEN W. BARKLEY,
Senate Office Building:

Unexpected delay prevents me from attending today and tomorrow. Pending La Follette bill in my judgment would condemn as unfair labor practice possession of automatic firearms. See my remarks late Thursday's RECORD and insert by LA FOLLETTE. Do not think his suggestion sufficiently clears up situation. In view of second amendment to Constitution and great need for civilian training and use of firearms, particularly at this time, requires plain, unequivocable, and certain exception of sporting rifles, target practice, etc., and use of same by citizens. I merely desire to make plain and certain the exemption. I am in accord with general purpose of his bill but do not want to limit use of automatic arms by citizens. I think present language of bill altogether too indefinite and uncertain in this respect.

PRENTISS M. BROWN.

I recall the colloquy which occurred on Thursday between the Senator from Wisconsin and the Senator from Michigan on that point. I do not know that the Senator from Michigan offered an amendment or suggested one—he does not do so in the telegram—but I should like to have the Senator's view about the point which is raised.

Mr. LA FOLLETTE. I will be very glad to restate the situation, Mr. President. Unfortunately, the Senator from Michigan had to leave before I made a subsequent statement following our colloquy about this matter.

In the first place, let me say that in drawing this definition we consulted with those in the Department of Justice responsible for the enforcement of the Firearms Act. After the Senator from Michigan raised the question as to whether this provision would not prohibit the ordinary type of automatic rifle and automatic shotgun used by sportsmen, I had occasion again to consult with those who are familiar with firearms and with the enforcement of the Firearms Act. I can state unequivocally that this definition of industrial munitions does not include any guns, either shotguns or rifles or revolvers, manufactured or sold for the use of sportsmen.

The only guns prohibited by the language on page 5, line 2, which occasioned the inquiry of the Senator from Michigan are, "any weapon which shoots or is designed to shoot, automatically or semiautomatically, more than one shot without manual reloading, by a single function of the trigger."

The Senator from Michigan had his attention called to the fact that some automatic sports arms, such as shotguns and rifles, do have automatic reloading devices, but this provision simply identifies or includes within the definition of industrial munitions those types of automatic weapons which when the trigger is once pulled continue to shoot until the magazine is emptied, which is a submachine gun and a machine gun. Perhaps the new automatic rifle of the Army is of the same character. I do not know as to that. I see the Senator from Oklahoma [Mr. THOMAS] is present, and I notice that he was down shooting one the other day. I am not exactly familiar with the new Army rifle.

Mr. BARKLEY. I think the Senator from Oklahoma was shooting one, but I do not think he was down.

Mr. LA FOLLETTE. I mean he was down at a proving ground; I do not mean he was down on the ground.

Mr. THOMAS of Oklahoma. Mr. President, if the Senator will permit me, I may say as to the Army's new automatic rifle that it is necessary to pull the trigger each time it is fired.

Mr. LA FOLLETTE. Then that type of weapon is not included in the provisions of the bill. So, upon further investigation and analysis, I feel absolutely certain that the apprehension expressed by the Senator from Michigan is not well founded.

Mr. BARKLEY. I suppose the description and the definition beginning at the bottom of page 4, "Any shotgun having a barrel of less than 25 inches in length" would not come within the category the Senator from Michigan has in mind.

Mr. LA FOLLETTE. That refers to sawed-off shotguns, which are customarily loaded with buckshot, and are sometimes used as a weapon to arm those who protect company property. I may also say to the Senator that such a type of shotgun is now barred under the National Firearms Act.

Mr. BARKLEY. Let me ask a further question. Are there not weapons that shoot or are designed to shoot automatically or semiautomatically more than one shot without manual reloading? There is a type of gun—a shotgun I believe—in which three or four shells may be placed in the magazine though the pulling of the trigger is required at each separate shot, but there is no manual reloading in the sense that it is necessary to put a shell into the gun before the trigger is pulled.

Mr. LA FOLLETTE. The words "by a single function of the trigger," apply to the whole clause after the semicolon in line 1, page 5. The type of gun to which I have referred, is one so designed that one pull of the trigger, if the trigger is held down, empties the entire load. No automatic sporting rifles or automatic shotguns are manufactured for sportsmen which will empty themselves upon one pull of the trigger.

The automatic sporting shotgun, the automatic sporting rifle is automatic in the sense that it will continue to shoot with each pulling of the trigger until the gun is emptied; but this definition applies only to those guns, as I have said, which empty their magazines upon one pull of the trigger.

Mr. BARKLEY. Then the Senator thinks that the language here is sufficiently clear to avoid the situation to which the Senator from Michigan refers?

Mr. LA FOLLETTE. Undoubtedly, I have checked and double checked on it, because while I thought I was right in my statement to the Senator from Michigan, I wanted to be absolutely sure after the Senator from Michigan brought up the matter.

Mr. VANDENBERG. Mr. President——

Mr. LA FOLLETTE. I am glad to yield to the Senator from Michigan.

Mr. VANDENBERG. I wish to call the attention of my able friend to the correspondence with the War Department and Navy Department as set forth in the committee's report. Secretary of War Woodring says:

Under such circumstances, if an issue should arise as to the existence of any oppressive labor practice in the plants involved, the War Department might find its program of procurement for the national defense materially impaired and delayed through the tying up of large quantities of articles and materials therefor which are being manufactured and produced on War Department order. Such delay would be particularly serious in the case of the procurement of airplanes and accessories and other items essential in furtherance of the present increase and accelerated program of national defense.

Then, a little later on in his letter, the Secretary says:

Accordingly, it is recommended that those portions of the bill, which may affect Government procurement and contracts under the jurisdiction of the War Department, be not enacted.

Meanwhile the Secretary of the Navy in the same connection says:

It is the opinion of the Navy Department that enactment of legislation such as is proposed in the bill S. 1970 would tend to reduce further the already diminishing number of bidders for naval shipbuilding and naval material and supplies. It is the desire of the Navy Department to simplify Government contracts in order to attract as many qualified bidders as possible. This objective cannot be obtained by adding restrictive provisions of this nature to Government contracts.

The Navy Department recommends against enactment of the bill S. 1970.

Mr. President, if that was the opinion of the War Department on July 7, 1939, and was the opinion of the Navy De-

partment on June 20, 1939, I assume that that adverse opinion would be infinitely emphasized and multiplied under the existing so-called emergency conditions of today. I should like very much to hear the Senator from Wisconsin respond to the complaints of the War and Navy Departments in this aspect of the bill.

Mr. LA FOLLETTE. Mr. President, the committee quite naturally gave very serious consideration to the communications of the War Department and the Navy Department, and one of the committee's amendments which I asked to have rejected and which was rejected by the Senate was that imposing a penalty of a thousand dollars a day for violations, so that that penalty provision has been eliminated from the bill.

In the second place, under the provisions of the Walsh-Healy Act, if the War Department or the Navy Department enter into a contract with a manufacturer and an employer 90 days after this bill goes into effect, the manufacturer will stipulate that while engaged in manufacturing for the Government he will not engage in any oppressive labor practices.

The Senator must remember that the prohibited practices will have then been extended to all industries. So there will not be such a situation as that of an employer having a certain portion of his plant devoted to manufacturing for the War Department and another portion of his plant devoted to some other manufacture and having oppressive labor practices existing in the latter portion of his plant. It is to be presumed that all employers will comply with the law.

Secondly, after such a contract has been entered into and such stipulations made, if it is discovered, that there is a violation, under the bill as now drawn the War Department would have the right, if they desired so to do, to continue to call for delivery upon the contract; or, if they did not desire to do that, they could breach the contract on the basis of violation and purchase in the open market. So the committee feel that we have taken care of the situation to a very substantial degree.

Let me say to the Senator that this is not like ceilings on hours or floors on wages. Personally, I do not think those restrictions should be relaxed; but these restrictions are not of the same nature. I mean, these provisions cannot increase the cost of production. It cannot in any way increase the price of the goods to the Government if these practices are abandoned, because industrial espionage, the employment of strikebreakers, the possession of industrial munitions, and the use of company police off company property, have not anything to do with the cost of manufacture.

Furthermore, so far as the industrial espionage feature of this matter is concerned, I doubt if the people in the War and Navy Departments have had time to read our voluminous testimony. They may be laboring under the illusion that perhaps the industrial espionage type of investigation has some value; but I desire to say to the Senator that in the hundreds and hundreds of instances which we investigated, the unreliability of the reports produced by industrial espionage was perhaps reluctantly admitted; but after continuous examination and the production of evidence, in almost every instance it was admitted that it was a common practice for such agencies, when they could not find anything to interest the client, to use their imaginations and put something into the report that would make him feel that the service was worth while.

That type of investigation, Mr. President, is absolutely unreliable, and of no benefit to anybody. It can only produce harm to the victims thereof. As I stated, there is nothing in the pending bill which in any way prevents the Department of Justice or the public agency of a State or a county or a municipality from carrying on any investigations they deem necessary with regard to espionage, to ferret out sabotage, or anything of that kind; and the employer may spend all the money he wants to spend for investigation of sabotage or theft or anything of that kind.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question at that point?

Mr. LA FOLLETTE. Yes, sir.

Mr. VANDENBERG. Would that include the employer's right to find out, for example, whether Communists were employed in his plant?

Mr. LA FOLLETTE. Yes; it would in this way, Mr. President: Assume, now, that the Senator and I are in the manufacturing business. We have a thousand employees, and we decide that we want to ascertain whether or not any of our employees are Communists. We can notify the employees that we intend to make such an investigation, and ask for their consent. If they give it we are, of course, at liberty to make the investigation. If they refuse it, we can fire every one of the thousand employees for failure to permit us to do it.

Mr. VANDENBERG. What is the object, then, in asking for the consent?

Mr. LA FOLLETTE. The purpose is so that the person who is to be investigated shall have some notice of it, and that we shall not have one of these operatives whose business is so secret that they never want it to see the light of day sending in some "cooked-up" report to the employer, with the result that the man is discharged without ever having any knowledge of the report, or a chance to answer the charges that have been made against him.

Mr. VANDENBERG. Then am I right in assuming that if I am an employer and I want to rid my plant of the members of the Communist Party because I may think they are revolutionaries and I do not want them around—and if I were an employer I would not have them around—I am entitled, upon notice, to make that inquiry, and there is nothing in the bill which either ultimately prevents my inquiry or ties my hands against whatever action I want to take?

Mr. LA FOLLETTE. None whatever.

In this connection I may say that it was very interesting to the committee to have employer after employer who was proven in the testimony to have employed industrial espionage repudiate it. Among the most recent testimony the committee had on this subject, I desire to read an extract from the testimony of Paul Eliel, director of industrial relations, Graduate School of Business, Stanford University, California. Mr. Eliel was formerly secretary of the Industrial Association of San Francisco for 15 years, 1921 to 1936; and I may say here that Mr. Eliel is qualified to speak as an expert.

The Industrial Association of San Francisco maintained a labor-spy service for its members. As part of his duties, Mr. Eliel had studied the spy reports brought in by the undercover men of the association, whom he described as union members who "sold out their brother unionists."

In his testimony on January 26, 1940, at the hearing before this committee held in San Francisco, Mr. Eliel gave the following testimony on labor espionage based upon his experience:

Senator THOMAS. As a student of industrial relations, what is your opinion of the value of information secured through undercover operatives?

Mr. ELIEL. I think it is worthless.

Senator THOMAS. Worthless?

Mr. ELIEL. Yes.

Senator THOMAS. Then a corporation that spent half a million dollars to get it is just a sucker, is it?

Mr. ELIEL. I am afraid so.

Senator THOMAS. Why do you say it is worthless?

Mr. ELIEL. Well, in the first place, of course, any man who engaged in that sort of practice, anything he says is highly dubious on the face of it. That is why I quit reading them.

Senator THOMAS. That is. you yourself lost faith in them when you were with the association?

Meaning the Industrial Association of San Francisco.

Mr. ELIEL. I thought that if you read them you completely lost your sense of balance and judgment, and they were paying me for my judgment and information and experience, and I didn't want to see them. In the next place I think they are worthless because, if the objective of an employer is to obtain and maintain good industrial relations, I don't think he can maintain it or obtain it if he employs operatives, because the fact that they are being used is known, even though the workers cannot put their finger upon the individual who may be engaged in activity of that kind. That inevitably creates antagonisms and resentments which I think are, as byproducts of the use of the operatives, far more costly than any possible value that can be obtained from a service of that kind.

Senator THOMAS. As a student of industrial labor relations, have you read the report of this committee on spying in industry?

Mr. ELIEL. I haven't read every word of it—oh, you mean the individual report?

Senator THOMAS. Yes.

Mr. ELIEL. Yes; I have gone through it; I have read at it.

Senator THOMAS. Do you agree generally with the conclusions there?

Mr. ELIEL. I think I could certainly agree up to the point that I have no use for and unqualifiedly condemn the use of operatives in connection with activities of the kind.

Senator THOMAS. From the standpoint of morality, what would it do to the man who becomes dependent upon an operative and the information it gives?

Mr. ELIEL. Do you refer to the employer, Senator?

Senator THOMAS. Yes; anybody.

Mr. ELIEL. Well, that is a philosophical question. I don't think I am qualified to answer that.

Senator THOMAS. You don't think the question of trust in one another has anything to do with it?

Mr. ELIEL. I think it is enormously important as between the relations of the employer and his own employees, which is the point that I was trying to emphasize a moment ago when I was outlining what I felt to be some of the liabilities that flowed from the use of espionage in industrial relations, but as to the effect on the individual, I would not be qualified to speak on that.

Senator THOMAS. Well, you would be qualified to speak on this, if, for instance, collective bargaining ever becomes an established fact in working society, it must be based absolutely on implicit trust in the bargaining parties, must it not?

Mr. ELIEL. There is no question of that.

Senator THOMAS. So that if a spying element enters into it, you break down the most effective element that you have in collective bargaining, do you not?

Mr. ELIEL. Yes; you have expressed more clearly what I attempted to say. I think it was particularly unfortunate when employers who were operating under employee representation plans also engaged in activities of this kind, because it was obvious that their protestations of cooperation were not in good faith.

Mr. President, I desire to offer an amendment.

Mr. GEORGE. Mr. President, before the Senator offers the amendment——

Mr. LA FOLLETTE. I thank the Senator from Georgia for rising. I wish to discuss the matter about which he conferred with me.

Mr. GEORGE. I desire to ask the Senator about one other phase of the bill. Not having given it very close study, I may be laboring under a misapprehension, but I take it that nothing in the bill is intended to apply to a domicile or home.

Mr. LA FOLLETTE. Nothing whatever.

Mr. GEORGE. It is intended to apply only to industrial plants?

Mr. LA FOLLETTE. And such industrial plants have to be engaged in the manufacture or production of goods for interstate commerce, or they have to be in commerce or affecting commerce.

Mr. GEORGE. So that none of the provisions regarding the keeping of industrial munitions would preclude or prevent them being kept in anyone's home?

Mr. LA FOLLETTE. Mr. President, that provision applies to everyone. It applies to any employee or an employer.

Mr. GEORGE. Would it prevent the keeping of any firearms, which might be classed as industrial munitions, within a home where nothing was manufactured for commerce, or nothing was prepared for commerce?

Mr. LA FOLLETTE. The industrial munitions are prohibited from being used in a labor dispute, and they cannot be in the possession of anyone in or about a place of employment where goods are in manufacture.

Mr. GEORGE. But a place of employment is really and must necessarily be construed to be a place where goods are made for commerce or are treated for commerce.

Mr. LA FOLLETTE. Yes.

Mr. GEORGE. Produced, stored, or kept for commerce?

Mr. LA FOLLETTE. That is correct.

Mr. GEORGE. So that nothing in section 9 would give the Secretary of Labor, or any agent appointed by the Secretary of Labor, any right to enter the private home of a person for the purpose of making an investigation?

Mr. LA FOLLETTE. I think absolutely not. In fact, I am certain that no such power would be conferred.

Mr. GEORGE. I wanted to get that very clear, because I think that would be a very dangerous power.

Mr. LA FOLLETTE. I agree with the Senator that it would be very dangerous.

Mr. GEORGE. Then I wish to ask the Senator about the phase of the bill concerning which I spoke to him.

Mr. LA FOLLETTE. The provision on page 13. I beg the Senator's pardon for not having spoken of that.

Mr. GEORGE. I wish the Senator would clear up the meaning of that.

Mr. LA FOLLETTE. As I understood the Senator's question, it was directed to subsection (b) of section 5.

Mr. GEORGE. Exactly.

Mr. LA FOLLETTE. The Senator raised the question as to whether the burden of proof could be thrown upon any innocent purchaser of goods, so far as this subsection is concerned. I stated to the Senator privately, and I wish to state now emphatically for the RECORD, that such is not the case. Of course it would apply—and I do not know that in our private conversation I made this point clear—to any person who knowingly bought goods.

Mr. GEORGE. Or any person who was in conspiracy with the employer?

Mr. LA FOLLETTE. Precisely. The innocent purchaser is exempted. He incurs no liability whatever to prosecution under this measure. I think the Senator was absolutely correct in his point. Such a purchaser would be helpless, because he could not produce the evidence to defend himself.

Mr. GEORGE. I thank the Senator very much.

The PRESIDING OFFICER (Mr. HATCH in the chair). The Senator from Wisconsin offers an amendment, which the clerk will state.

The CHIEF CLERK. On page 6, line 20, after the word "by" it is proposed to insert the words "or offered in good faith to."

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin offers another amendment, which will be stated.

The CHIEF CLERK. On page 6, beginning with line 22, it is proposed to strike out subdivision (2), as follows:

(2) To engage in activities which indicate that the employer is about to cease or transfer the operations of the plant when in fact the employer has no intention of doing so.

The amendment was agreed to.

Mr. REYNOLDS. 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	Davis	Lucas	Schwartz
Andrews	Donahey	Lundeen	Sheppard
Ashurst	Downey	McCarran	Shipstead
Austin	Ellender	McKellar	Slattery
Bailey	George	McNary	Smith
Barkley	Gibson	Maloney	Stewart
Bilbo	Gillette	Mead	Thomas, Idaho
Bone	Glass	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Thomas, Utah
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Caraway	Herring	O'Mahoney	Wagner
Chandler	Hughes	Overton	Walsh
Chavez	Johnson, Calif.	Pepper	White
Clark, Idaho	Johnson, Colo.	Pittman	Wiley
Clark, Mo.	King	Radcliffe	
Connally	La Follette	Reynolds	
Danaher	Lee	Russell	

The PRESIDING OFFICER (Mr. BURKE in the chair). Seventy-seven Senators having answered to their names, a quorum is present.

Mr. REYNOLDS. Mr. President, at this time I wish to read the title of Senate bill 1970—

A bill to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

Title I, section 1, reads as follows:

TITLE I

SECTION 1. (a) The Congress hereby finds that the utilization of labor, spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions, (1) violates the right of em-

ployees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; (2) causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; (3) leads to labor disputes burdening and obstructing commerce and the free flow of commerce; (4) obstructs the settlement of labor disputes through negotiation and the orderly procedure of collective bargaining, thereby tending to prolong interruption of the free flow of commerce; (5) burdens and obstructs commerce and the free flow of commerce; and (6) interferes with the United States and its agencies in obtaining goods and services pursuant to contract.

Mr. President, I continue to read on page 2 of the bill, beginning in line 13, as follows:

(b) The Congress further finds that the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers engaged in the activities above referred to, or for the transportation or furnishing of supplies and services for engaging in such activities, tends to spread and perpetuate such activities and the evils resulting therefrom.

(c) Therefore—

A word I add myself—

(c) Therefore it is hereby declared to be the policy of the United States to eliminate the activities referred to in subsection (a) when such activities affect commerce or are engaged in by employers who are engaged in commerce, in the production of goods for commerce, or in furnishing goods or services to the United States and its agencies pursuant to contract, and to prohibit the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers who engage in such activities, and for the transportation or furnishing of supplies and services for engaging in such activities.

All of which, I take it certainly and without doubt, is in the interest of the United States Government and in the interest of the laboring men, the employees of various and sundry individuals, firms, associations, and corporations.

Mr. President, in view of the fact that the bill is designed for the protection of the United States Government and those interested therein, and in further view of the fact that it is desired for the protection of labor throughout the entire length and breadth of this Nation, I desire at this time to propose an amendment which will give further protection to the United States of America, and which unquestionably will give further protection to the laboring men of America, and finally, but not least, in fact more predominantly than anything else and more important than anything else at this particular time, my amendment will provide opportunities for the great masses of laborers in the United States who today cannot find employment.

I send my amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 20, after line 20, it is proposed to insert the following:

TITLE III

That hereafter it shall be unlawful for any person, firm, or corporation to engage or employ more than 10 percent of the total number of its employees who are not citizens of the United States.

Mr. REYNOLDS. Mr. President, virtually every country in the whole world first seeks to provide opportunities for its citizens before giving thought to the citizens of other nations. I am very happy to learn that at this eleventh hour Americans have awakened to the fact that we must look after the interests of the American people before we attempt to look after the interests of people of the world who are outside the United States.

Mr. President, as we know, the population of the world is approximately 2,000,000,000. Here in the United States we have a population of only about 135,000,000, which is a very small fractional part of the 2,000,000,000 population of the world. If we of the United States, with our limited population of 135,000,000, should attempt to care for the 2,000,000,000 people in the world, we would one day awaken to find that we had made a horrible mistake by not having given our thoughts and time and attention first to looking after the poor unfortunate people of America.

Insofar as I individually am concerned—that is to say, personally, and insofar as I as a Member of this body of the Congress of the United States am concerned—I shall in the future, as I have in the past, devote my time and energy to the interests of the 135,000,000 people of the United States, and my sympathies in the future, as they have been in the past, will be with the people in the United States.

I feel it my duty, so far as I can, to look after the interests of the laboring men of the United States before I attempt to devote my sympathies, my time, or energies to those outside the continental United States and our Territories and possessions.

Mr. President, today in our land, between the blue waters of the Atlantic on the east and the turbulent waves of the Pacific on the west and from Canada to Florida or the Rio Grande, we are told—and it is not disputed—that unfortunately there are between 10,000,000 to 12,000,000 unemployed employables. I believe that most of those who have studied the subject agree that there are in the United States approximately 11,000,000 persons out of employment.

In addition to that, it has been said by most of those who are "in the know," if the Senate will pardon the use of that ordinary street expression, that there are approximately 26,000,000 persons who are working only part time; that is to say, an hour or two hours each day, or a day or two or three days out of each week, or perhaps a week out of each month.

We begin by saying that there are 11,000,000 employable persons out of employment. Then we know that there are millions—as I have stated, approximately 26,000,000 persons—who are working only part time. In addition to that, unfortunately for the taxpayers of the country, but more unfortunately for our brethren of America who are forced to take public-service jobs such as those of the W. P. A., we find on the rolls working for the W. P. A. and such organizations, a number constituting at this hour 2,300,000. Furthermore, we know that today between 950,000 and 1,000,000 individuals are in the employ of the Federal Government alone. We know that besides the 1,000,000 employed by the Federal Government either directly or indirectly, about 3,000,000 are said to be employed by the 10,000 municipalities, three-thousand-odd counties and 100,000 political subdivisions of the United States. Therefore, a total of about 4,000,000 persons are working for the Federal Government, the States, the cities and counties, and other political subdivisions.

In addition, we know that last year 750,000 boys and girls graduated from our high schools and colleges, and that of those 750,000, only about 1 out of every 3 will be successful in obtaining a job within the next 3 to 5 years.

It may also be said that hundreds of thousands of American-born and naturalized citizens, as well as aliens within our midst, are subsisting upon public relief and charity. Therefore, surely it is not strange to the ears of any American to hear today that we should look after the American people before we undertake to care for anybody outside the United States. We should look after native-born and naturalized American citizens before we attempt to take care of the citizens or nationals of any other country on the face of the earth.

Mr. President, I recognize, as do many other persons, that at this hour we are frantic. We are temporarily upset. We are thinking more about national defense and about keeping off the enemy from without than we are about the enemy within. What is the enemy within? The enemy within is unemployment, illness, suffering, poverty, lack of educational facilities, and lack of bread, meat, and shelter.

Am I going too far? It is with distress and regret that I must point at this hour to a simple concrete illustration of poverty, want, misery, unhappiness, and desperation in my State of North Carolina.

Mr. President, I am a subscriber to the Wilson Daily Times, an excellent newspaper published at Wilson, N. C. Wilson is the county seat of Wilson County, located in eastern North Carolina. It is in the center of the tobacco-producing region. At Wilson, N. C., there is located one of the largest tobacco warehouses on the face of the earth.

The Wilson Daily Times is published by a friend of mine, Mr. John Gold, a very fine man and a 100-percent American citizen, who is interested first in the citizenry of this country.

Yesterday when I was in my office I was reading the Wilson Daily Times, and in one issue I found two articles which immediately commanded the concentration of my attention. I was so thoroughly impressed, and at the same time distressed, that I clipped them and brought them here today for the purpose of bringing them to the attention of Members of this body in order that they may know what we should do in connection with the bill which we are now considering.

What should we do? First, we should provide employment for American laborers; and after we have provided employment for American laborers we should provide protection for American laborers.

Mr. President, I extremely dislike to take occasion to point southward to my great State of North Carolina, one of the most historic and patriotic in all the Nation; but I must do it.

The article clipped from the Wilson Daily Times of Friday, February 17, 1940, is entitled "Picture of Starving Family Painted Here."

Starving families in North Carolina, the great tobacco and cotton belt!

The headline continues——

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

Mr. REYNOLDS. I gladly yield to my distinguished colleague, the junior Senator from the State of Minnesota.

Mr. LUNDEEN. It occurs to me that I read in the press that we must save the world again. We must build dinosaurs of the deep, death traps of the sea, costing $100,000,000 apiece, and then build aircraft, submarines, and other craft costing nearly another $100,000,000 to protect them from being sunk. In this nightmare of colossal arms appropriations, there is no time to consider the unemployed of America. I think the able and distinguished Senator from North Carolina, when he calls attention to the problem within America and the dangers within our country, is putting his finger on the great question of the hour. We must turn our eyes toward America and our own problems. He who contributes to solving our unemployment and job problem will automatically solve many other problems over which various committees in this session of Congress are worrying. If jobs are created and people have bread we will have no subversive elements in America. People do not subvert a government that enables them to earn a decent living on the American standard.

With more than 10,000,000 unemployed, a jobless man with starving children, a man who wants to work and cannot find a job has every right to ask what is the matter with this Government.

The problem then, is not to persecute that destitute man and millions like him, but to give him a job someway, somehow.

Defense is embodied in a nation of well-fed, well-clothed, well-housed people, not in huge armaments or great war appropriations and intervention in foreign wars. Wars not of our making or our concern—boundary quarrels and real estate titles of the old world and its incessant and bloody wars.

I believe that the people who are unemployed are good, patriotic American citizens; but when they can get no jobs, and they have no bread and butter, their shoeless children cannot go to school, they have no decent homes, they are put out on the street and driven out on the roads of the country to starve. Of course they become radical. If we turn our attention to these problems, and forget the quarrels which are none of our making, we shall be better Americans, and we shall maintain our own strength, so that if the hour of trial ever comes, we shall be a strong and virile nation, and shall not waste our strength, our blood, and our money on battlefields around this great globe.

I wish to thank the Senator for calling attention to this problem, which I think is the greatest of all problems right now.

Mr. REYNOLDS. I thank the able Senator from Minnesota for his observations. I shout "Amen" to every single word that fell from his lips in reference to this particular feature of the problem before the American people today.

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

Mr. REYNOLDS. I gladly yield to my distinguished friend from Indiana.

Mr. MINTON. I know that the Senator from North Carolina and the Senator from Minnesota are very much interested in the question of our internal economy and the welfare of our unemployed. I know it by their votes. I know it by their acts in the United States Senate. However, I ask the Senator from North Carolina if he does not think the present administration has given much consideration to the unfortunate unemployed people of this country.

Mr. REYNOLDS. Certainly. I will say to my distinguished friend, for whom I have great admiration and respect, that I think the present administration has done more for the great masses, for the millions of unfortunates in this country, than any other administration the Government has ever had. I know that our administration has made every effort to bring about employment of employables, and that every single thing that could possibly have been done has been done. I recognize, as the American people recognize, the able and courageous efforts which have been put forth by everyone connected with the administration.

Mr. MINTON. Let me say to the Senator from North Carolina that I am sure we all agree that we must give attention to our internal problems. As he says, we have been giving attention to those problems. Nevertheless, another problem is knocking at our door today, and that is the question of national defense. When we turn our attention to national defense, it is not with the idea of forgetting our other problems, but to give attention to a peculiarly pressing problem. I have no doubt Mr. Hitler could solve the unemployment problem in this country just as he has solved it in Germany; but I do not want him to have a chance to solve it.

Mr. REYNOLDS. I will say to the Senator that I agree with him 100 percent. At this time we should give all possible time and attention to providing for ourselves a perfect, adequate national defense, so that our portion of the world cannot be penetrated by enemies from without.

In turning to what the able Senator from Minnesota just said with regard to enemies within, I will say to the Senator, as he already knows, that for 5 years in this Chamber—and, as a matter of fact, in virtually every State in the Union—I have spoken about enemies within.

Today we hear of the so-called "fifth column." We never heard the expression "fifth column" until the war in Spain. If we had said something about a "fifth column" then, no one would have known what we were talking about.

Lately we have heard much about the Trojan horse. If we had used the expression Trojan horse as applying to America, no one would have known what we were talking about. However, the Trojan horse and the "fifth column" are manifestations of the same old thing about which I have been talking for 5 long years—that is, the enemy within. I thank again the able Senator for providing me with the opportunity to make mention of that.

Mr. LUNDEEN. Mr. President, before the able Senator proceeds to another subject, will he indulge me for a moment?

Mr. REYNOLDS. Certainly.

Mr. LUNDEEN. I wish to give my support to a resolution introduced by the Senator from North Carolina some time ago concerning the West Indies, British and French. I wish to say, in that connection, that if we want to do something for American defense let us do something about Greenland and Iceland, St. Pierre and Miquelon, Bermuda,

the British and French West Indies, and the Dutch West Indies. We are telling Japan to keep out of the East Indies, but what do we say when the British and French invade the Dutch West Indies and their other possessions in the Western Hemisphere in plain and absolute violation of the Monroe Doctrine? We should be in the West Indies, British, French, and Dutch, now. They are American islands; they are necessary for our defense.

As the able Senator knows, every American admiral and every American general of any standing and every outstanding authority and expert in this country knows and maintains that they are vital to our defenses—vital to our life line through the Panama Canal. They are, I repeat, American islands, and the American flag should fly over them.

That statement applies not only to the West Indies but to the Dutch possesions. Recently I read an article by some authority setting forth our need for a base on the coast of South America. The Dutch have a possession on the coast of South America, and certainly we can negotiate with them now. We can act to maintain the Monroe Doctrine in the best interests of all the pan-American nations.

We negotiated with Denmark in 1917. We can continue to negotiate. We can negotiate in a peaceful manner; we do not have to resort to methods that once were recommended by the great Andrew Jackson in our controversy with the French over war debts a hundred years ago, but they can be our last resort, for he said that if a nation defaults its debt to another nation the creditor nation may seize its territory without giving due cause for war, and he so declared in a message to Congress.

I am now quoting Andrew Jackson. Those are not words of mine; they are the words of the great Democratic President and the great American patriot, Andrew Jackson. He further stated that France recently used that very method of collection against Portugal.

Evidently that great American had looked into international law and had searched into the records. I submit that suggestion for the consideration of the Senator from North Carolina.

Mr. REYNOLDS. I thank the Senator.

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

Mr. REYNOLDS. Certainly.

Mr. BARKLEY. I have a great deal of sympathy for the suggestion that the United States ought to own certain strategic islands off the Panama Canal and off South America. I cannot coincide, however, with the view of those who advocate that while their owners are now fighting with their backs against the wall and for their own defense and their own preservation, we ought to go down and take them. It strikes me that such action would not be in consonance with the theories of bravery and good sportsmanship which we, as a Nation, have always maintained.

Furthermore, I do not think the statement ought to go unchallenged that the nations that own these islands have taken them in violation of the Monroe Doctrine. Those territories and islands were owned by the respective countries before the Monroe Doctrine was ever announced. They have been in possession of some of those islands for centuries. I do not think that any Senator should take the position that they have come over here in violation of the Monroe Doctrine and have taken possession of these territories.

Spain owned nearly all South America at one time, and if she owned it today it would not be in violation of the Monroe Doctrine, which was established after Spain became the possessor of large territory in South America. But now that Spain has been driven out of South America by revolution or other methods, if she were to come back and undertake to recapture those territories it would be in violation of the Monroe Doctrine. The effort of any country to establish domination over any portion of the Western Hemisphere which it does not now have would, of course, be a violation of the Monroe Doctrine, but it cannot be said that for any nation to keep what it already has is a violation of the Monroe Doctrine.

Mr. LUNDEEN. Mr. President, will the Senator from North Carolina indulge me for a moment further?

Mr. REYNOLDS. I am happy to yield.

Mr. LUNDEEN. I made no reference in my remarks to the British and French possessions in that connection; that is, the Monroe Doctrine. When I made my statement I had reference to the Dutch West Indies and the British and French going in there in violation of the Monroe Doctrine, which they have done. That was the reference I made. No one will question—no Senator will question—that this invasion of Dutch territory by the British and French is a plain and absolute violation of the Monroe Doctrine. What is the State Department doing about that? Nothing at all; since the action is by the British and French it must be legal and lawful, for, to listen to our State Department, the British and the French are seldom wrong.

Mr. REYNOLDS. Mr. President, I shall not enter into a debate pertaining to the national defense, because at a later period during the week I expect to discuss the question of national defense, and at that time I shall refer to the subject which other Senators have just been discussing. I wish now to return to the bill—that is to say, the bill designed to protect American labor. I desire to protect American labor, but first, before I undertake to protect American labor, I want to provide that American laborers without jobs shall have an opportunity to have employment. Then we can protect them. First we should provide them with jobs; then we should protect them.

I was about to read an article from the columns of a paper of my old friend Col. John Gold, of Wilson, N. C. The article is entitled "Picture of Starving Family Painted Here—Board of Aldermen Sympathetic About Situation, but Declares Welfare Work Is Legal Duty of County; Board Approves Suggestion of Jaycees That Municipal Pool Be Made Available to Underprivileged Children Free This Summer." The town is Wilson, N. C.

The article is written by the pen of Mr. John G. Thomas, who is one of the members of the reportorial staff of that newspaper, and whom I know. The article reads:

> A picture of a Wilson family starving from lack of food and nourishment of any kind was painted by W. L. Wooten, local merchant, last night before the board of aldermen at their regular monthly meeting as Wooten urged that the city board do something about a grave situation facing the poor in the town.

Mr. W. L. Wooten is a merchant there, and happens to be a very close personal friend of mine, and is entirely reliable. The article continues:

> The board took the position that, according to law, the welfare work was done by the county and that it was the county's business to see that no one starved and that the town had no set-up to care for the needy.

I am talking now on the floor of the Senate about the starving in North Carolina. I have talked about the starving in New York and in Arkansas and I have talked about the great legion of unfortunates pictured in The Grapes of Wrath, a book which has been read by millions; but unhappily today I am talking about the starving and the unfortunate in my own beloved State of North Carolina.

> The board was sympathetic about the story unfolded before them last night but said that they could do nothing as the county was the legal guardian of the poor. The board did, however, direct Mayor W. M. Daniel to go before the county commissioners at the earliest possible moment and urge them to bring help to the starving family in the town.

Think of it—starving people here in the United States of America. Nothing has ever been further from my mind than to think of starving people in North Carolina.

> The question as to what to do with the city's poor at the present time was no new thing. Recently at a meeting of the county commissioners it was revealed that the county welfare budget would probably be around $3,000 in the red at the end of the fiscal year. M. G. Fulghum, welfare officer, explained that the one reason for this was the fact that the present budget had been made up without including town relief and that that part of the relief work had been placed on the shoulders of the county afterward.
>
> The work has been increased in town also by the fact that many a tenant has been forced to leave the farm and move into town because of the drastic cut in tobacco acreage this year.

Upon which the tenant farmers down there in that section in North Carolina are almost entirely dependent.

Wooten told the story to the board last night, of a family he has found that was "destitute beyond the means of the welfare association."

Listen to this pathetic, sad story of a condition not in China, not in Europe, not in Holland or Belgium or France or England, but right here in the United States of America, and this is the story told by Mr. Wooten:

"This woman came in and wanted to mortgage a sewing machine at my store," Wooten told the board, "then I started an investigation and found she had an 8-month-old baby that had had no milk for some time. On May 3 this family was given a $2.50 food order from the welfare board and they have been living on this ever since. They had had no meals in 3 days."

It was pointed out that Welfare Officer Fulghum had commented recently that he would be glad to give more if he had it but that his department simply hadn't the money.

Mr. President, the department could not give any more, although this poor woman and an 8-month-old baby had not had a bite to eat in 3 whole days. Think of having starving people right here in our own midst. I wish somebody would set up an organization to help the starving people of the United States of America, and give a little attention to the unfortunates here, the refugees in the United States. After they have taken care of the refugees in the United States who are clogging our highways and byways, seeking food and shelter and work, there will be plenty of time to send millions abroad to take care of the refugees there.

So far as I am concerned, my sympathies begin with the American refugees. When they have been taken care of, I am perfectly willing to send wheat and pork and corn and cotton goods and everything else that is needful to the refugees abroad; but, I say, let us take care of such women and children as described by Mr. Wooten in Wilson, N. C., before we attempt to take care of anybody else.

Wooten told the group that it was not only this one family he spoke of but several families, and it was revealed at the meeting that between 15 and 20 mill families were out of work and on relief.

Mrs. N. B. Fleming, welfare case worker, told the aldermen that there were between 3,700 and 4,000 cases in Wilson that "sooner or later will be on direct relief."

Mr. President, think of it. Down there in eastern North Carolina, in the town of Wilson, with a population of only a few thousand, Mrs. Fleming, a lady of character, interested in the welfare of the people there, says what? I am going to repeat it in order that we may know of the want and the suffering which now exist:

Mrs. N. B. Fleming, welfare case worker, told the aldermen that there were between 3,700 and 4,000 cases in Wilson that "sooner or later will be on direct relief."

At the suggestion of a committee from the Junior Chamber of Commerce of Wilson the aldermen agreed to set up a system at—

A certain place; and then the article continues.

Mr. President, I hope I never again shall be forced to cite my State of North Carolina as an example in bringing to the attention of the Members of this body the misery here. In order that I may not be occasioned to do so again, I am going now to read the other article which I clipped on yesterday—Sunday—from the columns of the Wilson Daily Times, which describes very vividly the misery that some of my people in North Carolina are suffering, as people are suffering in other States, as so vividly and graphically described in the book, The Grapes of Wrath.

This article is entitled:

Landlord takes roof from head of farm tenant—Strange story of farm landlord who started to take his own tenant home apart in an apparent effort to get rid of the tenant; tenant charges the landlord had claimed he was going to take windows out if he didn't move.

This article is by the same reporter, Mr. John G. Thomas. The article reads:

Charlie Skinner, Wilson County tenant farmer on the farm of Jesse Barnes, sat on a log by the side of his home near here this morning and looked up at the roof of his house.

This is something that occurred in Wilson County, just outside the town limits of Wilson, N. C., the county seat of Wilson County.

The frame work of the roof was there but no shingles.

Charlie Skinner bemoaned the fact. He told the story then.

"Mr. Barnes," he said, "came around and took the shingles off the roof and told me that if I didn't get out then he'd take the windows out of the house. And me with a sick wife in bed who can't move and her there for the past 8 months."

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

Mr. REYNOLDS. I gladly yield.

Mr. LUNDEEN. That article reminds me of the fact that just a few weeks ago we voted $100,000,000 to Europe. Perhaps some of that money could have been well spent in North Carolina on public works. It might have aided this man with a sick family who is about to be thrown out on the roads or the streets of North Carolina; but we voted $100,000,000 to Europe. I wonder what became of that money. We have poured out great sums of our taxpayers' money in Europe. We have freely levied upon our own people enormous taxes to pay for arms and armaments for our defense. Now, we are told by a lot of hysterical people that we have no armaments. The other day I noted in the press that we are now sending over $50,000,000 in charitable contributions to Europe. I wonder why we have all of these European-minded people, and why they are so anxious to send our money over there. Taxpayers' money and money badly needed here.

We have forgotten our own country. I cannot thank the Senator from North Carolina too much for calling attention to home conditions.

Mr. REYNOLDS. I am very grateful to the Senator. A moment ago I said that I really wished some of our people who are engaging themselves by night and by day, day in and day out, week in and week out, in raising great sums of money for refugees abroad, would interest and busy themselves in raising a few million dollars for the poor unfortunates in my State and in Georgia and Arkansas and other States of the Union where many thousands of persons are not properly nourished, and have not shelter over their heads and clothing for their backs.

By the way, let me say that I always read the column of the First Lady of our Land, Mrs. Roosevelt. The other day I read a most interesting article by her pen in which she mentioned the fact that one-third of the people of our land are improperly nourished, not properly sheltered, and not comfortably clothed; and so it all comes back home. Here it is. I wish some of these persons would devote a little time to raising a little money for some of the poor people we have in our land. Here we read about that poor fellow sitting there on a log, looking up at the top of that little old cabin, from the roof of which all the shingles had been taken with the exception of a few, and some of the windows were out. Lying there in one corner, on a scanty little old couch, was the wife who had been sick for months, and so ill that she could hardly move. Can one possibly picture a more dismal situation than that, particularly for the husband of that poor, unfortunate woman?

The articles continues:

The writer went to the Skinner home with M. G. Fulghum, county welfare officer, today who went there to make arrangements for the Skinner family somewhere else and it was then that the queer story of a landlord who started pulling his own tenant house apart in an effort to get the tenant out was told.

Skinner went on as he sat by the side of his roofless home and his three pretty daughters stood nearby.

"I don't know what I've ever done to deserve this," said Skinner. "I've worked all my life on a farm and I've never been accused of anything but working hard. Then Mr. Barnes comes along and says that I'll have to go and that he's not going to furnish me any more because I'm not worth it in work."

"I don't know where to go," he kept on. "I haven't got any money."

A potato patch was by the side of the house. Skinner paid for the potatoes himself while Barnes paid for the fertilizer. Barnes, Skinner said, wouldn't even let him go into the potato field.

Yesterday, when it rained hard, it rained down into the roofless house and the water was on the floor "an inch thick," Skinner

said. He said that, though part of the roof directly over his wife's bed had been left on it didn't do any good and that the rain came down on the bed last night.

"It was terrible," said the wife, as she lay sick in bed. "It rained all over the floor here where all the rest had to sleep."

Welfare Officer Fulghum commented today that he was moving the Skinners this afternoon and Mrs. Skinner would be moved by ambulance. The family will be taken care of until they can find another place together.

"I don't want to live in town," said Skinner. "I want to stay in the country. The town's no good for the children."

And he had three innocent little daughters.

Think of it! Think of it!

Mr. President, I have made these remarks about the unemployed and the unfortunate of the United States because I think we should take care of the poor sick mothers, the poor unfortunate daughters, the poor unemployed sons, and the poor tenants who are being ejected from their farms, hundreds and thousands of them, the length and breadth of this land, at this hour.

For these reasons I ask for favorable action on my amendment, providing that when any individual, firm, association, or corporation employs men to do work in their factories, or in any sort of enterprise, 90 percent of them must be American citizens, either native born or naturalized, and only 10 percent may be aliens. Is there any objection? Did I understand the sponsor of the bill to indicate he will accept my amendment?

Mr. LA FOLLETTE. Mr. President, I merely wish to make the statement that of course the committee has had no opportunity to hold hearings on the amendment or to make any study of it, but as chairman of the committee I would not interpose any objection, if the Senate desires to incorporate the amendment in the bill.

Mr. REYNOLDS. I thank the Senator very much.

Mr. BARKLEY. Mr. President, if I may ask the Senator a question, as I understand, the Senator's amendment is all-inclusive; that is, it takes in all industries in the United States, whether they are engaged in interstate commerce or not. Is that correct?

Mr. REYNOLDS. That is correct.

Mr. BARKLEY. Has the Senator given thought to the possibility that we might not have the right to control the employment of the people in industries which are wholly intrastate, and which send no articles beyond State lines?

Mr. REYNOLDS. I have not given thought to that, and I am very grateful to the Senator for having brought it to my attention. A constitutional question might arise in that connection.

Mr. BARKLEY. Yes.

Mr. REYNOLDS. That being the case, I would be compelled, naturally, to limit the scope of the amendment.

Mr. BARKLEY. I am inquiring whether as it is offered it is limited in its scope.

Mr. REYNOLDS. I hardly think so, in its application to the particular bill now pending; but in view of the fact that the proponents of the bill accept the amendment on the part of the committee, if there is any question, of course, I assume it will be ironed out in conference, if inquiry is made as to its application or as to its constitutionality.

Mr. LA FOLLETTE. Let me also make one further suggestion to the Senator; that is, that the amendment be offered as title III to the bill and that it be inserted just prior to the separability clause.

I wish to correct one statement the Senator has made. I am not in a position to speak for the committee, but I have conferred with the Senator from Utah [Mr. THOMAS], the coauthor of the bill, and with the statement which I have made concerning our lack of knowledge about either the constitutionality of the amendment or its effect upon industry, because we have made no study of it, I shall not interpose an objection.

Mr. REYNOLDS. I thank the Senator very much.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Carolina.

Mr. REYNOLDS. Mr. President, a suggestion has been made to me by the Senator from New York [Mr. WAGNER], which I am very glad to accept. I want to be perfectly fair. I want to emphasize the fact that I have a tremendous interest in this sort of legislation, but there is no venom of viciousness in my heart. I do not want to include any of those aliens in the country today who have actually legally declared their intention to become American citizens. I will ask that that be embodied in my amendment, and I will ask the committee to consider that point.

Mr. LA FOLLETTE. Mr. President, the committee will not have any further opportunity to give consideration to this matter, and I suggest that the Senator perfect his amendment and, if he desires to do so, to temporarily withdraw it. The Senator from Pennsylvania, who has to leave the Senate, would like to offer an amendment, and perhaps in the interim the Senator from North Carolina could confer with others and perfect his amendment.

The PRESIDING OFFICER. Does the Senator from North Carolina temporarily withdraw his amendment?

Mr. REYNOLDS. I temporarily withdraw the amendment.

Mr. DAVIS. Mr. President, I present an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed on page 8, line 25, after the semicolon, to insert the words "or for the pursuit and arrest of persons committing crimes on such premises."

Mr. DAVIS. Mr. President, I offer this amendment because last Thursday the Senator from Michigan [Mr. BROWN] made some reference to the matter covered by the amendment, and I had suggested something similar to it in connection with the pending bill.

Mr. LA FOLLETTE. Mr. President, I have no objection to the amendment; in fact, it is in conformity with the discussion which I had with the Senator from Michigan and the Senator from Pennsylvania.

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

The amendment was agreed to.

Mr. REYNOLDS. Mr. President, in pursuance of my desire to look after American laboring men and American citizens generally, and in particular connection with the reference to national defense made a moment ago, I desire to offer at this time another amendment, and I ask that it be made title IV, because the amendment I withdrew a moment ago I shall reoffer as title III, at the suggestion of the able Senator sponsoring the bill.

Mr. President, the amendment I am now offering relates to the registration and fingerprinting of aliens. In view of the fact that Senate bill 1970 has as its objective the protection of American labor, again I read section 1 as a preface to what I am about to say in regard to the registration and fingerprinting of aliens:

SECTION 1. (a) The Congress hereby finds that the utilization of labor spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions, (1) violates the right of employees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; (2) causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; (3) leads to labor disputes burdening and obstructing commerce and the free flow of commerce; (4) obstructs the settlement of labor disputes through negotiation and the orderly procedure of collective bargaining, thereby tending to prolong interruption of the free flow of commerce; (5) burdens and obstructs commerce and the free flow of commerce; (6) interferes with the United States and its agencies in obtaining goods and services pursuant to contract; and (7) interferes with and obstructs the effective exercise by the several States of their respective police powers.

(b) The Congress further finds that the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers engaged in the activities above referred to, or for the transportation or furnishing of supplies and services for engaging in such activities, tends to spread and perpetuate such activities and the evils resulting therefrom.

(c) It is hereby declared to be the policy of the United States to eliminate the activities referred to in subsection (a) when such activities affect commerce or are engaged in by employers who are engaged in commerce, in the production of goods for commerce, or in furnishing goods or services to the United States and its agencies

pursuant to contract, and to prohibit the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers who engage in such activities, and for the transportation or furnishing of supplies and services for engaging in such activities.

All that is for the benefit, first, of the United States of America, and, secondly, for the benefit of the laboring men in this country who are desirous of the protection which would be provided them under the bill so ably sponsored by the senior Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. President, I shall now ask that this language be accepted as title IV as an amendment to the bill itself:

A bill to protect American labor.

That is what we are all interested in. That is the title to the bill we have as the pending business which is now before the Senate.

A bill to protect American labor and stimulate the employment of American citizens on American jobs.

Mr. President, I desire to read this language so that it may be in the RECORD. I wish the American people to know that today we are thinking of them. I wish the 135,000,000 people of America to know that today we are thinking of them in terms of protection insofar as national defense is concerned; and, in order to provide an adequate national defense, we must certainly, fundamentally, and initially, provide attention and protection to and for the laborers who will be called upon to utilize their brawn and their muscle to build up the defensive protective forces of the Nation. Therefore, I take occasion to read into the RECORD the language which I offer, in order, as I have said, that the American people may know that we are interested in protecting American labor, because American labor will be called upon—to do what? It will be called upon to build up the defenses for which we are going to vote several billion dollars within the course of the week.

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

Mr. REYNOLDS. I yield.

Mr. DAVIS. While the Senator from North Carolina has a very clear and strong voice, yet I suggest that the matter referred to be sent to the desk and that the clerk read it, so Senators on both sides of the aisle may hear it.

Mr. REYNOLDS. Mr. President, I send the matter I just referred to to the desk, and ask that it be read.

The PRESIDING OFFICER (Mr. MINTON in the chair). The clerk will read.

The LEGISLATIVE CLERK. As title IV of the bill it is proposed to add the following:

TITLE IV

That there is hereby established an interdepartmental committee, to be known as the Alien Registration Board and hereinafter referred to as the Board, which shall be composed of one representative designated by the Secretary of War, one representative designated by the Secretary of State, one representative designated by the Attorney General, one representative designated by the Secretary of Labor, and one representative designated by the Postmaster General. The representative designated by the Secretary of War shall be ex officio chairman of the Board.

SEC. 2. The heads of the departments hereinbefore mentioned may temporarily assign other members of their departmental staffs to render expert advice or assistance to the Board: *Provided, however,* That no person designated as a member of the Board, or as an expert attached thereto, shall receive additional compensation to that which he already receives.

SEC. 3. No immigration visa shall hereafter be issued to any alien seeking to enter the United States unless said alien has been fingerprinted in triplicate; one copy of the fingerprint record to be utilized by the consul in ascertaining whether or not the person making application for entry is the person whose name is set forth in the application and whether or not the applicant has a criminal record or other statutory disqualification which would exclude him from entering the United States; the second copy of the fingerprint record to be attached to the alien's immigration visa to provide for verification of the immigrant's identity upon arrival at a port of entry of the United States; and the third copy of the fingerprint record, together with such other information as may be required by the Board, to be sent directly to the Division of Identification of the Department of Justice for filing in the alien section of its noncriminal records.

SEC. 4. It shall be the duty of the Board to prescribe rules, regulations, forms, and procedure for the taking of a Nation-wide official registration and fingerprint record of all aliens now in the United States, except the accredited officials of foreign governments, their suites, families, and guests.

SEC. 5. Within 6 months after the effective date of this act, the Postmaster General shall proclaim the rules and regulations under which every alien shall apply for registration at a United States post office and be fingerprinted, and supply such other information as may be called for by the Board respecting the alien's status, occupation, duration of stay, and intention to remain or depart from the United States. Upon registration, which shall be in duplicate, one copy shall be mailed to the Commissioner of Immigration and Naturalization of the Department of Labor, Washington, D. C., and the second copy shall be mailed to the Director of the Division of Identification of the Department of Justice, Washington, D. C., for filing in the alien section of its noncriminal records. The Commissioner of Immigration shall issue a registration card to each alien registrant, bearing a distinctive number and copy of the fingerprints of the alien, the said registration card to be mailed to the address given by the alien upon registration.

SEC. 6. The postmaster in any United States post office, or any employee in such post office designated by him, at which a registration shall be filed, shall collect a fee of $1 for each first registration, and subsequently 50 cents for each renewal thereof. The funds so collected shall be turned into the general fund of the Post Office Department in such manner as may be prescribed by the Board.

SEC. 7. It shall be the duty of every alien in the United States, who has been registered as hereinbefore provided, to notify the Commissioner of Immigration and Naturalization of the United States of every change of address, with a statement as to whether the change of address is permanent or temporary. If the change of address is permanent, it shall be the duty of the alien to report such fact to the nearest post office and make application in accordance with regulations prescribed by the Board for the issuance of a new card showing such new permanent address; and every alien in the United States shall renew his registration annually at such dates as may be designated on his registration card.

SEC. 8. It shall be the duty of the Postmaster General, with the assistance of the Attorney General, to provide for instructions whereby postal employees may be instructed in the manner of taking fingerprints upon sensitive paper approved by the Division of Identification of the Department of Justice.

SEC. 9. The Attorney General shall instruct the Director of the Division of Identification of the Department of Justice to create a section in the Bureau of Identification to be known as the Section of Alien Registration.

SEC. 10. Any alien who shall fail to comply with the provisions of this act shall be punished by a fine of not more than $10,000 or imprisonment of not more than 5 years, or both, and, upon the payment of the fine or the completion of sentence, the alien shall be taken into custody on a warrant issued by the Secretary of Labor and deported forthwith from the United States.

SEC. 11. This act may be cited as the Immigration and Alien Registration Act of 1939.

At this point Mr. REYNOLDS yielded to Mr. BILBO, who addressed the Senate on the subject of designating a day as "Doctor's Day," and whose remarks appear in the RECORD following Mr. REYNOLDS' remarks.

Mr. REYNOLDS. Mr. President, I send to the desk the amendment to which the proponent of the pending bill has agreed, to be known as title III.

The PRESIDING OFFICER. Does the Senator withdraw the first amendment he offered?

Mr. REYNOLDS. I withdraw the first one.

The PRESIDING OFFICER. This amendment is in lieu of the other amendment?

Mr. REYNOLDS. It is in lieu of the other amendment. The amendment the Clerk now has is the one that has been agreed upon.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, between lines 20 and 21, it is proposed to insert:

TITLE III

Section 301. (a) After the date of enactment of this act, it shall be unlawful for any person engaged in interstate or foreign commerce or in the production of goods for such commerce to have any aliens in his employ to the extent of more than 10 percent of the total number of his employees. For the purpose of this section, the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

(b) Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be fined not more than $10,000, or imprisoned not more than 5 years, or both.

On page 20, line 22, strike out "Sec. 206" and insert in lieu thereof "Sec. 302."

At this point Mr. REYNOLDS yielded to Mr. LUNDEEN, who asked and obtained leave to have printed in the Appendix of the RECORD an editorial from today's Washington Times-Herald on the subject of national defense, and other matter on the same subject, which appear in the Appendix.

Mr. REYNOLDS. Mr. President, in this connection I wish to say to the Senator from Minnesota that I am very happy to have been provided the opportunity to yield to him for the purpose designated; to wit, that of inserting the editorial and other matter in the RECORD. I had read the editorial, and, as a matter of fact, had myself contemplated putting it in the RECORD; so I am glad the Senator made the request.

Mr. President, returning to my amendment to the pending bill providing for the registration and fingerprinting of aliens, which interests itself in the protection of labor, the protection of the American Government, and our national-defense program, I desire to read the first four or five paragraphs from the address of our great President the other day, May 16, 1940, when the Members of this body met with the Members of the other House in the Hall of the House of Representatives. At the time the President took occasion to address us I was present, and listened to him with great enthusiasm.

The President stated:

> These are ominous days—days whose swift and shocking developments force every neutral nation to look to its defenses in the light of new factors. The brutal force of modern offensive war has been loosed in all its horror. New powers of destruction, incredibly swift and deadly, have been developed; and those who wield them are ruthless and daring. No old defense is so strong that it requires no further strengthening, and no attack is so unlikely or impossible that it may be ignored.
>
> Let us examine, without self-deception, the dangers which confront us. Let us measure our strength and our defense without self-delusion.
>
> The clear fact is that the American people must recast their thinking about national protection.
>
> Motorized armies can now sweep through enemy territories at the rate of 200 miles a day. Parachute troops are dropped from airplanes in large numbers behind enemy lines. Troops are landed from planes in open fields, on wide highways, and at local civil airports.

The next paragraph I wish to place particular emphasis upon. Said the President of the United States:

> We have seen the treacherous use of the "fifth column" by which persons supposed to be peaceful visitors were actually a part of an enemy unit of occupation. Lightning attacks, capable of destroying airplane factories and munitions works hundreds of miles behind the lines, are part of the new technique of modern war.

Mr. President, the President of the United States made mention of the "fifth column," and when he made mention of the "fifth column" he had in mind what? I assume to say that he had in mind the Trojan horses of which we have heard so much of late, especially since the aggressions committed upon Norway and Denmark and Holland and Belgium within the past several weeks. He had in mind, I assume to say, the alien enemies concerning whom I have been talking upon the floor of the Senate for more than 5 years past. In other words, the "fifth column" embodies the alien enemies who are in this country, and the Trojan horses that have been setting hoof upon the shores of America for many years past.

Therefore, I say that if we are desirous of protecting the United States of America, if we are desirous of protecting the laboring people of this country who are gainfully and happily employed at the present time, we can do so only by seeing to it that every single alien engaged in occupational work side by side with them is registered and fingerprinted, in order that our American workers may know by whom they stand, and, if aliens, who they are, whence they came, when they came, why they came, what they are doing, and how long they intend to remain here.

Mr. President, this is the time of all times when we should protect the American laboring man against suspicion, when we should give to American labor every possible protection upon this part of the continent because we are or soon shall be engaged in the expenditure of billions of dollars with a view to providing for the American people not only an adequate national defense but a perfect national defense, such a defense as cannot be penetrated by enemy from within or enemy from without.

Mr. LUNDEEN. Mr. President——

Mr. REYNOLDS. I yield to the Senator from Minnesota.

Mr. LUNDEEN. I wonder what the able Senator's opinion may be of persons who have come from foreign shores, enjoyed our hospitality here and the opportunities which they certainly had in the good years, at least, and have never even applied for citizenship. It seems to me we should have very little patience with those who do not at least apply for citizenship.

Mr. REYNOLDS. I will say to the Senator, in answer to his inquiry, that there are in the United States today millions of aliens, many of whom have been here year in and year out for many years who have never been sufficiently interested in this Government and its protective arm even to make application for American citizenship by way of application for naturalization.

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

Mr. REYNOLDS. I gladly yield.

Mr. WAGNER. In the Senator's amendment, however, he is treating those who have applied for citizenship and those who have not applied for citizenship on the same basis. He makes no distinction between them.

Mr. REYNOLDS. My amendment, which has been accepted, provides that 90 percent of all the persons employed in work in interstate factories or industries of any sort or description by any individual, firm, association, or corporation, must be American citizens, and in order that those who have up to this hour made application for naturalization may obtain employment, they can come within the 10 percent. I am not asking at this hour that 100 percent of the employees of every factory be Americans, because many aliens have made application for naturalization, for American citizenship, and I am leaving the 10 percent in order that those who have thus applied may be provided the opportunity of getting work. Under my amendment, which has been accepted, thank Heaven, for the American laboring man, 90 percent of all persons employed must be Americans.

Now I wish to return to the registration and fingerprinting amendment.

The President of the United States said in his address on May 16:

> We have seen the treacherous use of the "fifth column" by which persons supposed to be peaceful visitors were actually a part of an enemy unit of occupation.

I contend and argue that the President was talking about Trojan horses, was talking about enemy aliens; and now, when war rages in Europe and Asia, when war, it is said, is so close to our shores, is the time for us to provide protection for American laboring men and for the Government of the United States.

Mr. President, the Secretary of Labor, Mme. Perkins, recently stated in an interview released to the press of the country that in her opinion there were in the United States 3,300,000 aliens. I once stated upon the floor of this Chamber that the Honorable MARTIN DIES, chairman of the committee of the House of Representatives working to uncover subversive and un-American activities, stated in Chicago recently that in his opinion there were in the United States 7,000,000 aliens. None of us knows how many aliens there are in this country. Why? Because we have never attempted to make a check-up of the aliens, and only by having a mandatory law requiring registration and fingerprinting can we ascertain whether there are 3,300,000 or 7,000,000 aliens in the United States.

My guess is that there are certainly 5,000,000 aliens in the United States; but my guess is no better than the guess of Mme. Perkins or the guess of MARTIN DIES. My guess is no better than that which might be made by any other Member of this body; but I say that in this hour it is our duty to ascertain for the American people, by way of my proposed amendment, how many aliens there are in the United States.

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

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. The Senator assures us, I understand, that he will protect those aliens who have good intentions

and who are seeking to become citizens, who have applied for citizenship—where there is no procrastination or delay in perfecting his application.

Mr. REYNOLDS. Certainly; they are protected. As I explained a moment ago, the 10 percent is set aside for those who have made application for citizenship or for those who have not made application for citizenship, but I say that it will be the duty of the employers of the country, in filling that 10-percent quota of noncitizens, to give the first opportunity for work to those aliens who have indicated their desire to become citizens of the United States.

Mr. LUNDEEN. Mr. President, I do think we should give preference to those who are seeking to become citizens. So long as they show their good intentions to become citizens, we should give them due credit.

Mr. REYNOLDS. That is correct.

Mr. LUNDEEN. So long as they are proceeding properly, along legal lines, to become citizens, I think we should bear that in mind.

Mr. REYNOLDS. I have borne that in mind. I provide that the 10 percent shall be given over to those aliens, noncitizens, who have made application for American citizenship, and I declare that it should be the duty of the employers of America to see that the benefit of that 10 percent be given to those who have made application.

Mr. WAGNER. Mr. President, in view of the question that was asked by the Senator from Minnesota, I do not think there ought to be any misapprehension about the amendment. The amendment makes no distinction at all between aliens who have never become citizens and never have applied for citizenship, and aliens who have been here and have expressed their anxiety to become citizens by filing their applications. The two classes are put in exactly the same category, in the 10-percent category, without any distinction.

Mr. REYNOLDS. I thank the Senator from New York. I am perfectly willing to amend my amendment by holding the 10 percent for the employment of aliens and providing that that should be used exclusively for those aliens who have made application for American citizenship. I thank the Senator, because that will strengthen my amendment materially.

Mr. LUNDEEN. Mr. President, I have not taken any part in drafting the amendment or redrafting it, but I hope that proper credit and allowance will be given to those who are seeking citizenship so long as they proceed with due diligence and do not let their applications lapse. They should proceed with due diligence in seeking to become full-fledged citizens of the United States.

Mr. REYNOLDS. I am asking now that aliens who have not made application for citizenship be not permitted to participate in the benefits flowing from the 10-percent provision.

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

Mr. REYNOLDS. I yield.

Mr. WAGNER. Under the Senator's interpretation of just a moment ago, aliens who have not applied for citizenship cannot work at all.

Mr. REYNOLDS. They cannot work at all. That was the suggestion of the Senator from New York, for which I thank him, because, as I stated, I think that will strengthen my amendment.

Mr. WAGNER. The Senator misunderstood me. I think, as the Senator from Minnesota suggested, that we should put those who have applied for citizenship, at least, in the same class with citizens, so far as opportunities for employment are concerned. But the way the Senator now proposes to change the amendment, he does not want to have an alien work at all in any of our factories. After all, they have come here legally, and are enjoying the privileges which our laws and Constitution confer upon them.

Mr. REYNOLDS. I agreed to modify the amendment because I thought the Senator from New York suggested it.

Mr. WAGNER. Oh, absolutely not.

Mr. REYNOLDS. Then, if the Senator did not suggest that, I ask that the amendment be left just as it was. I wanted to strengthen it, and I thought the Senator from New York was making a suggestion for strengthening it. I should like to fix the amendment so that no alien in this country could work; but insofar as my amendment is concerned, I would be willing to let those aliens who have applied for citizenship have work.

Mr. President, a moment ago I stated that mandatory registration and fingerprinting would enable us to ascertain how many aliens there are in the country—whence they came, when they came, how they came, why they came, and how many there are here.

Secondly, by the enactment of the amendment we would be able to find out whether they came to this country legally or illegally, and if they came legally, as to whether or not they have remained here illegally, and if they came illegally, how they happened to remain here all these years illegally. Only by the enactment of such an amendment as this will we ever be able to ascertain definitely the number of aliens in this country. In addition to that, by the enactment of an amendment of this kind we will find where these aliens are, tonight, tomorrow, what they are doing, and in what sort of activities they are engaged at the present time.

Why should we know those things? We should know them because many people in this country think that next week or week after next Hitler will come here and take the United States of America, and that within the confines of the continental United States today there are hundreds of thousands of Trojan horses, constituting a "fifth column" in the form of alien enemies. We all know, from what we read in the press, that Hitler could not so successfully, and without tremendous difficulty, have aggressed upon Denmark and Norway unless the Trojan horse had been grazing in those Scandinavian countries prior to the projection of his mechanized forces therein.

So I say that the American people today, before it is too late, are now interested in ascertaining the number of aliens in this country and what they are doing, so that, if we are attacked by a foreign enemy, or enemies, we may put our fingers upon those alien enemies without any difficulty whatsoever.

Mr. President, we find further from the press that thousands of Trojan horses, thousands of men of the "fifth column," thousands of alien enemies found their way into the low countries of Holland and Belgium, and their approach, their penetration, their aggression, and their victory was made doubly easy because the road had been paved for the troops by enemies of the countries into which they they came.

One of the things that today is giving the British Isles as much trouble as anything else is the alien enemies they have found within their midst. An order was recently issued to round up all such aliens and to detain and guard them in camps, lest they might bring destruction and ruin to the British Isles, make them weaker and weaker, make the road to their fortifications smoother, as had been done in the lowlands of Belgium and Holland prior to the aggressions and the successes of the Germans there.

Mr. President, prior to the declaration of war by Great Britain on September 3, 1939, and prior to that same date, when the mobilization orders were issued by the War Department of the French Government, the F. B. I. of the Department of Justice, I am told by Mr. J. Edgar Hoover, received, on an average, only 250 complaints annually of espionage and sabotage. Since then in this country, even while we are at peace, I am informed, over the signature of the Director of the Bureau of Investigation of the Department of Justice, that that Division of the Government is now receiving a greatly increased number of complaints of sabotage and espionage. Therefore, I repeat, the time has come when we should provide protection to the American people, when we should provide protection to the workers of America, who will be called upon in our great defense

program to build an adequate and perfect national defense for the protection of the American people themselves. We cannot do that if our country is honeycombed with spies and saboteurs at an hour when we are engaged in bringing about that perfect structure which the President of the United States desires, and which I dare say not only every Member of this body but every Member of the other House desires.

Why should anyone object to the passage of the legislation in question? The President of the United States is fingerprinted and every member of his Cabinet is fingerprinted. Every man in the Marine Corps, in the Navy, in the Army, and in the Air Corps is fingerprinted. In addition to that, thousands upon thousands of American citizens are annually voluntarily submitting to fingerprinting. Furthermore, thousands upon thousands of boys and girls of high-school age are annually submitting to fingerprinting and to registration.

Who is objecting to legislation designed to cause the fingerprinting of aliens in this country? If we get into war all enemy aliens will then be considered as potential enemies, and we will intern them; we will gather them together and see that they are guarded, as has been done in France and in England. The trouble in France and in England is that those countries acted too late in guarding against the encroachments of the members of the "fifth column," the Trojan horses, and the alien enemies.

I know there is not a Member of this body who would object to being fingerprinted. Why? Because he would have nothing to lose by it, but to the contrary would have everything to gain by it—protection of the individual himself. That is the reason why hundreds of thousands of American citizens, young and old, male and female, are annually submitting to voluntary registration and fingerprinting. I cannot understand who objects to the proposed legislation. No alien could object to it. Any alien who is in this country legally should gladly submit himself to fingerprinting. I will tell why many aliens do not want to be fingerprinted. Hundreds of thousands of them have come into the United States illegally, and if they are fingerprinted the Department of Labor will find out that they are here illegally, and they know they will be deported. So also many hundreds of thousands have come here legally and have remained here illegally, and they do not want to leave the United States of America because they know it is the easiest place in the world in which to make a living and the best place upon the face of the earth to find real protection.

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

Mr. REYNOLDS. I yield.

Mr. BARKLEY. I sympathize with a great deal of what the Senator has said on the subject. However, I wish to ask the Senator as to the propriety of offering his bill, which he has previously introduced, and which is now pending before the Committee on Immigration, I believe, as an amendment to the pending bill. The pending bill, of course, deals with an entirely different subject. It deals with the conditions found by the La Follette committee in its investigation of civil liberties, and so forth, throughout the country; it seeks to correct some of the evils the committee discovered. We do not have the benefit of a committee report on the bill of the Senator from North Carolina. I do not know what effort the Senator has made to have his bill reported from the committee, but, at any rate, it has not been reported, although other bills introduced by the Senator from North Carolina have been reported, and, I believe, some of them have been acted upon.

Does the Senator feel that the bill which he has introduced, and which he now offers in the form of an amendment, is a proper amendment to be offered to a bill of the character of the bill now pending, and if so, why? And what is the difficulty about having his bill reported out of committee and having it considered on its merits?

Mr. REYNOLDS. I thank our able leader for having directed that inquiry to me, and in answer thereto I desire to state first that I introduced my registration and fingerprinting bill last year. I endeavored to have it passed upon by the committee, but was not successful. My recollection is that the year prior I introduced a similar bill requiring the registration and fingerprinting of aliens and was not successful in getting it out of the committee, because innumerable organizations in the United States opposed the bill and similar bills which I have introduced. I reintroduced the bill this year, and I found a great deal of opposition to it on the part of certain societies and organizations in the United States. At the present time my bill is in the Committee on Immigration. Hearings have been had on it, but it has never been favorably reported. There is dust on every leaf of it now.

I see here and now an opportunity to bring to the attention of the Senate and the American people my bill which calls for the registration and fingerprinting of aliens, which would catch those of the "fifth column" in this country, as mentioned by the President of the United States. I found my opportunity when the pending bill came before the Senate. It is appropriate for me to offer my bill as an amendment, in view of the fact that the pending bill has as its objective the protection of the United States of America and the protection of labor. Therefore, if the laboring men of our country who are engaged in manufacturing plants have an opportunity of learning that the men working beside them are aliens, that information should be given to the proper authorities.

If any aliens are working in plants alongside our American workingmen, I say it is the duty of the United States Government to advise our citizens of the fact that aliens are working beside them and that they must be careful what they say and do and must watch the aliens every minute, because if, unfortunately, we should become involved in war, every alien in the United States today would be considered a potential enemy of this Government.

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

Mr. REYNOLDS. Certainly.

Mr. BARKLEY. Has the Senator given any consideration to this situation: The bill which is now the unfinished business, and which I had hoped might be disposed of today, must go to the House and be considered there if it is to become a law before Congress adjourns. If this amendment is included in the pending bill, those who oppose the amendment will be added to those who oppose the bill itself, which may bring about the final defeat of both measures, resulting in nothing being accomplished along the line desired by the Senator. If the amendment is added to the bill, opposition to the bill may be increased. There would be combined opposition rather than single opposition with respect to both measures. Has the Senator thought about that?

Mr. REYNOLDS. I had not thought about it. I do not see how it could be. I will state to the Senator from Kentucky that it is my intention to vote for the La Follette bill. I want to bring about protection for American laborers, to which I think they are entitled, and at the same time bring about protection to the Government for the benefit of all the people of the country.

First, my amendment to the effect that in all the factories and plants in the country 90 percent of the employees must be American citizens was accepted. I think that is wonderful. I think the American people today should be thankful to the Senator from Wisconsin for providing them with an opportunity to obtain work when they have not heretofore been able to obtain work. I tender my thanks to the Senator from Wisconsin for accepting my amendment, which guarantees work to American citizens and which excludes aliens who have been taking the work of American citizens. That is No. 1.

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

Mr. REYNOLDS. I am delighted to yield. I am very happy the Senator asked me these questions.

Mr. BARKLEY. I am concerned about the final result. We realize that at this stage of this session any bill which

has not already passed the other branch of Congress must go there and be considered. Otherwise, we should get nowhere with respect to the objective. I am wondering whether to complicate the present bill with an amendment of this sort on a different subject would ultimately militate against the passage of either measure in the other branch.

Mr. REYNOLDS. I thank the Senator from Kentucky. In reply I will say that I am of the opinion that one of my amendments already having been accepted, guaranteeing 90 percent of the work to Americans, with aliens permitted to get only 10 percent of it, the acceptance of the amendment providing for the fingerprinting of aliens will obtain votes for the bill, because the present Congress is American-minded. Congress today is interested more than ever before in national defense; it is interested in protecting the American people.

The PRESIDING OFFICER. Let the Chair state the parliamentary situation to the Senator from Kentucky with reference to the amendments offered by the Senator from North Carolina [Mr. REYNOLDS].

The Senator from North Carolina withdrew the amendment to the pending measure which provides for the fingerprinting and registration of aliens, and now has pending before the Senate an amendment of an entirely different character. The amendment which the Senator from Kentucky has been discussing has been withdrawn.

Mr. BARKLEY. I thank the Chair for that explanation.

Mr. REYNOLDS. To what amendment is the Senator referring?

Mr. BARKLEY. A while ago I heard an amendment read at the desk at length. In the meantime I was called from the Chamber. Is that the amendment which has been withdrawn?

The PRESIDING OFFICER. It was withdrawn. The amendment which is now pending provides, in substance, that those engaged in interstate commerce and producing goods for interstate commerce must employ American citizens to the extent of 90 percent.

Mr. BARKLEY. That amendment was accepted?

Mr. REYNOLDS. That was accepted.

The PRESIDING OFFICER. That amendment was accepted by the Senator from Wisconsin [Mr. LA FOLLETTE]. The Senate has not accepted it.

Mr. BARKLEY. Is that the matter now under discussion?

Mr. REYNOLDS. No; that amendment was accepted by the able proponent of the bill, the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LA FOLLETTE. The matter arose in this way: The Senator offered an amendment. He desired to perfect his amendment, and temporarily withdrew it. He then offered another amendment; and after he had perfected his amendment he withdrew the longer amendment and offered the first amendment, which is now pending. It has not been acted on by the Senate.

Mr. REYNOLDS. In reference to the amendment which I have sent to the desk, it was my understanding that the Senator had accepted it.

Mr. LA FOLLETTE. I stated that the committee had had no opportunity to study the amendment, and knew nothing about the effect of its application, but that I would not interpose any objection to it. However, since the Senator offered his perfected amendment the Chair has not had an opportunity to put the question.

Mr. REYNOLDS. Mr. President, I should like to have the question put now.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. Would the statement of the Senator from Wisconsin, or of any other Senator, that he accepts a proposed amendment, obviate the necessity of having the Senate pass upon it?

Mr. LA FOLLETTE. Mr. President, no such implication or connotation is to be drawn from anything I said. I simply made a statement as to what my own action would be; namely, that the committee had made no study of this matter, that I knew nothing about its effect upon industry, but that I personally would not interpose any objection.

Mr. KING. I did not intend to imply that the Senator had any such motive; but, from the statement made by the Senator from North Carolina, I gained the impression that he conceived that if the Senator accepted the amendment, that would be satisfactory. I wish to make it clear that on a matter of this importance the Senate would have to vote on the amendment.

Mr. REYNOLDS. There being no objection to it, I assumed it was unnecessary to have a vote.

The PRESIDING OFFICER. The Chair has not had an opportunity to put the question on the amendment to the Senate for its approval of disapproval. The Senator from North Carolina has been speaking continuously on one amendment or the other.

Mr. REYNOLDS. I respectfully ask that the question on the amendment be put.

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

Mr. BARKLEY. Mr. President, is that the one which was temporarily withdrawn earlier in the day?

Mr. REYNOLDS. I ask that the amendment be stated by the clerk.

Mr. BARKLEY. As I understand, the amendment which was temporarily withdrawn earlier in the day required that 90 percent of the employees in any industry producing goods for interstate commerce should be American citizens.

Mr. REYNOLDS. Yes.

Mr. BARKLEY. Was that amendment later modified, after it was temporarily withdrawn?

Mr. REYNOLDS. As a matter of fact, I did not have it in legal form at the time; and I called in Mr. Wood, the legislative draftsman, to prepare what the clerk is about to read.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The LEGISLATIVE CLERK. On page 20, after line 20, it is proposed to insert the following:

TITLE III

Section 301 (a) After the date of enactment of this act, it shall be unlawful for any person engaged in interstate or foreign commerce or in the production of goods for such commerce to have any aliens in his employ to the extent of more than 10 percent of the total number of his employees. For the purpose of this section, the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

(b) Any person who wilfully violates any of the provisions of this section shall, upon conviction thereof, be fined not more than $10,000, or imprisoned not more than 5 years, or both.

And on page 20, line 22, it is proposed to strike out "Section 206" and insert in lieu thereof "Sec. 302."

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

Mr. REYNOLDS. I yield.

Mr. BARKLEY. It was my understanding that earlier in the day the Senator stated that he did not intend to have this amendment apply to those who have declared their intention to become citizens of the United States, or have taken out their first papers.

Mr. REYNOLDS. My interpretation of the draft which was made by Mr. Wood, our legislative draftsman, is that 90 percent of those employed must be citizens of the United States. The other 10 percent may be noncitizens.

Mr. BARKLEY. The Senator in his amendment makes no distinction between those who have made application for their first papers, or who have declared their intention to become United States citizens, and those who have not?

Mr. REYNOLDS. Those who have made application for citizenship, of course, should have the preference.

Mr. BARKLEY. The amendment does not say so.

Mr. REYNOLDS. I will ask that those who have made application for citizenship have the preference.

Mr. KING. Mr. President, I dislike to delay the proceedings, but it seems to me the matter is of so much importance that we ought to have the amendment definitely in writing.

Mr. REYNOLDS. If the Senator will permit me, I shall read it definitely.

Mr. BARKLEY. Mr. President, it is now 5 o'clock, and it is obvious that we cannot finish the consideration of the bill today. Suppose we leave the amendment in suspense, and have the Senator perfect his amendment before we resume consideration of the bill.

Mr. REYNOLDS. Very well. I shall continue tomorrow on my registration and fingerprinting bill.

Mr. BARKLEY. I think the Senator ought to take note of the fact that tomorrow we propose to go ahead with the military appropriation bill. The pending bill will have to be temporarily laid aside. However, when the pending bill is resumed—which will be automatically at the end of the consideration of the military appropriation bill—the Senator will have an opportunity to discuss the matter.

Mr. REYNOLDS. I thank the Senator.

THE DOCTOR—HUMANITY'S GREATEST BENEFACTOR

Mr. BILBO. Mr. President, a few days ago I introduced Senate Joint Resolution 256. The joint resolution was referred to the Committee on the Library, and has been favorably reported, and is now on the calendar as No. 1695. The joint resolution provides for the designation of a day to be observed as Doctor's Day. I shall read the joint resolution:

Resolved, etc., That the 22d day of June in each year is hereby designated, and shall hereafter be known as, Doctor's Day in commemoration of the great sacrifices and untiring efforts and devotion of the members of the medical profession in performing their duty to humanity by caring for the sick and injured in times of individual need and during periods of pestilence, war, and other disasters and catastrophes.

SEC. 2. The President is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the United States flag on such day and inviting the people of the United States to observe such day in an appropriate manner.

Mr. President, I wish to make a few observations in connection with the joint resolution.

History and literature, both sacred and profane, ancient, medieval, and modern, assign to the physician—to the ministry of healing—a place high on the scroll of man's achievements.

Hippocrates, the Father of Medicine, who lived 400 years before Christ, attained immortal fame through his great works as a physician. As a youth he studied the tablets in the temples of the gods, where each person inscribed the ailments from which he had suffered and the means by which he had recovered. History tells us that at the beginning of the Peloponnesian War Hippocrates saved Athens from a dreadful pestilence. Subsequently, upon being invited to the court of Artaxerxes, he patriotically refused, and said he must serve his own country. He was given the civic privileges of Athens and was rewarded with a golden crown. Down through the ages the noble principles practiced and expounded by the Father of Medicine have survived to mold the ethics of all physicians worthy of the name. No finer human document was ever written than the Hippocratic oath. The following passage of that oath reflects particularly well the philosophy of the ethical physician. I quote:

I will look upon him who shall have taught me this art even as one of my parents. I will share my substance with him, and I will supply his necessities, if he be in need. I will regard his offspring even as my own brethren, and I will teach them this art, if they would learn it, without fee or covenant. I will impart this art by precept, by lecture, and by every mode of teaching, not only to my own sons but to the sons of him who has taught me and to disciples bound by covenant and oath according to the law of medicine. The regimen I adopt shall be for the benefit of my patients, according to my ability and judgment, and not for their hurt or for any wrong. I will give no deadly drug to any, though it be asked of me, nor will I counsel such; and especially I will not aid a woman to procure abortion. Whatsoever house I enter, there I will go for the benefit of the sick, refraining from all wrongdoing or corruption, and especially from any act of seduction of male or female, bond or free. Whatsoever things I see or hear concerning the life of man in my attendance on the sick or even apart therefrom, which ought not to be noised abroad, I will keep silence thereon, counting such things to be as a sacred trust.

Nor does the doctor's code of honor stop with the oath. Since earliest times the medical profession has developed and codified ethical principles to which every good doctor adheres. The code is to him the highest law in the universe outside of the Bible. In truth, in his ministrations to humanity, the doctor exemplifies in high degree the very spirit of the Saviour Himself, who came to earth with healing in His hands.

The doctor's relation to his patrons differs from that of any other profession or business. He is brought in direct contact with the family in a relationship the most intimate as well as the most sacred and serious that falls to the lot of man. He is with us at birth, through life, and at that final hour when the eye is closed in darkness, the nerveless hands crossed in dreamless sleep upon a pulseless breast.

Let us suppose that he has done the practice of a family for a number of years. He has been present at the birth of the children of the home; has taken them through their teething, measles, mumps, and myriad other childhood diseases or injuries. He has stood by the mother at the most serious times, when an error or bad management on his part would have left a helpless household bereft of its dearest friend—the mother. He has sat night after night in the dangerous illness of the father with his finger on the pulse, probably administering the remedies with his own hand and remaining to note the effect. The mother and father rightfully hold the family doctor above all others in high esteem and teach the little ones from their first lispings to speak the doctor's name in reverence, to believe that he is the greatest and best of earth's noblemen. And he is the greatest and best of earth's noblemen in his relation to the family.

I presume there is no one in this presence today who does not cherish the memory of a "family doctor." I presume there is no one who cannot even now visualize the faithful, efficient doctor at the bedside of a loved one in the throes of grave illness and agony, in the very shadow of death itself, with that eternal sleep from which no man returneth approaching ever closer. I say with impunity, I believe, there is not one among us who has not abundant incentive to invoke a tribute to some fine minister of healing who with ingenius mind and strong but tender hands has assuaged the pain, rebuked the fever, and prolonged the life of someone dear to us. Or, having done all that he could without avail against Nature's inexorable law of death, he remains there even unto the last—a bulwark of comfort and counsel to the sorrowing ones. Ah, yes, my colleagues, I think you know the picture I am so feebly endeavoring to depict. The faithful, fearless doctor—humanity's noblest benefactor!

It is not for his physical benefactions alone that I would honor the doctor. The inherent virtues which his life epitomizes deserve their eulogies, too.

Whenever I look upon a statue or a monument erected to the great and honored, to achievement or ideal of whatever kind, somehow I cannot escape the analogy which that monument or statue evokes as symbolic of the doctor's life. Our beloved Statue of Liberty itself summons to mind the ideals characteristic of the worthy doctor's philosophy. Members of the Senate know the words of the inscription on the pedestal of the Statue of Liberty, I feel sure; but I quote them here because they merit oft repeating:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore;
Send these, the homeless, tempest tossed, to me;
I lift my lamp beside the golden door.

Who lifts higher his "lamp" than does the doctor, to diffuse light and comfort into the dark corners of despair where dwell the wretched, huddled masses, or into the deep valley of the shadow?

When duty calls, the doctor is no respecter of persons. Into the lowly hut of the poor, the hut made lowlier still by the attrition of hard fortune, neglect, and perhaps the harshness of scorn, the doctor carries his gift of healing even as into the imposing mansion on the verdant hill. Amid poverty or splendor, cold or warmth, the brave soul

clings to its supreme loyalty to principle. The surgeon wields his instruments with equal precision and dexterity whether his patient be peasant or patrician, homeless waif or scion of the rich.

Who is democratic if the doctor is not democratic? Who is humane if the doctor is not humane?

More is the credit due him when we consider the economic cost and the personal sacrifice on the part of the doctor in obtaining his medical education, in pursuing the practice thereof. We all know that he spends more years in study than his contemporaries in other occupations, and he pays more for it. It is a matter of record that the average cost per credit hour for the medical student is almost $27 compared to the average of $11 for law courses and $4 for teaching. But, alas, his remuneration is less than that of almost any other specialized profession, when the average is considered. Out of his earnings he must take special courses from time to time, buy expensive books, and the like, in order to keep abreast of all that is new in technique and improved medical science. He must have expensive equipment if he is to be successful. He must know his art and be able to execute it. For though art be long, life is short, and the crisis fleeting. Human life is precious and the doctor worthy of his name is not content that his patients shall have anything but the best the medical profession can give. In the giving of his talents he is the most charitable of citizens. Any public-welfare society will attest that the doctor contributes more freely of his time and talent to charity than do his fellow citizens, and he often gives from his purse as well.

His sacrifice of personal leisure and risk of personal health are great indeed. Improved facilities, broader education of the masses, and the other amenities of our present civilization have mitigated the doctor's hardships and difficulties in no small way, but still his sacrifice is great. He must rule out of his life nearly everything that does not relate to his profession—everything not conducive to efficient performance of his calling. In times of epidemic, at the risk of his own life, he goes among the sick and dying. In times of disaster, he works day and night administering to the victims. In time of war he proves himself among the bravest of the brave warriors as he toils to assuage the agonies of wounded, dying soldiers, to repair as best he can the horrible damages done by cruel instruments of war.

Picture, if you can, Mr. President, a scene more heart-rending in its horror, more challenging to the physician's skill and endurance, than that scene which is part and parcel of every war that was ever waged—wounded, agonizing, groaning, dying soldiers, drenched in blood, steeped to the lips in utter misery and despair, longing perhaps for death's release, but loathe to desert their posts of duty. I would not, if I could, by word or innuendo, take aught from the chivalric honor of the soldier on the battlefield. I would not dim the glory won in peace or in war by any patriot. I yield to no one in my obeisance to the humblest of war's heroes, living or dead. I only say that in war, as in peace, the doctor takes his place among the bravest of the brave.

Who is self-sacrificing if not the doctor? Who is brave if the doctor is not brave?

To physical exertion is added the mental stress—the harrowing experience of witnessing pain and sorrow. Though the doctor must necessarily summon the philosophy of a stoic as his pathway leads him through Sorrow Lane, we are mistaken if we think that he becomes inured, insensitive to its pathos. Once as a fine physician emerged from a home where the death angel had just entered, I asked this stalwart, firm-faced man to tell me, if he would, something of the feeling that the doctor takes away with him from the scene of death. Here is, in substance, what he said to me:

"When I was called to this home today, I found the handsomest and most loved youngster of this family in the very throes of death. It was my duty to inform the family that the little boy was dying. Of all the painful duties that a doctor is called upon to perform, this, to me, is always the most painful. It would be impossible to describe the anguish and the pathos of this bereaved household. Oh, what bitter agony it costs to surrender a precious life to the Grim Reaper."

The doctor sees men and women at their weakest and their worst. But he must carry on calmly, capably, unerringly, despite all the forces that challenge or harass his faculties. His love of mankind and the devotion he receives from grateful patients extenuate but cannot make restitution for his physical and mental sacrifice. So it is that the average doctor does not attain the allotted 3 score years and 10. The life expectancy, or life span, of the doctor has lengthened somewhat in recent years, and I thank God. I do not have national data on the causes of death among doctors, but it is of record that about half the doctor deaths in Mississippi last year were attributed to heart failure. Brave soldiers to the cause of humanity right to the last, most of them. I like to think that death came to each of these—

> Not like the quarry slave at night
> Scourged to his dungeon, but sustained and soothed
> By an unfaltering trust, approaches his grave
> Like one who wraps the drapery of his couch
> About him, and lies down to pleasant dreams.

Though the average life span of the doctor is far too brief, Providence spares a few of these ministers of healing unto a ripe old age. I was inspired when I read of such a case in a recent newspaper article. The reporter described a venerable physician in a small mining town in Alabama, the typical rural doctor, I take it, and he is the only practicing physician in that little town. He is said to have had only two vacations in his entire 60 years of practice. His family had been persuading him to go to a hospital for a rest. He scorned the idea of retiring or taking a rest. But at long last he consented. His son drove down from Birmingham to take the good doctor to the hospital. Just as they were departing they were halted by a man in great distress. The man wanted the doctor to come quickly and attend the wife who was then come to her hour of travail. The aged doctor climbed out of his son's car, gathered up his medicine bag, and laconically announced:

> Guess we'll have to cancel the hospital trip, son.

Where could one find a more inspiring or a more human portrayal of the doctor's contribution to humanity?

Here was this dear old gentleman whose feet are brushing the dews on the shores of the River Jordan, whose crossing to the other side cannot be far distant, and yet he abandoned thought of self to answer the call of that poor woman in travail, to usher into this world another precious life.

Who is long suffering if the doctor is not? Who is loyal in his service to others if the doctor is not loyal? Who is persevering if the doctor is not persevering?

Had I the fluent and eloquent pen of the immortal Robert Louis Stevenson I could more adequately pay just tribute to these noble humanitarians I would have us honor. Stevenson said in his eulogy of the doctor:

> There are men and classes of men that stand above the common herd—the soldier, the sailor, the shepherd not infrequently, the physician almost as a rule. He is the flower of our civilization and when that stage of man is done with, only to be marveled at in history, he will be thought to have shared but little in the defects of the period and to have most notably exhibited the virtues of the race. Generosity he has, such as is possible only to those who practice an art and never to those who drive a trade; discretion, tested by a hundred secrets; tact, tried in a thousand embarrassments; and what are more important, Herculean cheerfulness and courage. So it is that he brings air and cheer into the sickroom, and often enough, though perhaps not so often as he desires, he brings healing.

I agree with the immortal Stevenson that the doctor is the flower of our civilization; and it occurs to me that the time has come when we should designate a day—a day apart from all the other days of the year—to honor the worthy noblemen of the medical profession, the most unselfish humanitarians that grace the earth with their noble deeds.

Following a fine custom of our times, should we not designate a Doctor's Day as a counterpart of Mother's Day, Father's Day, and other days on which we pay special

tribute to persons or to causes? I think that your dear mother, Mr. President, if you be so fortunate as to have her on earth today, would smile with approval at such an act on the part of our assembly. Though it is my sad lot to wear the white rose on Mother's Day for the sweetest of mothers, now with the saints, I doubt not that if she could speak to me from the celestial sphere of Heaven she would voice her approval.

And so I bow, my distinguished colleagues, and implore you that this Seventy-sixth Congress of our United States shall designate and decree a day set apart out of each year as a tribute, a symbol of gratitude, to the flower of our civilization—the doctor.

It seems to me altogether fitting, and simple poetic justice would seem to demand, that this long-belated recognition be conferred; that we should duly create, and record among the memorabilia of our great Nation, a day of commemoration for the great cause the doctor represents, that the observance of Doctor's Day may become a part of the customs of our enlightened age, a day of observance not only for the people of this age but even unto posterity.

Mr. President and gentlemen of the Senate, permit me earnestly to urge the passage of this joint resolution, so that at least one day in each and every year shall be dedicated to the doctor, humanity's greatest benefactor, and upon that day may every citizen send a card, a telegram, or a letter of love and appreciation to the family doctor; call him over the telephone, and speak words of thanks and appreciation; send him flowers or other appropriate tokens of love and friendship; or, better still, drop in at his office or his home, and personally convey to him a message of esteem and gratitude.

DEPARTMENT OF AIR SERVICE

Mr. LUNDEEN. Mr. President, on February 28, 1919, I introduced a bill to create a Department of Air Service, with a Secretary of the Air Service and a full staff. In the CONGRESSIONAL RECORD, on page 405 of the Appendix, March 3, 1919, Sixty-fifth Congress, third session, I made this statement in reference to the development of the Department of Air Service:

The navigation of the air is the newest field just now fairly opened up to the enterprise of men and nations. In order that our people may take their proper place and share in the development of this new science, I introduced the following bill (H. R. 16195) to create an executive department of the United States Government to be known as the Department of Air Service. Other nations are making rapid strides in this field, and in the rivalry of securing the benefits, commercial and otherwise, from this new form of navigation, I believe such a department will be a great benefit to the Government and the people of the United States.

LUNDEEN DEPARTMENT OF AIR SERVICE BILL

I ask unanimous consent to have printed at this point in my remarks the notation of the bill's introduction and the bill itself, H. R. 16195, introduced February 28, 1919. I may add that some 24 other bills concerning a Department of Air Service were introduced by very eminent and distinguished Members of the House and Senate following the introduction of my bill.

Also I refer to the RECORD of January 29, 1920, where a lengthy debate appears, led by the late Senator New, of Indiana, and his colleagues, occupying some 14 pages; and on January 30 the debate continued for another 8 pages in the RECORD.

Also in that connection I wish to refer to remarks which I made on March 2, 1939, in which I stated, so far as we are concerned:

Aviation is a weapon of defense. It is not a weapon which can be launched across the Atlantic and the Pacific Oceans with bombs to drop upon another country. There is not a plane built today in possession of any nation that can carry a full crew, a full load of bombs, and gas enough even to cross an ocean, let alone returning to its base after gaining its objective. Every time you put a bomb on board and put men on board you take off gas. Everyone knows that, or should know it. Aviation is purely a defensive weapon to protect our coasts. I think we should go and see the new developments in aviation for our own instruction.

That statement was made on March 2, 1939. The remarks were made in regard to the *Yankee Clipper*, a magnificent ship; and I say that the Pan-American Co. has been truly an American company, and has developed a mighty industry. I had the pleasure of traveling to Europe on the initial trip of the *Yankee Clipper* to that continent.

DEPARTMENT OF DEFENSE

I wish further to say that last night a radio commentator, in broadcasting to the American Nation, stated that high officials in the War Department and in the Navy Department are urging the President to recommend the creation of a department of air service. I am delighted to know that after so many years of struggle for that principle and the establishment of such a department we are finally beginning to realize that there should be a department of defense, with an army bureau, a navy bureau, and an air bureau, or else three secretaries—a secretary of the air, a secretary of the army, and a secretary of the navy. Germany has a separate department of the air. Great Britain has it. Italy has that system, and so has Japan—all the outstanding nations in the world except the United States. I believe we could add to our efficiency if we had such a system.

GEN. WILLIAM MITCHELL

I desire to say in that connection that my supporter on House bill 16195 on February 28, 1919, when I introduced it, was none other than that great aviator, that commander of the American Air Service in the World War, Gen. William Mitchell, who sustained me all the way through my battle for a department of air service. Distinguished and able gentlemen on the floor of the House and on the floor of the Senate debated and argued the advisability of establishing this new department from that day to this. I call the matter to the attention of the Senate, and I hope that there may be some action in regard to it in the not-too-distant future, so that we may have a real department of air service that will give us the maximum return for the money paid for these defense measures by the American taxpayers.

The PRESIDING OFFICER. The Senator requests permission to insert in the RECORD the matters referred to by him?

Mr. LUNDEEN. I do at this point in my remarks.

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

The matters referred to are as follows:

By Mr. LUNDEEN: A bill (H. R. 16195) to create a Department of Air Service; to the Committee on Interstate and Foreign Commerce.

[H. R. 16195, 65th Cong., 3d sess.]

A bill to create a Department of Air Service

Be it enacted, etc., That there is hereby created an executive department in the Government to be called the Department of Air Service and a Secretary of Air Service, who shall be the head thereof, and who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of $12,000 per annum, and whose tenure of office shall be like that of the heads of the other executive departments; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title IV of the Revised Statutes, including all amendments thereto, are hereby made applicable to said Department. The purpose of the Department of Air Service shall be to promote, develop, and regulate the navigation of the air for the benefit of the people and the Government of the United States. The said Secretary shall cause a seal of office to be made for the said Department of such device as the President shall approve, and judicial notice shall be taken of the said seal.

SEC. 2. That there shall be in said Department an Assistant Secretary of Air Service, to be appointed by the President, who shall receive a salary of $7,500 a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk, and such other clerical assistants, inventors, inspectors, experts, scientists, and special agents as may from time to time be provided for by Congress. The Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Air Service and of all bureaus and offices under his direction, and all accounts relating to all other business within the jurisdiction of the Department of Air Service, and certify the balances arising thereon to the division of bookkeeping and warrants and send forthwith a copy of each certificate to the Secretary of Air Service.

SEC. 3. That the following-named offices, bureaus, divisions, and branches of the public service now and heretofore under the War Department and all that pertains to the same, known as the Chief of the Aircraft Production Bureau, and the Aircraft Production

Bureau, and the military air stations, the Chief of the Bureau of Aviation, and the Bureau of Aviation of the Navy Department and the naval air stations be, and the same hereby are, transferred from the War Department and Navy Department to the Department of Air Service, and the same shall hereafter remain under the jurisdiction and supervision of the last-named department.

SEC. 4. That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Air Service, together with the furniture and apparatus now in use in such bureau, office, department, or branch of the public service shall be, and hereby are, transferred to the Department of Air Service.

SEC. 5. That the Secretary of Air Service shall have charge in the buildings or premises occupied by or appropriated to the Department of Air Service, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter required for use in its business. He shall be allowed to expend for the purchase of buildings, materials, machinery, vehicles, vessels, and apparatus required for the operations of the air service in promoting, developing, and regulating the navigation of the air, and for periodicals and for the purposes of the library and for rental of appropriate quarters for the accommodation of the Department of Air Service within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however,* That where any office, bureau, or branch of the public service transferred to the Department of Air Service by this act is occupying rented buildings or premises it may still continue to do so until other suitable quarters are provided for its use: *And provided further,* That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Air Service are each and all hereby transferred to said department at their present grades and salaries, except where otherwise provided in this act: *And provided further,* That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Air Service shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect, to be executed under the direction of the Secretary of Air Service.

SEC. 6. That there shall be a solicitor of the Department of Justice for the Department of Air Service, whose salary shall be $5,000 per annum.

SEC. 7. That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the Department of Air Service, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Air Service.

SEC. 8. That the Secretary of Air Service shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department and describing the work done by the department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by Congress, or which he himself may deem necessary.

SEC. 9. That the Secretary of Air Service shall investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the Secretary of Air Service with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to the air service and the navigation of the air, in order to harmonize and unify such activities, duties, and powers with a view to further legislation, to further define the duties and powers of such Department of Air Service.

SEC. 10. That this act shall take effect from and after the date of its passage, and all acts or parts of acts inconsistent with this act are hereby repealed.

Bills introduced in the U. S. Congress to create a Department of Aeronautics, Sixty-fifth Congress through Seventy-fifth Congress

Congress and session	Bill			Congressional Record citation		Referred to committee on—
	No.	Introduced by—	Date	Vol.	Page	
			1919			
65-3	H. R. 16195	Mr. Lundeen	Feb. 28	57	4677	Interstate and Foreign Commerce.
66-1	H. R. 7925	Mr. Curry of California.	July 28	58	3292	Military Affairs.
	H. R. 9804	do	Oct. 8	58	6582	Do.
	H. R. 10380	Mr. Hull of Iowa.	Nov. 5	58	7998	Do.

Bills introduced in the U. S. Congress to create a Department of Aeronautics, Sixty-fifth Congress through Seventy-fifth Congress—Continued.

Congress and session	Bill			Congressional Record citation		Referred to committee on—
	No.	Introduced by—	Date	Vol.	Page	
			1919			
	S. 2693	Mr. New	July 31	58	3390	Do.
	S. 3348[1]	do	Oct. 30	58	7738	Do.
66-2	H. R. 11206	Mr. Morin	Dec. 15	59	611	Do.
			1920			
	H. R. 12134	Mr. Hull of Iowa.	Jan. 29	59	2228	Do.
			1921			
66-3	H. R. 16151	Mr. Curry of California.	Feb. 24	60	3829	Do.
67-1	H. R. 3718	Mr. Morin	Apr. 15	61	356	Do.
	H. R. 4395	Mr. Curry of California.	Apr. 19	61	461	Do.
			1924			
68-2	H. R. 10147	do	Dec. 3	66	100	Do.
			1925			
	H. R. 12285	do	Feb. 13	66	3696	Do.
69	(2)					
			1929			
70-2	H. R. 17204	Mr. McLeod	Feb. 20	70	3915	Interstate and Foreign Commerce.
	H. R. 17205	do	do	70	3915	Do.
71-2	H. R. 6615	do	Dec. 5	72	183	Do.
	H. R. 6616	do	do	72	183	Do.
			1931			
72-1	H. R. 6023	do	Dec. 16	75	659	Do.
	H. R. 6024	do	do	75	659	Do.
			1933			
73-1	H. R. 1661	do	Mar. 10	77	150	Do.
	H. R. 1665	do	do	77	150	Do.
			1935			
74-1	H. R. 2840	do	Jan. 3	79	55	Do.
	H. R. 2841	do	do	79	55	Do.
	H. R. 7041	Mr. McSwain	Mar. 27	79	4577	Military Affairs.
	H. R. 8729	Mr. Lundeen	June 29	79	10458	Interstate and Foreign Commerce.
75	(2)					

[1] S. 3348 received the following action in the 66th Cong., 2d sess., Congressional Record, vol. 59: Reported back (S. Rept. 325), p. 267; debated, pp. 2151, 2152-2160, 2185-2198, 2241-2249; recommitted to the Committee on Military Affairs, pp. 2301, 2302.

[2] No pertinent bills found.

CODIFICATION AND REVISION OF PENAL LAWS—MOTION TO RECONSIDER

Mr. McKELLAR. Mr. President, sometime ago the Senate passed Senate bill 2246, to amend section 194 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909. The House had already passed a similar bill; and since that time the Senate has passed the House bill. My distinguished friend the Senator from Arizona [Mr. ASHURST] therefore made a motion to reconsider the action by which the Senate passed the Senate bill. I ask that that motion be acted upon at this time.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arizona to reconsider the vote by which the Senate passed Senate bill 2246.

The motion to reconsider was agreed to.

Mr. McKELLAR. I now move that the bill be indefinitely postponed.

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

The motion to postpone indefinitely was agreed to.

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. MINTON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations and a convention, which were referred to the appropriate committees.

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

EXECUTIVE REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nominations of sundry officers for appointment, by transfer, in the Regular Army.

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 calendar.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations in the United States Public Health Service are confirmed en bloc.

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, it is so ordered.

That concludes the calendar.

RECESS

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

The motion was agreed to; and (at 5 o'clock and 6 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 21, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 20 (legislative day of April 24), 1940

COLLECTOR OF CUSTOMS

Dennis A. Phelan, of St. Marys, Pa., to be Collector of Customs for Customs Collection District No. 12, with headquarters at Pittsburgh, Pa., in place of Leo A. Ivory whose term of office has expired.

UNITED STATES PUBLIC HEALTH SERVICE

Senior Surgeon Frank M. Faget to be Medical Director in the United States Public Health Service, to rank as such from March 6, 1940.

The following named doctors to be Assistant Surgeons in the United States Public Health Service, to take effect from date of oath:

Clarence L. Hebert	Rudolph F. Sievers
James W. Hawkins	Verne C. Waite
Warren F. Draper, Jr.	Albert N. Sarwold
Leslie W. Knott	William G. Budington
Joseph D. Lea	Kenneth M. Endicott
Robert J. Anderson	Milton W. Gwinner
William H. Stimson	Wayne P. Beardsley
William S. Baum	

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Maj. Stanley George Backman, Infantry, with rank from August 1, 1935.

Maj. Levie Wilson Foy, Infantry, with rank from August 1, 1935.

First Lt. Karl William Schwering, Infantry, with rank from June 12, 1939.

TO ORDNANCE DEPARTMENT

First Lt. Samuel Smellow, Field Artillery, with rank from August 1, 1935, effective July 6, 1940.

PROMOTIONS IN THE REGULAR ARMY

To be captains, with rank from June 12, 1940

First Lt. Paul Frailey Yount, Corps of Engineers.
First Lt. William Arnold Carter, Jr., Corps of Engineers.
First Lt. William Whipple, Corps of Engineers.
First Lt. Ralph Powell Swofford, Jr., Air Corps.
First Lt. James Keller Herbert, Corps of Engineers.
First Lt. Paul Ernest Ruestow, Air Corps.
First Lt. Philip Frederick Kromer, Jr., Corps of Engineers.
First Lt. Clement Van Beuren Sawin, Corps of Engineers.
First Lt. LeRoy Bartlett, Jr., Corps of Engineers.
First Lt. Robert Blake Lothrop, Corps of Engineers.
First Lt. Emil Fred Klinke, Corps of Engineers.
First Lt. George Fletcher Schlatter, Air Corps.
First Lt. Edward Fenlon Kumpe, Corps of Engineers.
First Lt. Robert Lynn Lancefield, Corps of Engineers.
First Lt. Lawrence Arthur Bosworth, Coast Artillery Corps.
First Lt. Cyrus Lawrence Peterson, Corps of Engineers.
First Lt. Clarence Harvey Gunderson, Chemical Warfare Service.
First Lt. Donald Ralph Neil, Quartermaster Corps.
First Lt. Frederick Garside Terry, Field Artillery.
First Lt. Oscar Benjamin Beasley, Corps of Engineers.
First Lt. Irvin Rudolph Schimmelpfennig, Field Artillery.
First Lt. James Judson Heriot, Field Artillery.
First Lt. Robert William Porter, Jr., Cavalry.
First Lt. John Henderson Dudley, Corps of Engineers.
First Lt. Andrew Mark Wright, Jr., Infantry.
First Lt. Albert Eugene Dennis, Quartermaster Corps.
First Lt. William Herschell Allen, Jr., Field Artillery.
First Lt. Howard Monroe McCoy, Air Corps.
First Lt. Carl Henry Fernstrom, Coast Artillery Corps.
First Lt. Charles William Haas, Air Corps.
First Lt. Hubert du Bois Lewis, Coast Artillery Corps.
First Lt. Charles Lee Heitman, Jr., Field Artillery.
First Lt. Louis Theilmann Heath, Field Artillery.
First Lt. Albert Joseph Mandelbaum, Signal Corps.
First Lt. Andrew Pick O'Meara, Field Artillery.
First Lt. Robert Jefferson Wood, Coast Artillery Corps.
First Lt. Aubrey Kenneth Dodson, Air Corps.
First Lt. Mark Edward Bradley, Jr., Air Corps.
First Lt. Philip Campbell Wehle, Field Artillery.
First Lt. Douglas Mitchell Kilpatrick, Air Corps.
First Lt. Wiley Duncan Ganey, Air Corps.
First Lt. George Clifford Duehring, Field Artillery.
First Lt. Francis Frederick Uhrhane, Signal Corps.
First Lt. Charles Granville Dodge, Cavalry.
First Lt. Herbert Voivenelle Mitchell, Infantry.
First Lt. James Nugent Vaughn, Signal Corps.
First Lt. Thetus Cayce Odom, Air Corps.
First Lt. Alexander Graham Stone, Field Artillery.
First Lt. Jacquard Hirshorn Rothschild, Chemical Warfare Service.
First Lt. Stuart Francis Crawford, Field Artillery.
First Lt. Truman William Carrithers, Field Artillery.
First Lt. Walter Campbell Sweeney, Jr., Air Corps.
First Lt. Henry Bing Kunzig, Infantry.
First Lt. Keith Hartman Ewbank, Field Artillery.
First Lt. Thomas Irwin Edgar, Field Artillery.
First Lt. Robert Foster Haggerty, Coast Artillery Corps.
First Lt. Frank Kowalski, Jr., Infantry.
First Lt. Hamilton Hawkins Howze, Cavalry.
First Lt. Harry Brown Packard, Field Artillery.
First Lt. Robert James Watson, Infantry.
First Lt. Robert Highman Booth, Field Artillery.
First Lt. Arthur Leonard Fuller, Jr., Coast Artillery Corps.
First Lt. Mahlon Smith Davis, Field Artillery.

First Lt. Winfield Wilber Sisson, Field Artillery.
First Lt. Maximiano Saqui Janairo, Philippine Scouts.
First Lt. Morris John Lee, Air Corps.
First Lt. John Joseph MacFarland, Field Artillery.
First Lt. Wendell Holmes Langdon, Infantry.
First Lt. Harry Raymond Boyd, Coast Artillery Corps.
First Lt. Samuel Lynn Morrow, Jr., Field Artillery.
First Lt. Albert Watson 2d, Field Artillery.
First Lt. Marvin Lewis Harding, Air Corps.
First Lt. Franklin Fearing Wing, Jr., Cavalry.
First Lt. James Owen Curtis, Jr., Cavalry.
First Lt. Birrell Walsh, Air Corps.
First Lt. Phillips Waller Smith, Ordnance Department.
First Lt. Alva Revista Fitch, Field Artillery.
First Lt. Dana Stuart Alexander, Coast Artillery Corps.
First Lt. Joseph Henry Twyman, Jr., Coast Artillery Corps.
First Lt. Percy Howard Brown, Jr., Field Artillery.
First Lt. Paul Clark, Jr., Field Artillery.
First Lt. Edward Sedgwick Berry, Field Artillery.
First Lt. David Hodge Baker, Air Corps.
First Lt. Albert Everett Harris, Cavalry.
First Lt. James Sylvester Sutton, Air Corps.
First Lt. James Theopold Darrah, Coast Artillery Corps.
First Lt. Roy Ernest Lindquist, Infantry.
First Lt. Sidney Clay Wooten, Infantry.
First Lt. Robert Edwin Cron, Jr., Quartermaster Corps.
First Lt. Ross Thatcher Sampson, Infantry.
First Lt. William Henry Sterling Wright, Cavalry.
First Lt. Archibald William Stuart, Infantry, subject to examination required by law.
First Lt. Willis Almeron Perry, Coast Artillery Corps.
First Lt. John Frank Greco, Field Artillery.
First Lt. Alden Pugh Taber, Coast Artillery Corps.
First Lt. Charles Joseph Odenweller, Jr., Coast Artillery Corps.
First Lt. Edwin Sanders Perrin, Air Corps.
First Lt. Neal Edwin Ausman, Air Corps.
First Lt. George Goodrell Garton, Field Artillery.
First Lt. Robert Louis Brunzell, Field Artillery.
First Lt. Raymond Davis Millener, Infantry.
First Lt. Robert William Timothy, Field Artillery.
First Lt. Aubrey Dewitt Smith, Infantry.
First Lt. Barksdale Hamlett, Field Artillery.
First Lt. Brainard Spencer Cook, Cavalry.
First Lt. Troup Miller, Jr., Air Corps.
First Lt. William Ewing Grubbs, Field Artillery.
First Lt. William Dole Eckert, Air Corps.
First Lt. Frederick Reginia Weber, Infantry.
First Lt. Charles Clinton Cloud, Jr., Coast Artillery Corps, subject to examination required by law.
First Lt. O'Neill Keren Kane, Cavalry.
First Lt. Arthur Carey Peterson, Coast Artillery Corps.
First Lt. Harold Eugene Brooks, Field Artillery.
First Lt. Paul Arthur Roy, Coast Artillery Corps.
First Lt. Bream Cooley Patrick, Field Artillery.
First Lt. William Henry Harris, Coast Artillery Corps.
First Lt. Tom Robert Stoughton, Jr., Infantry.
First Lt. Thomas Weldon Dunn, Field Artillery.
First Lt. Lauris Norstad, Air Corps.
First Lt. Adam Andrew Koscielniak, Coast Artillery Corps.
First Lt. John Brazelton Fillmore Dice, Coast Artillery Corps.
First Lt. Millard Lewis, Air Corps.
First Lt. Othel Rochelle Deering, Air Corps.
First Lt. James Frederick Ammerman, Field Artillery.
First Lt. Leon Clarence Scott, Infantry.
First Lt. John Chesley Kilborn, Air Corps.
First Lt. William Naille Taylor, Infantry.
First Lt. Frederick Dwight Atkinson, Field Artillery.
First Lt. William Warner Harris, Infantry.
First Lt. Carl Amandus Brandt, Air Corps.
First Lt. Frederick Gardner Crabb, Jr., Infantry.
First Lt. Buford Russell Nyquist, Infantry.
First Lt. John Charles Hayden, Field Artillery.
First Lt. Robert Allen Ports, Field Artillery.
First Lt. Roderick Leland Carmichael, Jr., Field Artillery.
First Lt. Carl Irven Hutton, Field Artillery.
First Lt. George Wareham Gibbs, Field Artillery.
First Lt. Arthur Cleveland Goodwin, Jr., Field Artillery.
First Lt. Roy Whitman Muth, Chemical Warfare Service.
First Lt. Richard Shafle Freeman, Air Corps.
First Lt. Harold Lester Smith, Air Corps.
First Lt. Jaromir Jan Pospisil, Infantry.
First Lt. Richards Montgomery Bristol, Infantry.
First Lt. Edward Irving Sachs, Infantry.
First Lt. Marshall Hill Hurt, Jr., Infantry.
First Lt. Samuel Philbrick Kelley, Infantry.
First Lt. George William Lermond, Infantry.
First Lt. Norman Ray Burnett, Air Corps.
First Lt. Charles Lind Olin, Infantry.
First Lt. Samuel Roth, Infantry.
First Lt. Joe Clifton East, Coast Artillery Corps.
First Lt. Eugene Anthony Kenny, Infantry.
First Lt. John Livingood Pauley, Jr., Infantry.
First Lt. Frank Theodore Folk, Coast Artillery Corps.
First Lt. Joseph Farrell Haskell, Cavalry.
First Lt. Richard Joseph O'Keefe, Air Corps.
First Lt. Carleton Merritt Clifford, Quartermaster Corps.
First Lt. Howard Walter Quinn, Quartermaster Corps.
First Lt. Raymond Charles Brisach, Field Artillery.
First Lt. Charley Paul Eastburn, Infantry.
First Lt. George William Perry, Infantry, subject to examination required by law.
First Lt. Clifton Donald Blackford, Infantry.
First Lt. Ephraim Melmoth Hampton, Chemical Warfare Service.
First Lt. Thomas Ferguson Wall, Infantry.
First Lt. Jack Griffin Pitcher, Quartermaster Corps.
First Lt. James Sawyer Luckett, Infantry.
First Lt. Myron Albert Quinto, Infantry.
First Lt. Joseph Arthur Miller, Air Corps.
First Lt. Ned Dalton Moore, Infantry.
First Lt. Christian Hudgins Clarke, Jr., Infantry.
First Lt. Claude Emerson Jurney, Infantry.
First Lt. Thomas Mifflin, Infantry.
First Lt. Daniel Russell Taylor, Infantry.
First Lt. James Knox Wilson, Jr., Field Artillery.
First Lt. Francis Joseph Corr, Infantry.
First Lt. Kurt Martin Landon, Air Corps.
First Lt. Gerry Leonard Mason, Air Corps.
First Lt. Hubern Paul Dellinger, Air Corps.
First Lt. Winston Rose Maxwell, Infantry.
First Lt. Daniel Anderson Cooper, Air Corps.
First Lt. Theodore Roberts Kimpton, Infantry.
First Lt. Earl Hugh Heimerdinger, Infantry.
First Lt. John Simpson Guthrie, Infantry.
First Lt. Allan Duard MacLean, Infantry.
First Lt. Richard Cloyd Parker, Infantry.
First Lt. Howard Russell Moore, Infantry.
First Lt. James Lowell Richardson, Jr., Infantry.
First Lt. Francis Hill Dohs, Infantry.
First Lt. Eli Stevens, Infantry.
First Lt. Jacob Samuel Sauer, Infantry.
First Lt. Joseph Eakens James, Jr., Infantry.
First Lt. Charles Edward Beauchamp, Infantry.
First Lt. Paul Aloysius Chalmers, Infantry.
First Lt. Thomas Kent, Infantry.
First Lt. Sory Smith, Air Corps.
First Lt. Henry Estil Royall, Infantry.
First Lt. Paul William Blanchard, Jr., Air Corps.
First Lt. Jasper Joseph Riley, Jr., Infantry.
First Lt. Theodore Francis Bogart, Infantry.
First Lt. Thad Adolphus Broom, Infantry.
First Lt. Russell Guy Emery, Infantry.
First Lt. Walter Edwin Ahearn, Infantry.
First Lt. Herman Wilhelm Ohme, Infantry.
First Lt. Paul Russell Weyrauch, Field Artillery.
First Lt. Orin Doughty Haugen, Infantry.
First Lt. Morton Elmer Townes, Quartermaster Corps.
First Lt. Frederick James Simpson, Infantry.

To be captain with rank from June 18, 1940

First Lt. Elvin Freestone Maughan, Air Corps.

To be first lieutenants with rank from June 12, 1940

Second Lt. Arthur William Oberbeck, Corps of Engineers.
Second Lt. Campbell Hodges Snyder, Corps of Engineers.
Second Lt. David Bennett Parker, Corps of Engineers.
Second Lt. Frederick James Clarke, Corps of Engineers.
Second Lt. Eugene Joseph Stann, Corps of Engineers.
Second Lt. Jack Norman Donohew, Air Corps.
Second Lt. Fred Earl Ressegieu, Corps of Engineers.
Second Lt. Augustine Patterson Little, Jr., Corps of Engineers.
Second Lt. Charles Francis Mitchim, Corps of Engineers.
Second Lt. William Bayer Strandberg, Corps of Engineers.
Second Lt. Charles Moses McAfee, Jr., Corps of Engineers.
Second Lt. Charles Stanley Kuna, Corps of Engineers.
Second Lt. Gerard Joseph Forney, Corps of Engineers.
Second Lt. John Dudley Stevenson, Air Corps.
Second Lt. Julian Vincent Sollohub, Corps of Engineers.
Second Lt. Charles Boes Hines, Field Artillery.
Second Lt. Nils Olof Ohman, Air Corps.
Second Lt. George Lawrence Holcomb, Air Corps.
Second Lt. Edward Chandler Spaulding, Field Artillery.
Second Lt. Walter Clarke Hyzer, Infantry.
Second Lt. James Stephen Barko, Corps of Engineers.
Second Lt. William Ray Clingerman, Jr., Air Corps.
Second Lt. Hamilton William Fish, Corps of Engineers.
Second Lt. Ellis Edmund Wilhoyt, Jr., Corps of Engineers.
Second Lt. Charles Lewis Register, Coast Artillery Corps.
Second Lt. Leigh Cole Fairbank, Jr., Corps of Engineers.
Second Lt. Asher Burtis Robbins, Jr., Field Artillery.
Second Lt. John Manning Cromelin, Corps of Engineers.
Second Lt. William Horace Lewis, Corps of Engineers.
Second Lt. Frederick Otto Diercks, Corps of Engineers.
Second Lt. David Tice Griffin, Signal Corps.
Second Lt. William Edwin Wilson Farrell, Infantry.
Second Lt. Walter Eckman, Air Corps.
Second Lt. Giles Lincoln Evans, Jr., Corps of Engineers.
Second Lt. Jay Alan Abercrombie, Corps of Engineers.
Second Lt. Douglass Phillip Quandt, Field Artillery.
Second Lt. John Brockenbrough Randolph Hines, Field Artillery.
Second Lt. William Noel Snouffer, Signal Corps.
Second Lt. Richard Phillip Klocko, Air Corps.
Second Lt. Robert Francis Seedlock, Corps of Engineers.
Second Lt. John Gamble Schermerhorn, Corps of Engineers.
Second Lt. Robert Stanley Palmer, Corps of Engineers.
Second Lt. Houghton Ross Hallock, Corps of Engineers.
Second Lt. Charles Aloysius Pfeffer, Jr., Corps of Engineers.
Second Lt. Noel Houk Ellis, Corps of Engineers.
Second Lt. Eric Dougan, Corps of Engineers.
Second Lt. Jack West Chapman, Corps of Engineers.
Second Lt. George Henry Walker, Corps of Engineers.
Second Lt. Harold Bell Wright, Air Corps.
Second Lt. George Joseph Murray, Corps of Engineers.
Second Lt. Carlin Hamlin Whitesell, Jr., Corps of Engineers.
Second Lt. William Clements Chenoweth, Corps of Engineers.
Second Lt. Alexander Day Surles, Jr., Cavalry.
Second Lt. Thomas Truxton, Field Artillery.
Second Lt. Henry Alfred Byroade, Corps of Engineers.
Second Lt. Robert Carl Miller, Corps of Engineers.
Second Lt. Walter Cinn DeBill, Coast Artillery Corps.
Second Lt. John Francis Batjer, Air Corps.
Second Lt. Donald Wilt Shive, Coast Artillery Corps.
Second Lt. Thomas Alexander Holdiman, Air Corps.
Second Lt. Perry Huston Eubank, Coast Artillery Corps.
Second Lt. Kenneth Sayre Wade, Air Corps.
Second Lt. John Graham Zierdt, Infantry.
Second Lt. Donald Bowen Brummel, Air Corps.
Second Lt. Raymond William Rumph, Coast Artillery Corps.
Second Lt. John Gordon Eriksen, Air Corps.
Second Lt. Henry Mershon Spengler, Coast Artillery Corps.
Second Lt. Elwyn Norman Kirsten, Field Artillery.
Second Lt. Milton Harvey Clark, Coast Artillery Corps.
Second Lt. Edgar John Ingmire, Field Artillery.
Second Lt. Amzi Rudolph Quillian, Infantry.
Second Lt. Robert William Griffin, Signal Corps.
Second Lt. Harry Francis van Leuven, Air Corps.
Second Lt. Richard Risley Barden, Air Corps.
Second Lt. Edwin Allen Russell, Jr., Cavalry.
Second Lt. Alfred Eugene Diamond, Signal Corps.
Second Lt. Paul Bates Whittemore, Signal Corps.
Second Lt. Charles Louis Robbins, Air Corps.
Second Lt. Horace Greeley Davisson, Field Artillery.
Second Lt. Monte Jackson Hickok, Jr., Coast Artillery Corps.
Second Lt. James Armitt Scott, Jr., Coast Artillery Corps.
Second Lt. Wilbur Harvey Stratton, Air Corps.
Second It. John Franklin Foy, Infantry.
Second Lt. Richard William Fellows, Air Corps.
Second Lt. William George Easton, Coast Artillery Corps.
Second Lt. George Franklin Leist, Coast Artillery Corps.
Second Lt. John Martin Cone, Field Artillery.
Second Lt. Whiteford Carlisle Mauldin, Air Corps.
Second Lt. William Perry Baldwin, Infantry.
Second Lt. Edward Morris Lee, Coast Artillery Corps.
Second Lt. Elmer Carl Blaha, Field Artillery.
Second Lt. John Bowen Nance, Cavalry.
Second Lt. Bruce Keener Holloway, Air Corps.
Second Lt. James Haynes Reeves, Jr., Infantry.
Second Lt. LeRoy Hubert Rook, Quartermaster Corps.
Second Lt. Alvord Rutherford, Air Corps.
Second Lt. John McMullan Gulick, Coast Artillery Corps.
Second Lt. Carlos Antonio Nadal, Infantry.
Second Lt. Godfrey Roland Ames, Coast Artillery Corps.
Second Lt. Emmette Young Burton, Jr., Field Artillery.
Second Lt. Maurice Arthur Preston, Air Corps.
Second Lt. Philip Gatch Lauman, Jr., Field Artillery.
Second Lt. William James Dunmyer, Infantry.
Second Lt. Robert Harley Fitzgerald, Coast Artillery Corps.
Second Lt. Ivan Wilson McElroy, Air Corps.
Second Lt. William Kienle Horrigan, Air Corps.
Second Lt. George Vernon Underwood, Jr., Coast Artillery Corps.
Second Lt. William Jack Worcester, Coast Artillery Corps.
Second Lt. Chester Lee Johnson, Field Artillery.
Second Lt. Charles Stuart O'Malley, Jr., Coast Artillery Corps.
Second Lt. Alan Doane Clark, Air Corps.
Second Lt. James Nixon Peale, Jr., Infantry.
Second Lt. Ben Wells Porterfield, Field Artillery.
Second Lt. Robert Hensey Herman, Air Corps.
Second Lt. William Wise Bailey, Coast Artillery Corps.
Second Lt. Edgar Major Teeter, Quartermaster Corps.
Second Lt. Daniel Allen Richards, Quartermaster Corps.
Second Lt. Edward Chrysostom David Scherrer, Cavalry.
Second Lt. Linscott Aldin Hall, Coast Artillery Corps.
Second Lt. Thomas Charles Compton, Field Artillery.
Second Lt. Arthur Harrison Wilson, Jr., Cavalry.
Second Lt. Oscar Baker Steely, Coast Artillery Corps.
Second Lt. David Bearse Nye, Coast Artillery Corps.
Second Lt. Thomas McGarey Metz, Coast Artillery Corps.
Second Lt. Don Richard Ostrander, Cavalry.
Second Lt. Thomas Denman Neier, Coast Artillery Corps.
Second Lt. Albert Ollie Connor, Field Artillery.
Second Lt. Stanley John Cherubin, Coast Artillery Corps.
Second Lt. Floyd Joaquin Pell, Air Corps.
Second Lt. Meyer Arendt Edwards, Jr., Cavalry.
Second Lt. Robert Clyde Gildart, Field Artillery.
Second Lt. Fred Pierce Campbell, Field Artillery.
Second Lt. James Early Norvell, Field Artillery.
Second Lt. Robert Henry Stumpf, Infantry.
Second Lt. Homer Harvey Uglow, Infantry.
Second Lt. George Caldwell McDowell, Field Artillery.
Second Lt. George Haines Minor, Cavalry.
Second Lt. Harry Leonard Stiegler, Field Artillery.
Second Lt. James Young Parker, Air Corps.
Second Lt. Joseph Brady Mitchell, Field Artillery.

Second Lt. Sam Wilkerson Agee, Jr., Air Corps.
Second Lt. Robert Taylor, 3d, Air Corps.
Second Lt. Wilbur Emmet Davis, Field Artillery.
Second Lt. Lukas Ernest Hoska, Jr., Field Artillery.
Second Lt. Edward Marion Postlethwait, Infantry.
Second Lt. Battle Malone Barksdale, Field Artillery.
Second Lt. Martin Levering Green, Field Artillery.
Second Lt. Joseph Ludger Chabot, Infantry.
Second Lt. John Thomas Shields, Air Corps.
Second Lt. Richard Ellis Nelson, Cavalry.
Second Lt. Luis Fernando Mercado, Field Artillery.
Second Lt. Robert Maurice Stegmaier, Quartermaster Corps.
Second Lt. Charles Janvrin Browne, Infantry.
Second Lt. Maurice Wuchter Musgrave, Infantry.
Second Lt. Woodrow Wilson Stromberg, Infantry.
Second Lt. Harold Everett Marr, Jr., Field Artillery.
Second Lt. Dan Cashemere Russell, Infantry.
Second Lt. Cecil Himes, Cavalry.
Second Lt. Curtis Raymond Low, Air Corps.
Second Lt. Joseph Harper Hodges, Jr., Field Artillery.
Second Lt. Ferdinand Thomas Unger, Field Artillery.
Second Lt. Walter Clem Conway, Coast Artillery Corps.
Second Lt. John Laurence Powers, Infantry.
Second Lt. Coy Lyman Curtis, Field Artillery.
Second Lt. Richard Hilton Hackford, Air Corps.
Second Lt. Charles Glen Young, Coast Artillery Corps.
Second Lt. Max Shields George, Coast Artillery Corps.
Second Lt. Harry Edwin Hammond, Air Corps.
Second Lt. Jack Edward Caldwell, Air Corps.
Second Lt. Edwin Borden Broadhurst, Air Corps.
Second Lt. Richard Frederick Hill, Infantry.
Second Lt. Charles Bainbridge Westover, Air Corps.
Second Lt. Carl Lawrence Lindquist, Cavalry.
Second Lt. Horace Greeley, Air Corps.
Second Lt. Bernard Peter Major, Field Artillery.
Second Lt. Richard Gates Williams, Infantry.
Second Lt. Joseph Alfred Miller, Jr., Air Corps.
Second Lt. Samuel Charles Gurney, Jr., Air Corps.
Second Lt. John Hincks Montgomery, Jr., Infantry.
Second Lt. Harvey Charles Dorney, Air Corps.
Second Lt. James Robert Johnson, Field Artillery.
Second Lt. LeRoy Lutes, Jr., Field Artillery.
Second Lt. Robert Heber Van Volkenburgh, Jr., Field Artillery.
Second Lt. George Maryan Maliszewski, Infantry.
Second Lt. James Samuel Brierley, Infantry.
Second Lt. Charles Robert Meyer, Infantry.
Second Lt. Conrad Henry Diehl, Jr., Air Corps.
Second Lt. Paul William Scheidecker, Cavalry.
Second Lt. Oscar Gordon Kreiser, Infantry.
Second Lt. Harry Walter Elkins, Field Artillery.
Second Lt. John Whitelaw Browning, Field Artillery.
Second Lt. James John Cosgrove, Quartermaster Corps.
Second Lt. Charles Andrews Sprague, Air Corps.
Second Lt. William Henry Traeger, Infantry.
Second Lt. Robert Besson, Infantry.
Second Lt. William Leslie Robinson, Infantry.
Second Lt. Walter Gibson Gleye, Cavalry.
Second Lt. James Ferris Pearsall, Jr., Infantry.
Second Lt. Stanley Warren Connelly, Infantry.
Second Lt. Charles Junious Harrison, Infantry.
Second Lt. Kelsie Loomis Reaves, Infantry.
Second Lt. William Emmett McDonald, Air Corps.
Second Lt. Benjamin Franklin Taylor, Infantry.
Second Lt. Robert Sorrel Kennedy, Infantry.
Second Lt. Ernest Hertel Laflamme, Infantry.
Second Lt. Jasper Newton Durham, Air Corps.
Second Lt. John Russell Ulricson, Air Corps.
Second Lt. Alfred Allen Maybach, Coast Artillery Corps.
Second Lt. Lawrence Augustus Spilman, Air Corps.
Second Lt. Kelton Seymour Davis, Cavalry.
Second Lt. William Grover Hipps, Air Corps.
Second Lt. John D. Haltom, Infantry.
Second Lt. John Randal Weikel, Infantry.
Second Lt. Hueston Richard Wynkoop, Infantry.
Second Lt. Joseph George Focht, Infantry.
Second Lt. Marshall Randolph Gray, Air Corps.
Second Lt. Wood Guice Joerg, Infantry.
Second Lt. Parker Calvert, Infantry.
Second Lt. Victor Edward Sinclair, Infantry.
Second Lt. Augustin Mitchell Prentiss, Jr., Infantry.
Second Lt. William Riddick Crawford, Infantry.
Second Lt. Maxwell Awyn Tincher, Infantry.
Second Lt. Charles Thomas Clagett, Infantry.
Second Lt. Bryan Coffield Arnold, Infantry.
Second Lt. Carroll David Wood, Infantry.
Second Lt. Philip Delano Brant, Infantry.
Second Lt. Delk McCorkle Oden, Cavalry.
Second Lt. George Alexander McGee, Jr., Infantry.
Second Lt. William Dawes McKinley, Infantry.
Second Lt. Walter Ralls Lawson, Infantry.
Second Lt. Winfield Lee Martin, Infantry.
Second Lt. Charles Sherman Hoyt, Jr., Infantry.
Second Lt. Colin Purdie Kelly, Jr., Air Corps.
Second Lt. Kenneth Witt Driskill, Infantry.
Second Lt. Hugh Sawyer, Infantry.
Second Lt. Woodrow William Dunlop, Air Corps.
Second Lt. William Allen Dodds, Infantry.
Second Lt. Kelley Benjamin Lemmon, Jr., Infantry.
Second Lt. Gilbert Fulghum Bell, Infantry.
Second Lt. James Hunter Drum, Infantry.
Second Lt. Kenneth Oliver Sanborn, Air Corps.
Second Lt. Elery Martin Zehner, Infantry.
Second Lt. George Bidwell Sloan, Infantry.
Second Lt. Arthur Kirkham Amos, Infantry.
Second Lt. Carl Freeman Lyons, Jr., Infantry.
Second Lt. Olen John Seaman, Jr., Infantry.
Second Lt. John Jarvis Tolson, 3d, Infantry.
Second Lt. Frederick John Dooley, Infantry.
Second Lt. John Huff Van Vliet, Jr., Infantry.
Second Lt. James Francis Faber, Infantry.
Second Lt. Edwin Walter Richardson, Infantry.
Second Lt. James Howard Skeldon, Infantry.
Second Lt. Harold McDonald Brown, Infantry.
Second Lt. William Joseph Cain, Jr., Air Corps.
Second Lt. James Wilson Duncan, Infantry.
Second Lt. Noel Ambrose Menard, Infantry.
Second Lt. Malcolm Green, Jr., Air Corps.
Second Lt. Thomas Everett Powell, Air Corps.
Second Lt. Ephraim Foster Graham, Jr., Infantry.
Second Lt. Charles William Stark, Jr., Air Corps.
Second Lt. William Barrett Travis, Infantry.
Second Lt. George Millard Simmons, Infantry.
Second Lt. George Russell Cole, Infantry.
Second Lt. Frank William Andrews, Coast Artillery Corps.
Second Lt. John Oliver Frazier, Infantry.
Second Lt. Raymond Clayton Cheal, Coast Artillery Corps.
Second Lt. Gordon Custer Leland, Air Corps.
Second Lt. Morton David Magoffin, Air Corps.
Second Lt. Philip Columbus Sterling, Jr., Infantry.
Second Lt. William Ragland Maxwell, Infantry.
Second Lt. James Theo Posey, Air Corps.
Second Lt. Gordon Talmage Kimbrell, Infantry.
Second Lt. Benjamin Turner Workizer, Infantry.
Second Lt. Howard Norrington Smalley, Infantry.
Second Lt. Wesley Skilton Calverley, Infantry.
Second Lt. Eads Graham Hardaway, Infantry.
Second Lt. William Brackett McClellan Chase, Infantry.
Second Lt. Render Dowdell Denson, Air Corps.
Second Lt. Frank Ray Harrison, Infantry.
Second Lt. John Fleming Polk, Cavalry.
Second Lt. John Powers Connor, Infantry.
Second Lt. Charles William Blauvelt, Infantry.

To be major

Capt. Claude Leslie Gamble, Quartermaster Corps, from May 14, 1940.

MEDICAL CORPS

To be captains

First Lt. Frank Charles Eaton, Medical Corps, from June 1, 1940.

First Lt. Charles H. Gingles, Medical Corps, from June 17, 1940.

First Lt. John Boyd Coates, Jr., Medical Corps, from June 17, 1940.

DENTAL CORPS

To be colonel

Lt. Col. Raymond William Pearson, Dental Corps, from June 30, 1940.

To be lieutenant colonel

Maj. John Charles Burr, Dental Corps, from June 5, 1940.

CHAPLAINS

To be chaplains with the rank of captain

Chaplain Carlton Wayne Harrod (first lieutenant), United States Army, from June 4, 1940.

Chaplain Ralph Warren D. Brown (first lieutenant), United States Army, from June 24, 1940.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICER

Brig. Gen. Albert Edward Wilfong, Utah National Guard, to be brigadier general, National Guard of the United States.

PROMOTIONS IN THE NAVY

MARINE CORPS

Capt. St. Julien R. Marshall to be a major in the Marine Corps from the 1st day of October 1939.

First Lt. William M. Hudson to be a captain in the Marine Corps from the 1st day of July 1939.

First Lt. Elmore W. Seeds to be a captain in the Marine Corps from the 1st day of August 1939.

First Lt. George C. Ruffin, Jr., to be a captain in the Marine Corps from the 14th day of August 1939.

POSTMASTERS

ALABAMA

Leon H. Hinds to be postmaster at Arab, Ala., in place of L. H. Hinds. Incumbent's commission expires June 16, 1940.

Maude A. Bosarge to be postmaster at Bayou Labatre, Ala., in place of M. A. Bosarge. Incumbent's commission expires June 1, 1940.

Thomas Maxwell Karrh to be postmaster at Berry, Ala., in place of Mack Karrh. Incumbent's commission expires June 1, 1940.

Hugh H. Dale to be postmaster at Camden, Ala., in place of H. H. Dale. Incumbent's commission expires June 10, 1940.

Maunsell Gabbett to be postmaster at Camp Hill, Ala., in place of Maunsell Gabbett. Incumbent's commission expires June 1, 1940.

Violet A. Yeend to be postmaster at Chickasaw, Ala., in place of V. A. Yeend. Incumbent's commission expired March 13, 1940.

John P. Cox to be postmaster at Collinsville, Ala., in place of J. P. Cox. Incumbent's commission expires June 17, 1940.

Leslie D. Stallworth to be postmaster at Cordova, Ala., in place of L. D. Stallworth. Incumbent's commission expires June 8, 1940.

James Claude Golden to be postmaster at Dora, Ala., in place of J. C. Golden. Incumbent's commission expires June 8, 1940.

James Davis Hilyer to be postmaster at East Tallassee, Ala., in place of J. D. Hilyer. Incumbent's commission expires June 8, 1940.

Clellon L. Wager to be postmaster at Heflin, Ala., in place of C. L. Wager. Incumbent's commission expires June 8, 1940.

James E. Summerour to be postmaster at Henagar, Ala., in place of J. E. Summerour. Incumbent's commission expires June 2, 1940.

Ruth K. Bullard to be postmaster at Lockhart, Ala., in place of R. K. Bullard. Incumbent's commission expired April 25, 1940.

Ora B. Wann to be postmaster at Madison, Ala., in place of O. B. Wann. Incumbent's commission expired April 9, 1940.

Grover C. Warrick to be postmaster at Millry, Ala., in place of G. C. Warrick. Incumbent's commission expires June 1, 1940.

Harry E. Marshall to be postmaster at Orrville, Ala., in place of H. E. Marshall. Incumbent's commission expired January 20, 1940.

Jennings B. Key to be postmaster at Parrish, Ala., in place of J. B. Key. Incumbent's commission expires June 1, 1940.

Albert C. Blacklidge to be postmaster at Phil Campbell, Ala., in place of A. C. Blacklidge. Incumbent's commission expires June 8, 1940.

Harold C. Sharpe to be postmaster at Piedmont, Ala., in place of H. C. Sharpe. Incumbent's commission expires June 17, 1940.

Madge B. Bankhead to be postmaster at Sulligent, Ala., in place of M. B. Bankhead. Incumbent's commission expires June 17, 1940.

Cora A. Lee to be postmaster at Town Creek, Ala., in place of C. A. Lee. Incumbent's commission expired April 25, 1940.

Minnie L. Garrett to be postmaster at Uriah, Ala., in place of M. L. Garrett. Incumbent's commission expired March 13, 1940.

ALASKA

Charles A. Sheldon to be postmaster at Seward, Alaska, in place of C. A. Sheldon. Incumbent's commission expires June 1, 1940.

Lydia O. Tilson to be postmaster at Sitka, Alaska, in place of J. H. Gilpatrick, resigned.

ARIZONA

John R. Livingston to be postmaster at Chloride, Ariz., in place of J. R. Livingston. Incumbent's commission expired April 24, 1940.

George G. Babbitt, Jr., to be postmaster at Flagstaff, Ariz., in place of G. G. Babbitt, Jr. Incumbent's commission expires June 3, 1940.

George L. Noel to be postmaster at Holbrook, Ariz., in place of G. L. Noel. Incumbent's commission expires June 1, 1940.

Vernon Hubbs to be postmaster at Kingman, Ariz., in place of Vernon Hubbs. Incumbent's commission expires June 1, 1940.

Francis K. Pomeroy to be postmaster at Mesa, Ariz., in place of F. K. Pomeroy. Incumbent's commission expired April 24, 1940.

Floyd H. Miller to be postmaster at Tempe, Ariz., in place of F. H. Miller. Incumbent's commission expires June 1, 1940.

Lee B. McAleb to be postmaster at Willcox, Ariz., in place of L. B. McAleb. Incumbent's commission expires June 1, 1940.

ARKANSAS

Virgil J. Butler to be postmaster at Batesville, Ark., in place of L. R. Jordan, resigned.

Philip G. Gates to be postmaster at Crossett, Ark., in place of P. G. Gates. Incumbent's commission expired January 20, 1940.

Kay D. McNeely to be postmaster at Dermott, Ark., in place of K. D. McNeely. Incumbent's commission expired May 9, 1940.

Thomas C. Hagins to be postmaster at Fordyce, Ark., in place of T. C. Hagins. Incumbent's commission expired February 27, 1940.

William Angus Biggers to be postmaster at Hampton, Ark., in place of W. A. Biggers. Incumbent's commission expired February 14, 1940.

Claiborne V. Wagley to be postmaster at Harrison, Ark., in place of W. W. Coffman, resigned.

William B. Martin to be postmaster at Mena, Ark., in place of W. B. Martin. Incumbent's commission expires June 1, 1940.

Gladys L. Hobgood to be postmaster at Monette, Ark., in place of G. L. Hobgood. Incumbent's commission expired March 25, 1940.

Ross M. Harris to be postmaster at Mount Ida, Ark., in place of R. M. Harris. Incumbent's commission expires May 26, 1940.

Monroe R. Hughes to be postmaster at Nettleton, Ark., in place of M. R. Hughes. Incumbent's commission expired March 21, 1940.

Percy V. George to be postmaster at Ola, Ark., in place of P. V. George. Incumbent's commission expired March 28, 1940.

Joseph M. Eckart to be postmaster at Subiaco, Ark. Office became Presidential July 1, 1939.

Joe Davidson to be postmaster at Winslow, Ark., in place of Joe Davidson. Incumbent's commission expired April 27, 1940.

Clarence J. Coffin to be postmaster at Wynne, Ark., in place of C. J. Coffin. Incumbent's commission expired April 27, 1938.

CALIFORNIA

Jeremiah P. Shields to be postmaster at Bakersfield, Calif., in place of J. P. Shields. Incumbent's commission expires June 1, 1940.

A. Dewey Newburn to be postmaster at Carlsbad, Calif., in place of A. D. Newburn. Incumbent's commission expired January 23, 1940.

Clark Wallace to be postmaster at Compton, Calif., in place of Clark Wallace. Incumbent's commission expired March 20, 1940.

Samuel E. Burum to be postmaster at Dinuba, Calif., in place of S. E. Burum. Incumbent's commission expired April 24, 1940.

John H. Dodson to be postmaster at El Cajon, Calif., in place of J. H. Dodson. Incumbent's commission expired April 27, 1940.

Walter A. Filer to be postmaster at Fellows, Calif., in place of W. A. Filer. Incumbent's commission expired March 4, 1940.

John W. Winton to be postmaster at Fowler, Calif., in place of J. W. Winton. Incumbent's commission expired August 14, 1939.

Dwight E. Knapp to be postmaster at Garberville, Calif., in place of D. E. Knapp. Incumbent's commission expires June 1, 1940.

W. Sinclair Head to be postmaster at Garden Grove, Calif., in place of W. S. Head. Incumbent's commission expired January 23, 1940.

Corinne Dolcini to be postmaster at Guadalupe, Calif., in place of Corinne Dolcini. Incumbent's commission expired March 29, 1940.

Sidney C. Moon to be postmaster at Hemet, Calif., in place of S. C. Moon. Incumbent's commission expired April 24, 1940.

Edgar M. Bandy to be postmaster at Lindsay, Calif., in place of E. M. Bandy. Incumbent's commission expired January 23, 1940.

Albert J. Frutchey to be postmaster at Los Nietos, Calif., in place of A. J. Frutchey. Incumbent's commission expires May 22, 1940.

Cortez B. Combs to be postmaster at McFarland, Calif., in place of C. B. Combs. Incumbent's commission expires June 1, 1940.

Frank J. Bole to be postmaster at Monrovia, Calif., in place of F. J. Bole. Incumbent's commission expired January 31, 1940.

Olive W. Bush to be postmaster at Monte Rio, Calif., in place of L. E. Fulkerson, resigned.

John N. Tibessart to be postmaster at Orland, Calif., in place of J. N. Tibessart. Incumbent's commission expires June 20, 1940.

Noah A. Stump to be postmaster at Rosemead, Calif., in place of N. A. Stump. Incumbent's commission expires May 22, 1940.

Joseph Galewsky to be postmaster at St. Helena, Calif., in place of Joseph Galewsky. Incumbent's commission expired March 25, 1940.

Lawrence C. Murphy to be postmaster at San Gabriel, Calif., in place of L. C. Murphy. Incumbent's commission expires June 16, 1940.

Carl A. Romer to be postmaster at San Juan Capistrano, Calif., in place of C. A. Romer. Incumbent's commission expires June 1, 1940.

Mary G. Newby to be postmaster at San Quentin, Calif., in place of M. G. Newby. Incumbent's commission expired March 4, 1940.

Irene C. Witmer to be postmaster at Solana Beach, Calif., in place of I. C. Witmer. Incumbent's commission expires May 22, 1940.

George H. Banning to be postmaster at South Pasadena, Calif., in place of G. H. Banning. Incumbent's commission expired March 25, 1940.

Clarence G. Carratt to be postmaster at Templeton, Calif., in place of C. G. Carratt. Incumbent's commission expires June 18, 1940.

Milburn M. Brame to be postmaster at Turlock, Calif., in place of M. M. Brame. Incumbent's commission expired April 24, 1940.

Sam H. Long to be postmaster at Tustin, Calif., in place of S. H. Long. Incumbent's commission expires May 22, 1940.

Ellwyn R. Connelly to be postmaster at Visalia, Calif., in place of Nathan Levy, deceased.

COLORADO

Bailey M. Wells to be postmaster at Campo, Colo., in place of B. M. Wells. Incumbent's commission expires June 20, 1940.

James L. Grant to be postmaster at Clifton, Colo. Office became Presidential July 1, 1939.

Arthur S. Gustafson to be postmaster at Fort Lupton, Colo., in place of A. S. Gustafson. Incumbent's commission expired April 25, 1940.

Clinton C. Bell to be postmaster at Limon, Colo., in place of C. C. Bell. Incumbent's commission expired May 13, 1940.

Charles M. Burrell to be postmaster at New Castle, Colo., in place of C. M. Burrell. Incumbent's commission expired April 24, 1940.

Charles Leonard Drage to be postmaster at Lyons, Colo., in place of C. L. Drage. Incumbent's commission expires June 20, 1940.

Henry C. Showalter to be postmaster at Olathe, Colo., in place of H. C. Showalter. Incumbent's commission expires June 2, 1940.

James M. McLearn to be postmaster at Rifle, Colo., in place of J. M. McLearn. Incumbent's commission expired April 25, 1940.

William C. Lowery to be postmaster at Sedgwick, Colo., in place of W. C. Lowery. Incumbent's commission expired May 13, 1940.

Meryl D. Haynes to be postmaster at Seibert, Colo., in place of M. D. Haynes. Incumbent's commission expired April 24, 1940.

Floyd E. Cooper to be postmaster at Silverton, Colo., in place of F. E. Cooper. Incumbent's commission expires June 10, 1940.

Raymond L. Ford to be postmaster at Vona, Colo., in place of R. L. Ford. Incumbent's commission expires May 19, 1940.

George A. May to be postmaster at Windsor, Colo., in place of G. A. May. Incumbent's commission expires May 19, 1940.

CONNECTICUT

Mary E. Johnson to be postmaster at Berlin, Conn., in place of M. E. Johnson. Incumbent's commission expires May 20, 1940.

George B. Moroney to be postmaster at Collinsville, Conn., in place of G. B. Moroney. Incumbent's commission expires May 20, 1940.

Arthur A. Lawrence to be postmaster at East Berlin, Conn., in place of A. A. Lawrence. Incumbent's commission expires June 1, 1940.

Florence W. Latham to be postmaster at Eastford, Conn. Office became Presidential July 1, 1939.

William S. Meany to be postmaster at Greenwich, Conn., in place of W. S. Meany. Incumbent's commission expired April 24, 1940.

Nina P. Hudson Arnold to be postmaster at Haddam, Conn., in place of N. P. H. Arnold. Incumbent's commission expired May 18, 1940.

Edmond J. Jodoin to be postmaster at Jewett City, Conn., in place of E. J. Jodoin. Incumbent's commission expired April 28, 1940.

William W. Fagan to be postmaster at Kensington, Conn., in place of W. W. Fagan. Incumbent's commission expires May 20, 1940.

Martin J. Donahue to be postmaster at Litchfield, Conn., in place of M. J. Donahue. Incumbent's commission expired April 24, 1940.

John J. Scanlon to be postmaster at Meriden, Conn., in place of J. J. Scanlon. Incumbent's commission expires May 20, 1940.

Catharine W. Quinlan to be postmaster at North Haven, Conn., in place of C. W. Quinlan. Incumbent's commission expires June 8, 1940.

James C. Bransfield to be postmaster at Portland, Conn., in place of J. C. Bransfield. Incumbent's commission expires June 1, 1940.

Arthur W. Carmody to be postmaster at Sandy Hook, Conn., in place of A. W. Carmody. Incumbent's commission expired April 28, 1940.

Nelson E. Welch to be postmaster at Somers, Conn., in place of N. E. Welch. Incumbent's commission expired January 23, 1940.

Warren A. Mansfield to be postmaster at Woodbury, Conn., in place of W. A. Mansfield. Incumbent's commission expired January 23, 1940.

J. Edward LaCroix to be postmaster at Yalesville, Conn., in place of J. E. LaCroix. Incumbent's commission expired April 24, 1940.

DELAWARE

James J. Cahill to be postmaster at Wilmington, Del., in place of J. J. Cahill. Incumbent's commission expired April 2, 1938.

FLORIDA

Wendell V. Gilbert to be postmaster at Dade City, Fla., in place of W. V. Gilbert. Incumbent's commission expires May 23, 1940.

Otis E. Padgett to be postmaster at Marianna, Fla., in place of Otis Padgett. Incumbent's commission expires June 25, 1940.

Charles W. Stewart to be postmaster at Naples, Fla., in place of C. W. Stewart. Incumbent's commission expired January 23, 1940.

Edgar Drew Padgett to be postmaster at Ponce de Leon, Fla., in place of E. D. Padgett. Incumbent's commission expired January 23, 1940.

Alice B. Landrum to be postmaster at Ponte Vedra Beach, Fla. Office became Presidential July 1, 1939.

Bess W. Rowell to be postmaster at Trenton, Fla., in place of B. W. Rowell. Incumbent's commission expires May 22, 1940.

GEORGIA

Evelyn W. Simpson to be postmaster at Buford, Ga., in place of E. W. Simpson. Incumbent's commission expired January 20, 1940.

Helen U. Kent to be postmaster at Glenwood, Ga., in place of K. P. Rivers. Incumbent's commission expired March 15, 1938.

Sara B. Fox to be postmaster at Harlem, Ga., in place of S. B. Fox. Incumbent's commission expired January 20, 1940.

Sara S. Buchanan to be postmaster at Locust Grove, Ga., in place of S. S. Buchanan. Incumbent's commission expired March 13, 1940.

Colquitt G. Russell to be postmaster at Kingsland, Ga., in place of C. G. Russell. Incumbent's commission expires June 20, 1940.

Kate Harris to be postmaster at Leesburg, Ga., in place of Kate Harris. Incumbent's commission expires June 17, 1940.

Joseph C. Williams to be postmaster at Lyerly, Ga., in place of J. C. Williams. Incumbent's commission expires July 1, 1940.

William W. Baldwin to be postmaster at Madison, Ga., in place of W. W. Baldwin. Incumbent's commission expires June 10, 1940.

Anna Morrison to be postmaster at Mount Vernon, Ga., in place of Anna Morrison. Incumbent's commission expires June 8, 1940.

Robert C. Ayers to be postmaster at Royston, Ga., in place of R. C. Ayers. Incumbent's commission expires June 2, 1940.

Sadie W. Sutton to be postmaster at Shellman, Ga., in place of S. W. Sutton. Incumbent's commission expired June 18, 1939.

Walter R. Hall to be postmaster at Young Harris, Ga., in place of W. R. Hall. Incumbent's commission expired April 24, 1940.

HAWAII

Julia Smythe to be postmaster at Haiku, Hawaii, in place of Julia Smythe. Incumbent's commission expired July 30, 1939.

Kenichi Masunaga to be postmaster at Kealia, Hawaii, in place of Kenichi Masunaga. Incumbent's commission expired July 30, 1939.

IDAHO

Edward J. Doyle to be postmaster at Bonners Ferry, Idaho, in place of E. J. Doyle. Incumbent's commission expired January 24, 1940.

James V. Hawkins to be postmaster at Coeur d'Alene, Idaho, in place of J. V. Hawkins. Incumbent's commission expires May 20, 1940.

James B. Poynor to be postmaster at Council, Idaho, in place of J. B. Poynor. Incumbent's commission expires June 2, 1940.

Arthur I. Dennis to be postmaster at Hagerman, Idaho, in place of A. I. Dennis. Incumbent's commission expires June 18, 1940.

Dazel B. Howells to be postmaster at Oakley, Idaho, in place of D. B. Howells. Incumbent's commission expires June 18, 1940.

Marie E. McCarty to be postmaster at Plummer, Idaho, in place of M. E. McCarty. Incumbent's commission expires June 20, 1940.

Frank A. McCall to be postmaster at Salmon, Idaho, in place of F. A. McCall. Incumbent's commission expires May 20, 1940.

Wallace H. Hanson to be postmaster at Shelley, Idaho, in place of W. H. Hanson. Incumbent's commission expires June 2, 1940.

Robert J. Wood to be postmaster at Weiser, Idaho, in place of R. J. Wood. Incumbent's commission expires June 1, 1940.

ILLINOIS

Benjamin F. Price to be postmaster at Allendale, Ill., in place of B. F. Price. Incumbent's commission expired March 11, 1940.

Alphonse J. Verdick to be postmaster at Annawan, Ill., in place of A. J. Verdick. Incumbent's commission expires June 18, 1940.

John R. Engleman to be postmaster at Bellwood, Ill., in place of J. R. Engleman. Incumbent's commission expires May 20, 1940.

A. Albert Moehle to be postmaster at Brighton, Ill., in place of A. A. Moehle. Incumbent's commission expires June 1, 1940

Frank F. Lietz to be postmaster at Buckley, Ill., in place of F. F. Lietz. Incumbent's commission expires June 20, 1940.

William C. Herrin to be postmaster at Cave in Rock, Ill., in place of W. C. Herrin. Incumbent's commission expires June 17, 1940.

Ellen M. Sherry to be postmaster at Congress Park, Ill., in place of E. M. Sherry. Incumbent's commission expires May 20, 1940.

Paul C. Zimmerman to be postmaster at Earlville, Ill., in place of Paul Zimmerman. Incumbent's commission expires May 29, 1940.

Wilbur C. Gerke to be postmaster at Edwardsville, Ill., in place of W. C. Gerke. Incumbent's commission expires May 29, 1940.

Ralph Hawthorne to be postmaster at Galesburg, Ill., in place of Ralph Hawthorne. Incumbent's commission expired April 1, 1940.

Henry C. Rathgeber to be postmaster at Girard, Ill., in place of H. C. Rathgeber. Incumbent's commission expires May 19, 1940.

Frank B. Laking to be postmaster at Grant Park, Ill., in place of F. B. Laking. Incumbent's commission expires June 20, 1940.

John M. Vandaveer to be postmaster at Greenfield, Ill., in place of J. M. Vandaveer. Incumbent's commission expired April 27, 1940.

Lloyd McCoy Wakefield to be postmaster at Heyworth, Ill., in place of L. M. Wakefield. Incumbent's commission expires June 20, 1940.

Albert H. Winter to be postmaster at Highland, Ill., in place of A. H. Winter. Incumbent's commission expires June 1, 1940.

Charles J. Ator to be postmaster at Jacksonville, Ill., in place of C. J. Ator. Incumbent's commission expires June 20, 1940.

George P. Ravens to be postmaster at Kankakee Ill., in place of G. P. Ravens. Incumbent's commission expired April 1, 1940.

Clare A. Ruffner to be postmaster at Mason, Ill., in place of C. A. Ruffner. Incumbent's commission expired April 24, 1940.

Irwin H. Mitchell to be postmaster at Metropolis, Ill., in place of I. H. Mitchell. Incumbent's commission expired May 19, 1940.

Paul Therien to be postmaster at Momence, Ill., in place of Paul Therien. Incumbent's commission expires June 20, 1940.

Robert R. Lutz to be postmaster at Morton Grove, Ill., in place of R. R. Lutz. Incumbent's commission expires June 20, 1940.

John Joseph Fedor to be postmaster at Mount Olive, Ill., in place of J. J. Fedor. Incumbent's commission expires May 19, 1940.

William H. Cain to be postmaster at Patoka, Ill., in place of W. H. Cain. Incumbent's commission expired May 19, 1940.

Carroll D. Young to be postmaster at Pawnee, Ill., in place of C. D. Young. Incumbent's commission expires June 18, 1940.

Berryman P. Hurt to be postmaster at Pleasant Plains, Ill., in place of B. P. Hurt. Incumbent's commission expires June 18, 1940.

Margaret D. Drummet to be postmaster at Prophetstown, Ill., in place of M. D. Drummet. Incumbent's commission expired May 19, 1940.

John J. McCarthy to be postmaster at Rock Island, Ill., in place of J. J. McCarthy. Incumbent's commission expires June 23, 1940.

Clarence J. Hanen to be postmaster at St. Anne, Ill., in place of C. J. Hanen. Incumbent's commission expired January 20, 1940.

Daniel F. Maher to be postmaster at Sheffield, Ill., in place of D. F. Maher. Incumbent's commission expired August 26, 1939.

Stanley L. Pool to be postmaster at Sumner, Ill., in place of S. L. Pool. Incumbent's commission expired March 25, 1940.

Mary J. Sheridan to be postmaster at Thomson, Ill., in place of M. J. Sheridan. Incumbent's commission expired February 27, 1940.

Ernest Hunter Reynolds to be postmaster at Tiskilwa, Ill., in place of E. H. Reynolds. Incumbent's commission expired May 19, 1940.

Rufus B. Grissom to be postmaster at Toledo, Ill., in place of R. B. Grissom. Incumbent's commission expires June 1, 1940.

Charles W. McDonald to be postmaster at Wheaton, Ill., in place of C. W. McDonald. Incumbent's commission expires May 29, 1940.

Esper Ziegler to be postmaster at Warsaw, Ill., in place of Esper Ziegler. Incumbent's commission expires June 1, 1940.

Ralph M. Short to be postmaster at Witt, Ill., in place of R. M. Short. Incumbent's commission expires May 29, 1940.

Gertrude W. Daub to be postmaster at Williamsfield, Ill., in place of G. W. Daub. Incumbent's commission expires June 17, 1940.

Homer G. Ingram to be postmaster at Zion, Ill., in place of H. G. Ingram. Incumbent's commission expired January 23, 1940.

INDIANA

Morris A. Draper to be postmaster at Amboy, Ind., in place of M. A. Draper. Incumbent's commission expires June 1, 1940.

Mary Rutledge to be postmaster at Beech Grove, Ind., in place of Mary Rutledge. Incumbent's commission expires June 19, 1940.

Wilburdine G. Smith to be postmaster at Brookston, Ind., in place of H. T. Brockway. Incumbent's commission expired June 9, 1938.

Ruth M. Huddleston to be postmaster at Brownsburg, Ind., in place of R. M. Huddleston. Incumbent's commission expires June 19, 1940.

John S. Kriegbaum to be postmaster at Churubusco, Ind., in place of F. M. Briggs, deceased.

Willard F. Edmonson to be postmaster at Clayton, Ind., in place of W. F. Edmonson. Incumbent's commission expires June 19, 1940.

Bertha Higgins to be postmaster at Danville, Ind., in place of Bertha Higgins. Incumbent's commission expires June 19, 1940.

Frank M. Davis to be postmaster at Fort Branch, Ind., in place of F. M. Davis. Incumbent's commission expired April 28, 1940.

Jack Dolan to be postmaster at Hartford City, Ind., in place of Jack Dolan. Incumbent's commission expires June 1, 1940.

Alton C. Reeves to be postmaster at Hope, Ind., in place of A. C. Reeves. Incumbent's commission expired January 20, 1940.

John G. Harding to be postmaster at Kirklin, Ind., in place of J. G. Harding. Incumbent's commission expires June 8, 1940.

Fred Porter Rensberger to be postmaster at Lakeville, Ind., in place of F. P. Rensberger. Incumbent's commission expires June 1, 1940.

Fred Finney to be postmaster at Martinsville, Ind., in place of Fred Finney. Incumbent's commission expires June 1, 1940.

Susan Mae Fattic to be postmaster at Middletown, Ind., in place of Lee Fattic, deceased.

Melvin Woods to be postmaster at Milroy, Ind., in place of Melvin Woods. Incumbent's commission expires June 8, 1940.

Ruth D. Pommerehn to be postmaster at North Madison, Ind., in place of R. D. Pommerehn. Incumbent's commission expired January 20, 1940.

Vance E. Worrell to be postmaster at Orleans, Ind., in place of V. E. Worrell. Incumbent's commission expires June 1, 1940.

Stephen A. Blood, Jr., to be postmaster at Owensville, Ind., in place of S. A. Blood, Jr. Incumbent's commission expires June 16, 1940.

John N. Bonifas to be postmaster at Portland, Ind., in place of J. N. Bonifas. Incumbent's commission expired March 20, 1940.

John E. McFarland to be postmaster at Ridgeville, Ind., in place of J. E. McFarland. Incumbent's commission expires June 8, 1940.

Charles F. Fisher to be postmaster at Speed, Ind., in place of C. F. Fisher. Incumbent's commission expired January 20, 1940.

Harry L. Korner to be postmaster at Star City, Ind., in place of H. L. Korner. Incumbent's commission expired January 23, 1940.

Roy Beck to be postmaster at Tipton, Ind., in place of Roy Beck. Incumbent's commission expired March 10, 1940.

Rollin J. Clark to be postmaster at Topeka, Ind., in place of R. J. Clark. Incumbent's commission expires June 8, 1940.

Thelma F. Shuff to be postmaster at Van Buren, Ind., in place of T. F. Shuff. Incumbent's commission expired April 28, 1940.

Thomas H. Cartmel to be postmaster at Waldron, Ind., in place of J. G. Barnes. Incumbent's commission expired June 26, 1939.

Russell J. Dunn to be postmaster at Waterloo, Ind., in place of R. J. Dunn. Incumbent's commission expired April 28, 1940.

Ruby G. Nusbaum to be postmaster at Winona Lake, Ind., in place of R. G. Nusbaum. Incumbent's commission expired April 28, 1940.

Faye C. Winsor to be postmaster at Versailles, Ind., in place of F. C. Winsor. Incumbent's commission expires June 16, 1940.

Don W. Workman to be postmaster at Worthington, Ind., in place of D. W. Workman. Incumbent's commission expires June 1, 1940.

Perry R. Moore to be postmaster at Zionsville, Ind., in place of P. R. Moore. Incumbent's commission expired March 10, 1940.

IOWA

Sydney B. Dailey to be postmaster at Allison, Iowa, in place of S. B. Dailey. Incumbent's commission expired April 28, 1940.

Arthur R. Otto to be postmaster at Bettendorf, Iowa, in place of A. R. Otto. Incumbent's commission expires June 20, 1940.

Rex O. Mayhew to be postmaster at Blairstown, Iowa, in place of R. O. Mayhew. Incumbent's commission expires June 8, 1940.

Otto T. Lamansky to be postmaster at Brighton, Iowa, in place of O. T. Lamansky. Incumbent's commission expired May 19, 1940.

Estelle Coon to be postmaster at Brooklyn, Iowa, in place of Estelle Coon. Incumbent's commission expired January 23, 1940.

Raymond W. Baxter to be postmaster at Burlington, Iowa, in place of R. W. Baxter. Incumbent's commission expires June 16, 1940.

Charles H. Ward to be postmaster at Castana, Iowa, in place of C. H. Ward. Incumbent's commission expires June 19, 1940.

Leslie H. Hughes to be postmaster at Cedar Falls, Iowa, in place of L. H. Hughes. Incumbent's commission expired May 13, 1940.

Dee C. Batten to be postmaster at Chariton, Iowa, in place of D. C. Batten. Incumbent's commission expired March 4, 1940.

Carl E. Jones to be postmaster at Cincinnati, Iowa, in place of C. E. Jones. Incumbent's commission expired May 19, 1940.

Clarence L. Herren to be postmaster at Clarinda, Iowa, in place of C. L. Herren. Incumbent's commission expired April 28, 1940.

Ruth A. Hynes to be postmaster at Coggon, Ioda, in place of R. A. Hynes. Incumbent's commission expired April 3, 1940.

Boyd L. Yance to be postmaster at Coin, Iowa, in place of B. L. Yance. Incumbent's commission expired May 19, 1940.

Frank Howard Garrett to be postmaster at Council Bluffs, Iowa, in place of F. H. Garrett. Incumbent's commission expires June 1, 1940.

Donald D. Mead to be postmaster at Cresco, Iowa, in place of D. D. Mead. Incumbent's commission expired January 23, 1940.

Edith M. Reed to be postmaster at Delta, Iowa, in place of E. M. Reed. Incumbent's commission expired May 19, 1940.

Lemuel S. Hill to be postmaster at Des Moines, Iowa, in place of L. S. Hill. Incumbent's commission expired June 6, 1938.

Herbert L. Smith to be postmaster at DeWitt, Iowa, in place of H. L. Smith. Incumbent's commission expired April 29, 1940.

Herman F. Volberding to be postmaster at Dike, Iowa, in place of H. F. Volberding. Incumbent's commission expired May 13, 1940.

John J. Langenfeld to be postmaster at Earling, Iowa, in place of J. J. Langenfeld. Incumbent's commission expired April 28, 1940.

Pauline K. Kraschel to be postmaster at Farragut, Iowa, in place of P. K. Kraschel. Incumbent's commission expired May 19, 1940.

Daisy V. Farrell to be postmaster at Fonda, Iowa, in place of D. V. Farrell. Incumbent's commission expired January 23, 1940.

Rose M. Fischbach to be postmaster at Granville, Iowa, in place of R. M. Fischbach. Incumbent's commission expires June 1, 1940.

John Vanderwicken to be postmaster at Grundy Center, Iowa, in place of John Vanderwicken. Incumbent's commission expired March 13, 1940.

John L. McLaughlin to be postmaster at Guthrie Center, Iowa, in place of J. L. McLaughlin. Incumbent's commission expires June 1, 1940.

George R. Sawyer to be postmaster at Hawarden, Iowa, in place of G. R. Sawyer. Incumbent's commission expired May 19, 1940.

Louis A. Hasselbrink to be postmaster at Kellogg, Iowa, in place of Louis Hasselbrink. Incumbent's commission expired April 24, 1940.

Wallace H. Blair to be postmaster at Lamoni, Iowa, in place of W. H. Blair. Incumbent's commission expired March 13, 1940.

Frederick E. Mulholland to be postmaster at Malvern, Iowa, in place of F. E. Mulholland. Incumbent's commission expired May 19, 1940.

Kathryn D. Eden to be postmaster at Manning, Iowa, in place of K. D. Eden. Incumbent's commission expired March 13, 1940.

William Harry Thompson to be postmaster at Mapleton, Iowa, in place of W. H. Thompson. Incumbent's commission expired April 28, 1940.

Frank G. Ferguson to be postmaster at Mechanicsville, Iowa, in place of F. G. Ferguson. Incumbent's commission expired May 13, 1940.

Mae K. Wilson to be postmaster at Monroe, Iowa, in place of M. K. Wilson. Incumbent's commission expires June 23, 1940.

James D. Minnes to be postmaster at Moravia, Iowa, in place of J. D. Minnes. Incumbent's commission expired April 28, 1940.

Byrd S. Clark to be postmaster at Mount Vernon, Iowa, in place of B. S. Clark. Incumbent's commission expired April 3, 1940

Harold E. Maffett to be postmaster at Murray, Iowa, in place of H. E. Maffett. Incumbent's commission expires June 1, 1940.

Clifford P. Shane to be postmaster at New Virginia, Iowa, in place of C. P. Shane. Incumbent's commission expired April 24, 1940.

William H. Lucas to be postmaster at Nora Springs, Iowa, in place of W. H. Lucas. Incumbent's commission expired May 19, 1940.

Hans C. Johnson to be postmaster at Northwood, Iowa, in place of H. C. Johnson. Incumbent's commission expired April 3, 1940.

John L. O'Neill to be postmaster at Oakland, Iowa, in place of J. L. O'Neill. Incumbent's commission expires June 17, 1940.

Earle F. Rex to be postmaster at Odebolt, Iowa, in place of E. F. Rex. Incumbent's commission expired July 19, 1939.

Boies Capper to be postmaster at Postville, Iowa, in place of Boies Capper. Incumbent's commission expired February 14, 1940.

Harold J. Long to be postmaster at Rock Valley, Iowa, in place of H. J. Long. Incumbent's commission expires June 1, 1940.

Marcella E. Roeder to be postmaster at Rockwell, Iowa, in place of M. E. Roeder. Incumbent's commission expired May 13, 1940.

Carl L. Anderson to be postmaster at Sac City, Iowa, in place of C. L. Anderson. Incumbent's commission expired March 27, 1939.

Henry J. Kelley to be postmaster at Shannon City, Iowa, in place of H. J. Kelley. Incumbent's commission expires June 1, 1940.

Anthony J. Salland to be postmaster at Sibley, Iowa, in place of A. J. Salland. Incumbent's commission expires June 19, 1940.

Otto Germar to be postmaster at Volga, Iowa, in place of Otto Germar. Incumbent's commission expired June 18, 1939.

George T. Shanley to be postmaster at Webster City, Iowa, in place of G. T. Shanley. Incumbent's commission expired March 4, 1940.

Jirmie N. Hopkins to be postmaster at Whiting, Iowa, in place of J. N. Hopkins. Incumbent's commission expired July 19, 1939.

KANSAS

George J. Roeback to be postmaster at Arcadia, Kans., in place of G. J. Roeback. Incumbent's commission expires June 3, 1940.

Lloyd A. Johnson to be postmaster at Belleville, Kans., in place of L. A. Johnson. Incumbent's commission expired April 27, 1940.

Winona D. Stough to be postmaster at Cherokee, Kans., in place of W. D. Stough. Incumbent's commission expired January 31, 1940.

John E. Brogan to be postmaster at Coffeyville, Kans., in place of J. E. Brogan. Incumbent's commission expired April 25, 1940.

Clarence H. Johnson to be postmaster at Enterprise, Kans., in place of C. H. Johnson. Incumbent's commission expired April 24, 1940.

William J. Lyons, Jr., to be postmaster at Fort Leavenworth, Kans., in place of W. J. Lyons, Jr. Incumbent's commission expired August 26, 1939.

Gay A. Small to be postmaster at Galva, Kans., in place of Gay Small. Incumbent's commission expired April 24, 1940.

Omar G. Beougher to be postmaster at Gove, Kans., in place of O. G. Beougher. Incumbent's commission expired May 19, 1940.

Laurence C. Forker to be postmaster at Haven, Kans., in place of L. C. Forker. Incumbent's commission expired April 24, 1940.

Goldie L. Blades to be postmaster at Independence, Kans., in place of G. L. Blades. Incumbent's commission expires June 10, 1940.

William S. Harris to be postmaster at Kiowa, Kans., in place of W. S. Harris. Incumbent's commission expires June 1, 1940.

William D. O'Loughlin to be postmaster at Lakin, Kans., in place of W. D. O'Loughlin. Incumbent's commission expired May 19, 1940.

Kathryn E. Schieferecke to be postmaster at Lenora, Kans., in place of Kathryn Schieferecke. Incumbent's commission expires June 3, 1940.

Howard H. Spear to be postmaster at Leoti, Kans., in place of H. H. Spear. Incumbent's commission expired April 1, 1940.

Glenn B. Hale to be postmaster at Mankato, Kans., in place of G. B. Hale. Incumbent's commission expires May 19, 1940.

Oscar J. Strong to be postmaster at Mound City, Kans., in place of O. J. Strong. Incumbent's commission expired June 18, 1939.

Florence J. Lehman to be postmaster at Nickerson, Kans., in place of F. J. Lehman. Incumbent's commission expired February 14, 1940.

Edwin W. Coldren to be postmaster at Oberlin, Kans., in place of E. W. Coldren. Incumbent's commission expired March 11, 1940.

Edwin Fitzgerald Hammond to be postmaster at Osage City, Kans., in place of E. F. Hammond. Incumbent's commission expired April 24, 1940.

Ellen Rae Silvers to be postmaster at Preston, Kans., in place of E. R. Silvers. Incumbent's commission expired May 19, 1940.

Raymond R. Staab to be postmaster at Satanta, Kans., in place of R. R. Staab. Incumbent's commission expires May 29, 1940.

George W. Lank to be postmaster at Solomon, Kans., in place of G. W. Lank. Incumbent's commission expired May 13, 1940.

William E. Wohler to be postmaster at Sylvan Grove, Kans., in place of E. G. Behrhorst, deceased.

Grover Miller to be postmaster at Syracuse, Kans., in place of Grover Miller. Incumbent's commission expired March 11, 1940.

Bessie M. Anderson to be postmaster at Tribune, Kans., in place of B. M. Anderson. Incumbent's commission expired April 24, 1940.

Charles W. Hickok to be postmaster at Ulysses, Kans., in place of C. W. Hickok. Incumbent's commission expired May 19, 1940.

Iris C. Schoepf to be postmaster at Utica, Kans., in place of I. C. Schoepf. Incumbent's commission expires June 1, 1940.

Ernest H. Hillman to be postmaster at Wakeeney, Kans., in place of E. H. Hillman. Incumbent's commission expires June 1, 1940.

Peter J. Romme to be postmaster at Victoria, Kans., in place of P. J. Romme. Incumbent's commission expires June 16, 1940.

Grover P. Nutt to be postmaster at Waverly, Kans., in place of G. P. Nutt. Incumbent's commission expired April 24, 1940.

KENTUCKY

Charles F. Vest to be postmaster at Berry, Ky., in place of C. F. Vest. Incumbent's commission expires June 16, 1940.

Daniel S. Mitchell to be postmaster at Crofton, Ky., in place of D. S. Mitchell. Incumbent's commission expires June 17, 1940.

Henry Roe Thompson Kinnaird to be postmaster at Edmonton, Ky., in place of H. R. T. Kinnaird. Incumbent's commission expires June 17, 1940.

Gilbert Adams to be postmaster at Flemingsburg, Ky., in place of Gilbert Adams, Jr. Incumbent's commission June 16, 1940.

Mary Elvira Johnson to be postmaster at Kevil, Ky., in place of M. E. Johnson. Incumbent's commission expires June 16, 1940.

George J. Covington to be postmaster at Mayfield, Ky., in place of G. J. Covington. Incumbent's commission expired April 21, 1940.

William M. Back to be postmaster at Monticello, Ky., in place of W. M. Back. Incumbent's commission expires June 16, 1940.

Gemmill Baker Senff to be postmaster at Mount Sterling, Ky., in place of G. B. Senff. Incumbent's commission expired March 21, 1940.

Mary C. Greenwell to be postmaster at Uniontown, Ky., in place of M. C. Greenwell. Incumbent's commission expired February 18, 1939.

John A. Gross to be postmaster at Vine Grove, Ky., in place of J. A. Gross. Incumbent's commission expires June 1, 1940.

LOUISIANA

Reynald J. Patin to be postmaster at Breaux Bridge, La., in place of R. J. Patin. Incumbent's commission expired May 19, 1940.

Joseph C. Ballay to be postmaster at Buras, La., in place of J. C. Ballay. Incumbent's commission expired March 18, 1940.

Elizabeth S. Crawford to be postmaster at Gretna, La., in place of E. S. Crawford. Incumbent's commission expired March 18, 1940.

Henry Buller to be postmaster at Iowa, La., in place of Henry Buller. Incumbent's commission expired March 18, 1940.

John H. Lyons to be postmaster at Lake Charles, La., in place of J. H. Lyons. Incumbent's commission expired May 19, 1940.

John A. Williams to be postmaster at Oakdale, La., in place of J. A. Williams. Incumbent's commission expires June 16, 1940.

Charles W. Lavigne to be postmaster at Ponchatoula, La., in place of J. R. Parker, removed.

Berenice K. Schuchs to be postmaster at St. Joseph, La., in place of B. K. Schuchs. Incumbent's commission expired May 1, 1940.

MAINE

Ralph H. Egan to be postmaster at Ashland, Maine, in place of R. H. Egan. Incumbent's commission expires June 8, 1940.

Tobias L. Roberts to be postmaster at Bar Harbor, Maine, in place of T. L. Roberts. Incumbent's commission expired May 18, 1940.

Herbert Fred Hanson to be postmaster at Belfast, Maine, in place of H. F. Hanson. Incumbent's commission expires June 8, 1940.

Fred S. Littlefield to be postmaster at Brooks, Maine, in place of F. S. Littlefield. Incumbent's commission expired February 4, 1940.

Anna M. McCann to be postmaster at Bucksport, Maine, in place of A. M. McCann. Incumbent's commission expired April 25, 1940.

Adrian F. Kelleher to be postmaster at Camden, Maine, in place of A. F. Kelleher. Incumbent's commission expired February 4, 1940.

Charles W. Richardson, Jr., to be postmaster at Castine, Maine, in place of C. W. Richardson, Jr. Incumbent's commission expired June 12, 1938.

Geneva B. Haley to be postmaster at Cornish, Maine, in place of G. B. Haley. Incumbent's commission expired January 23, 1940.

Perl E. Woodbury to be postmaster at Damariscotta, Maine, in place of P. E. Woodbury. Incumbent's commission expires June 8, 1940.

Frank X. Oakes to be postmaster at Fairfield, Maine, in place of F. X. Oakes. Incumbent's commission expired April 27, 1940.

William Gerald Jordan to be postmaster at Fryeburg, Maine, in place of W. G. Jordan. Incumbent's commission expired April 21, 1940.

Marita E. Peabody to be postmaster at Houlton, Maine, in place of M. E. Peabody. Incumbent's commission expired April 21, 1940.

Odelie Duperry to be postmaster at Keegan, Maine. Office became Presidential July 1, 1939.

William D. Hay to be postmaster at Kennebunk, Maine, in place of W. D. Hay. Incumbent's commission expired June 26, 1939.

Natt R. Hubbard to be postmaster at Kittery, Maine, in place of N. R. Hubbard. Incumbent's commission expired May 18, 1940.

Paul Archambault to be postmaster at Madawaska, Maine, in place of Paul Archambault. Incumbent's commission expired January 23, 1940.

Delta F. Smith to be postmaster at Mapleton, Maine, in place of D. F. Smith. Incumbent's commission expired March 17, 1940.

Bess M. Clark to be postmaster at Milo, Maine, in place of B. M. Clark. Incumbent's commission expires May 29, 1940.

William S. Holmes to be postmaster at Northeast Harbor, Maine, in place of W. S. Holmes. Incumbent's commission expired May 13, 1940.

Spellman C. Marshall to be postmaster at Oakland, Maine, in place of S. C. Marshall. Incumbent's commission expired April 1, 1940.

George R. Desjardins to be postmaster at Old Town, Maine, in place of G. R. Desjardins. Incumbent's commission expires June 8, 1940.

Fred W. Allen to be postmaster at Pownal, Maine, in place of F. W. Allen. Incumbent's commission expired January 23, 1940.

Philip B. Seavey to be postmaster at Sherman Mills, Maine, in place of P. B. Seavey. Incumbent's commission expired February 14, 1940.

Louis S. Marquis to be postmaster at Springvale, Maine, in place of L. S. Marquis. Incumbent's commission expired May 18, 1940.

Allston M. Hatch to be postmaster at Stonington, Maine, in place of A. M. Hatch. Incumbent's commission expires June 8, 1940.

Harold T. Ricker to be postmaster at Stratton, Maine, in place of H. T. Ricker. Incumbent's commission expired May 18, 1940.

Roy E. Swaney to be postmaster at Vanceboro, Maine, in place of R. E. Swaney. Incumbent's commission expires May 29, 1940.

George C. Robinson to be postmaster at Westbrook, Maine, in place of G. C. Robinson. Incumbent's commission expires June 19, 1940.

Francis Philip Foley to be postmaster at Winterport, Maine, in place of F. P. Foley. Incumbent's commission expired April 25, 1940.

Harry Clair Miller to be postmaster at Winthrop, Maine, in place of H. C. Miller. Incumbent's commission expired April 25, 1940.

Edward C. Bridges to be postmaster at York Village, Maine, in place of E. C. Bridges. Incumbent's commission expired March 17, 1940.

MARYLAND

W. George Miller to be postmaster at Accident, Md., in place of W. G. Miller. Incumbent's commission expired May 13, 1940.

Mayme B. Boulden to be postmaster at Cecilton, Md., in place of M. B. Boulden. Incumbent's commission expires June 20, 1940.

Francis E. Thomas to be postmaster at Centerville, Md., in place of F. E. Thomas. Incumbent's commission expires June 19, 1940.

Elsie V. Botts to be postmaster at Darlington, Md., in place of E. V. Botts. Incumbent's commission expires June 2, 1940.

Edgar R. Twilley to be postmaster at East New Market, Md., in place of E. R. Twilley. Incumbent's commission expires June 1, 1940.

Michael G. Labuda to be postmaster at Fort Howard, Md., in place of M. G. Labuda. Incumbent's commission expires June 2, 1940.

Marjorie E. Williams to be postmaster at Goldsboro, Md., in place of M. E. Williams. Incumbent's commission expires June 17, 1940.

Joseph F. Mattingly to be postmaster at Indianhead, Md., in place of J. F. Mattingly. Incumbent's commission expires June 1, 1940.

Louis E. Lamborn to be postmaster at McDonogh, Md., in place of L. E. Lamborn. Incumbent's commission expired January 20, 1940.

Ellwood E. Matthews to be postmaster at Pocomoke City, Md., in place of E. E. Matthews. Incumbent's commission expires June 1, 1940.

Maude R. Toulson to be postmaster at Salisbury, Md., in place of M. R. Toulson. Incumbent's commission expires May 22, 1940.

Elliott W. Marshall to be postmaster at Snow Hill, Md., in place of E. W. Marshall. Incumbent's commission expires June 1, 1940.

Evelyn B. McBride to be postmaster at Street, Md., in place of E. B. McBride. Incumbent's commission expired March 13, 1940.

Earl T. Kelbaugh to be postmaster at Thurmont, Md., in place of E. T. Kelbaugh. Incumbent's commission expired May 13, 1940.

Robert Kemp Hughlett to be postmaster at Trappe, Md., in place of R. L. Hughlett. Incumbent's commission expired May 20, 1940.

MASSACHUSETTS

James Leo Mack to be postmaster at Ashburnham, Mass., in place of J. L. Mack. Incumbent's commission expires May 22, 1940.

Richard Mullen to be postmaster at Athol, Mass., in place of Richard Mullen. Incumbent's commission expires May 22, 1940.

Stephen W. Bartlett to be postmaster at Barnstable, Mass., in place of S. W. Bartlett. Incumbent's commission expires June 17, 1940.

Mary G. Hanifin to be postmaster at Belchertown, Mass., in place of M. G. Hanifin. Incumbent's commission expires May 22, 1940.

Hazel M. Cairns to be postmaster at Bernardston, Mass., in place of H. M. Cairns. Incumbent's commission expires May 22, 1940.

John J. Downey to be postmaster at Blackstone, Mass., in place of J. J. Downey. Incumbent's commission expired March 3, 1940.

Michael J. Moriarty to be postmaster at Bondsville, Mass., in place of M. J. Moriarty. Incumbent's commission expires May 22, 1940.

Fred C. Small to be postmaster at Buzzards Bay, Mass., in place of F. C. Small. Incumbent's commission expires May 22, 1940.

Patrick H. Haley to be postmaster at Chelmsford, Mass., in place of P. H. Haley. Incumbent's commission expires May 22, 1940.

Alphonse E. Roberts to be postmaster at Chicopee Falls, Mass., in place of A. E. Roberts. Incumbent's commission expires June 10, 1940.

James R. Delaney to be postmaster at Dedham, Mass., in place of J. R. Delaney. Incumbent's commission expires June 19, 1940.

James W. Evans to be postmaster at Fairhaven, Mass., in place of J. W. Evans. Incumbent's commission expires June 3, 1940.

Eugene J. LeMaire to be postmaster at Fisherville, Mass., in place of E. J. LeMaire. Incumbent's commission expires June 8, 1940.

Joseph A. Morgan to be postmaster at Gilbertsville, Mass., in place of J. A. Morgan. Incumbent's commission expires June 1, 1940.

Gilbert W. O'Neil to be postmaster at Gloucester, Mass., in place of G. W. O'Neil. Incumbent's commission expires June 17, 1940.

Edward F. X. Jalbert to be postmaster at Grafton, Mass., in place of E. F. X. Jalbert. Incumbent's commission expires June 1, 1940.

James B. Kennedy to be postmaster at Greenfield, Mass., in place of J. B. Kennedy. Incumbent's commission expired March 3, 1940.

Alfred L. Little to be postmaster at Marion, Mass., in place of A. L. Little. Incumbent's commission expires June 16, 1940.

Karl F. Koch to be postmaster at Montague City, Mass., in place of K. F. Koch. Incumbent's commission expires June 16, 1940.

James A. Murphy to be postmaster at New Bedford, Mass., in place of J. A. Murphy. Incumbent's commission expires June 17, 1940.

Louis H. Chase to be postmaster at Norfolk, Mass., in place of L. H. Chase. Incumbent's commission expired April 1, 1940.

Clement J. Coughlin to be postmaster at North Easton, Mass., in place of C. J. Coughlin. Incumbent's commission expires June 17, 1940.

Thomas W. Curran to be postmaster at Norton, Mass., in place of T. W. Curran. Incumbent's commission expires June 1, 1940.

Mae E. McLaughlin to be postmaster at Onset, Mass., in place of M. E. McLaughlin. Incumbent's commission expires June 19, 1940.

Thomas F. Welch to be postmaster at Rutland, Mass., in place of T. F. Welch. Incumbent's commission expires June 1, 1940.

Roy Seward Campbell to be postmaster at Rutland Heights, Mass., in place of R. S. Campbell. Incumbent's commission expires June 3, 1940.

Ethyl M. Duffey to be postmaster at Scituate, Mass., in place of E. M. Duffey. Incumbent's commission expires May 22, 1940.

Alfred J. Peloquin to be postmaster at Southbridge, Mass., in place of A. J. Peloquin. Incumbent's commission expires May 22, 1940.

Frank M. Merrigan to be postmaster at South Deerfield, Mass., in place of F. M. Merrigan. Incumbent's commission expired April 1, 1940.

Robert A. Glesmann, Jr., to be postmaster at South Hadley, Mass., in place of R. A. Glesmann, Jr. Incumbent's commission expires June 1, 1940.

John J. Nolan to be postmaster at Spencer, Mass., in place of J. J. Nolan. Incumbent's commission expires May 22, 1940.

Maryetta Browne to be postmaster at State Farm, Mass., in place of Maryetta Browne. Incumbent's commission expires May 22, 1940.

Alice Fitzgerald to be postmaster at Sterling, Mass., in place of Alice Fitzgerald. Incumbent's commission expires June 1, 1940.

Thomas Leo McCarron to be postmaster at Taunton, Mass., in place of T. L. McCarron. Incumbent's commission expires May 22, 1940.

John R. Walsh to be postmaster at Topsfield, Mass., in place of J. R. Walsh. Incumbent's commission expires June 8, 1940.

James Everett Marvelle to be postmaster at Wareham, Mass., in place of J. E. Marvelle. Incumbent's commission expires June 17, 1940.

Thomas E. Hynes to be postmaster at Wayland, Mass., in place of T. E. Hynes. Incumbent's commission expires June 17, 1940.

Alexander Wylie to be postmaster at Webster, Mass., in place of Alexander Wylie. Incumbent's commission expires June 16, 1940.

Thomas H. Hackett to be postmaster at Westboro, Mass., in place of T. H. Hackett. Incumbent's commission expires June 17, 1940.

Raymond L. Soule to be postmaster at West Boylston, Mass., in place of R. L. Soule. Incumbent's commission expires June 3, 1940.

Edward J. O'Day to be postmaster at West Brookfield, Mass., in place of E. J. O'Day. Incumbent's commission expired April 24, 1940.

Patrick John Hanberry to be postmaster at West Hanover, Mass. Office became Presidential July 1, 1939.

Mary E. Cooney to be postmaster at West Newbury, Mass., in place of M. E. Cooney. Incumbent's commission expires June 16, 1940.

Joseph J. Baron to be postmaster at West Warren, Mass., in place of J. J. Baron. Incumbent's commission expires June 17, 1940.

Vincent C. Ambrose to be postmaster at Winchester, Mass., in place of V. C. Ambrose. Incumbent's commission expires June 17, 1940.

William P. Hatton to be postmaster at Woronoco, Mass., in place of W. P. Hatton. Incumbent's commission expires June 10, 1940.

MICHIGAN

Theodore M. Lampert to be postmaster at Ada, Mich., in place of T. M. Lampert. Incumbent's commission expired April 24, 1940.

Frederick H. Smith, Jr., to be postmaster at Arcadia, Mich., in place of F. H. Smith Jr. Incumbent's commission expired January 23, 1940.

James A. Maxwell to be postmaster at Auburn, Mich., in place of J. A. Maxwell. Incumbent's commission expired April 21, 1940.

Arnold C. Misteli to be postmaster at Baldwin, Mich., in place of A. C. Misteli. Incumbent's commission expired May 9, 1940.

Harold P. Snyder to be postmaster at Bear Lake, Mich., in place of H. P. Snyder. Incumbent's commission expired April 21, 1940.

Sebastiano C. Camilli to be postmaster at Bessemer, Mich., in place of Sebastiano Camilli. Incumbent's commission expired March 21, 1940.

Earl B. Sill to be postmaster at Cassopolis, Mich., in place of E. B. Sill. Incumbent's commission expired February 14, 1940.

Frank Mandigo to be postmaster at Centerville, Mich., in place of Frank Mandigo. Incumbent's commission expired March 10, 1940.

Joseph M. Foster to be postmaster at Charlevoix, Mich., in place of J. M. Foster. Incumbent's commission expired March 28, 1940.

Samuel Robinson to be postmaster at Charlotte, Mich., in place of Samuel Robinson. Incumbent's commission expired April 21, 1940.

Elizabeth H. Ronk to be postmaster at Clarkston, Mich., in place of E. H. Ronk. Incumbent's commission expired April 21, 1940.

Margaret Ackerson Rush to be postmaster at Clarksville, Mich., in place of M. A. Rush. Incumbent's commission expired April 24, 1940.

Gordon C. Eldred to be postmaster at Climax, Mich., in place of G. C. Eldred. Incumbent's commission expired August 26, 1939.

Edward Nelson to be postmaster at Coleman, Mich., in place of Edward Nelson. Incumbent's commission expired April 24, 1940.

Arthur J. Price to be postmaster at Comstock, Mich. Office became Presidential July 1, 1939.

John E. Morris to be postmaster at Comstock Park, Mich., in place of J. E. Morris. Incumbent's commission expires June 10, 1940.

Irving L. Dixon to be postmaster at Concord, Mich., in place of I. L. Dixon. Incumbent's commission expired April 24, 1940.

George W. Pidgeon to be postmaster at Constantine, Mich., in place of G. W. Pidgeon. Incumbent's commission expired March 10, 1940.

Roy A. McLellan to be postmaster at Coopersville, Mich., in place of R. A. McLellan. Incumbent's commission expired May 9, 1940.

Donald P. Rivard to be postmaster at Daggett, Mich., in place of W. L. Nelson. Incumbent's commission expired February 5, 1936.

Laura J. Diver to be postmaster at Deerfield, Mich., in place of L. J. Diver. Incumbent's commission expired April 24, 1940.

James Kent Torrey to be postmaster at Dowagiac, Mich., in place of J. K. Torrey. Incumbent's commission expires June 17, 1940.

Frank H. Crowell to be postmaster at East Jordan, Mich., in place of F. H. Crowell. Incumbent's commission expired April 21, 1940.

Regina W. Cleary to be postmaster at Escanaba, Mich., in place of R. W. Cleary. Incumbent's commission expires June 1, 1940.

George C. Du Vall to be postmaster at Fennville, Mich., in place of G. C. Du Vall. Incumbent's commission expired March 10, 1940.

Bernard R. Micks to be postmaster at Gladstone, Mich., in place of B. R. Micks. Incumbent's commission expired March 10, 1940.

Homer Fisher to be postmaster at Grand Haven, Mich., in place of Homer Fisher. Incumbent's commission expired April 24, 1940.

Frank L. Friend to be postmaster at Harbor Springs, Mich., in place of F. L. Friend. Incumbent's commission expired April 24, 1940.

Kathleen B. Slattery to be postmaster at Hillman, Mich., in place of K. B. Slattery. Incumbent's commission expired January 20, 1940.

James O. Peet to be postmaster at Ithaca, Mich., in place of J. O. Peet. Incumbent's commission expired April 21, 1940.

Bert A. Dobson to be postmaster at Jonesville, Mich., in place of B. A. Dobson. Incumbent's commission expired May 18, 1940.

Harry A. Newcomb to be postmaster at Kalamazoo, Mich., in place of H. A. Newcomb. Incumbent's commission expired May 18, 1940.

George H. Walters to be postmaster at Laingsburg, Mich., in place of G. H. Walters. Incumbent's commission expired May 18, 1940.

Paul Doud to be postmaster at Mackinac Island, Mich., in place of Paul Doud. Incumbent's commission expired March 28, 1940.

Gerald P. Riley to be postmaster at Mendon, Mich., in place of G. P. Riley. Incumbent's commission expired March 10, 1940.

Matthew O'Toole to be postmaster at Merrill, Mich., in place of Matthew O'Toole. Incumbent's commission expired May 18, 1940.

Alfred C. Maurer to be postmaster at Monroe, Mich., in place of A. C. Maurer. Incumbent's commission expires June 17, 1940.

William A. Seegmiller to be postmaster at Owosso, Mich., in place of W. A. Seegmiller. Incumbent's commission expired April 21, 1940.

Thomas W. Jackson to be postmaster at Pontiac, Mich., in place of T. W. Jackson. Incumbent's commission expires June 10, 1940.

Neal D. Potter to be postmaster at Quincy, Mich., in place of Clinton Joseph, resigned.

Alonzo A. Strong to be postmaster at Reed City, Mich., in place of A. A. Strong. Incumbent's commission expired January 20, 1940.

Edith B. Kleiber to be postmaster at Rock, Mich., in place of E. B. Kleiber. Incumbent's commission expires June 3, 1940.

Arthur C. Cook to be postmaster at Ruth, Mich., in place of J. W. Zinger, removed.

Helen MacMillan to be postmaster at Saint Clair Shores, Mich., in place of Helen MacMillan. Incumbent's commission expired Feb. 14, 1940.

Archie G. O'Neal to be postmaster at Saugatuck, Mich., in place of A. G. O'Neal. Incumbent's commission expired March 10, 1940.

Adelbert L. Stebbins to be postmaster at Sheridan, Mich., in place of A. L. Stebbins. Incumbent's commission expired April 24, 1940.

Lewis L. Peterson to be postmaster at Springport, Mich., in place of L. L. Peterson. Incumbent's commission expired April 24, 1940.

John F. Cross to be postmaster at Three Rivers, Mich., in place of J. F. Cross. Incumbent's commission expired March 10, 1940.

William Stahl to be postmaster at Van Dyke, Mich., in place of William Stahl. Incumbent's commission expired January 20, 1940.

Morris R. Ehle to be postmaster at Wayland, Mich., in place of M. R. Ehle. Incumbent's commission expired March 21, 1940.

Francis E. Benjamin to be postmaster at Whitehall, Mich., in place of F. E. Benjamin. Iucumbent's commission expired January 20, 1940.

Robert H. Peacock to be postmaster at Yale, Mich., in place of R. H. Peacock. Incumbent's commission expired January 20, 1940.

MINNESOTA

Obert M. Wammer to be postmaster at Badger, Minn., in place of O. M. Wammer. Incumbent's commission expired March 25, 1940.

Evelyn I. Reintjes to be postmaster at Big Lake, Minn., in place of E. I. Reintjes. Incumbent's commission expires June 1, 1940.

Joe M. Licari to be postmaster at Biwabik, Minn., in place of J. M. Licari. Incumbent's commission expires June 20, 1940.

George D. Carroll to be postmaster at Blooming Prairie, Minn., in place of G. D. Carroll. Incumbent's commission expires June 20, 1940.

Henry H. Lukken to be postmaster at Boyd, Minn., in place of H. H. Lukken. Incumbent's commission expires May 19, 1940.

Owen J. Regan to be postmaster at Butterfield, Minn., in place of O. J. Regan. Incumbent's commission expires June 8, 1940.

Olger B. Weibye to be postmaster at Eagle Bend, Minn., in place of O. B. Weibye. Incumbent's commission expired February 5, 1940.

Alvin A. Mock to be postmaster at Echo, Minn., in place of A. A. Mock. Incumbent's commission expires June 20, 1940.

Herman Ten Cate to be postmaster at Edgerton, Minn., in place of Herman Ten Cate. Incumbent's commission expired February 5, 1940.

J. Harold Johnson to be postmaster at Elmore, Minn., in place of J. H. Johnson. Incumbent's commission expires June 3, 1940.

Thomas W. Comnick to be postmaster at Gaylord, Minn., in place of T. W. Comnick. Incumbent's commission expired April 30, 1940.

Sam Bogen to be postmaster at Hendricks, Minn., in place of Sam Bogen. Incumbent's commission expired February 5, 1940.

Herluf E. Jensen to be postmaster at Hutchinson, Minn., in place of H. E. Jensen. Incumbent's commission expires June 17, 1940.

Burt W. Cole to be postmaster at Lake Crystal, Minn., in place of B. W. Cole. Incumbent's commission expires June 1, 1940.

Theodore Zimmerman to be postmaster at Le Center, Minn., in place of Theodore Zimmerman. Incumbent's commission expires June 3, 1940.

William W. O'Malley to be postmaster at Le Sueur, Minn., in place of W. W. O'Malley. Incumbent's commission expires June 3, 1940.

Gordon J. Dewar to be postmaster at Lewisville, Minn., in place of G. J. Dewar. Incumbent's commission expires June 1, 1940.

Edward A. McAlpin to be postmaster at Maple Lake, Minn., in place of E. M. Mayer. Incumbent's commission expired August 26, 1939.

Jacob Egerman to be postmaster at Melrose, Minn., in place of Jacob Egerman. Incumbent's commission expired February 5, 1940.

Dolphin W. Forsmark to be postmaster at Palisade, Minn., in place D. W. Forsmark. Incumbent's commission expires June 8, 1940.

George J. Andrews to be postmaster at Paynesville, Minn., in place of G. J. Andrews. Incumbent's commission expired March 19, 1940.

Mae A. Lovestrom to be postmaster at Stephen, Minn., in place of M. A. Lovestrom. Incumbent's commission expired March 27, 1939.

Norman T. True to be postmaster at Truman, Minn., in place of N. T. True. Incumbent's commission expired April 30, 1940.

Minor Buckingham to be postmaster at West Concord, Minn., in place of Minor Buckingham. Incumbent's commission expires June 8, 1940.

Alfons P. Fasching to be postmaster at Winsted, Minn., in place of A. P. Fasching. Incumbent's commission expires June 1, 1940.

Emma C. Nuernberg to be postmaster at Young America, Minn., in place of E. C. Nuernberg. Incumbent's commission expires June 1, 1940.

MISSISSIPPI

Luna C. Davis to be postmater at Belmont, Miss., in place of L. C. Davis. Incumbent's commission expires June 2, 1940.

Amos W. Sugg, Jr., to be postmaster at Eupora, Miss., in place of J. I. Pittman. Incumbent's commission expired January 20, 1940.

Isaac M. Jackson to be postmaster at Iuka, Miss., in place of I. M. Jackson. Incumbent's commission expired March 13, 1940.

Marguerite C. Johnson to be postmaster at Greenville, Miss., in place of M. C. Johnson. Incumbent's commission expires June 17, 1940.

Roy S. Burroughs to be postmaster at Kosciusko, Miss., in place of R. S. Burroughs. Incumbent's commission expired March 13, 1940.

Charles M. Jaco to be postmaster at Winona, Miss., in place of C. M. Jaco. Incumbent's commission expired March 13, 1940.

MISSOURI

Carl Richmond to be postmaster at Advance, Mo., in place of A. B. Jenkins, transferred.

James W. Costello to be postmaster at Baring, Mo., in place of John Fetters, resigned.

James G. Skidmore to be postmaster at Barnard, Mo., in place of J. G. Skidmore. Incumbent's commission expires June 1, 1940.

Walter Fraser to be postmaster at Bolckow, Mo., in place of Walter Fraser. Incumbent's commission expires June 20, 1940.

Benjamin F. Coleman to be postmaster at Center, Mo., in place of B. F. Coleman. Incumbent's commission expires June 1, 1940.

Victor F. Engelage to be postmaster at Chamois, Mo., in place of V. F. Engelage. Incumbent's commission expires May 17, 1939.

Clay C. Shelton to be postmaster at Clarkton, Mo., in place of C. C. Shelton. Incumbent's commission expires June 17, 1940.

George Petrus to be postmaster at Hermann, Mo., in place of George Petrus. Incumbent's commission expired April 24, 1940.

Ruby M. Farr to be postmaster at Kingston, Mo., in place of R. M. Farr. Incumbent's commission expires June 1, 1940.

Jesse F. Stevenson to be postmaster at Lee's Summit, Mo., in place of J. F. Stevenson. Incumbent's commission expires June 19, 1940.

George E. Scott to be postmaster at New Hampton, Mo., in place of G. E. Scott. Incumbent's commission expires June 10, 1940.

Arch B. Young to be postmaster at Perry, Mo., in place of A. B. Young. Incumbent's commission expired March 28, 1940.

Theo. J. Quinn to be postmaster at St. Joseph, Mo., in place of T. J. Quinn. Incumbent's commission expires June 1, 1940.

Verna F. Whisner to be postmaster at Sarcoxie, Mo., in place of V. F. Whisner. Incumbent's commission expired January 28, 1940.

Edward P. Mullaley to be postmaster at Sedalia, Mo., in place of E. P. Mullaley. Incumbent's commisison expires June 8, 1940.

Marium Ethel Enyart to be postmaster at Stanberry, Mo., in place of Ethel Enyart. Incumbent's commission expires June 17, 1940.

Harley E. Church to be postmaster at Stockton, Mo., in place of H. E. Church. Incumbent's commission expires June 23, 1940.

John M. Earp to be postmaster at Versailles, Mo., in place of J. M. Earp. Incumbent's commission expired February 15, 1940.

Eva L. Herndon to be postmaster at Warrensburg, Mo., in place of A. T. King, removed.

William R. Buche to be postmaster at Warrenton, Mo., in place of W. R. Buche. Incumbent's commission expires June 17, 1940.

MONTANA

Robert S. Nicholson to be postmaster at Darby, Mont., in place of R. S. Nicholson. Incumbent's commission expires June 2, 1940.

Winifred C. Jeffers to be postmaster at Ennis, Mont., in place of J. W. Chowning, retired.

Lewis H. Rutter to be postmaster at Hinsdale, Mont., in place of L. H. Rutter. Incumbent's commission expires June 2, 1940.

Thomas Butler to be postmaster at Miles City, Mont., in place of Thomas Butler. Incumbent's commission expired March 21, 1940.

NEBRASKA

Patrick F. Leonard to be postmaster at Anselmo, Nebr., in place of P. F. Leonard. Incumbent's commission expired March 4, 1940.

Lloyd H. Bulger to be postmaster at Arcadia, Nebr., in place of L. H. Bulger. Incumbent's commission expires June 1, 1940.

Harry H. Burden to be postmaster at Axtell, Nebr., in place of H. H. Burden. Incumbent's commission expires May 23, 1940.

John E. Hunt to be postmaster at Bayard, Nebr., in place of J. E. Hunt. Incumbent's commission expired May 19, 1940.

William C. Rhea to be postmaster at Chester, Nebr., in place of W. C. Rhea. Incumbent's commission expires June 1, 1940.

Maude S. Yancey to be postmaster at Cody, Nebr., in place of M. S. Yancey. Incumbent's commission expired February 13, 1940.

Gretchen Wohlfarth to be postmaster at Diller, Nebr., in place of Gretchen Wohlfarth. Incumbent's commission expired March 4, 1940.

Helen M. Gilmore to be postmaster at Hay Springs, Nebr., in place of H. M. Gilmore. Incumbent's commission expires June 19, 1940.

Frederick J. Eichenberger to be postmaster at Kimball, Nebr., in place of F. J. Eichenberger. Incumbent's commission expired April 28, 1940.

Blanche Goodreau to be postmaster at Liberty, Nebr., in place of Blanche Goodreau. Incumbent's commission expires June 18, 1940.

George E. Minshall to be postmaster at Lodgepole, Nebr., in place of G. E. Minshall. Incumbent's commission expires June 19, 1940.

Delbert O. Campbell to be postmaster at Lyman, Nebr., in place of D. O. Campbell. Incumbent's commission expires June 18, 1940.

Alfred L. Hill to be postmaster at Ord, Nebr., in place of A. L. Hill. Incumbent's commission expires May 19, 1940.

Lafe Simonson to be postmaster at Palmer, Nebr., in place of Lafe Simonson. Incumbent's commission expired January 23, 1940.

Lester V. Kozel to be postmaster at Ravenna, Nebr., in place of L. V. Kozel. Incumbent's commission expired May 19, 1940.

Martin Slattery to be postmaster at Shelton, Nebr., in place on Martin Slattery. Incumbent's commission expires June 1, 1940.

Chester D. Brummett to be postmaster at Silver Creek, Nebr., in place of B. B. Simmons. Incumbent's commission expired February 9, 1939.

Frank E. Sullivan to be postmaster at Springfield, Nebr., in place of F. E. Sullivan. Incumbent's commission expired May 19, 1940.

Albert E. Pratt to be postmaster at Tobias, Nebr., in place of A. E. Pratt. Incumbent's commission expires May 23, 1940.

Fred Shimerda to be postmaster at Wilber, Nebr., in place of Fred Shimerda. Incumbent's commission expired May 19, 1940.

NEVADA

Arthur L. Gottschalk to be postmaster at Lovelock, Nev., in place of A. L. Gottschalk. Incumbent's commission expired May 9, 1940.

NEW HAMPSHIRE

Walter D. Cleary to be postmaster at Bennington, N. H., in place of W. D. Cleary. Incumbent's commission expired May 19, 1940.

Fred R. Hutchinson to be postmaster at Canaan, N. H., in place of F. R. Hutchinson. Incumbent's commission expired May 19, 1940.

Mina S. Roberge to be postmaster at Cascade, N. H., in place of M. S. Roberge. Incumbent's commission expired April 27, 1940.

Homer J. Forcier to be postmaster at East Jaffrey, N. H., in place of H. J. Forcier. Incumbent's commission expired May 13, 1940.

Mary I. Conley to be postmaster at East Kingston, N. H., in place of E. J. Conley, deceased.

Ernest E. Lefavour to be postmaster at Farmington, N. H., in place of E. E. Lefavour. Incumbent's commission expired May 13, 1940.

George F. Garneau to be postmaster at Franklin, N. H., in place of G. F. Garneau. Incumbent's commission expires June 1, 1940.

J. Edward Damour to be postmaster at Henniker, N. H., in place of J. E. Damour. Incumbent's commission expired May 10, 1940.

Wilfred J. M. Tremblay to be postmaster at Lebanon, N. H., in place of W. J. M. Tremblay. Incumbent's commission expired January 23, 1940.

Vernon H. Hall to be postmaster at Pittsburg, N. H. Office became Presidential July 1, 1939.

Ralph Edward Brackett to be postmaster at Sanbornville, N. H., in place of R. E. Brackett. Incumbent's commission expires June 1, 1940.

Fred M. Boynton to be postmaster at Tilton, N. H., in place of F. M. Boynton. Incumbent's commission expires June 18, 1940.

Thomas W. Kiniry to be postmaster at Walpole, N. H., in place of T. W. Kiniry. Incumbent's commission expired May 19, 1940.

Frank Hutchins to be postmaster at Wolfeboro, N. H., in place of Frank Hutchins. Incumbent's commission expires June 1, 1940.

NEW JERSEY

Walter M. MacPherson to be postmaster at Bridgeton, N. J., in place of Walter MacPherson. Incumbent's commission expires May 21, 1940.

William J. Quinn to be postmaster at Caldwell, N. J., in place of W. J. Quinn. Incumbent's commission expired March 17, 1940.

Raymond A. McGrath to be postmaster at Cresskill, N. J., in place of R. A. McGrath. Incumbent's commission expired April 30, 1940.

Graham B. Coe to be postmaster at Delair, N. J., in place of G. B. Coe. Incumbent's commission expires June 16, 1940.

Charles Roth, Jr., to be postmaster at East Paterson, N. J., in place of Charles Roth, Jr. Incumbent's commission expires June 16, 1940.

David A. Skelley to be postmaster at Fort Lee, N. J., in place of D. A. Skelley. Incumbent's commission expires June 16, 1940.

Cornelius S. Hoff to be postmaster at Frenchtown, N. J., in place of C. S. Hoff. Incumbent's commission expired February 14, 1940.

C. Stuart Tobin to be postmaster at Glen Ridge, N. J., in place of C. S. Tobin. Incumbent's commission expired March 17, 1940.

Winifred E. Lindstedt to be postmaster at Helmetta, N. J., in place of W. E. Lindstedt. Incumbent's commission expires May 21, 1940.

Harold B. Hofford to be postmaster at Hohokus, N. J., in place of Frederick Baxter, deceased.

William P. Kern to be postmaster at Jersey City, N. J., in place of W. P. Kern. Incumbent's commission expired March 25, 1940.

Richard F. Holt to be postmaster at Kenvil, N. J., in place of R. F. Holt. Incumbent's commission expired May 19, 1940.

Francis W. Lyman to be postmaster at Lincoln Park, N. J., in place of F. W. Lyman. Incumbent's commission expired February 14, 1940.

Walter D. Finch to be postmaster at Mahwah, N. J., in place of W. D. Finch. Incumbent's commission expired March 19, 1940.

Estella L. McMurtry to be postmaster at Mendham, N. J., in place of E. L. McMurtry. Incumbent's commission expired June 6, 1939.

William D. Hand to be postmaster at Nixon, N. J., in place of W. D. Hand. Incumbent's commission expires June 16, 1940.

Matthew P. Fusco to be postmaster at Palisades Park, N. J., in place of M. P. Fusco. Incumbent's commission expired August 26, 1939.

Bessie M. Lippincott to be postmaster at Pemberton, N. J., in place of B. M. Lippincott. Incumbent's commission expired February 14, 1940.

George Nock to be postmaster at Pompton Plains, N. J., in place of George Nock. Incumbent's commission expired February 14, 1940.

James Powers, Jr., to be postmaster at Sewell, N. J., in place of James Powers, Jr. Incumbent's commission expires June 16, 1940.

Thomas E. Downs, Jr., to be postmaster at South Amboy, N. J., in place of T. E. Downs, Jr. Incumbent's commission expired April 24, 1940.

Richard R. Newman to be postmaster at Spring Lake, N. J., in place of R. R. Newman. Incumbent's commission expired March 17, 1940.

Elizabeth C. Brill to be postmaster at Stewartsville, N. J., in place of E. C. Brill. Incumbent's commission expired March 17, 1940.

Christof Lindenmayer to be postmaster at Stirling, N. J., in place of Christof Lindenmayer. Incumbent's commission expired February 25, 1939.

Frances B. Tonking to be postmaster at Tabor, N. J., in place of F. B. Tonking. Incumbent's commission expired February 14, 1940.

Charles W. Nolan to be postmaster at Union City, N. J., in place of C. W. Nolan. Incumbent's commission expires May 22, 1940.

Robert Freeman Kearse to be postmaster at Vauxhall, N. J., in place of R. F. Kearse. Incumbent's commission expired April 28, 1940.

Susan L. Kenworthy to be postmaster at Wanaque, N. J., in place of S. L. Kenworthy. Incumbent's commission expired April 1, 1940.

Thomas H. Heslin to be postmaster at Wharton, N. J., in place of T. H. Heslin. Incumbent's commission expires June 16, 1940.

NEW MEXICO

Ruth L. Thomas to be postmaster at Corona, N. Mex., in place of R. L. Thomas. Incumbent's commission expired March 13, 1940.

NEW YORK

Howard C. Gould to be postmaster at Alfred, N. Y., in place of H. C. Gould. Incumbent's commission expires June 16, 1940.

Frances K. Jude to be postmaster at Angelica, N. Y., in place of F. K. Jude. Incumbent's commission expires June 20, 1940.

John F. McGrath to be postmaster at Auburn, N. Y., in place of J. F. McGrath. Incumbent's commission expires June 20, 1940.

John R. Clements to be postmaster at Bible School Park, N. Y., in place of J. R. Clements. Incumbent's commission expires June 20, 1940.

Michael L. Sullivan to be postmaster at Binghamton, N. Y., in place of M. L. Sullivan. Incumbent's commission expires June 18, 1940.

Warren Scott to be postmaster at Canajoharie, N. Y., in place of Warren Scott. Incumbent's commission expires June 19, 1940.

Carl L. Baker to be postmaster at Candor, N. Y., in place of C. L. Baker. Incumbent's commission expires June 16, 1940.

Perley M. Hall to be postmaster at Carthage, N. Y., in place of P. M. Hall. Incumbent's commission expired April 24, 1940.

Jesse B. Kilburn to be postmaster at Cattaraugus, N. Y., in place of J. B. Kilburn. Incumbent's commission expires May 22, 1940.

Edward M. Turley to be postmaster at Clayville, N. Y., in place of John Fleming. Incumbent's commission expired February 12, 1939.

Kingsley D. Maloy to be postmaster at Clyde, N. Y., in place of K. D. Maloy. Incumbent's commission expires May 26, 1940.

George F. Elwood to be postmaster at Cold Spring Harbor, N. Y., in place of G. F. Elwood. Incumbent's commission expires June 20, 1940.

Irma R. Chapman to be postmaster at Dewittville, N. Y., in place of A. W. Wilson, resigned.

Tuthill R. McDowell to be postmaster at Ellenville, N. Y., in place of T. J. McMullen. Incumbent's commission expired January 31, 1938.

George A. Wagner to be postmaster at Garden City, N. Y., in place of G. A. Wagner. Incumbent's commission expires June 18, 1940.

George A. Rackett to be postmaster at Greenport, N. Y., in place of G. A. Rackett. Incumbent's commission expires June 16, 1940.

Dorothea E. Blum to be postmaster at Hawthorne, N. Y., in place of D. E. Blum. Incumbent's commission expired April 24, 1940.

Glen S. McBratney to be postmaster at Heuvelton, N. Y., in place of G. S. McBratney. Incumbent's commission expires June 20, 1940.

Allen M. Nesbitt to be postmaster at Jordan, N. Y., in place of A. M. Nesbitt. Incumbent's commission expires June 20, 1940.

Ray G. Blyth to be postmaster at Macedon, N. Y., in place of R. G. Blyth. Incumbent's commission expires May 22, 1940.

Thomas J. Fay to be postmaster at Massena, N. Y., in place of T. J. Fay. Incumbent's commission expires June 20, 1940.

Frank B. Rickard to be postmaster at Middleburg, N. Y., in place of F. B. Rickard. Incumbent's commission expires May 22, 1940.

John Francis Dawson to be postmaster at Mineville, N. Y., in place of J. F. Dawson. Incumbent's commission expires May 22, 1940.

Pearl P. McGuire to be postmaster at Nedrow, N. Y., in place of C. H. Ash. Incumbent's commission expired June 1, 1936.

Joseph C. Walter to be postmaster at New Rochelle, N. Y., in place of T. P. McLoughlin, deceased.

John H. Tanney to be postmaster at Newtonville, N. Y. Office became Presidential July 1, 1939.

Kittie M. Lundergun to be postmaster at North Rose, N. Y., in place of K. M. Lundergun. Incumbent's commission expires May 26, 1940.

Herbert N. Griffin to be postmaster at Oxford, N. Y., in place of H. N. Griffin. Incumbent's commission expires May 22, 1940.

John V. Lynch to be postmaster at Pearl River, N. Y., in place of J. V. Lynch. Incumbent's commission expires May 26, 1940.

Harry D. Rasey to be postmaster at Randolph, N. Y., in place of L. C. Freeborn, resigned.

Robert L. Decker to be postmaster at Rhinebeck, N. Y., in place of A. L. Huber, deceased.

Henry J. Baker to be postmaster at St. Regis Falls, N. Y., in place of L. M. Saunders, deceased.

Myra A. Barber to be postmaster at Sanborn, N. Y., in place of M. A. Barber. Incumbent's commission expires June 25, 1940.

Edward V. McGrath to be postmaster at Seaford, N. Y., in place of E. V. McGrath. Incumbent's commission expires June 25, 1940.

Anna Fallon to be postmaster at Setauket, N. Y., in place of Anna Fallon. Incumbent's commission expires June 20, 1940.

Robert W. Siver to be postmaster at Sidney, N. Y., in place of R. W. Siver. Incumbent's commission expires June 20, 1940.

Charles A. Gagen to be postmaster at Southold, N. Y., in place of C. A. Gagen. Incumbent's commission expires June 25, 1940.

Amy B. Earley to be postmaster at Speculator, N. Y., in place of A. B. Earley. Incumbent's commission expires May 26, 1940.

Frederick N. Brown, Jr., to be postmaster at Stephentown, N. Y., in place of F. N. Brown, Jr. Incumbent's commission expires June 25, 1940.

Edith C. Jones to be postmaster at Tappan, N. Y., in place of E. C. Jones. Incumbent's commission expires June 25, 1940.

Mabel E. Fausette to be postmaster at Trumansburg, N. Y., in place of M. E. Fausette. Incumbent's commission expires May 26, 1940.

Harry S. New to be postmaster at Valatie, N. Y., in place of H. S. New. Incumbent's commission expired April 28, 1940.

Francis J. McCarthy to be postmaster at Watertown, N. Y., in place of F. J. McCarthy. Incumbent's commission expires June 25, 1940.

David J. Young to be postmaster at Westhampton, N. Y. Office became Presidential July 1, 1937.

Daniel F. Sullivan to be postmaster at Winthrop, N. Y., in place of D. F. Sullivan. Incumbent's commission expires June 20, 1940.

Mary A. Scesny to be postmaster at Yaphank, N. Y., in place of Mary Scesny. Incumbent's commission expires May 26, 1940.

NORTH CAROLINA

Sam H. Ingram to be postmaster at Burgaw, N. C., in place of S. H. Ingram. Incumbent's commission expired August 26, 1939.

Ruth F. White to be postmaster at Colerain, N. C., in place of R. F. White. Incumbent's commission expires June 1, 1940.

Gladys O. Howard to be postmaster at Cornelius, N. C., in place of G. O. Howard. Incumbent's commission expires June 17, 1940.

William E. Baldwin to be postmaster at Dunn, N. C., in place of W. E. Baldwin. Incumbent's commission expires June 19, 1940.

Walling D. Vreeland to be postmaster at Fort Bragg, N. C., in place of W. D. Vreeland. Incumbent's commission expired April 29, 1940.

Thaddeus T. Russell to be postmaster at Granite Falls, N. C., in place of T. T. Russell. Incumbent's commission expires June 17, 1940.

William W. Fleming to be postmaster at Hot Springs, N. C., in place of W. W. Fleming. Incumbent's commission expired April 1, 1940.

William E. Blakely to be postmaster at Kings Mountain, N. C., in place of W. E. Blakely. Incumbent's commission expires June 17, 1940.

Miriam H. Calhoun to be postmaster at Laurel Hill, N. C., in place of M. H. Calhoun. Incumbent's commission expires June 16, 1940.

Robert A. Rudisill to be postmaster at Maiden, N. C., in place of R. A. Rudisill. Incumbent's commission expires June 17, 1940.

Wendell W. McDevitt to be postmaster at Marshall, N. C., in place of Newberry McDevitt, deceased.

Jarnagin C. Rice to be postmaster at Montreat, N. C., in place of J. C. Rice. Incumbent's commission expires June 17, 1940.

Fuller T. Currie to be postmaster at Pinehurst, N. C., in place of F. T. Currie. Incumbent's commission expired May 19, 1940.

James C. McPhail to be postmaster at Red Springs, N. C., in place of J. C. McPhail. Incumbent's commission expires June 25, 1940.

Grace S. Lambertson to be postmaster at Rich Square, N. C., in place of G. S. Lambertson. Incumbent's commission expires June 25, 1940.

Helen H. Leggett to be postmaster at Scotland Neck, N. C., in place of H. H. Leggett. Incumbent's commission expires May 22, 1940.

Everett S. Stevens to be postmaster at Smithfield, N. C., in place of E. S. Stevens. Incumbent's commission expired April 24, 1940.

Charles Fred Moseley to be postmaster at Warrenton, N. C., in place of C. F. Moseley. Incumbent's commission expires June 19, 1940.

Samuel R. Fowle, Jr., to be postmaster at Washington, N. C., in place of S. R. Fowle, Jr. Incumbent's commission expires May 22, 1940.

Alexander Elmo Powell to be postmaster at Whiteville, N. C., in place of A. E. Powell. Incumbent's commission expires June 25, 1940.

William M. Sutton to be postmaster at Windsor, N. C., in place of W. M. Sutton. Incumbent's commission expired April 29, 1940.

James C. Helms to be postmaster at Wingate, N. C., in place of J. C. Helms. Incumbent's commission expires June 16, 1940.

NORTH DAKOTA

Ole Ingmar Oleson to be postmaster at Ambrose, N. Dak., in place of O. I. Oleson. Incumbent's commission expires June 16, 1940.

Mary M. Held to be postmaster at Beulah, N. Dak., in place of M. M. Held. Incumbent's commission expired February 7, 1940.

Inez E. Schultz to be postmaster at Bowbells, N. Dak., in place of Inez Schultz. Incumbent's commission expires June 16, 1940.

Mayme E. Fleming to be postmaster at Bowman, N. Dak., in place of M. E. Fleming. Incumbent's commission expires June 16, 1940.

Stephen J. Dunn to be postmaster at Center, N. Dak., in place of S. J. Dunn. Incumbent's commission expires June 16, 1940.

Eureka H. McDougall to be postmaster at Cleveland, N. Dak., in place of E. H. McDougall. Incumbent's commission expires May 27, 1940.

Ella J. Fay to be postmaster at Columbus, N. Dak., in place of E. J. Fay. Incumbent's commission expires June 16, 1940.

Mabel E. Goetz to be postmaster at Dodge, N. Dak., in place of M. E. Goetz. Incumbent's commission expires June 20, 1940.

Susie Drummond to be postmaster at Esmond, N. Dak., in place of Susie Drummond. Incumbent's commission expires June 16, 1940.

Orna F. Leedy to be postmaster at Goodrich, N. Dak., in place of O. F. Leedy. Incumbent's commission expired April 21, 1940.

Ole H. A. Larson to be postmaster at Killdeer, N. Dak., in place of O. H. A. Larson. Incumbent's commission expired May 9, 1940.

Lloyd Lapic to be postmaster at Lankin, N. Dak., in place of Lloyd Lapic. Incumbent's commission expires May 27, 1940.

John W. Virden to be postmaster at Larimore, N. Dak., in place of J. W. Virden. Incumbent's commission expires June 16, 1940.

Frank C. Schroeder to be postmaster at Leonard, N. Dak., in place of F. C. Schroeder. Incumbent's commission expires June 1, 1940.

Lawrence L. Walker to be postmaster at Maddock, N. Dak., in place of L. L. Walker. Incumbent's commission expires June 16, 1940.

Peter J. Bott to be postmaster at Marmarth, N. Dak., in place of P. J. Bott. Incumbent's commission expired April 1, 1940.

Carrie M. Chapman to be postmaster at Minnewaukan, N. Dak., in place of C. M. Chapman. Incumbent's commission expires June 16, 1940.

Carl Jahnke to be postmaster at New Salem, N. Dak., in place of Carl Jahnke. Incumbent's commission expired February 4, 1940.

Howard B. Pruitt to be postmaster at Pettibone, N. Dak., in place of H. B. Pruitt. Incumbent's commission expires June 16, 1940.

Mary Olivia Hutchison to be postmaster at Rhame, N. Dak., in place of M. O. Hutchison. Incumbent's commission expires June 1, 1940.

David L. Botton to be postmaster at Rolette, N. Dak., in place of D. L. Botton. Incumbent's commission expires June 16, 1940.

Albert J. Bateson to be postmaster at Rolla, N. Dak., in place of A. J. Bateson. Incumbent's commission expires June 1, 1940.

Chester A. Johnson to be postmaster at Scranton, N. Dak., in place of C. A. Johnson. Incumbent's commission expires June 1, 1940.

William E. Hinkel to be postmaster at Tuttle, N. Dak., in place of W. E. Hinkel. Incumbent's commission expires June 18, 1940.

Kermit A. Peterson to be postmaster at West Fargo, N. Dak., in place of K. A. Peterson. Incumbent's commission expires June 16, 1940.

OHIO

Ray A. Whipple to be postmaster at Ashley, Ohio, in place of R. A. Whipple. Incumbent's commission expires June 25, 1940.

Orville R. Bently to be postmaster at Bay Village, Ohio, in place of O. R. Bently. Incumbent's commission expires June 25, 1940.

Weston Thomas Dressel to be postmaster at Belpre, Ohio, in place of W. T. Dressel. Incumbent's commission expires June 1, 1940.

James A. Hart to be postmaster at Beverly, Ohio, in place of J. A. Hart. Incumbent's commission expires June 1, 1940.

Samuel R. McGuire to be postmaster at Bowerston, Ohio, in place of S. R. McGuire. Incumbent's commission expires June 1, 1940.

John M. Paull to be postmaster at Conneaut, Ohio, in place of J. M. Paull. Incumbent's commission expired July 22, 1939.

William F. Hookway to be postmaster at Creston, Ohio, in place of W. F. Hookway. Incumbent's commission expires June 17, 1940.

Roy T. Smith to be postmaster at Degraff, Ohio, in place of R. T. Smith. Incumbent's commission expires June 1, 1940.

Paul C. Patterson to be postmaster at East Sparta, Ohio, in place of P. C. Patterson. Incumbent's commission expires June 17, 1940.

Charles J. Sartor to be postmaster at Elyria, Ohio, in place of C. J. Sartor. Incumbent's commission expired March 3, 1940.

Lorenz B. Anderson to be postmaster at Fostoria, Ohio, in place of L. B. Anderson. Incumbent's commission expires June 18, 1940.

Valentine J. Meade to be postmaster at Harrison, Ohio, in place of V. J. Meade. Incumbent's commission expired March 25, 1940.

Riley W. Hoagland to be postmaster at La Rue, Ohio, in place of J. M. Ruckman, resigned.

Frank A. Griebling to be postmaster at Lexington, Ohio, in place of F. A. Griebling. Incumbent's commission expires May 23, 1940.

Orville C. Frantz to be postmaster at Martins Ferry, Ohio, in place of O. C. Frantz. Incumbent's commission expired March 12, 1940.

Dwight M. Miller to be postmaster at Mendon, Ohio, in place of F. G. Young, resigned.

Aaron G. Shealy to be postmaster at New Washington, Ohio, in place of A. G. Shealy. Incumbent's commission expires June 1, 1940.

Nellie Y. Roberts to be postmaster at North Baltimore, Ohio, in place of N. Y. Roberts. Incumbent's commission expired April 25, 1940.

Marie Novotny Agee to be postmaster at Northfield, Ohio, in place of C. W. Mathias, removed.

Robert W. Schocke to be postmaster at Oxford, Ohio, in place of R. W. Schocke. Incumbent's commission expired January 20, 1940.

Howard B. Lindimore to be postmaster at Worthington, Ohio, in place of C. G. Johnson, removed.

Frieda M. Lappen to be postmaster at Laurelville, Ohio, in place of F. M. Lappen. Incumbent's commission expires June 11, 1940.

Maynard C. Casey to be postmaster at Mayfield Heights, Ohio, in place of M. C. Casey. Incumbent's commission expires June 18, 1940.

Myron G. Swaller to be postmaster at Navarre, Ohio, in place of M. G. Swaller. Incumbent's commission expires June 17, 1940.

Elwood E. Hardesty to be postmaster at Paulding, Ohio, in place of E. E. Hardesty. Incumbent's commission expires June 17, 1940.

Leo A. McGaw to be postmaster at Shelby, Ohio, in place of L. A. McGaw. Incumbent's commission expires June 18, 1940.

Howard E. Smith to be postmaster at Vandalia, Ohio, in place of H. E. Smith. Incumbent's commission expired January 20, 1940.

Hartley D. Devore to be postmaster at Vinton, Ohio, in place of H. D. Devore. Incumbent's commission expires June 18, 1940.

August J. Brown to be postmaster at Wapakoneta, Ohio, in place of A. J. Brown. Incumbent's commission expires June 17, 1940.

James Spencer Hockenbery to be postmaster at West Jefferson, Ohio, in place of J. S. Hockenbery. Incumbent's commission expires June 17, 1940.

OKLAHOMA

Virgil W. Ramsey to be postmaster at Allen, Okla., in place of W. E. Mead. Incumbent's commission expired May 8, 1940.

Gilbert K. Stallings to be postmaster at Altus, Okla., in place of G. K. Stallings. Incumbent's commission expires June 20, 1940.

Anson J. Woods to be postmaster at Arnett, Okla., in place of A. J. Woods. Incumbent's commission expires June 2, 1940.

John J. Skinner to be postmaster at Cleveland, Okla., in place of J. J. Skinner. Incumbent's commission expires June 2, 1940.

Elizabeth R. Cunningham to be postmaster at Custer, Okla., in place of E. R. Cunningham. Incumbent's commission expires June 18, 1940.

George J. Martin to be postmaster at Guthrie, Okla., in place of G. J. Martin. Incumbent's commission expired April 24, 1940.

Thomas F. Lynch to be postmaster at Stroud, Okla., in place of T. F. Lynch. Incumbent's commission expires June 20, 1940.

James F. Nicholson to be postmaster at Talihina, Okla., in place of J. F. Nicholson. Incumbent's commission expired May 8, 1940.

Julius L. Foster to be postmaster at Taloga, Okla., in place of J. L. Foster. Incumbent's commission expires June 18, 1940.

Sam Cunningham to be postmaster at Wellston, Okla., in place of Sam Cunningham. Incumbent's commission expires June 2, 1940.

OREGON

Edward M. Hoare to be postmaster at Canyon City, Oreg., in place of H. M. Byram, resigned.

PENNSYLVANIA

Michael Heffren, Jr., to be postmaster at Adah, Pa., in place of Michael Heffren, Jr. Incumbent's commission expired April 9, 1940.

Morris A. Rood to be postmaster at Albion, Pa., in place of M. A. Rood. Incumbent's commission expired February 13, 1940.

Charles W. Goerman to be postmaster at Ambridge, Pa., in place of C. W. Goerman. Incumbent's commission expired June 18, 1938.

Ward T. Deise to be postmaster at Avis, Pa., in place of W. T. Deise. Incumbent's commission expires June 20, 1940.

George L. Shuhler to be postmaster at Bally, Pa., in place of L. W. Stengel. Incumbent's commission expired January 28, 1940.

Urban W. O'Donnell to be postmaster at Bethlehem, Pa., in place of U. W. O'Donnell. Incumbent's commission expires June 17, 1940.

Arthur W. Kinsloe to be postmaster at Burnham, Pa., in place of A. W. Kinsloe. Incumbent's commission expires June 1, 1940.

Edith M. Cockins to be postmaster at Canonsburg, Pa., in place of E. M. Cockins. Incumbent's commission expired January 28, 1940.

Charles I. Donley to be postmaster at Carmichaels, Pa., in place of C. I. Donley. Incumbent's commission expires June 20, 1940.

Michael J. Hoban to be postmaster at Carnegie, Pa., in place of M. J. Hoban. Incumbent's commission expires June 1, 1940.

Ardrey D. Boyle to be postmaster at Centerville, Pa., in place of Ardrey Boyle. Incumbent's commission expires June 17, 1940.

Leslie H. Lockerman to be postmaster at Cheswick, Pa., in place of L. H. Lockerman. Incumbent's commission expires June 3, 1940.

Mary Dessie Blayney to be postmaster at Claysville, Pa., in place of M. D. Blayney. Incumbent's commission expires June 3, 1940.

John A. O'Donovan to be postmaster at Coraopolis, Pa., in place of J. A. O'Donovan. Incumbent's commission expires June 20, 1940.

John A. Barron to be postmaster at Cornwells Heights, Pa., in place of J. A. Barron. Incumbent's commission expires June 20, 1940.

James P. Sullivan to be postmaster at Corry, Pa., in place of J. P. Sullivan. Incumbent's commission expires June 17, 1940.

Francis A. Fonash to be postmaster at Doylestown, Pa., in place of F. A. Fonash. Incumbent's commission expires June 20, 1940.

Bernetta B. Deegan to be postmaster at Dushore, Pa., in place of B. B. Deegan. Incumbent's commission expires June 17, 1940.

John P. May to be postmaster at East Brady, Pa., in place of J. P. May. Incumbent's commission expires June 20, 1940.

Harry D. Farnen to be postmaster at East Butler, Pa., in place of H. D. Farnen. Incumbent's commission expires June 3, 1940.

Elmer S. Harry to be postmaster at East Petersburg, Pa., in place of E. S. Harry. Incumbent's commission expires June 17, 1940.

Florence I. Kurtz to be postmaster at Elverson, Pa., in place of F. I. Kurtz. Incumbent's commission expires June 20, 1940.

Christian A. Jansen to be postmaster at Essington, Pa., in place of C. A. Jansen. Incumbent's commission expires June 10, 1940.

James B. Eschbach to be postmaster at Florin, Pa., in place of J. B. Eschbach. Incumbent's commission expires June 17, 1940.

Caroline E. W. Curry to be postmaster at Glen Olden, Pa., in place of C. E. W. Curry. Incumbent's commission expired January 28, 1940.

Peter V. Abel to be postmaster at Graterford, Pa., in place of P. V. Abel. Incumbent's commission expires June 17, 1940.

Allen R. Brumbaugh to be postmaster at Greencastle, Pa., in place of A. R. Brumbaugh. Incumbent's commission expired May 9, 1940.

Alvin C. Winner to be postmaster at Hatboro, Pa., in place of A. C. Winner. Incumbent's commission expired March 6, 1940.

Elmer N. Zepp to be postmaster at Hatfield, Pa., in place of E. N. Zepp. Incumbent's commission expired April 21, 1940.

James L. Kinter to be postmaster at Homer City, Pa., in place of R. M. Sutter. Incumbent's commission expired August 22, 1939.

John D. McConegly to be postmaster at Homestead, Pa., in place of J. D. McConegly. Incumbent's commission expires June 20, 1940.

John H. Boltz to be postmaster at Jonestown, Pa., in place of J. H. Boltz. Incumbent's commission expires June 20, 1940.

Earle Phillips Robbins to be postmaster at Knoxville, Pa., in place of E. P. Robbins. Incumbent's commission expires June 3, 1940.

James Frank Groover to be postmaster at Lewisburg, Pa., in place of J. F. Groover. Incumbent's commission expires June 20, 1940.

Eva S. Schurr to be postmaster at Linfield, Pa., in place of E. S. Schurr. Incumbent's commission expired April 9, 1940.

Robert E. Pfautz to be postmaster at Lititz, Pa., in place of R. E. Pfautz. Incumbent's commission expired August 22, 1939.

Alexander Rankin to be postmaster at McKeesport, Pa., in place of Alexander Rankin. Incumbent's commission expires June 20, 1940.

Ruth Elizabeth Mackley to be postmaster at Manheim, Pa., in place of R. E. Mackley. Incumbent's commission expires June 20, 1940.

J. Merrell Mattern to be postmaster at Mars, Pa., in place of J. M. Mattern. Incumbent's commission expires June 20, 1940.

Joseph Samuel Raisner to be postmaster at Marysville, Pa., in place of J. S. Raisner. Incumbent's commission expires June 20, 1940.

Hugh G. Provins to be postmaster at Masontown, Pa., in place of H. G. Provins. Incumbent's commission expired April 9, 1940.

Matthew C. Fox, Jr., to be postmaster at Media, Pa., in place of M. C. Fox, Jr. Incumbent's commission expired January 28, 1940.

Katherine M. Sherlock to be postmaster at Merion Station, Pa., in place of K. M. Sherlock. Incumbent's commission expires June 20, 1940.

Arthur O. Shafer to be postmaster at Montoursville, Pa., in place of A. O. Shafer. Incumbent's commission expires June 3, 1940.

Jackley L. Hines to be postmaster at Mount Jewett, Pa., in place of J. L. Hines. Incumbent's commission expires June 20, 1940.

Charles J. Bennett to be postmaster at Mount Joy, Pa., in place of C. J. Bennett. Incumbent's commission expires June 20, 1940.

Joseph W. Hoover to be postmaster at Mountville, Pa., in place of J. W. Hoover. Incumbent's commission expires June 17, 1940.

Earl H. Helms to be postmaster at Myerstown, Pa., in place of E. H. Helms. Incumbent's commission expires June 1, 1940.

John H. Shields to be postmaster at New Alexandria, Pa., in place of J. H. Shields. Incumbent's commission expired March 20, 1940.

Elmer M. Newton to be postmaster at New Wilmington, Pa., in place of E. M. Newton. Incumbent's commission expires June 20, 1940.

Lottie I. Brower to be postmaster at Oaks, Pa., in place of L. I. Brower. Incumbent's commission expired March 6, 1940.

James W. Nash to be postmaster at Portage, Pa., in place of J. W. Nash. Incumbent's commission expired January 28, 1940.

Edward J. Donahue to be postmaster at Port Carbon, Pa., in place of E. J. Donahue. Incumbent's commission expires June 20, 1940.

Charles C. Bernd to be postmaster at Red Hill, Pa., in place of C. C. Bernd. Incumbent's commission expires May 27, 1940.

James P. Monahan to be postmaster at St. Clair, Pa., in place of J. P. Monahan. Incumbent's commission expires June 20, 1940.

John N. Backenstose to be postmaster at Schaefferstown, Pa., in place of J. N. Backenstose. Incumbent's commission expired March 6, 1940.

Harold G. Freeman to be postmaster at Sinking Spring, Pa., in place of H. G. Freeman. Incumbent's commission expired March 20, 1940.

Charles Q. Flickinger to be postmaster at Stowe, Pa., in place of C. Q. Flickinger. Incumbent's commission expires June 20, 1940.

Frank J. Fulton to be postmaster at Stoystown, Pa., in place of F. J. Fulton. Incumbent's commission expired April 9, 1940.

Charles W. Johnston to be postmaster at Strasburg, Pa., in place of C. W. Johnston. Incumbent's commission expires June 20, 1940.

Charles D. Fitzpatrick to be postmaster at Trevorton, Pa., in place of C. D. Fitzpatrick. Incumbent's commission expires June 17, 1940.

Harry E. Merritt to be postmaster at Ulysses, Pa., in place of H. E. Merritt. Incumbent's commission expires June 20, 1940.

James D. Brakeman to be postmaster at Union City, Pa., in place of J. D. Brakeman. Incumbent's commission expires June 20, 1940.

Thomas F. McBride to be postmaster at Upland, Pa., in place of T. F. McBride. Incumbent's commission expired March 6, 1940.

Roy Wilkinson to be postmaster at Valley Forge, Pa., in place of Roy Wilkinson. Incumbent's commission expires June 17, 1940.

Jacob F. Hertzog to be postmaster at West Lawn, Pa., in place of J. F. Hertzog. Incumbent's commission expired January 28, 1940.

Daniel Leger to be postmaster at Wilmerding, Pa., in place of Daniel Leger. Incumbent's commission expires June 1, 1940.

Randall H. Weaver to be postmaster at Worthington, Pa., in place of R. H. Weaver. Incumbent's commission expires June 3, 1940.

PUERTO RICO

Agustin Carbonell to be postmaster at Caguas, P. R., in place of Agustin Carbonell. Incumbent's commission expired May 13, 1940.

Juan D. Rivera to be postmaster at Coamo, P. R., in place of J. D. Rivera. Incumbent's commission expired February 5, 1940.

RHODE ISLAND

James J. Martin to be postmaster at Newport, R. I., in place of J. J. Martin. Incumbent's commission expires May 22, 1940.

Thomas D. Goldrick to be postmaster at Pascoag, R. I., in place of T. D. Goldrick. Incumbent's commission expires June 10, 1940.

Antonio Prince to be postmaster at Woonsocket, R. I., in place of Antonio Prince. Incumbent's commission expires May 22, 1940.

SOUTH CAROLINA

Dixon D. Davis to be postmaster at Greenville, S. C., in place of D. D. Davis. Incumbent's commission expired March 13, 1940.

Malcolm J. Stanley to be postmaster at Hampton, S. C., in place of M. J. Stanley. Incumbent's commission expired April 29, 1940.

James D. Mackintosh to be postmaster at McClellanville, S. C., in place of J. D. Mackintosh. Incumbent's commission expires June 10, 1940.

Bayfield W. Smoak to be postmaster at Moultrieville, S. C., in place of B. W. Smoak. Incumbent's commission expires June 23, 1940.

Eugene C. Jones to be postmaster at North, S. C., in place of E. C. Jones. Incumbent's commission expired February 13, 1940.

Amelia B. Blackmon to be postmaster at Orangeburg, S. C., in place of A. B. Blackmon. Incumbent's commission expires June 19, 1940.

Earle W. Chadwick to be postmaster at Parris Island, S. C., in place of E. W. Chadwick. Incumbent's commission expires June 1, 1940.

Robert J. Aycock to be postmaster at Pinewood, S. C., in place of R. J. Aycock. Incumbent's commission expires June 15, 1940.

Wiley W. McTeer, Jr., to be postmaster at Ridgeland, S. C., in place of W. W. McTeer, Jr. Incumbent's commission expires June 15, 1940.

SOUTH DAKOTA

Kelsey R. Highsaw to be postmaster at Belle Fourche, S. Dak., in place of K. R. Highsaw. Incumbent's commission expired April 1, 1940.

Martha Nieveen to be postmaster at Corsica, S. Dak., in place of Martha Nieveen. Incumbent's commission expired May 1, 1940.

A. Harold Hoffman to be postmaster at Frederick, S. Dak., in place of A. H. Hoffman. Incumbent's commission expired May 1, 1940.

Emil P. A. Erdmann to be postmaster at Groton, S. Dak., in place of E. P. A. Erdmann. Incumbent's commission expired May 1, 1940.

James L. Manion to be postmaster at Keystone, S. Dak., in place of J. L. Manion. Incumbent's commission expired January 23, 1940.

George Kremer to be postmaster at Lesterville, S. Dak., in place of George Kremer. Incumbent's commission expired February 5, 1940.

Joseph H. Ryan to be postmaster at Madison, S. Dak., in place of J. H. Ryan. Incumbent's commission expired April 1, 1940.

Anthony J. Rozum to be postmaster at Mitchell, S. Dak., in place of A. J. Rozum. Incumbent's commission expired May 1, 1940.

Harry H. Jarl to be postmaster at New Effington, S. Dak., in place of H. H. Jarl. Incumbent's commission expired April 2, 1939.

Paul A. Wiest to be postmaster at Newell, S. Dak., in place of P. A. Wiest. Incumbent's commission expires June 16, 1940.

Randolph Y. Bagby to be postmaster at Pierre, S. Dak., in place of R. Y. Bagby. Incumbent's commission expires June 16, 1940.

Hermine Minnie Boschker to be postmaster at Pollock, S. Dak., in place of H. M. Boschker. Incumbent's commission expired January 23, 1940.

Eugene L. Bangs to be postmaster at Rapid City, S. Dak., in place of E. L. Bangs. Incumbent's commission expires June 19, 1940.

James A. Robertson to be postmaster at Sisseton, S. Dak., in place of J. A. Robertson. Incumbent's commission expires June 1, 1940.

Justin J. Snyder to be postmaster at Stephan, S. Dak., in place of J. J. Snyder. Incumbent's commission expired February 25, 1940.

Roy B. Nelson to be postmaster at Viborg, S. Dak., in place of R. B. Nelson. Incumbent's commission expires June 16, 1940.

Lysle T. Dartt to be postmaster at Wall, S. Dak., in place of L. T. Dartt. Incumbent's commission expired January 23, 1940.

Thomas J. Delaney to be postmaster at Webster, S. Dak., in place of T. J. Delaney. Incumbent's commission expired May 1, 1940.

Lee D. Batien to be postmaster at Willow Lake, S. Dak., in place of P. S. Frohlech. Incumbent's commission expired August 27, 1939.

Thomas R. Mickelson to be postmaster at Wilmot, S. Dak., in place of T. R. Mickelson. Incumbent's commission expired April 1, 1940.

TENNESSEE

John W. Nicholson to be postmaster at Ashland City, Tenn., in place of J. W. Nicholson. Incumbent's commission expires June 3, 1940.

Elbert D. Corlew to be postmaster at Charlotte, Tenn., in place of E. D. Corlew. Incumbent's commission expired March 28, 1940.

John S. McBride to be postmaster at Covington, Tenn., in place of J. S. McBride. Incumbent's commission expires June 1, 1940.

Harry B. Cunningham to be postmaster at Ethridge, Tenn., in place of H. B. Cunningham. Incumbent's commission expired August 21, 1939.

Thaddeus C. Haley to be postmaster at Friendship, Tenn., in place of T. C. Haley. Incumbent's commission expires June 17, 1940.

George A. McAdams to be postmaster at Greenfield, Tenn., in place of W. E. McAdams, resigned.

William W. Turner to be postmaster at Jasper, Tenn., in place of W. W. Turner. Incumbent's commission expired March 28, 1940.

Monie Orth to be postmaster at Loretto, Tenn., in place of Monie Orth. Incumbent's commission expires June 1, 1940.

Allen N. Williams to be postmaster at Newbern, Tenn., in place of A. N. Williams. Incumbent's commission expires June 8, 1940.

Robert W. Simmons, Sr., to be postmaster at Sharon, Tenn., in place of R. W. Simmons, Sr. Incumbent's commission expires June 11, 1940.

TEXAS

Maggie P. Rhew to be postmaster at Anderson, Tex., in place of M. P. Rhew. Incumbent's commission expired March 13, 1940.

Ernest F. Pearcy to be postmaster at Bastrop, Tex., in place of E. H. Perkins, removed.

Olive P. Jordan to be postmaster at Beckville, Tex., in place of O. P. Jordan. Incumbent's commission expires June 3, 1940.

Charlie B. O'Bryan to be postmaster at De Berry, Tex. Office became Presidential July 1, 1939.

Jesse J. Newman to be postmaster at Denver City, Tex. Office became Presidential October 1, 1939.

Oscar S. Cousins to be postmaster at Devers, Tex. Office became Presidential July 1, 1939.

Andrew F. Hester to be postmaster at Donna, Tex., in place of A. F. Hester. Incumbent's commission expires May 27, 1940.

Arthur B. Hobbs to be postmaster at Edgewood, Tex., in place of A. B. Hobbs. Incumbent's commission expires May 27, 1940.

Addison Lysander Lincecum to be postmaster at El Campo, Tex., in place of A. L. Lincecum. Incumbent's commission expired February 14, 1940.

John Richard Folkes to be postmaster at Giddings, Tex., in place of J. R. Folkes. Incumbent's commission expires May 27, 1940.

Samuel G. Hampton to be postmaster at Goree, Tex., in place of S. G. Hampton. Incumbent's commission expires June 3, 1940.

John C. Clayton to be postmaster at Kerens, Tex., in place of J. C. Clayton. Incumbent's commission expired May 19, 1940.

Carl Little to be postmaster at Ladonia, Tex., in place of Carl Little. Incumbent's commission expired May 19, 1940.

Crown Dickson to be postmaster at Kilgore, Tex., in place of Crown Dickson. Incumbent's commission expired April 24, 1940.

James S. Colley to be postmaster at Legion, Tex., in place of J. S. Colley. Incumbent's commission expired April 4, 1940.

Rufus R. Eddins to be postmaster at Marlin, Tex., in place of A. B. Johnson, deceased.

W. J. Smith to be postmaster at Montgomery, Tex., in place of W. J. Smith. Incumbent's commission expires June 17, 1940.

Thomas C. Murray to be postmaster at Sonora, Tex., in place of T. C. Murray. Incumbent's commission expired March 13, 1940.

William R. Baker to be postmaster at Strawn, Tex., in place of W. R. Baker. Incumbent's commission expired August 7, 1939.

William A. Trotman to be postmaster at Trinidad, Tex., in place of W. A. Trotman. Incumbent's commission expired May 19, 1940.

Oliver Lee Lowry to be postmaster at Valley View, Tex., in place of O. L. Lowry. Incumbent's commission expires May 19, 1940.

Clara M. Bean to be postmaster at Van Horn, Tex., in place of C. M. Bean. Incumbent's commission expired March 13, 1940.

Linnaeus C. Alexander to be postmaster at Waco, Tex., in place of J. M. Pittillo. Incumbent's commission expired March 13, 1940.

Mary Foster to be postmaster at Waelder, Tex., in place of Mary Foster. Incumbent's commission expires June 3, 1940.

Rudolph J. Marak to be postmaster at West, Tex., in place of R. J. Marak. Incumbent's commission expires May 27, 1940.

Chester L. Lewis to be postmaster at Wheeler, Tex., in place of C. L. Lewis. Incumbent's commission expires June 10, 1940.

UTAH

Nello Christoffersen to be postmaster at Brigham, Utah, in place of Nello Christoffersen. Incumbent's commission expired February 7, 1939.

VERMONT

Irene M. Vaughn to be postmaster at Arlington, Vt., in place of I. M. Vaughn. Incumbent's commission expires June 20, 1940.

Martin R. McDonald to be postmaster at Danville, Vt., in place of M. R. McDonald. Incumbent's commission expired August 26, 1939.

George N. Clark to be postmaster at Groton, Vt., in place of G. N. Clark. Incumbent's commission expired August 2, 1939.

Louis F. Martin to be postmaster at Manchester Center, Vt., in place of L. F. Martin. Incumbent's commission expired July 10, 1939.

Donald L. Mattison to be postmaster at Manchester Depot, Vt., in place of D. L. Mattison. Incumbent's commission expired July 10, 1939.

Roy P. Skinner to be postmaster at Newport, Vt., in place of R. P. Skinner. Incumbent's commission expired April 28, 1940.

John B. Flanagan to be postmaster at Proctor, Vt., in place of J. B. Flanagan. Incumbent's commission expired May 1, 1940.

Daniel B. Hufnail to be postmaster at Reading, Vt., in place of D. B. Hufnail. Incumbent's commission expired August 1, 1939.

Hayden E. Whiting to be postmaster at Sheldon Springs, Vt., in place of H. E. Whiting. Incumbent's commission expires June 1, 1940.

VIRGINIA

Claude Franklin Whitmer to be postmaster at Broadway, Va., in place of C. F. Whitmer. Incumbent's commission expired May 19, 1940.

Samuel Thomas Nottingham to be postmaster at Cape Charles, Va., in place of S. T. Nottingham. Incumbent's commission expires June 1, 1940.

Rudolph Shiffer to be postmaster at Claremont, Va., in place of Rudolph Shiffer. Incumbent's commission expired April 28, 1940.

William D. Bowles to be postmaster at Clifton Forge, Va., in place of W. D. Bowles. Incumbent's commission expired June 1, 1939.

Archa Vaughan to be postmaster at Floyd, Va., in place of Archa Vaughan. Incumbent's commission expires June 1, 1940.

Martin Rosenbaum to be postmaster at Glade Spring, Va., in place of Martin Rosenbaum. Incumbent's commission expired May 13, 1940.

Grace D. Condon to be postmaster at Goshen, Va., in place of G. D. Condon. Incumbent's commission expires June 18, 1940.

Bard E. Fitzgerald to be postmaster at Gretna, Va., in place of B. E. Fitzgerald. Incumbent's commission expires June 2, 1940.

G. Frederick Switzer to be postmaster at Harrisonburg, Va., in place of G. F. Switzer. Incumbent's commission expired May 13, 1940.

Jesse T. Hylton to be postmaster at Hillsville, Va., in place of J. T. Hylton. Incumbent's commission expired April 24, 1940.

Charlotte E. Hanks to be postmaster at Ivanhoe, Va., in place of C. E. Hanks. Incumbent's commission expired April 28, 1940.

Archie R. Gardner to be postmaster at Ivor, Va., in place of L. C. Pulley, deceased.

Clarence W. Bradford to be postmaster at Keller, Va., in place of C. W. Bradford. Incumbent's commission expired March 12, 1940.

Charles F. Shumaker to be postmaster at Lovettsville, Va., in place of C. F. Shumaker. Incumbent's commission expires June 2, 1940.

Henry A. Storm to be postmaster at McLean, Va., in place of H. A. Storm. Incumbent's commission expired April 12, 1940.

Alexander H. Cave to be postmaster at Madison, Va., in place of A. H. Cave. Incumbent's commission expires June 19, 1940.

Lena C. Johnson to be postmaster at Madison Heights, Va., in place of L. C. Johnson. Incumbent's commission expired March 12, 1940.

William Floyd Boone to be postmaster at St. Charles, Va., in place of V. C. Dotson, removed.

Gustavus A. Scruggs to be postmaster at Salem, Va., in place of G. A. Scruggs. Incumbent's commission expired February 14, 1940.

WASHINGTON

Harold W. Lewis to be postmaster at Bingen, Wash., in place of H. W. Lewis. Incumbent's commission expired January 31, 1940.

LeRoy R. Reynolds to be postmaster at Concrete, Wash., in place of L. R. Reynolds. Incumbent's commission expired April 30, 1940.

Ralph Gildea to be postmaster at Garfield, Wash., in place of Ralph Gildea. Incumbent's commission expired May 13, 1940.

William Robert Ross to be postmaster at Grand Coulee, Wash., in place of W. R. Ross. Incumbent's commission expires June 17, 1940.

Dewey Harvel Baker to be postmaster at Naches, Wash., in place of D. H. Baker. Incumbent's commission expires June 2, 1940.

Mabel G. Rosauer to be postmaster at Parkwater, Wash. Office became Presidential July 1, 1939.

Henry Thom to be postmaster at Ritzville, Wash., in place of Henry Thom. Incumbent's commission expired May 2, 1940.

George E. Starr to be postmaster at Seattle, Wash., in place of G. E. Starr. Incumbent's commission expired January 20, 1940.

Charles O. Snapp to be postmaster at Springdale, Wash., in place of C. O. Snapp. Incumbent's commission expired January 31, 1940.

Daisy M. McDowell to be postmaster at Toledo, Wash., in place of D. M. McDowell. Incumbent's commission expires June 2, 1940.

Edward N. Blythe to be postmaster at Vancouver, Wash., in place of E. N. Blythe. Incumbent's commission expires May 21, 1940.

WEST VIRGINIA

Rufus L. Keel to be postmaster at Coalwood, W. Va., in place of R. L. Keel. Incumbent's commission expired May 10, 1939.

Harper H. Hudson to be postmaster at Durbin, W. Va., in place of H. H. Hudson. Incumbent's commission expires June 17, 1940.

Arling C. McGee to be postmaster at Elkins, W. Va., in place of A. C. McGee. Incumbent's commission expires June 8, 1940.

Patrick J. Burke to be postmaster at McMechen, W. Va., in place of P. J. Burke. Incumbent's commission expires June 2, 1940.

Claude E. Mills to be postmaster at Newell, W. Va., in place of C. E. Mills. Incumbent's commission expired April 29, 1940.

George A. Brooks to be postmaster at Pineville, W. Va., in place of G. A. Brooks. Incumbent's commission expired January 23, 1940.

WISCONSIN

Clarence T. Dolan to be postmaster at Abbotsford, Wis., in place of Maxwell Jenks, resigned.

Marie Freeman to be postmaster at Bayfield, Wis., in place of Marie Freeman. Incumbent's commission expired January 20, 1940.

William H. Hannan to be postmaster at Blue River, Wis., in place of J. H. Hillberry, removed.

Charles G. Pagel to be postmaster at Brandon, Wis., in place of C. G. Pagel. Incumbent's commission expired April 1, 1940.

Carl Newton to be postmaster at De Forest, Wis., in place of Carl Newton. Incumbent's commission expired August 26, 1939.

Victoria St. Angelo to be postmaster at Frederic, Wis., in place of Victoria St. Angelo. Incumbent's commission expired February 14, 1940.

Harold P. Van Buren to be postmaster at Hartland, Wis., in place of H. P. Van Buren. Incumbent's commission expires June 1, 1940.

Karl C. Neubauer to be postmaster at Horicon, Wis., in place of K. C. Neubauer. Incumbent's commission expired April 24, 1940.

Anal E. Lennon to be postmaster at Hurley, Wis., in place of A. E. Lennon. Incumbent's commission expired April 1, 1940.

Richard H. McCarty to be postmaster at Kaukauna, Wis., in place of R. H. McCarty. Incumbent's commission expired May 19, 1940.

Fred C. Wolff to be postmaster at Lakemills, Wis., in place of F. C. Wolff. Incumbent's commission expired May 19, 1940.

Emil L. Silverness to be postmaster at Mondovi, Wis., in place of E. L. Silverness. Incumbent's commission expired May 30, 1938.

August W. Frisch to be postmaster at New Holstein, Wis., in place of A. W. Frisch. Incumbent's commission expired February 14, 1940.

Jacob Werner to be postmaster at New London, Wis., in place of Jacob Werner. Incumbent's commission expired January 18, 1939.

Amos T. Green to be postmaster at Niagara, Wis., in place of W. J. Woulf, deceased.

Clara A. E. Manion to be postmaster at Oregon, Wis., in place of C. A. E. Manion. Incumbent's commission expired May 13, 1940.

Jennie C. Thomm to be postmaster at Oxford, Wis., in place of J. C. Thomm. Incumbent's commission expired April 28, 1940.

John W. Schnettler to be postmaster at St. Nazianz, Wis., in place of J. W. Schnettler. Incumbent's commission expires June 1, 1940.

Charles J. Morris to be postmaster at Sharon, Wis., in place of H. S. Morris, deceased.

Louis J. Albrecht to be postmaster at Sheboygan, Wis., in place of L. J. Albrecht. Incumbent's commission expired April 24, 1940.

William H. Shay to be postmaster at Somerset, Wis., in place of W. H. Shay. Incumbent's commission expires June 1, 1940.

Allison L. McNeight to be postmaster at Statford, Wis., in place of A. L. McNeight. Incumbent's commission expired April 24, 1940.

Kyle Sowle to be postmaster at Tomah, Wis., in place of Kyle Sowle. Incumbent's commission expires June 18, 1940.

Charles F. Kurtz to be postmaster at Two Rivers, Wis., in place of C. F. Kurtz. Incumbent's commission expires June 1, 1940.

WYOMING

Arthur W. Crawford to be postmaster at Guernsey, Wyo., in place of A. W. Crawford. Incumbent's commission expires May 22, 1940.

George W. Nance to be postmaster at Midwest, Wyo., in place of G. W. Nance. Incumbent's commission expires June 1, 1940.

Cleo H. Massey to be postmaster at Parco, Wyo., in place of C. H. Massey. Incumbent's commission expires June 1, 1940.

Daniel C. Carson to be postmaster at Pinedale, Wyo., in place of D. C. Carson. Incumbent's commission expired January 20, 1940.

Daniel D. Spani to be postmaster at Rock Springs, Wyo., in place of D. D. Spani. Incumbent's commission expires June 1, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 20 (legislative day of April 24), 1940

UNITED STATES PUBLIC HEALTH SERVICE

TO BE ASSISTANT SURGEONS

Glen E. Ogden	James A. Smith
George F. Ellinger	James L. Southworth
Ralph W. McComas	Curtis G. Southard
David B. Wilson	Harry A. Tanton
Bryan A. Dawber	John A. Brasfield
John F. Oesterle	Daniel J. Daley
Howard V. Turner	William J. Brown
Kenneth F. Hausfeld	Joe M. Chisolm

POSTMASTERS

IDAHO

Clarence M. Friend, Elk River.
Gilbert G. Smith, Filer.
Clyde H. Daugherty, Kendrick.
Ida J. Peck, Lava Hot Springs.
Benjamin Y. Edwards, McCammon.
Jesse J. Walling, Nampa.
Michael A. Stronk, Twin Falls.

VIRGINIA

Frances Glassell Beale, Bowling Green.
Anthony G. Simmons, Fincastle.
John Dabney Simpson, Middleburg.
William T. Roberts, Nassawadox.
Thomas N. Carruthers, Purcellville.
Levi E. Stephenson, Wakefield.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 20, 1940

The House met at 12 o'clock noon.

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

O Thou who dost remember when the world forgets, our faith looks up to Thee as the source of all good. As the sword of hate is drawn from its black sheath, the morrow of victory may be more perilous than its eve; O hear the troubled voice of our prayer. On the sea of humanity the tides are running crimson to the iron-toned discords of military vandals. Harps of national peace and contentment are hung on the willows of despair; songs are stifled as by the waters of Babylon; Thy children wait for the end. Almighty God, someway, somehow, let Thy voice be heard; O speak and let in the light. Grant that our Republic amid the torturing puzzles of man's inhumanity to man, may stand unafraid as the clouds wind through the shadow-hung skies. Permit no servitude and shame to dim the lights of our altars. As citizens who cherish the ideals of a free people, lift us to a high level of patriotic devotion. O bless the cornerstone of our holy faith that was laid in that far-off time; following with listening, obedient souls lead us daily to the tablelands of prayer. Manifest Thy guiding hand in all the affairs of the Congress. Let the starward look give poise and peace to our earthward steps. Be with our President and all his advisers. Grant that their wisdom, understanding, and their chivalry of heart may be felt throughout the length and breadth of this world's tragic life. In the name of the Prince of Peace. Amen.

The Journal of the proceedings of Friday, May 17, 1940, was read and approved.

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 dates the President approved and signed joint resolutions and bills of the House of the following titles:

On May 11, 1940:

H. J. Res. 431. Joint resolution to extend to the 1940 New York World's Fair and the 1940 Golden Gate International Exposition the provisions according privileges under certain customs and other laws to the expositions of 1939.

On May 13, 1940:

H. R. 7806. An act to authorize the striking of an appropriate medal in commemoration of the three hundredth anniversary of the establishment of Greenwich, Conn., as a town.

On May 14, 1940:

H. J. Res. 258. Joint resolution to amend section 8 (f) of the Soil Conservation and Domestic Allotment Act, as amended;

H. J. Res. 519. Joint resolution to suspend section 510 (g) of the Merchant Marine Act, 1936, during the present European war, and for other purposes; and

H. R. 8319. An act 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.

On May 15, 1940:

H. R. 6965. An act for the relief of Stina Anderson.

EXTENSION OF REMARKS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I received from one of my constituents in Montana with reference to the war situation, and a copy of my reply.

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

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent to include in the remarks I expect to make today a quotation from a letter received by me from the Comptroller General.

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

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of Citizenship Day and include therein certain quotations.

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

There was no objection.

Mr. FLANNAGAN and Mr. BLACKNEY asked and were given permission to extend their own remarks in the RECORD.

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

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program of today and following any special orders that may have been previously entered I may be permitted to address the House for 10 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

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

There was no objection.

SPEND LESS, TAX MORE, OR BUST

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 15 seconds.

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

There was no objection.

Mr. RICH. Mr. Speaker, if we are ever going to save this Nation, we must do one of these things—spend less, tax more, or bust.

NATIONAL DEFENSE

Mr. OLIVER. 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 Maine?

There was no objection.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a radio address by Colonel Lindbergh made last night.

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

There was no objection.

Mr. OLIVER. Mr. Speaker, war hysteria is gripping this Nation. Every day increasing numbers of our good people are even urging active participation in this present foreign holocaust. It is well, then, that at such a time a great American should address the Nation in a calm, dispassionate manner disabuse our minds of the impressions and impulses engendered by those who would place this country once again in the maelstrom of foreign mass murder. Last evening over the Columbia Broadcasting System I listened to that great symbol of brave, courageous, and clean American manhood, Col. Charles Lindbergh, Jr., discuss in a reassuring manner the defense problem of America. In 10 minutes he outlined in reasonable, rational, and realistic fashion our immediate problem as well as our long-range necessities in the matter of national defense. As one Member of Congress, I welcomed that statement as coming from one who knows whereof he speaks. I suggest that every Member of this House study Lindbergh's speech daily until it becomes thoroughly impregnated in and indelibly impressed upon the collective consciousness of this body.

The following are the words of wisdom of a sincere, loyal, and patriotic American citizen:

In time of war and confusion, it is essential for our people to have a clear understanding of the elements upon which our national safety depends. Aviation has now become one of these elements, and it is about the air defense of America that I speak to you tonight.

The power of aviation has been greatly underrated in the past. Now, we must be careful not to overrate this power in the excitement of reaction. Air strength depends more upon the establishment of intelligent and consistent policies than upon the sudden construction of huge numbers of airplanes.

Even here in America it is difficult to think clearly amidst the conflict of facts and headlines, the contradictory advice of columnists, the claims and counterclaims of propaganda, and the blind selfishness of party politics. The conservative who scoffed at aviation yesterday has become the radical who says that tomorrow we will be invaded by European aircraft.

Let us reexamine the position of America in the air. New discoveries and developments affect nations in different ways. In Europe aviation has affected England adversely and Germany advantageously. One nation may have a psychology and topography which promotes the development of aviation, while another finds itself entirely unadjusted to the tempo of the air.

UNITED STATES IN FORTUNATE POSITION

Judged by aeronautical standards, we in the United States are in a singularly fortunate position. Our people have natural ability in the design, construction, and operation of aircraft. Our highly organized industry, our widely separated centers of population, our elimination of formalities in interstate travel, all contribute to the development of American aviation. From the standpoint of defense, we still have two great oceans between us and the warring armies of Europe and Asia.

In fact, there is hardly a natural element contributing to air strength and impregnability that we do not now possess. Aviation is for us an asset. It adds to our national safety. With a firm and clear-cut policy, we can build an air defense for America that will stand above these shifting sands of war.

But until we have decided upon a definite policy of defense the mere construction of large numbers of aircraft will not be adequate for our national safety. In fact, without a strong policy of defense, we will not even know what types of planes to build. The speed and range of our fighting planes must depend upon the bases available for their use.

If we are to defend the United States alone, then we must construct numerous air bases along the Mexican and Canadian borders. Such a plan would require numbers of small bombers and pursuit planes, and eventually it would leave us as vulnerable to air attack as the nations of Europe are today. On the other hand, if we are to defend the entire Western Hemisphere, we need long-range bombers capable of attacking a hostile fleet a thousand miles or more at sea. But there is little use discussing types and numbers until a defense policy is established.

OTHER NATIONS MUST AID

This brings us to an issue which must sooner or later be faced. An adequate air defense of the Western Hemisphere necessitates the cooperation of the other nations of this hemisphere. Our military aircraft must have access to their bases. Their foreign policy must have some relationship to ours. We cannot hold this hemisphere free from foreign war if nations which lie within it declare war on foreign powers.

Let us not be confused by this talk of invasion by European aircraft. The air defense of America is as simple as the attack is difficult when the true facts are faced. We are in danger of war today not because European people have attempted to interfere with the internal affairs of America, but because American people have attempted to interfere with the internal affairs of Europe.

It is true that bombing planes can be built with sufficient range to cross the Atlantic and return. They can be built either in America or Europe. Aeronautical engineers have known this for many years. But the cost is high, the target large, and the military effectiveness small. Such planes do not exist today in any air force. A foreign power could not conquer us by dropping bombs in this country unless the bombing were accompanied by an invading army. And an invading army requires thousands of small bombers and pursuit planes; it would have little use for huge trans-Atlantic aircraft.

No, the advantage lies with us, for great armies must still cross oceans by ship. Only relatively small forces can be transported by air today, and over distances of a few hundred miles at most. This has great significance in Europe, but it is not an element that we have to contend with in America.

Such a danger can come, in any predictable future, only through division and war among our own peoples. As long as American nations work together, as long as we maintain reasonable defense forces, there will be no invasion by foreign aircraft. And no foreign navy will dare to approach within bombing range of our coasts.

SEES INTERNAL DANGER

Our danger in America is an internal danger. We need not fear a foreign invasion unless American peoples bring it on through their own quarreling and meddling with affairs abroad. Our eyes should not search beyond the horizon for problems which lie at our feet. The greatest lesson we can draw from Europe today is that national strength must be built within a nation itself and cannot be achieved by limiting the strength of others.

What of the unforseen developments of science? Rocket propulsion? New forms of energy? New methods of destruction? No generation can entirely safeguard the future for those that follow. They must meet their own problems as those problems arise. The greatest inheritance we can pass on to our children is a reasonable solution of the problems that confront us in our time—a strong nation, a lack of debt, a solid American character free from the entanglements of the Old World.

Let us guard America today as our forefathers guarded it in the past. They won this country from Europe with a handful of revolutionary soldiers. We certainly can hold it now with a population of 130,000,000 people. If we cannot, we are unworthy to have it.

But the course we have been following in recent months leads to neither strength, nor friendship, nor peace. It will leave us hated by victor and vanquished alike, regardless of which way the tide of battle turns. One side will claim that we aided its enemies; the other, that we did not help enough.

To be successful in modern warfare, a nation must prepare many years before the fighting starts. If anyone doubts that, let him turn his eyes to Europe. Years ago we decided to stay out of foreign wars. We based our military policy on that decision. We must not waver now that the crisis is at hand. There is no longer time for us to enter this war successfully. The result of vacillating policies lies clearly before us in the chaos of Europe today.

STOP CHATTER, HE SAYS

Let us turn again to America's traditional role—that of building and guarding our own destiny. We need a greater air force, a greater Army, and a greater Navy; they have been inadequate for many years. Let us form with our neighboring nations a clear-cut and definite policy of American defense. But, above all, let us stop this hysterical chatter of calamity and invasion that has been running rife these last few days. It is not befitting to the people who built this Nation.

That the world is facing a new era is beyond question. Our mission is to make it a better era. But regardless of which side wins this war, there is no reason, aside from our own actions, to prevent a continuation of peaceful relationships between America and the countries of Europe. If we desire peace, we need only stop asking for war. No one wishes to attack us, and no one is in a position to do so.

The only reason that we are in danger of becoming involved in this war is because there are powerful elements in America who desire us to take part. They represent a small minority of the American people, but they control much of the machinery of influence and propaganda. They seize every opportunity to push us closer to the edge.

It is time for the underlying character of this country to rise and assert itself, to strike down these elements of personal profit and foreign interest. This underlying character of America is our true defense. Until it awakes and takes the reins in hand once more, the production of airplanes, cannon, and battleships is of secondary importance. Let us turn our eyes to our own Nation. We cannot aid others until we have first placed our own country in a position of spiritual and material leadership and strength.

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

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

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I, too, want to congratulate Colonel Lindbergh on the wonderful speech he made last night. There are two things that I wish to mention that I believe ought to be referred to now that we are deeply involved in this war hysteria. Last fall, 5 days after the war opened in Europe, and 13 days before Congress was to reconvene, the President, acting under the emergency powers granted by the National Defense Act and the Neutrality Act, increased the Army and the Navy. I did not believe that was the American way to do it. The other night, at 10 o'clock, a decision was made at the White House, and I could not find in the papers that any men from the Hill were present. The next day at 1 o'clock, after the decision made at 10 o'clock the night before, a message was delivered to us, and it was heard on the radio out of London before it was heard in America. This certainly, too, was not the American way.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

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

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by C. C. Isley.

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

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Deposit Courier.

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

There was no objection.

NATIONAL DEFENSE

Mr. VOORHIS of California. 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 California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do not subscribe to the charges that have been made to the effect that all the money spent on national defense in recent years has been of no avail. I believe it has been of considerable importance, particularly as far as the Navy is concerned. Neither do I believe that the duty of Congress will be discharged unless Congress, with the utmost care, sees to it, both now and in the future, that the moneys appropriated for this basically important purpose are spent in the best and most useful way possible. After all, national defense does not consist simply of the passage of appropriation bills, it consists only of the possession of the actual implements of defense; and that is our job, as I see it.

There is one thing about this matter that distresses me considerably, as I read in the press reports that it is proposed not only to ask that protective measures with regard to the hours of labor and wages that have been passed in the past

should be suspended but also that limitations on profit and regulations regarding contracts should be suspended. Now, I am sure labor stands ready to do whatever is needful for the sake of national defense, but I think all other groups should do the same, and I do not favor opening the way for unlimited profits to be made at the expense of the Nation. I should think it might be wise to have a board of citizens of the highest character appointed, including representatives of industry, labor, Congress, and the Army and Navy, which might coordinate this national-defense effort and make recommendations as to where and when it is necessary for certain restrictions to be relaxed. This would be a very different matter from simply taking off the lid and saying that the sky is the limit so far as profits are concerned.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

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

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1941

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, with Senate amendments, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CALDWELL, MAHON, O'NEAL, RABAUT, HOUSTON, STEFAN, CASE of South Dakota, and LAMBERTSON.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement prepared by Mr. Luther H. Evans, Director of the Legislative Reference Service of the Library of Congress.

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

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein extracts from the study of the New York State Bar on international law.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very interesting letter on a W. P. A. project, written by Thomas E. Dewey, and another letter from the chairman of the board of selectmen of the town of Scituate, Mass.

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

There was no objection.

THE RELIEF BILL

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

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

There was no objection.

Mr. DITTER. Mr. Speaker, tomorrow we will return to the consideration of the relief bill. I am introducing a measure today designed to meet some of the conditions that have been shown to exist in connection with the administration of the present relief program.

I ask unanimous consent to have that bill inserted, along with my remarks, in the Appendix of the RECORD, and I also ask unanimous consent to extend my own remarks further in connection with the matter at this time.

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

There was no objection.

Mr. DITTER. Mr. Speaker, the House should be better prepared to pass critical judgment upon the pending relief appropriation bill at this time than it has on any similar measure in the past 7 years. The subcommittee of the Appropriations Committee which brings this bill to the House has held extensive hearings on the bill which have yielded much valuable information. The factual information developed during the course of those hearings merits the careful study and thoughtful consideration of every Member of the House who is interested in the welfare of those who are the victims of the continued unemployment condition from which the present administration has failed to give any substantial relief.

The same committee has been engaged in a special investigation and study of the W. P. A. for a year, during which time every effort was made to secure a fair and honest appraisal of the operations of W. P. A. in its relation to relief, unemployment, private industry, and the taxpaying public. That investigation and study has thrown much light upon the past and present relief policies of the Federal Government, and particularly the administration of the agency which it has established to carry out its program. The record of that investigation speaks for itself. It is admitted on all sides that the improvements which were made in the last year were due directly to the work of the investigating committee. But while improvements have been noted, still there is much yet to be done by those in charge of W. P. A., should the Congress decide to continue the present plan of dealing with the relief needs. The minority members of the committee are encouraged by the statement in the report of the investigating committee that "the very fact that an investigating body had been authorized by the House was notice to the entire W. P. A. organization to start to place its house in order." From this statement we assume that "its house" was not in order, and that the start which has been made will be continued to the end. Aside from the acknowledged irregularities in administration which prevailed in all sections of the country, indisputable evidence has been produced showing inefficiency, incompetence, and a degree of irresponsibility which have resulted in tremendous losses not only in dollars and cents but in the morale of those who suffered most from the depression and in whose hearts and minds expectation had been created without the slightest chance that they would ever be realized.

The fact of the matter is we have been temporizing too long with this relief problem. It is the most important problem before us. It is an intensely human problem. It affects every district in the country. It touches your neighbor and my neighbor. War or no war, election or no election, the unemployment problem should be our immediate concern. From year to year appropriations have been made for work relief, to take up the slack of unemployment, to give assistance to men and women without jobs. That is as far as it has gone. It has been handled as an isolated problem instead of dealing with it as a related problem, related not to social study, not to political opportunity, not to the maintenance of men on subsistence standards, but related to the very vital and very important matter of industrial and agricultural recovery.

As I have listened day after day to the evidence presented before the committee, the more convinced I have become that drastic action must be taken to develop a constructive and economical relief program. Unfortunately, the economic policies of the New Deal have failed to bring about recovery for the Nation. But as unfortunate as this may be, it is a greater calamity by far that the administration's relief policies have failed to achieve an economical, equitable, and coordinated relief program. The relief administration has been going round and round like a dog chasing its tail, and from a reading of the record any reasonable man would be

compelled to say that it has been "getting nowhere fast." Billions have already been spent, more billions will have to be spent unless the warnings which have been repeatedly given are heeded.

It is assumed that all are familiar with the general organization and procedure of the W. P. A. But I wonder if all of you are aware of the various steps which must be taken before a W. P. A. project is finally approved and work starts. A project, in theory, proposed by a local sponsor, must go up through the hierarchy of district, State, regional, and national offices before it is approved. While it is operating, all of these officers have some supervision over the project. In view of this clumsy and complex organization, it is no wonder that there are many inefficiencies, irregularities, inconsistencies, and an abundance of questionable practices. The Washington office apparently has not been able to keep its finger on conditions in the States, in spite of the fact that an army of employees is engaged in administrative work.

The investigation has revealed many abuses in the W. P. A. work. Chief among them are the improvement of private property at public expense, the lack of proper supervision which results in waste, the employment of people not in need, the operation of projects of doubtful public value and utility, padded sponsors' contribution, purchase of excess equipment, the operation of projects on which a high percentage of nonrelief labor is required, and a general disregard of the taxpayers' interests.

These abuses are more or less general throughout the whole country, and particularly bad in some States. As might be expected, the situation in Louisiana is the worst of all. Although the local sponsors may be primarily responsible for the waste and diversion and misapplication of public funds which were taking place there, it seems incomprehensible that Federal officials were not cognizant of the irregularities. The New York City unit of the W. P. A. is larger than that of any State, and the number of irregularities in administration is greater than in any other unit. Indiana, Florida, and Pennsylvania also have a large number of cases of inefficiency, poor judgment, and bad management. Let us look at some of the details to see how these irregularities have developed.

The major share of W. P. A. money for Louisiana has been spent in New Orleans. The district engineer there never graduated from any engineering college, and his experience prior to becoming district engineer was that of a telephone linesman with a corresponding course in telephone engineering.

In the period up through August 31, 1939, the Federal Government spent $83,804,353.02 of W. P. A. money in Louisiana, and the sponsors were credited with expenditures totaling $19,880,190.82. In attempting to get a break-down of these expenditures the investigators discovered that it was impossible to get any detailed information. The only break-down available is between labor and nonlabor items. That applies both to W. P. A. expenditures and sponsor contribution.

The city of New Orleans has had considerable difficulty in meeting its sponsors' contribution, and revision of original agreements have been necessary. Nevertheless the W. P. A. officials approved projects requiring expenditure of millions of dollars of W. P. A. funds based on agreements requiring large contributions by the city of New Orleans.

In the purchase of asphalt for W. P. A. projects it is apparent that excessive prices were paid, and for a period of time one firm received all of the business. The conditions surrounding the transactions indicate very clearly that administrative efforts were woefully weak and entirely ineffective.

The W. P. A. expended thousands of dollars in building or improving streets and in laying sidewalks in areas where there were no houses located or such houses as existed were part of a real-estate development. In connection with the Lake Ponchartrain front development project, involving an expenditure of $7,605,732.80 of W. P. A. money and $986,440.08 in sponsors' contribution, there have been a lot of irregularities. The sponsor has taken credit at excessive rates for the sand used in connection with fill and for truck hire. A large real-estate development is included in the project. The project also includes an amusement park, embracing a merry-go-round, roller coaster, bathing beach, and hot-dog stands. The project application, signed by the sponsor, the Orleans Levee Board, certifies that none of the improvements made with W. P. A. funds shall be sold or leased to private individuals or quasi public corporations operating for profit. Notwithstanding that, the private operator had a lease existing at the time the project application was signed, and it was known that such lease would be continued.

Time does not permit further recounting of the irregularities of W. P. A. administration in Louisiana, but they are indeed numerous and notorious. They include such matters as the extermination of rats at a cost of $2.97 per rat, and the building of the Mandeville golf course, out in the country, 57 miles from New Orleans, which in effect serves only as a private club for a few prominent citizens who have large estates adjacent thereto.

Suspicion has been directed for some time to the State government in Louisiana, but to discover that the same tactics have been used in the W. P. A. there and that large amounts of Federal funds have been misused and wasted is startling. That the central offices of the W. P. A. were either unaware of what was going on there or indifferent to it is further proof of the administrative inefficiency which has characterized the W. P. A.

The committee investigators spent approximately 8 months studying the operation of W. P. A. in New York City. Their attempts to secure information were rather hampered by the attitude and actions of Colonel Somervell, the Administrator. Last year the colonel sent a ball and screw to two of the investigators after they had made a report, indicating that he considered them "screw balls." But, despite this noncooperative spirit, the investigators were able to find evidence of scores of important irregularities.

The New York City unit of the W. P. A. is the largest in the country, larger than that of any State. In the period from August 1, 1935, to February 1, 1940, the W. P. A. spent $765,180,417 in New York City and the city expended $93,163,237 in addition. It is perhaps understandable that with so much money being spent there should be slips and irregularities, but the character and extent of some of them is indicative of very poor management.

We remember from the last year the story of the W. P. A. exhibit building at the World's Fair. Originally estimated by Colonel Harrington himself to cost $150,000, the cost finally came to around $680,000.

The North Beach Airport project in New York developed all sorts of abuses. In the first place, work on the project was started on ground before title to such property was secured by the city. This is a technical violation of the rules of procedure of W. P. A. The most notorious abuse, however, was the employment of a large percent of nonrelief labor on the project. In the period from March 1939 to March 1940 there were an average of 11,079 employees on the airport project; 2,740, or 24.7 percent of them, were noncertified or nonrelief people. At one time, October 1939, 36.3 percent were nonrelief. When you look at the figures for skilled labor alone the picture is much worse. In September 1939, 53 percent of the skilled labor was noncertified. Such a situation resulted in some men drawing wages running as high as $10 or more a day, while relief workers were on monthly security wages ranging from $50 to $95 a month.

Evidence indicates, furthermore, that construction was begun without formulation of detailed plans and policies; without preparation of final work drawings in advance of construction; without assembling of necessary technical and supervisory personnel; and that as a result of such haste many alterations and changes were made necessary; that personnel and labor difficulties occurred unnecessarily; that costs were greatly and unnecessarily increased; and that waste of time, manpower, money, material, and effort occurred out of all proportion to the operation.

One hundred new trucks were purchased for New York City by the Procurement Division at a cost of $485,931, and that amount credited toward liquidation of sponsor's pledge, in addition to $188,387 for parts, gasoline, and oil furnished by sponsor, and after more than a year of use the trucks were reconditioned, largely at the expense of the W. P. A., and all returned to the city without entry of any charge against sponsor's account for their estimated value, and supplying of W. P. A. personnel to the office of the New York City Housing Authority.

In Seattle, Wash., a household-demonstration project was conducted in an exceptionally fine residence. Between February 1, 1938, and October 15, 1939, approximately $31,000 was spent on this project. In a period of about a year over 1,000 guests were served free lunches. The records also show that there were served free tea parties, buffet lunches, and meals for large groups.

The question of the administrative costs of the W. P. A. is very deceiving. The W. P. A. seems to be proud of its claim that the expenditures for administrative purposes have been low. They point out that administrative costs amounted to only $295,000,000 out of the total Federal expenditures of nearly $7,000,000,000 during the first 4½ years. Furthermore, the W. P. A. points out that during the current fiscal year administrative expenses will amount to about $53,750,000 as compared with $71,000,000 in the fiscal year 1939. It is encouraging to see that reductions are being made, but it must be remembered that the limitation of $53,950,000 for administrative expenses this fiscal year was imposed upon the W. P. A. by Congress. Nor should one be deceived by the assertion that the cost of administration of the work-relief program is a small item.

The expenditures reported as administrative by the W. P. A. do not represent all of the costs of administration by any means. In the first place, a great deal of administrative work is done by security and nonsecurity workers assigned to project pay rolls. In every State there is a general project known as the supply fund. It includes such personnel as property officers, supervisors of requisitions, warehouse employees, material and equipment inspectors, mechanics, machinists, bookkeepers, clerks, and so forth. It is actually administrative work, but is not classed as such by the W. P. A. In the second place, a fair share of the sponsor's expenditures go for administrative purposes. And finally, the examination and certification of relief people is generally done for the W. P. A. by State and local relief agencies. This cost should be included to get a fair figure on the total administrative cost of a work-relief program.

That the supply projects are actually administrative units is well demonstrated by what has taken place during the present fiscal year in view of the $53,950,000 limitation placed upon administrative expenses by Congress. During the 7 months' period, July 1, 1939, to February 1, 1940, more than 8,900 people were terminated from the W. P. A. administrative rolls, of whom 4,224 were subsequently employed on project pay rolls or the supply fund. Of the latter number 2,856 were reemployed on projects, and 1,368 on the supply fund. It is estimated that the average salary of such persons was between $1,500 and $1,550 a year.

In New York City alone, 1,179 administrative employees were reemployed, 974 on project pay rolls, and 205 on the supply fund. The investigators discovered that this practice was general in all of the States. Actually the whole supply fund system is a subterfuge to minimize administrative expenses. It obscures the whole picture of administrative cost. If the total cost of administering the W. P. A. work-relief program were actually known its proponents could no longer assert, as they do now, that work relief is cheaper to administer than direct relief.

In Florida there are also notorious cases of use of W. P. A. funds in connection with private enterprise. Over $40,000 of W. P. A. money has been spent on a golf course at Marianna. The Florida Board of Forestry is the nominal sponsor but a private country club association is the actual sponsor.

The conclusion is inescapable that the administration of W. P. A. has failed. Statutes and rules have been openly violated or secretly circumvented.

The present Administrator has applied himself vigorously to the task to which he has been assigned. I believe he is making a real effort. Many of his problems are problems which he has inherited. It is fair to assume that this is the case insofar as some of his immediate subordinates go. At all events, they are in some instances men of very limited business experience who are unable to contribute materially to the administration of a gigantic organization such as W. P. A. Their executive ability has been confined to social experimentation. To a large degree the conditions which have required correction could hardly have developed on the broad scale that they have if efficient administrative endeavor had characterized the operations of the agency. Suffice it to say that executive ability consists of more than a delight in spending other people's money.

A fair appraisal can lead to but one conclusion. The Administrator can only go so far with the tools he has at hand, and the system which he is called upon to operate. If W. P. A. is a business, then business men, not social theorists, should be running it. But the system itself is fundamentally wrong. Divided responsibility for relief administration has not and will not work. It never will. The Federal Government should get out of the field of direct administration of relief. A coordinated program, providing for State administration, Federal contribution, and such local supervision as will assure real relief to the needy should be adopted. Above all—jobs—jobs in private industry, not relief, should be the goal. Not a bigger and better relief program, but a bigger and better work program is what is sorely needed.

W. P. A. has lived out its usefulness. As a stop-gap it had a part to play. As a permanent establishment it has no place. We cannot afford to indulge in the further privilege of an experimental excursion. Government spending is an economic problem, not a social theory. That spending, I submit, Mr. Speaker, dare not include the waste of funds, the absence of proper supervision, the abuse of authority, the winking at excessive costs, and a general policy which the record establishes has invited incompetence, inefficiency and irresponsibility.

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two short newspaper articles.

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

There was no objection.

OUR NATIONAL DEFENSE

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

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

There was no objection.

Mr. FISH. Mr. Speaker, the newspapers of the country have been acclaiming President Roosevelt for his appeal for additional funds for national defense, particularly as applied to our Army. The President has been in office for 7 years, and the European war has been going on for 9 months before the Commander in Chief discovered the deplorable condition of the Army for purposes of defense. Instead of praising the President, he should be condemned for permitting this condition to develop.

On April 17, 1939, Secretary of War Woodring said, in a speech before the Daughters of the American Revolution at Washington:

> I need not say to an audience such as the Daughters of the American Revolution that there has been a military, but not a militaristic, renaissance in the United States since 1933. Under the inspired leadership of our far-seeing Commander in Chief, Franklin D. Roosevelt, there has been reborn an army that constitutes a potent and effective element in our national defense—an army that enjoys the support, the confidence, and the approbation of millions of Americans whose honor, whose homes, and whose freedom it defends and preserves.

Either both the President and Secretary of War were right or wrong at that time. It now develops that we have spent billions of dollars to build up our Army during the past 7 years, and yet it is found to be utterly inadequate for defense purposes. The President and the administration should be held strictly accountable for the huge funds wasted and for deceiving the people into a false sense of security in our Army.

Instead of commendation, the President should be condemned for failing in his duty as Commander in Chief to protect the interests of the United States. Nevertheless, it is the duty of the Republicans in Congress to cast partisanship aside and support all legitimate and necessary expenditures to modernize our Army and equip it adequately with tanks, antiaircraft guns, and all the new weapons of war. [Applause.]

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by publishing communications from the commissioner of agriculture and the State entomologists of Louisiana relating to the depredations of the white-fringed beetle.

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

There was no objection.

OUR NATIONAL DEFENSE

Mr. MAY. Mr. Speaker, I ask unanimous consent that I may address the House for 1 minute.

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

There was no objection.

Mr. MAY. Mr. Speaker, the gentleman from New York [Mr. FISH] has just pointed out that the President of the United States should be condemned for his neglect in building up the Army. May I remind the gentleman from New York that when we went into the World War we had 87,000 regular troops all told; we had 15 airplanes, 13 of which were training planes, and 2 others were observation planes. When we finished our military undertaking in Europe, in which the gentleman from New York himself was engaged, we came back and demobilized our Army down to a minimum. From that time to this, for 20 long years, the Congress has starved the United States Army, when $100,000,000 a year, if the gentleman had proposed it, would have built it into a great fighting machine now; but today it is 500 percent stronger than it was when we entered the World War in equipment, personnel, and its ability to defend this country against invasion. In a day or two I shall bring to the floor of this House a measure designed to build up and equip our Army to meet the existing emergency, all on the recommendation of the President, and the gentleman from New York will then have an opportunity to show his good faith by voting for or against the President's proposal to build up and strengthen the Nation's defenses.

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

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I regret to hear the gentleman from New York [Mr. FISH] attack this administration for not going stronger on preparedness. We are better prepared today than we were at the beginning of the Roosevelt administration.

In my humble opinion, no nation or set of nations could land an army on America's shores of sufficient size or strength to give us trouble today.

I was here when General "Billie" Mitchell put on his demonstration back during a Republican administration. He showed just what could be done with bombing planes. He gave us a demonstration that aroused Europe, but did not arouse the administration then in power. He showed that naval vessels could be sunk by bombs from the air, and yet "Billie" Mitchell was demoted. He died of a broken heart. Today the country is waking up to the fact that he was telling the truth. I knew General Mitchell well. He was one of the most lovable characters I have ever known, and one of the ablest aviators of all time. We should have taken his advice and built up our air force long ago.

Last night I listened to the address of Colonel Lindbergh. I agree with him that we should have a definite plan and should prepare to defend this country against the world.

Instead of getting into a political squabble here, let us work together and make America so strong that no power or set of powers can ever land on American shores. Let us keep all enemies out of this country and keep our boys off of foreign soil. [Applause.]

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks by including articles from the Washington Star and the National Grange on the subject of the Walter-Logan bill.

The SPEAKER. Is there objection?

There was no objection.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

WAPATO SCHOOL DISTRICT, YAKIMA COUNTY, WASH.

The Clerk called the bill (H. R. 3824) to provide funds for cooperation with Wapato School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

TIDAL POWER, PASSAMAQUODDY BAY

The Clerk called Senate Joint Resolution 57, authorizing the Secretary of War to cause a completion of surveys, test borings, and foundation investigations to be made to determine the advisability and cost of putting in a small experimental plant for development of tidal power in the waters in and about Passamaquoddy Bay, the cost thereof to be paid from appropriations heretofore or hereafter made for such examinations.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

OSAGE TRIBE OF INDIANS

The Clerk called the bill (H. R. 6314) authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States.

The SPEAKER. Is there objection?

Mr. COCHRAN. Mr. Speaker, I object to the consideration of the bill.

NATIONAL MISSISSIPPI RIVER PARKWAY

The Clerk called the bill (H. R. 3759) to authorize a National Mississippi River Parkway and matters relating thereto.

The SPEAKER. Is there objection?

Mr. RICH, Mr. COSTELLO, and Mr. TABER objected.

NATIONAL LAND POLICY

The Clerk called the bill (H. R. 1675) to establish a national land policy, and to provide homesteads free of debt for actual farm families.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CLAIMS OF KIOWA, COMANCHE, AND APACHE INDIANS IN OKLAHOMA

The Clerk called House Joint Resolution 290, referring the claims of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma to the Court of Claims for finding of fact and report to Congress.

The SPEAKER. Is there objection?

Mr. COCHRAN, Mr. RICH, and Mr. TABER objected.

TOLL BRIDGE ACROSS THE MISSOURI RIVER, OMAHA, NEBR.

The Clerk called the bill (H. R. 7069) authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

The SPEAKER. Is there objection?

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AMENDMENT OF CROP-LOAN LAW

The Clerk called the bill (H. R. 7878) to amend the crop-loan law relating to the lien imposed thereunder, and for other purposes.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT TO DELAWARE TRIBE OF INDIANS

The Clerk called the bill (H. R. 6535) authorizing an appropriation for payment to the Delaware Tribe of Indians on account of permanent annuities under treaty provisions.

The SPEAKER. Is there objection?

Mr. RICH, Mr. SPRINGER, and Mr. COSTELLO objected.

ADMISSION TO CITIZENSHIP OF CERTAIN ALIENS

The Clerk called the next bill, H. R. 6381, for the admission to citizenship of aliens who came into this country prior to February 5, 1917.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

Mr. LESINSKI. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER, Mr. RICH, and Mr. SPRINGER objected.

PROVIDING MORE PERMANENT TENURE FOR PERSONS CARRYING MAIL ON STAR ROUTES

The Clerk called the next bill, S. 1214, to provide for a more permanent tenure for persons carrying the mail on star routes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

Mr. BURCH. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

Mr. SPRINGER. Mr. Speaker, I object.

The SPEAKER. Only two objections are heard. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 3951 of the Revised Statutes, as amended by the act of August 11, 1876 (amending secs. 246 and 251 of the act of June 8, 1872) (U. S. C., 1934 ed., title 39, sec. 434), is hereby amended by striking out the last sentence of such section and inserting in lieu thereof the following: "In cases of regular contracts for carrying the mail upon star routes, the contract may, in the discretion of the Postmaster General, and in the interests of the postal service, be renewed for single periods of 4 years from date of expiration, at the rate prevailing at the end of the contract term, and like renewals of such contracts may thereafter be made as often as the interests of the service may require. Any regular contract may be continued in force beyond its express terms for a period not exceeding 6 months, until a new contract with the same or another contractor shall be made by the Postmaster General by regular advertisement as required by existing law."

(b) That section 3951 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 39, sec. 434), is hereby amended by the addition of the following:

"The Postmaster General may, in his discretion and under such regulations as he may prescribe, allow additional compensation to a star-route contractor for necessary increased travel caused by obstruction of roads, destruction of bridges, discontinuance of ferries, or any other cause occurring during the contract term, but such additional compensation allowed shall not be proportionately greater than the rate established by the contract involved: *Provided*, That the provisions of section 3960 of the Revised Statutes (U. S. C., title 39, sec. 440) that no compensation shall be paid for additional service in carrying the mail until such additional service is ordered, the sum to be allowed therefor to be expressed in the order and entered upon the books of the Department, and that no compensation shall be paid for any additional regular service rendered before the issuing of such order, shall not apply to any service authorized under this paragraph.

"The Postmaster General may, in his discretion and in the interest of the Postal Service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule."

SEC. 2. As used in sections 3945 and 3946 of the Revised Statutes (U. S. C., 1934 ed., title 39, secs. 426 and 427) and in section 8 of the act entitled "An act to amend the act approved June 25, 1910, authorizing the Postal Savings System, and for other purposes," approved May 18, 1916, as amended (U. S. C., 1934 ed., title 39, sec. 344), the term "bidder" shall include a contractor who is an applicant for renewal of his contract under section 3951 of the Revised Statutes as amended.

No proposal for a contract for star-route service shall be considered unless the bidder is a legal resident of the county or counties traversed by the roads over which the mails are to be carried, or a legal resident within the counties adjoining such county or counties; except that proposals for carrying the mail tendered by firms, companies, or corporations shall be considered: *Provided*, That such firms, companies, or corporations are actually engaged in business within the counties in which individuals are herein restricted as to residence: *And provided further*, That the term "county", as used herein, shall include parish or other similar primary subdivisions of a State.

With the following committee amendments:

Page 1, line 3, strike out the balance of page 1 and down to and including line 9, on page 2;

Page 2, line 10, strike out "(b)";

Page 3, line 3, strike out the balance of page 3 and lines 1, 2, and 3, on page 4, and insert:

"The Postmaster General may, in his discretion and in the interest of the Postal Service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the Service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule; (d) where it is found after full investigation that the compensation of such contractors is wholly inadequate and that the continuation of the contract would impose undue hardship upon the contractor: *Provided*, That provision (d) shall be effective only upon the giving by the contractor of 90 days' advance notice of his desire to be released: *Provided further*, That such contractor shall waive the 1 month's extra pay authorized by law where contracts are canceled under section (d).

"SEC. 2. Section 1 of the act of July 26, 1892 (27 Stat. 268; title 39, sec. 422, U. S. C.), is amended to read as follows:

"'After providing by general advertisement for the transportation of the mails in any State or Territory as authorized by law, the Postmaster General may secure any mail service that may become necessary before the next general advertisement for said State or Territory by posting notices, for a period of not less than 10 days, in the post offices at the termini of any route to be let, and upon a bulletin board in the Post Office Department, inviting proposals in such form and with such guaranty as may be prescribed by the Postmaster General, for the performance of the proposed service. The contract for such service shall be made to run to the end of the contract term under the general advertisement, shall be made with the lowest responsible bidder whose proposal is in due form, and who, under the law, is eligible as a bidder for such postal service.'

"SEC. 3. Section 3949 of the Revised Statutes, as amended (title 39, sec. 429, U. S. C.), is amended to read as follows:

"'All contracts for carrying the mail shall be in the name of the United States and shall be awarded to the lowest responsible bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement. Such contracts shall require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract.'"

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATION OF SPECIAL COUNSEL FOR UNITED STATES

The Clerk called the next bill, H. R. 4366, to authorize the payment of additional compensation to special assistants to the Attorney General in the case of United States against Doheny executors.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, the minority report has not been filed in connection with this bill. For that reason I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

APPROPRIATION FOR RELIEF OF NEEDY INDIANS

The Clerk called the next bill, H. R. 8937, to authorize an appropriation for the relief of ill-clothed, ill-fed, and ill-housed needy American Indians through the utilization of surplus American agricultural and other commodities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, I wish to state that this bill, in addition to providing clothing and food for needy Indians, also provides that the Indian Commissioner be given funds with which to purchase for needy Indians such things as milk cows, work horses, and farm machinery, to enable the Indians to make a living for themselves so that they will not be asking for relief from the United States Government.

I wish to make that statement in addition to the statement I have heretofore made concerning what this bill is about.

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

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that the Committee on Indian Affairs held extensive hearings, and we found that many thousands of our American Indians did not even have canned milk for their children; that they did not have enough to eat; that at 40 below zero Indian women were living in tents and giving birth to children in tents? Does not the testimony also reveal that there was no opposition to this bill which was reported out by a unanimous vote of the Committee on Indian Affairs? We believe that charity begins at home and the American Indians should have relief and should not be permitted to starve as they have been starving and should not be permitted to freeze as they have been freezing, and the poor old Indians should not have to eat the flesh of dogs, as the testimony revealed some of them had to do in order that they might not starve to death.

Mr. O'CONNOR. Yes.

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

Mr. O'CONNOR. I yield.

Mr. RICH. Is it not a fact that the Indian Bureau came before the Congress and asked for money to take care of every tribe of Indians and give them everything that was necessary for them? If that is the case, why must you come in with a special bill for a particular tribe, when the Indian Bureau looks after all these Indian tribes?

Mr. O'CONNOR. I may say to the gentleman that this bill applies to all Indians in all the tribes throughout the United States. I wish also to state that Commissioner Collier came before our Committee on Indian Affairs and testified it was necessary to pass this bill to enable the Indians to have the necessary equipment, such as livestock and farm machinery, as well as personal equipment, such as bedding, which the gentleman from Wisconsin [Mr. SCHAFER] told you about.

Mr. RICH. But they made a request of the Indian Bureau for the funds necessary to make these purchases for all these tribes that they thought proper.

Mr. O'CONNOR. I will say that the amount which the committee appropriated will not touch the case at all. It would not even start.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that this bill was the joint product of the Republicans and Democrats on the Indian Affairs Committee, and it was not introduced directly or indirectly at the request of the Indian Bureau?

Mr. O'CONNOR. That is correct. It was practically a committee bill.

Mr. SCHAFER of Wisconsin. I congratulate and commend the gentleman from Montana [Mr. O'CONNOR] for introducing this bill. I am proud that the committee after most careful consideration reported it favorably with a unanimous vote. All of our American Indians should be deeply grateful to the gentleman from Montana, who has their welfare close to his heart. No Member of Congress devotes more time and energy to our Indian problems and their constructive solution than does the gentleman from Montana. After the bill had been introduced and the testimony had been presented, the Indian Bureau came down and appeared in favor of this bill to take care of our ill-fed, ill-clothed, and ill-housed needy American Indians. That is all this bill does. I hope my Republican colleagues will not object to this bill, particularly those who have been so liberal to people in foreign lands.

Mr. RICH. Well, we want to conserve the Indians, but we are not going to raid the Treasury for anybody. We have not been in the habit of doing that.

Mr. SCHAFER of Wisconsin. I recall hundred-million-dollar hand-outs through the Export-Import Bank to foreign nations, and I recall many-billion-dollar hand-outs to foreigners, paying them $35 an ounce for $12,000,000,000 worth of gold which they produce at a cost of about $15 an ounce. I also recall the purchase of more than a billion dollars' worth of foreign silver at more than double its actual value.

Mr. RICH. The gentleman is not accusing me of that, is he?

Mr. SCHAFER of Wisconsin. No. The gentleman from Pennsylvania practices economy as well as talks about it. I am thinking of some others who are great economy experts when it comes to properly caring for our needy American Indians but forget all about economy when large hand-outs are given people in foreign lands.

Mr. O'CONNOR. Let me state, Mr. Speaker, that the Appropriations Committee allotment for taking care of the Indians would not take care of 5 percent of the needy. This bill does not apply to one tribe, it applies to all Indians throughout the United States.

The gentleman from Michigan, and others, have complained about this bill being taken up on the Consent Calendar. I wish to call to the attention of the Members of the House a little of the history of Indian legislation, or attempted legislation, since I have been a member of this body.

First, I desire to call to the attention of the Members of the House the membership of the Committee on Indian Affairs. The members are as follows: WILL ROGERS, of Oklahoma; WILBURN CARTWRIGHT, of Oklahoma; JOE L. SMITH, of West Virginia; SAMUEL DICKSTEIN, of New York; KNUTE HILL, of Washington; JOHN R. MURDOCK, of Arizona; COMPTON I.

WHITE, of Idaho; MARTIN F. SMITH, of Washington; LANSDALE G. SASSCER, of Maryland; BERNARD J. GEHRMANN, of Wisconsin; R. T. BUCKLER, of Minnesota; ANTHONY J. DIMOND, of Alaska; FRED C. GILCHRIST, of Iowa; USHER L. BURDICK, of North Dakota; FRED J. DOUGLAS, of New York; JOHN C. SCHAFER, of Wisconsin; FREDERICK C. SMITH, of Ohio; KARL E. MUNDT, of South Dakota; CARL T. CURTIS, of Nebraska; and myself.

There is no more sincere Member of this House than the honorable chairman of this committee, WILL ROGERS, of Oklahoma. This committee thoroughly examines every bill that is presented to it before it votes to act thereon; so bills coming from this committee should be given serious consideration by the House.

In the second place, it seems impossible to secure a rule from the Rules Committee for a bill affecting the Indians' rights. The distinguished chairman of the Indian Affairs Committee has asked for a rule on two different bills which have been passed out by the committee and I myself have asked for a rule on these same bills, but no hearing thereon has been had and no rule has been given. Therefore, the only time that a bill on Indian affairs can be called before the House is on what is known as Calendar Wednesday. I have been a Member of Congress since January 1, 1937, and since that time the Committee on Indian Affairs has had the call four different times. I doubt if there has been to exceed five controversial Indian bills passed by the House since January 1, 1937, on Calendar Wednesday. It seems from the moment a bill on Indian affairs is called before the House on Calendar Wednesday that filibustering is indulged in until the House adjourns, and usually with no results. Now in being unable to secure action on an Indian bill by the House in the usual and parliamentary way the next best we can do is to try to secure the passage of bills by unanimous consent, which leaves it up to one or three Members of the House to block the passage of such bills. I feel confident that if the Members of the House were made acquainted with the real situation they would feel more like cooperating to give these people a chance to have their complaints heard. We—when I say "we" I mean the Government of the United States—subjugated the Indian and imposed upon him involuntarily the relationship of guardian and ward; therefore it is up to the Congress to treat the Indian fairly. The Congress is the Indian's only forum to which he may present his case. If the Congress does not give him a fair deal justice is denied him. Are we going to permit a race of people numbering in the neighborhood of 300,000 souls to be denied a just and fair hearing before the only forum to which their claims may be presented? I regret that I am compelled at times to try to secure the passage of bills affecting the rights of the Indians which are of tremendous importance to them and of little to the white man, by unanimous consent, but under the unfortunate conditions existing as heretofore outlined, that seems to be our only course. I have the utmost faith and confidence in the Members of the House in acting justly if they have the facts before them. Comparatively few Members come from States where Indians reside, and it is with great difficulty that we are able to command the necessary support on the floor of the House for Indian bills. I regret that the foregoing is the situation.

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

Mr. BURDICK. I object to the bill going over.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, approximately $10,000,000 is involved, entirely too much to be passed by unanimous consent. For this reason I object to consideration of the bill on the Consent Calendar.

CHANGING TIME OF PRESIDENTIAL AND CONGRESSIONAL ELECTION

The Clerk called the next bill, H. R. 8700, to change the time of the appointment of Presidential electors, and the election of Senators and Representatives in Congress.

The SPEAKER pro tempore (Mr. NICHOLS). Is there objection to the present consideration of ths bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I think we should have some further discussion of this bill. If the gentleman from Texas, or somebody from the Committee on the Judiciary is present and wants me to yield to him for that purpose, I shall be pleased to, but if there is not to be any discussion I will ask unanimous consent that the bill be passed over without prejudice.

Mr. HOBBS. Mr. Speaker, reserving the right to object, the gentleman has not obtained the information he desired since the last time this bill was called on the Calendar?

Mr. WOLCOTT. I do not know that I desire any further information, but this is probably one of the most important bills which we have had on the calendar this year, and there is just something a little repulsive to me about passing this bill by unanimous consent. I have not any particular objection to the bill myself, but I do not want it to be thought that we are passing bills here without consideration, at least more consideration than we have given this bill, which will necessitate a change in the election machinery of all of our States and Territories.

As I have stated on probably two other occasions this bill is going to necessitate a change in the election laws of every State in the Union and our Territories. To be sure they have ample time under the bill to make those changes, but it is far reaching. For example, in the State of Michigan it will throw the primaries back at least a month into the very hot and sometimes disagreeable time of the year. We should give consideration to whether we want to put the State of Michigan in the position where it will have to change the date of its election to a time of the year which is not feasible. An opportunity should be afforded for the Michigan delegation to be heard on this. I am using Michigan merely as an example. I think the delegations from each State should have an opportunity to discuss this bill in the light of its effect upon their own State laws. As I say, there is something repulsive to me about passing a bill of this magnitude by unanimous consent. Have we no more interest in the effect this bill will have on our electorate and on our election machinery than to let it go by here without giving more consideration to it more than we have? We are sent down here to represent a constituency which is directly involved in this bill. I am not so sure but that it is my duty, even though the rest of this House might not consider it its duty, to insist that we have some debate on this bill before we enact it.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. WOLCOTT. I yield.

Mr. MAY. Mr. Speaker, I ask unanimous consent that the House Committee on Military Affairs may sit during the sessions of the House this week.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask the gentleman what bill they expect to take up?

Mr. MAY. Yes; I shall be pleased to inform the gentleman, and would have done that without the reserving of objection. We are considering now the national-defense proposal, and the committee proposes to meet at 1:30 o'clock; rather, it has adjourned until 1:30 o'clock, and I wanted permission of the House for the committee to sit during the sessions of the House this week.

Mr. WOLCOTT. Have bills been introduced yet?

Mr. MAY. Yes; a bill was introduced and printed last week.

Mr. WOLCOTT. Can the gentleman give us the number of the bill which was introduced and is now being considered?

Mr. MAY. If I remember correctly, it is H. R. 9682.

Mr. WOLCOTT. Just one bill?

Mr. MAY. And I may say to the gentleman from Michigan that there is very little in the bill so far as authorization is concerned.

The committee finds this morning that slight additional legislation is necessary. The Senate Committee on Appro-

priations has concluded in their own minds—erroneously, I think—that they can appropriate without additional authority. There are some minor things to be considered, such as an extension of the Air Corps personnel.

Mr. WOLCOTT. Can the gentleman advise us how extended the hearings might be?

Mr. MAY. I think they will be concluded in a couple of hours this afternoon, or not later than tomorrow afternoon.

Mr. WOLCOTT. When does the gentleman expect to bring the bill on the floor?

Mr. MAY. I hope to do that by Thursday.

Mr. RICH. Mr. Speaker, reserving the right to object, the gentleman spoke about appropriations. It is not the intent of this committee to bring out a bill authorizing the expenditure of great sums of money, wherein you give $200,000,000 to the President to do with as he sees fit, is it?

Mr. MAY. That is a question that our committee wants to inquire into, if the gentleman wishes to know.

Mr. RICH. This committee certainly is not going to bring in a bill of that character?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, how long does the gentleman want for these hearings? In other words, what is the request?

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. MAY] asks unanimous consent that the Committee on Military Affairs may be permitted to sit during the sessions of the House this week. Is there objection?

There was no objection.

CHANGING THE TIME OF PRESIDENTIAL AND CONGRESSIONAL ELECTIONS

Mr. HOBBS. Mr. Speaker, may I say to the gentleman that this bill has had very careful consideration by our committee, and inasmuch as the only thing it does is to save time which might be of vital importance, in certain cases, by changing the machinery slightly, and inasmuch, further, as the States will have ample opportunity and time to consider what modus operandi they wish to set up, it is earnestly hoped that the distinguished gentleman will withdraw his request so that this bill may be passed.

Mr. WOLCOTT. I may say that I do not think the Members of the House realize the far-reaching effects of this bill because they are not even now listening to the gentleman's explanation. Under these circumstances we should have a definite time set for the consideration of it in order that all of us may have the opportunity to study it in the light of its effect on our election machinery.

Mr. CHURCH. Mr. Speaker, I ask for the regular order.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

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

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, in view of the foregoing, I am forced to object.

Mr. BOLLES. Mr. Speaker, I object.

PROCUREMENT WITHOUT ADVERTISING

The Clerk called the next bill, H. R. 8152, providing for procurements without advertising.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

Mr. COCHRAN. Mr. Speaker, reserving the right to object, the purpose of this bill is to prevent Government agencies from spending the appropriations that we provide for supplies without advertising. At present purchasing officers can, if they desire, in dozens of cases, purchase supplies amounting to less than $100, to the purchase of supplies with no limit whatsoever. I realize that many of the purchasing agents and Government officials have already been to Members of Congress to protect this bureau and that bureau, this corporation and that corporation, and I realize, also, that the bill is not going to be passed by unanimous consent; therefore, in order to force an objection for consideration of the bill from the gentleman, I object to his request for the bill to go over without prejudice.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, reserving the right to object, I believe this bill does have a serious effect upon the procurement of various articles at the present time by the War Department; for example, the Medical Branch alone, out of possibly 4,000 items which they procure, only 139 are procured under the provisions of existing law, but those articles are procured in cases of need at a time of necessity.

You will also run into a situation where in the construction of the locks down in the Panama Canal, if this bill becomes law and any machinery breaks down, on which it is necessary to have immediate repairs that might exceed the cost of $100, they would have to wait until bids were procured for the performance of that repair work. As a result, the construction work may be unnecessarily delayed.

At the present time the law permits certain classes of purchases without advertising, only after receiving specific authorization of the Secretary of War. The placing of additional restrictions upon the methods which have been employed by the Department over a long period of time would undoubtedly occasion in many instances a great increase in cost as well as occasion enumerable delays which might prove detrimental.

Among existing authorities which would be harmfully affected by the proposed bill are:

First. The act of June 12, 1906 (34 Stat. 258; 10 U. S. C. 1205), which authorizes the procurement of supplies for the Army in the open market, in the manner common among businessmen, in amounts not exceeding $500, but requires report to the Secretary of War for approval of each such purchase exceeding $100. The proposed bill would reduce the present authority from $500 to $100, which is not adequate to meet the exigencies of the military service. The War Department has always insisted that, when the authority granted by this law is utilized, such competition must nevertheless be secured as may reasonably be had in the circumstances, either by written informal quotations or by the securing of telephone or oral competitive bids. In general, there is thus equal competition in the procurement of items referred to as if the solicitation of bids were formal, but the expense of making purchases is estimated to be reduced, through the elimination of red tape, by some 90 percent.

Frequently the interests of the service require the purchase of supplies in amounts exceeding $100, where time will not permit the delay incident to formal advertising and yet where the circumstances are not such as to constitute a public exigency under a narrow construction. Such procurements are common in connection with troop movements, mass air flights, maneuvers, and other military training, where it is necessary to procure supplies or services required to meet urgent and unpredictable demands. The same thing is true of procurements of the Army Corps of Engineers on river, harbor, and flood-control work, where the proposed new restrictions would adversely affect the cost and progress of such work. In the Quartermaster Corps alone during the fiscal year 1938 the money value of open-market purchases was only 4.54 percent of the total expended. However, nearly 49,000 open-market purchases were made, or approximately 50 percent of the total number of purchase transactions. Of the open-market purchases, approximately 75 percent exceeded $100 in value. The limitation of $100 placed by the proposed bill would require the issuing of some 37,000 additional formal-bid requests by the Quartermaster Corps. The resulting interference with the conduct of duties of quartermasters at posts and in the field is apparent, and when extended to the other supply branches of the Army would obviously cost the Government substantial sums of money for such advertising and would require the services of additional commissioned and civilian personnel.

Second. The act of February 27, 1893 (27 Stat. 485; 10 U. S. C. 1203), which exempts the purchase of medicines and medical supplies for the Army from the requirement of advertising before purchase. Such supplies are normally bought in quantities exceeding $500, but only 139 items—out of more than 4,000 standard items in the medical department's supply catalog and an almost equal number of items not listed as standard—are actually purchased without advertising. Of these 139 items, only 2 are secured direct from manufacturers; in the case of the other 137 items bids are informally solicited from reputable manufacturers, thereby obtaining competition but at the same time assuring for the sick of the Army the acquisition of the purest medicines obtainable. To withdraw the existing authority of law would require the advance written approval of the Secretary of War in each purchase, with the inevitable delay entailed, or expose the military forces of the United States to the hazard of being treated at times with valueless, or even poisonous, medicines. Instances actually have occurred in the past in which deaths resulted from the necessity of making purchases of medicines from contractors without sufficient technical knowledge, trained employees, or adequate equipment.

Third. The act of March 7, 1928 (45 Stat. 245; 10 U. S. C. 1206a), which authorizes the purchase of horses and mules in the open market. Ever since the World War the remount service has been permitted to purchase all remounts for the Army in the open market at an average price fixed by the Government. This authority was considered essential in order that purchases might be made from farmers and breeders who patronize the 700 stallions now maintained by the remount service in 45 States of the Union. The proposed law would require specific written advance authorization by the Secretary of War when the amount is in excess of $500. Under this provision not more than three animals at the present average price of $160 could be procured at the same time from any one owner without such specific authorization. Similar authorization would be required for the purchase of a stallion, whose purchase price is in excess of $500. This restriction would be a serious interference with the present method of procurement, as it is never known from day to day when or where suitable animals will be found nor the number which will be offered to the Army under one ownership.

Fourth. The act of March 2, 1901 (31 Stat. 905; 10 U. S. C. 1201), which, while providing for competition in general, permits purchase in the open market in cases of emergency and also in cases where it is impracticable to secure competition. To nullify the authority, to purchase without advertising in cases where competition is impracticable—if this is intended as a result of the proposed bill—would be a useless gesture and would materially delay procurement in such cases, since it is obvious that numerous articles are proprietary in their nature or patented and can only be procured from one source.

I object to the present consideration of the bill, and I ask unanimous consent to revise and extend my own remarks at this point in the RECORD.

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

There was no objection.

FILLING OF VACANCIES IN THE POSITION OF ASSISTANT POSTMASTER

The Clerk called the next bill, H. R. 8171, to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, there seems to be a great deal of controversy in respect to this bill. The Postmaster General has advised against it, and for that reason I ask unanimous consent that it go over without prejudice.

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

There was no objection.

WITHDRAWAL OF NATIONAL FOREST LANDS

The Clerk called the next bill, S. 229, to authorize the withdrawal of national-forest land for the protection of watersheds from which water is obtained for municipalities, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, this bill in many respects is desirable, but it could take away from the counties revenues and other interests that they may have in certain forms of public land without any voice in the matter. To correct that I have prepared an amendment which I have submitted to the gentleman from Mississippi [Mr. DOXEY]. With the assurance that the amendment is not objectionable, I have no objection to the consideration of the bill.

Mr. DOXEY. Mr. Speaker, in reply to the gentleman from South Dakota, may I say that so far as I am personally concerned, I have no objection to the amendment. This is a bill that Senator MCNARY introduced in the Senate. It passed the Senate, came to the House, was referred to the Committee on Agriculture, and in turn referred to the subcommittee of which I am chairman. I reported the bill. I think there is a great deal of merit in it. All it does is to relieve the land within the national forests from campers, trespassers, and prospectors, and prevent certain acts from being committed in the watersheds of the national forests that might adversely affect the water supply of the cities they serve. If you want the cities to enter into an agreement with the Secretary of Agriculture and the Secretary of the Interior, this bill as amended perhaps should be passed. I could find no objection to the amendment.

Mr. CASE of South Dakota. Mr. Speaker, I may say that the amendment I have prepared was discussed with certain officials of the United States Forest Service and I feel it is satisfactory to them. I have no objection to the consideration of the bill.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object to ask the gentleman to explain the bill a little more fully. I am not objecting to the consideration of the bill. I want to know exactly what is intended to be accomplished by the passage of this bill.

Mr. DOXEY. Briefly, it is just this. There are about 88 cities in the West that mainly depend for their water supply on the watersheds on lands now lying within the confines of national forests. Under the rules and regulations covering national forests at the present time, anyone can go into these forests and reserve mineral rights and endeavor to use them, and campers can also go there, so that the water supply in some instances is found to be in danger of being polluted. As long as this land is within a national forest no rigid jurisdiction can be exercised over the pollution of these water supplies. Authority is given in this bill to withdraw from the national forests the lands within these watersheds.

The Government and the cities whose water is provided from these watersheds got together, and the representatives of the cities said, "If we could get that land out of the national forests, we could put restrictions on it different from what would be the case if the land remained within the national forests, because rules and regulations cannot be applied to just a portion of the national forests, they must be applied to all the land in them." So the Secretary of Agriculture and the Secretary of the Interior got together with the representatives of cities like Denver, Portland, and Los Angeles, and said, "We will release this land from the national forests so that supervision can be more exacting, and you will pay us what reasonable revenue the Government is entitled to." They all want this legislation, I understand.

Mr. O'CONNOR. The purpose of the bill, then, is to take the watersheds serving the cities to which reference has been made from under the jurisdiction of the Forest Service?

Mr. DOXEY. The purpose is to exempt these lands from the regulations that apply to the national forests at present.

The land will still be under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior.

Mr. O'CONNOR. To a limited extent.

Mr. DOXEY. Certainly.

Mr. O'CONNOR. Not as to the regulation of the use of the water, and so forth?

Mr. DOXEY. No. That is entirely a matter that will be handled by the cities, cooperating with Government authorities.

Mr. O'CONNOR. I do not object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever a municipality obtains its water supply from a national forest and has entered into a cooperative agreement with the Secretary of Agriculture for the protection of the watershed within the national forest from which the water is secured, the President of the United States may, and he is hereby, authorized, upon application by said municipality, approved by the Secretary of Agriculture, to reserve and set aside from all forms of location, entry, or appropriation any national-forest lands, which are covered by such cooperative agreement, subject, however, to valid, existing rights and claims, and such reservation shall remain in force until revoked by the President or by an act of Congress: *Provided*, That nothing herein shall affect the power of the Secretary of the Interior to withdraw and utilize withdrawn lands under the Federal reclamation laws: *And provided further*, That the President, upon recommendation of the Secretaries of the Interior and Agriculture, may, by Executive order, when in his judgment the public interest would best be served thereby, and after reasonable notice has been given through the Department of the Interior, restore any of the lands so withdrawn to appropriation under an applicable public-land law.

SEC. 2. Lands withdrawn under the provisions of this act shall be administered by the Secretary of Agriculture under such agreements for the protection of the watershed as he may make with the municipality concerned, and the Secretary of Agriculture is hereby authorized, in addition to the rules and regulations adopted for the administration of the national forests, to adopt and prescribe such further rules and regulations as he considers necessary to effect the adequate protection of the watershed, including a rule or regulation forbidding persons other than forest officers and representatives of the municipality from going on the lands so reserved or making any use whatever thereof.

SEC. 3. Whenever national-forest lands are withdrawn under this act, and the municipality concerned objects to the utilization of the timber or other resources of lands withdrawn, and the Secretary of Agriculture agrees to withhold such resources from utilization, said municipality shall pay to the Forest Service annually an amount which the Secretary of Agriculture shall determine is necessary to reimburse the United States for the loss of net annual revenues which would be derived from the resources so withheld from disposition.

SEC. 4. Any violation of the regulations issued under this act shall be punished as is provided in section 50 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L. 1098).

With the following committee amendment:

Page 1, line 9, strike out "Secretary of Agriculture" and insert "Secretaries of Agriculture and the Interior."

The committee amendment was agreed to.

Mr. CASE of South Dakota. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 1, line 9, after the word "municipality", insert "endorsed by the governing board of the county or counties in which the lands concerned are located, and."

Mr. CASE of South Dakota. Mr. Speaker, this amendment to require the concurrence of the counties concerned as well as the cities is offered in the same spirit as the committee amendment requiring the concurrence of both the Secretaries of Agriculture and the Interior. It seeks to give a voice to all interested parties. The amendment simply provides that the application shall be endorsed by the governing board of the county or counties in which the land is located. This will give them an opportunity to protect their interests, and they do have a vital interest in the forest lands within their boundaries. I know of no objection to the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS FOR CERTAIN CHILDREN

The Clerk called the next bill, H. R. 2874, to provide that pension otherwise payable for a child of a deceased veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. SMITH of Washington. I object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. I object to the present consideration of the bill, Mr. Speaker.

The SPEAKER pro tempore. Three objections are required.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That pension otherwise payable to or for a child of a deceased veteran of the War with Spain, including the Boxer Rebellion and the Philippine Insurrection, under the laws reenacted by Public Law No. 269, Seventy-fourth Congress, approved August 13, 1935, shall be continued after such child becomes 16 years of age and until such child marries or becomes 18 years of age, except that payment of pension shall be further continued after the age of 18 years and until completion of education or training (but not after such child reaches the age of 21 years) to or for any unmarried child who is or may hereafter be pursuing a course of instruction at any school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the Administrator, which shall have agreed to report to the Administrator the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn: *Provided*, That in case a minor child is insane, idiotic, or otherwise mentally or physically helpless the pension shall continue until marriage or death, but only during the period of such disability.

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.

DEFINING "GRATUITIES"—FIVE CIVILIZED TRIBES

The Clerk called the joint resolution (S. J. Res. 101) defining and classifying gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. COCHRAN. Reserving the right to object, Mr. Speaker, this resolution is as dangerous a piece of legislation as I have ever seen come from the Indian Affairs Committee. The purpose of the resolution is to define and classify gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians.

Just to give you an idea of the amount involved, I list 25 cases now pending before the Court of Claims that would be affected by this legislation if it ever became a law. In 10 of the cases the petitions do not set out any specific amount, but in the others the amounts are listed. I also include the estimated amount of interest.

A list of suits pending in the Court of Claims by the Five Civilized Tribes as of Apr. 30, 1940

Number of case	Plaintiff tribe	Amount claimed [1]	Estimated interest to Jan. 1, 1940 [2]	Status of case
J-8	Cherokee	$8,915,160.20	$1,887,438.20	Awaiting plaintiff's brief.
L-46	do	669,793.05	435,365.58	Do.
L-267	do	319,584.89	541,877.20	Do.
L-268	do	407,655.06	796,246.11	Do.
K-334	Chickasaw	42,798.45	136,954.88	Do.
K-336	do			Do.
K-544	do	1,765,061.72	2,138,562.64	Do.
K-137	Choctaw	1,000,000.00		Do.
K-281	do	1,162,000.00		Do.

[1] In the instances where no amount claimed is shown, plaintiff has failed to indicate it in his petition.

[2] In calculating interest the rate has been used which plaintiff has specified in his petition. Where plaintiff has failed to specify a particular rate but has demanded interest in his petition, interest has been estimated on the basis of 5 percent. Where plaintiff has failed to demand interest in his petition, no interest has been estimated.

A list of suits pending in the Court of Claims by the Five Civilized Tribes as of Apr. 30, 1940—Continued

Number of case	Plaintiff tribe	Amount claimed	Estimated interest to Jan. 1, 1940	Status of case
H-37B	Choctaw and Chickasaw.	$2,883,620.00	$4,037,068.00	Awaiting plaintiff's brief.
J-620	do	3,839,789.00	6,527,641.30	Do.
F-369	Creek			Do.
F-373	do			Awaiting plaintiff's answer to demurrer.
L-133	do			Awaiting plaintiff's brief.
L-137	do			Do.
L-205	do			Do.
L-206	do	270,283.71	675,709.50	Do.
L-234	do	150,000,000.00	277,500,000.00	Do.
L-51	Seminole	1,747,447.50	1,454,026.71	Awaiting decision, Court of Claims.
L-88	do			Awaiting plaintiff's brief.
L-132	do			Do.
L-207	do			Awaiting decision, Court of Claims.
L-208	do	250,000.00	600,000.00	Awaiting defendant's brief.
L-209	do	226,294.20	716,382.50	Awaiting plaintiff's brief.
L-233	do			Do.

I am going to quote briefly from the report of the Comptroller General on this resolution. I requested his views. The Comptroller General says:

The first part of the resolution would have the effect of requiring such strict proof of the payment of gratuities to these Indians by the Government that it would probably result in eliminating as offsets expenditures already made for the benefit of pupils of the Five Civilized Tribes at nonreservation schools, now considered as proper offsets, as well as all gratuity disbursements made for the benefit of any one of said tribes jointly with other tribes, of which there were upward of $12,000,000.

These gratuities extend back 100 or more years, and all persons who actually delivered supplies or moneys to the Indians have since died, so that with respect to most of the gratuities, probably 80 or 90 percent, it would not be possible to produce direct evidence of the receipt of such goods and articles by the Indians as the records show to have been purchased for them gratuitously by the Government. There are, no doubt, instances in which the Congress, 20, 30, 50, or more years ago appropriated various sums for the purchase of beef cattle for these tribes. The records would show the appropriation and that the money was advanced to the particular Indian agent. The agent's accounts would show the purchase of the cattle, but it is doubtful that proof of actual delivery could be made as required under the resolution for the reason that the agent and his employees being the only persons who could testify to the delivery of the cattle to the Indians, are now dead. The requirement of such strict proof appears unjustified, and clearly an imposition on the Government.

With respect to classification (1), it may be stated that moneys expended by the United States in the fulfillment of general or specific obligations, under a treaty or other agreement with the Indians, are not considered as proper offsets unless or until the obligations have been fulfilled. However, any amounts that may have been expended for the Indians in excess of such treaty obligations are, as a general rule, considered proper offsets and are so pleaded. Moneys expended by the United States for the benefit of the Indians which are incidental to the performance of treaties or other obligations, such as transportation of Indian supplies, etc., have been pleaded as offsets in other Indian suits and have been allowed by the courts in most instances.

Under classification (2), it is not clear what is intended by the phrase "moneys expended for the benefit of individual persons who were not enrolled members of the nation or tribe against whose common property such offsets are sought to be charged." If such classification has reference to those individuals born after 1907 when the tribal rolls were closed pursuant to the act of April 26, 1906 (34 Stat. 137), the enactment would bar the United States from pleading as offsets a considerable amount of gratuity disbursements.

The provisions under classification (3) would appear to be superfluous in view of the provisions in section 2 of the act of August 12, 1935 (49 Stat. 596), as follows:

"* * * That no expenditure under any emergency appropriation or allotment made subsequently to March 4, 1933, and generally applicable throughout the United States for relief in stricken agricultural areas, relief from distress caused by unemployment and conditions resulting therefrom, the prosecution of public works and public projects for the relief of unemployment or to increase employment, and for work relief (including the civil-works program) shall be considered in connection with the operation of this section."

Classification (4) has reference to expenditures under the acts of June 18, 1934 (48 Stat. 984), and June 26, 1936 (49 idem, 1967), commonly referred to as the Wheeler-Howard Acts. Under section 2 of the act of August 12, 1935, supra, it is provided that:

"* * * expenditures under the act of June 18, 1934 (48 Stat. L. 984), except expenditures under appropriations made pursuant to section 5 of such act, shall not be charged as offsets against any claim on behalf of an Indian tribe or tribes now pending in the Court of Claims or hereafter filed. * * *"

Thus the act of August 12, 1935, would appear to permit the offset of any expenditures made for the purchase of land, but the proposed resolution would bar the United States from pleading for offset any expenditures made under the acts of June 18, 1934, and June 26, 1936, supra.

The enactment of the resolution into law would practically nullify the provisions of the act of August 12, 1935, insofar as the pleading of offsets are concerned in connection with the suits involving the Five Civilized Tribes. It is not apparent to this office why the Government should be placed in such disadvantageous position in these matters, or why the Five Civilized Tribes should be given preferential consideration in their suits against the United States with respect to the gratuities they received.

Considering all the facts and circumstances, I am unable to recommend favorable consideration of the proposed legislation.

Sincerely yours,

FRED H. BROWN,
Comptroller General of the United States.

Mr. Speaker, I object to the present consideration of the bill.

Mr. WOLCOTT, Mr. RICH, and Mr. COSTELLO also objected to the present consideration of the bill.

SCHOOL DISTRICT NO. 13, FROID, MONT.

The Clerk called the next bill, S. 1450, to provide funds for cooperation with school district No. 13, Froid, Mont., for extension of public-school buildings to be available to Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, I wish to state that I regret more than I can say the gentleman's attitude with reference to this bill. It is necessary that this bill be passed and these improvements be made in connection with this school. This school accommodates in the neighborhood of 167 white children and about 28 Indian children. More than half of the land in this school district is nontaxable, because it is owned by the Government in trust land for the Indians. It is impossible for them to finance themselves properly. This building is an old, dilapidated, worn-out building and is nothing but a firetrap, and I will say this to the gentleman in all sincerity, it is a disgrace to ask white children or red children or any other kind of children to attend school under such conditions.

Mr. WOLCOTT. I think that the locality should do something about it.

Mr. O'CONNOR. It is the Government that should do something about it.

Mr. WOLCOTT. According to the report, there are 167 white children attending this school and only 28 Indian children.

Mr. O'CONNOR. That is correct.

Mr. WOLCOTT. In connection with the financial condition of this school district, the report states, in substance, the district reported a balance on hand at the beginning of the present fiscal year of $5,993.22, and it had an outstanding debt of only $6,615, so that the cash on hand is almost as much as the outstanding debt, and I do not think it is a very good precedent for the Government to take over a school where there are only 28 children at the expense involved here, without some obligation upon the part of the locality. Up in my district we take a particular pride in maintaining our schools.

Mr. O'CONNOR. I believe that.

Mr. WOLCOTT. And if this particular school district cannot do it, then I suggest to the gentleman that he have his State laws amended so as to let the State give this district some support. I do not think it shows very good judgment on our part to maintain in the schools 167 white children on the excuse that we have to maintain there only 28 Indian children.

Mr. O'CONNOR. May I ask the gentleman how many Indian children attend his school?

Mr. WOLCOTT. None.

Mr. O'CONNOR. That is just the reason the gentleman should support this bill. He has no Indian children—hence the Government is not interested as such so far as expense.

Mr. WOLCOTT. That is just an excuse, because only 28 Indian children attend the school. You use that as an excuse to get the Federal Government to maintain 167 white children.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan that the bill be passed over without prejudice?

Mr. SCHAFER of Wisconsin. I object to that request, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. RICH, Mr. KEAN, and Mr. WOLCOTT objected.

PUBLIC SCHOOL DISTRICT NO. 37, M'CURTAIN, OKLA.

The Clerk called the next bill, S. 2523, to provide for the construction, extension, equipment, and improvement of public-school facilities at McCurtain, Okla., Haskell County.

Mr. WOLCOTT. Mr. Speaker, a comparable condition exists in respect of this bill, and for that reason I ask unanimous consent that the bill be passed over without prejudice.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, it seems to me that the Congress should recognize that there is some merit in these cases where a certain number of Indian children under the laws are given an opportunity to attend these day schools. If we do not give some cooperation in providing school facilities, we are called upon to provide an Indian school. Certainly there are times when it is much cheaper for the Federal Government to contribute something to the cost of providing a school building than it is to build the entire school building and maintain the school independently.

Mr. WOLCOTT. That is perfectly all right, and you then have a precedent for it, but I think it is nonsensical to take over a school in which there are 298 white students on the excuse that we have to do it to take care of 18 Indian children.

Mr. CASE of South Dakota. This is just to provide a proportionate contribution to the cost of the building; it is not proposed to take over the school. That would be nonsensical, and I would be as much opposed to it as the gentleman.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. BURDICK. I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. I object, Mr. Speaker.

AMENDMENT OF SUGAR ACT OF 1937

The Clerk called the next bill, S. 3237, to amend section 301 (a) of the Sugar Act of 1937.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mrs. ROGERS of Massachusetts, Mr. VOORHIS of California, and Mr. SCHAFER of Wisconsin objected.

PAY OF CIVILIAN EMPLOYEES, NAVY DEPARTMENT

The Clerk called the bill (S. 3014) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), so as to provide uniformity in the pay of all civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska.

The SPEAKER pro tempore. Is there objection?

Mr. TABER. Mr. Speaker, I object.

PROMOTION OF WARRANT OFFICERS, UNITED STATES NAVY

The Clerk called the bill (S. 3016) to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the act of February 15, 1929 (45 Stat. 1180; 34 U. S. C. 331a), is hereby amended to read as follows:

"That for the purpose of computing the 6 years' service required for promotion from warrant to chief warrant rank, all active service, for purposes other than training heretofore rendered during the period from April 6, 1917, to December 31, 1921, under a temporary appointment as a warrant or commissioned officer in the United States Navy, or as a warrant or commissioned officer in the United States Naval Reserve Force, or as a warrant or commissioned officer of the National Naval Volunteers shall be counted: *Provided*, That officers who have heretofore been commissioned chief warrant officers shall for all purposes be regarded as having been so commissioned from the date of completion of such 6 years' service including the service authorized to be counted by this act: *Provided further*, That no back pay or allowances shall be held to have accrued prior to the passage of this act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LANDS, RICHMOND, FREDERICKSBURG & POTOMAC RAILROAD CO. AND UNITED STATES

The Clerk called the bill (S. 3017) to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co., and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), is hereby amended so that the first 10 lines of the first section thereof will read as follows:

"That the Secretary of the Navy is authorized on behalf of the United States to accept from the Richmond, Fredericksburg & Potomac Railroad Co., a corporation of the State of Virginia, without cost to the United States, except as hereinafter provided, by an appropriate deed of conveyance, all of the said railroad company's right, title, and interest in and to the following lands, together with all the right, title, and interest of the said railroad company in and to the platted streets and riparian rights in Quantico Creek as may attach to the lots described in subsection (a)."

SEC. 2. The said act approved June 24, 1935, is hereby further amended so that the first eight lines of the second section thereof will read as follows:

"In exchange for all of the right, title, and interest of the Richmond, Fredericksburg & Potomac Railroad Co. in and to the above-described lands, the Secretary of the Navy is authorized to transfer by appropriate conveyance to the said railroad company, free from all encumbrances, without cost to the said railroad company, all right, title, and interest of the United States in and to the lands contained within the Marine Corps Reservation at Quantico, Va., described generally as follows."

SEC. 3. That the said act approved June 24, 1935, is hereby further amended by adding the following section thereto:

"SEC. 3. The Secretary of the Navy is hereby authorized to acquire on behalf of the United States by purchase, condemnation, or otherwise, at a cost not to exceed $1,750, such parts of the lands described in section 1 of this act and such vested rights therein, if any, as may belong to persons other than the Richmond, Fredericksburg & Potomac Railroad Co."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF FUEL, ELECTRIC LIGHT, ETC., AT ISOLATED NAVAL STATIONS

The Clerk called the bill (S. 3065) authorizing the sale of fuel, electric light, ice, and water at isolated naval stations.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RED LAKE BAND OF CHIPPEWA INDIANS

The Clerk called the bill (H. R. 8369) authorizing a per capita payment of $12.50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. O'CONNOR. Mr. Speaker, I reserve the right to object. This bill is reported out unanimously by the Committee on Indian Affairs after a thorough hearing. We had hearings on this bill two or three times before. Every time we had a hearing on the bill we cut down the amount and finally got the author of the bill to accept the sum of $12.50, cutting it down from the sum of $20.

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

Mr. O'CONNOR. Yes.

Mr. SCHAFER of Wisconsin. Is it not a fact that not one penny carried in this bill comes out of the taxpayers' Treasury?

Mr. O'CONNOR. That is exactly right.

Mr. SCHAFER of Wisconsin. This bill merely provides that we give each Indian of the Chippewa Tribe $12.50 of their own money so that they can have a few nickels in their pockets.

Mr. O'CONNOR. Yes. The money is in the United States Treasury belonging to these people, and why should not they have a right to see it and feel it once in a while?

Mr. RICH. The Government is now taking care of these Indians, and we are spending more and more money to take care of these 33,000 Indians——

Mr. O'CONNOR. Two hundred and seventy-eight thousand Indians.

Mr. RICH. And every time we permit anybody to come in here with a special bill and permit the Indians to spend some of the assets they have, then we have to go around and tax the people of the country to make up for the amount that we permit the Indians to squander.

Mr. O'CONNOR. The gentleman is in error about the number of Indians in the United States. There are 278,000; and I say to the gentleman that the United States Government has taken every piece of property worth anything away from the Indians and appropriated it, and now wants them to live on something not worth anything.

Mr. RICH. The appropriation for the Indian affairs is increasing and increasing all of the time.

Mr. O'CONNOR. If you would give the Indian one-third of what you give to the white man, he would not complain. He is a ward of the Government and must take what he gets.

The SPEAKER pro tempore. Is there objection to the request that the bill go over without prejudice?

Mr. BURDICK. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER, Mr. RICH, and Mr. WOLCOTT objected.

EDMUND BURKE MEMORIAL COMMISSION

The Clerk called House Joint Resolution 307, to provide for the printing of the speeches and writings of Edmund Burke as a House document.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

Mr. HOBBS. Mr. Speaker, reserving the right to object, I hope the gentleman will not insist upon that request.

Mr. KEAN. I will say that last week I said I would object to any luxuries. This is certainly a luxury. I must insist that it be passed over without prejudice.

Mr. HOBBS. I do not think the gentleman is accurate when he says this is a luxury. It means educational values to be ingrained into the minds of the reading public of the world. That is a necessity, rather than a luxury, although it is both.

This is not only the payment of a part of the interest on our debt of gratitude to Burke, but also a belated discharge of our debt to the realm of democratic thought. Edmund Burke was the greatest of English statesmen, but he was an Irishman, born and bred, and the greatest champion of Irish liberty the world has ever heard. His pleas for Ireland rang and echoed around the globe 50 years before the great O'Connell spoke. He was a Protestant, but he spoke in behalf of the oppressed Catholics, at the risk of his life. In the British Parliament his eloquent tongue, next to Washington's sword, was the chief factor in winning the struggle of the American Colonies for independence.

His blazing brilliance burned for freedom in behalf of every oppressed people of the earth.

The fullness of his genius will never be known unless this resolution be adopted.

This is the only chance we will ever have to get and preserve for the reading public many of his works, which, because of his championship of unpopular causes, have been suppressed. It may be that the time is not as ripe as it might be, because of the war. But when, for the first time, permission to publish his hitherto unpublished speeches and writings has been obtained, the opportunity should be embraced, even in spite of war.

I will say to the distinguished gentleman that this is not an appropriation, but a mere authorization, and that only such part of the authorization as may be necessary will be appropriated. However, if we at this time fail to take advantage of the offer which it took 3 years to secure, we will always regret it, and some 3,600 of his works, into which he poured the passion of his soul and genius, may be lost to humanity. In these days, when the fate of civilization is trembling in the balances, it may prove of great significance to the democratic institutions of this and other countries that these invaluable works of matchless political philosophy should be preserved.

Mr. KEAN. Mr. Speaker, I renew my request that the bill be passed over without prejudice.

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

There was no objection.

SLUM CLEARANCE IN TERRITORY OF ALASKA

The Clerk called the next bill, H. R. 8884, to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

ADDITIONAL LEAVE OF ABSENCE TO CERTAIN EMPLOYEES OF GOVERNMENT PRINTING OFFICE

The Clerk called the next business, Senate Joint Resolution 71, relating to pay to certain employees of the Government Printing Office for uncompensated leave earned during the fiscal year 1932.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate joint resolution?

Mr. RICH. Mr. Speaker, reserving the right to object, I may state that we had this bill before the Committee on Printing and, as I understood it, it was agreed by the chairman, the gentleman from Alabama [Mr. JARMAN], and the gentleman from Massachusetts [Mr. CONNERY], that the bill was to come to the floor of the House and be considered by the House. I felt that was the wise thing to do, because this bill is supposed to give 2 weeks' additional pay to Government Printing Office employees.

Government Printing Office employees are well taken care of in every respect. I am interested in seeing that the bill comes before the House, but not by unanimous consent, because I want the membership of the House to know whether they are going to spend at least a half million dollars more on the best paid and best taken care of people in the Government service.

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

Mr. RICH. I yield.

Mr. CONNERY. The gentleman was entirely wrong in his belief that there was an agreement between the gentleman from Alabama [Mr. JARMAN], the chairman of the committee, and myself that this bill would appear on some calendar other than the Consent Calendar. There was no agreement entered into.

Mr. RICH. Now, to get that part straight. I understood we were going to have it on the floor of the House where we could air it out and give the membership of the House the information so that they could determine whether they wanted to pass the bill or not. I was opposed to the bill and I filed a minority report. I would not let it pass by unanimous consent because I do not believe at this time it should pass. If there is anything I would not want to do it is to go back on my word. I consider that inviolate. I would not do anything like that. I do not believe the gentleman intended to infer that I was trying in any way to go against an agreement that I had made in the committee.

Mr. CONNERY. Most assuredly not. But I am sure the gentleman misunderstood if he thought there had been any agreement, because the gentleman will remember this bill was on the Consent Calendar 2 weeks ago.

Mr. RICH. That is right. And I thought we could have it on the floor to be considered and let the House consider it on its merits.

Mr. CONNERY. In deference to the gentleman, a member of the Printing Committee, not being able to be present in the Chamber at the particular moment when this bill came before the House for action on the Consent Calendar 2 weeks ago, I personally requested that it be passed over without prejudice, in order that the gentleman might be here today to object if he saw fit.

Mr. RICH. The gentleman is right on that.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, unless we can get this bill before the House so that the membership can understand it I will have to object. I have no other course in justice to the American taxpayer.

Mr. CONNERY. I hope the gentleman will withhold his objection, especially inasmuch as the Senate has seen the justice of this bill and has passed it. This debt is justly due these employees of the Printing Office, who, through the passage of the Economy Act in 1933, were the only employees in our entire governmental set-up who lost the benefit of their annual leave. The Public Printer agrees that the bill is a worthy one; the Senate has already passed it; it is a just debt that is due and, seeing the logical result of that, I hope the gentleman from Pennsylvania will withhold his objection.

Mr. RICH. The employees did secure 15 days' leave. They got 15 days' sick leave at that time. Now they are getting 26 days' leave and they get 15 days' sick leave. I am going to ask, Mr. Speaker, in order that the membership of the House may have an opportunity to study this bill and determine whether they want to grant this additional leave to the Government employees in the Printing Office that it go over without prejudice. I am vitally interested in these employees myself, because I am a Member of the Committee on Printing and I want to see that they are taken care of the same as the employees in any other Government department.

Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

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

Mr. CONNERY. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object to the present consideration of the bill.

REVISED EDITION OF BIOGRAPHICAL CONGRESSIONAL DIRECTORY

The Clerk called the next business, House Concurrent Resolution 52, authorizing the printing of a revised edition of the Biographical Directory of the American Congress up to and including the Seventy-sixth Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. CONNERY. Mr. Speaker, reserving the right to object, this bill came up for consideration 2 weeks ago. I hope the gentleman on this occasion will not object. This bill deals with the publishing of a revised edition of the Biographical Congressional Directory and deals with the history of the United States Congress. The last edition of this fine work was published some 10 years ago. This year is the opportune time to bring it up to date.

I understand that if the House does not take action at this session the Senate intends to authorize the publication of a sufficient number of copies for its own use. In that case there will be no copies available for the House membership.

In the House alone there are some 1,000 Members who have served here during the last 10 years and are not included in the present edition. Amongst this group is numbered our present Speaker; the history of his years of office as Speaker does not appear in any existing edition of this work. It is data which should be preserved. It is data which should be revised and compiled for reference as well as for history. I hope the gentleman will not object to the bill.

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

Mr. CONNERY. I yield.

Mr. RICH. I may state to the gentleman from New Jersey also that while it was originally estimated that the cost of this publication would be $36,000, and was so stated 2 weeks ago, we find the situation different today. I thought that $36,000 was rather exorbitant to do the work. I have been informed by the secretary of the Joint Committee on Printing, Mr. Wold, that if printed now the cost can be cut down to $18,000. I do not know what brought about the change in figures from $36,000 to $18,000. That is a reduction of 50 percent, and it now seems more like a reasonable figure.

Mr. CONNERY. The gentleman is correct, and I think I can enlighten him on that. This being a Government publication, many of the plates and other mechanical material have been preserved, and can readily be put to use again. The Public Printer, in the short time given him to present his first estimate, evidently overlooked the fact that this would be simply a revision and reprint. This being the case, the figure of the cost has been very materially reduced.

Mr. RICH. We felt that $36,000 was an exorbitant cost. I am glad to find out it will cost only $18,000, and I hope it can be done at the minimum cost to the taxpayers.

Mr. KEAN. We had better wait another 2 weeks and perhaps get a reduction of another 50 percent.

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

Mr. CONNERY. I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I object.

DETAIL OF J. L. SAVAGE TO SERVICE OF NEW SOUTH WALES, AUSTRALIA

The Clerk called the next bill, H. R. 7254, authorizing the temporary detail of J. L. Savage, an employee of the United States, to service under the Government of the State of New South Wales, Australia.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, this bill proposes to permit the chief designing engineer of the Bureau of Reclamation of the Department of the Interior to enter the service of the Government of New South Wales, Australia, and the Government of Punjab, India. These two governments are now engaged in the present war in Europe. I do not believe that this bill conforms to American neutrality. I, therefore, object.

The SPEAKER pro tempore. Objection is heard.

PROVIDING FOR THE RANK AND TITLE OF LIEUTENANT GENERAL OF THE REGULAR ARMY

The Clerk called the next bill, H. R. 7611, to provide for the rank and title of lieutenant general of the Regular Army.

These being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the rank and title of lieutenant general of the Regular Army," approved August 5, 1939, is hereby amended to include the major generals of the Regular Army specifically assigned by the Secretary of War to command the Panama Canal and Hawaiian Departments.

With the following committee amendment:

Page 1, line 8, after the word "Departments", insert the following: "or who since August 5, 1939, commanded either of said departments."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RIVER AND HARBOR SURVEYS

The Clerk called the next bill, S. 3013, to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), is hereby amended to read as follows:

"SEC. 5. To cover actual additional expenses to which flyers are subjected when making aerial surveys, hereafter a per diem of $7 in lieu of other travel allowances shall be paid to officers, warrant officers, and enlisted men of the Army, Navy, and Marine Corps for the actual time consumed while traveling by air, under competent orders, in connection with naval aerial surveys and flight checking of Hydrographic Office aviation charts, and aerial surveys of rivers and harbors or other governmental projects, and a per diem of $6 for the actual time consumed in making such aerial surveys, or flight checking of Hydrographic Office aviation charts. The per diem authorized in connection with naval aerial surveys and flight checking of Hydrographic Office aviation charts shall be paid from the appropriation 'Pay, subsistence, and transportation of naval personnel.' The per diem authorized in connection with aerial surveys of rivers and harbors or other governmental projects shall be paid from appropriations available for the particular improvement or project for which the survey is being made: *Provided*, That not more than one of the per diem allowances authorized in this section shall be paid for any one day: *And provided further*, That Naval and Marine Corps personnel shall not be entitled to the allowances authorized by this section when naval tender facilities or the equivalent thereof are available while traveling by air or in the area where the naval survey or flight checking duties are performed."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE YUMA PROJECT AND BOULDER DAM

The Clerk called the next bill, H. R. 7116, to authorize defraying cost of necessary work between the Yuma project and Boulder Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," is amended to read as follows:

"There is hereby authorized to be appropriated out of any moneys in the Treasury of the United States not otherwise appropriated, for the fiscal year ending June 30, 1928, and annually thereafter, the sum of $100,000, or so much thereof as may be necessary, to be spent by the Reclamation Bureau under the direction of the Secretary of the Interior to defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California and to defray the cost of other necessary protection works and systems along the Colorado River between said Yuma project and Boulder Dam."

With the following committee amendment:

Page 1, line 6, before the word "is", insert the following: "approved January 21, 1927."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT OF TRAVEL EXPENSES

The Clerk called the next bill, H. R. 9118, to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,853.53 to be immediately available and to be expended under the direction of the Secretary of War for the reimbursement of travel expenses to 58 employees who, under orders, were transferred from various districts to the Fort Peck Engineering District of the Corps of Engineers, United States Army, during the years 1933, 1934, and 1935.

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.

SALE OF LANDS TO THE ARIZONA STATE ELKS ASSOCIATION HOSPITAL

The Clerk called the next bill, S. 2980, providing for the sale of certain lands to the Arizona State Elks Association Hospital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Executive Order No. 2295 and dated January 1, 1916, as modified by the Executive Order No. 6971 and dated February 19, 1935, is hereby further modified by the elimination from the provisions of said Executive order as modified of a certain tract of land particularly described as follows, to wit: The north two hundred feet northwest quarter northwest quarter section 10, township 14 south, range 13 east, Gila and Salt River base and meridian; in all, an area approximately two hundred feet wide by approximately one thousand three hundred and fifteen and twenty-eight one-hundredths feet long.

SEC. 2. Upon payment to the Treasurer of the United States by the Arizona State Elks Association Hospital of the sum of $150, being the appraised value of the lands described in section 1 hereof, the Secretary of the Interior is authorized and directed to issue patent covering said lands to the Arizona State Elks Association Hospital.

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE NAVY TO ACQUIRE LAND AT KEY WEST, FLA.

The Clerk called the next bill, H. R. 9140, to authorize the Secretary of the Navy to acquire land at Key West, Fla.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to acquire, by purchase or condemnation, 62 acres of land, more or less, in the city of Key West, Fla., fronting on Palm Avenue on the south and the Gulf of Mexico on the north, having a frontage on Palm Avenue of approximately one thousand seven hundred and ninety and eighty-three-hundredths feet and being approximately one thousand five hundred and twenty-five and fifty-five-hundredths feet deep, for the development and expansion of the Naval Air Station, Key West, Fla.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $125,000 to effectuate the purposes of this act.

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.

DESIGNATING THE LOCK AND DAM AT ALTON, ILL., AS THE HENRY T. RAINEY DAM

The Clerk called the next bill, S. 2578, to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in honor of the late Henry T. Rainey, former Speaker of the House of Representatives, the navigation lock and dam at Alton, Ill., otherwise identified as Mississippi River Lock and Dam No. 26, shall hereafter be known as the Henry T. Rainey Dam.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES CORONADO EXPOSITION COMMISSION

The Clerk called the next bill, H. R. 9595, to postpone for 1 year the date of the transmission to Congress by the United

States Coronado Exposition Commission of a statement of its expenditures.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act entitled "An act authorizing Federal participation in the commemoration and observance of the four-hundredth anniversary of the explorations of Francisco Vasquez de Coronado," approved July 17, 1939, is amended to read as follows:

"SEC. 6. The Commission shall transmit to Congress on or before January 3, 1942, a detailed statement of the manner of expenditure of any funds appropriated pursuant to the authorization contained in this act."

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.

ROME UNIVERSAL EXHIBITION—1942

The Clerk called the next business, House Joint Resolution 486, authorizing the acceptance of the invitation of the Government of Italy to participate in the Home Universal Exhibition to be held at Rome, Italy, in 1942.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

Mr. BURDICK. Mr. Speaker, I object.

CONVEYANCE OF CERTAIN LANDS TO THE PORT OF CASCADE LOCKS

The Clerk called the next bill, S. 255, authorizing the Secretary of War to convey to the Port of Cascade Locks, Oreg., certain lands for municipal purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to convey, by quitclaim deed, to the port of Cascade Locks, Oreg., all right, title, and interest of the United States in and to the following-described lands: Commencing at a point, not monumented, on left bank of Columbia River, 1,206.3 feet north from center of section 12, township 2 north, range 7 east, of the Willamette meridian in Hood River County in the State of Oregon, this point being on the southerly boundary line of the R. G. Atwell, D. L. C.; thence from said initial point by metes and bounds east 125 feet to a point; south 203.5 feet to an 8-inch by 8-inch stone with iron plug marked "U. S."; south 41°15′ west 578.6 feet; south 29°30′ east 60 feet; south 29°45′ west 75 feet; south 29°13′ west 58.51 feet; south 40°00′ west 135.5 feet; south 37°30′ west 100 feet; south 36°20′ west 100 feet; south 34°15′ west 101 feet; south 31°50′ west 100 feet; south 30°20′ west 100 feet; south 30°10′ west 1,590.1 feet; north 59°50′ west 200 feet; north 47°15′ west 950 feet; north 28°00′ east 286.44 feet; north 11°00′ west 343.2 feet; north 46°00′ east 1,171.5 feet; north 88°00′ east 726 feet; north 49°00′ east 907.16 feet; south 55.4 feet to the point of beginning, which is on the southerly boundary of the R. G. Atwell, D. L. C.

SEC. 2. The Secretary of War is further authorized and directed to convey to the port of Cascade Locks, Oreg., in addition to the lands described in the first section of this act, all right, title, and interest of the United States in and to the following: All buildings and permanent fixtures, and any material, supplies, and sundry equipment abandoned by the War Department on such lands, together with the water systems, water mains, distribution lines, and water rights located on or connected with such lands.

SEC. 3. The lands and other property authorized to be conveyed by this act shall be used by the grantee for a municipal park and dock, and for other municipal purposes. The deed executed by the Secretary shall contain the express condition that if the grantee shall cease to use such land for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

With the following committee amendment:

Page 1, line 4, after the word "deed", insert "upon the payment to the United States of not less than 50 percent of the current appraised value thereof."

Page 3, line 22, after the word "dock", strike out "and for other municipal purposes."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE WILMOT NATIONAL GUARD TARGET RANGE

The Clerk called the next bill, S. 2122, to authorize the sale of the Wilmot National Guard target range, Arizona.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

MARKING, CARE, AND MAINTENANCE OF MOUNT OF VICTORY PLOT (BROOKLYN, N. Y.)

The Clerk called the next bill, H. R. 8258, for marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to such provisions of the laws relating to national cemeteries as are not in the opinion of the Secretary of War inapplicable, the Secretary of War is hereby authorized and directed to provide for the marking, care, and maintenance of and to place under the jurisdiction of the superintendent of the Cypress Hills National Cemetery, located in section 18 of the Cypress Hills Cemetery, in Brooklyn, N. Y.), the plot of ground located in section 2 of said Cypress Hills Cemetery known as the Mount of Victory plot and comprising 2,400 square feet, and in which are interred not less than 33 survivors of the War of 1812, including the remains of the last survivor of that war. There are hereby authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this act.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following:

"The Secretary of War is authorized and directed to accept (on behalf of, and without cost to, the United States) title to that certain burial plot in the Cypress Hills Cemetery, in the Borough of Brooklyn, in the county of Kings, in the State of New York, known as the Mount of Victory plot and designated on a map of said cemetery filed according to law as lots numbers 354 to 359, inclusive, in section 2, comprising approximately 2,400 square feet, in which plot are interred the remains of the last survivor and of other veterans of the War of 1812, and to make said plot part and parcel of the Cypress Hills National Cemetery acquired in 1870 from and also located wholly within said Cypress Hills Cemetery. The said Mount of Victory plot shall thereafter receive care, maintenance, and marking as provided by U. S. C., title 24, sections 278 and 279."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING AN EXTRA MOUNT FOR MOUNTED OFFICERS OF THE ARMY

The Clerk called the next bill, H. R. 5478, to provide for the maintenance, at public expense, of two mounts for officers of the Regular Army who are designated as mounted officers.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I wonder if someone from the Committee on Military Affairs will explain to us why after 150 years it is necessary now to have two mounts or two horses for each Army officer?

Mr. COSTELLO. I may say to the gentleman that the provisions of the bill simply authorize the maintenance of two allowances. The result of the War Department experience has been that one mount is not sufficient and that a majority of the officers have to maintain a second mount, which they have been doing at their own expense. The Department has simply felt that calling upon the officers to maintain that mount at his own expense and also to provide for his transportation from one station to another when the officer is transferred is an unreasonable burden for the officer to have to bear. For that reason the Department feels that the Government should take care of that expense rather than make it a burden upon the officer.

Mr. WOLCOTT. This bill provides for the maintenance and transportation at public expense of the second mount?

Mr. COSTELLO. That is correct.

Mr. WOLCOTT. I recall instances in which old, broken-down cavalry horses served from 10 to 20 hours a day under the most trying circumstances and seemed to stand up under it in pretty good shape. I believe we should have more consideration of this bill.

Mr. COSTELLO. The thought the War Department has is that if the officers are encouraged to maintain and keep a second privately owned mount rather than simply utilizing the horses provided by the War Department, the chances are the officers will have better horses. That has been the experience of the War Department.

Mr. WOLCOTT. Surely the work of a mounted officer in peacetime is not so great that he wears out two horses in any one day. The trouble we had with our horses when I was in the service was that they would stand on the picket line so long that they were a little too lively. I am afraid that, if we give these officers two mounts instead of one,

there is a possibility that these horses will be kept on the picket line so long that they will not be useful because they will be so full of life. We had to take our horses out and exercise them once in a while to keep them from throwing their riders.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. I object, Mr. Speaker.

NAVAL PROVING GROUND, DAHLGREN, VA.

The Clerk called the next bill, H. R. 9636, authorizing the conveyance to the Commonwealth of Virginia of a portion of the naval reservation known as Naval Proving Ground, Dahlgren, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and empowered in the name and on behalf of the United States of America to convey to the Commonwealth of Virginia, upon such terms and conditions as he may prescribe, all right, title, and interest of the United States of America in and to that portion of the Naval Proving Ground, Dahlgren, King George County, Va., upon which the Commonwealth of Virginia has been granted permission to construct, maintain, and operate a State highway designated as Route No. 207 by a permit issued by the Secretary of the Navy on April 18, 1940: *Provided*, That the Secretary of the Navy is authorized to make such deviations in the description of the land involved as may be necessary to carry out the purposes and intent of this act.

SEC. 2. This act shall be in force from the date of its passage.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROTECTION OF THE BALD EAGLE

The Clerk called the next bill, H. R. 4832, for the protection of the bald eagle.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent that the bill be passed over with prejudice.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Alaska?

There was no objection.

PROTECTION OF CERTAIN ENLISTED MEN OF THE ARMY

The Clerk called the next bill, H. R. 9158, to amend the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the body of the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937 (50 Stat. 696), be, and the same is hereby, amended to read as follows:

"That, notwithstanding the language contained in the second proviso under the subheading 'Pay, and so forth, of the Army' of the act of July 1, 1937 (50 Stat. 446), and similar provisos of other acts heretofore or hereafter enacted, any alien otherwise eligible for enlistment in the Regular Army, who shall have been an enlisted man therein for any period subsequent to June 30, 1937, who shall have made a valid and still effective declaration of intention to become a citizen of the United States, or shall have furnished prima facie evidence of his eligibility for admission to such citizenship without prior formal declaration of intention, and shall have agreed in writing to complete his naturalization without unnecessary delay, shall up to and including June 30, 1943, be deemed eligible (1) if in the service, for continuance therein until expiration of current enlistment, for reenlistment, and for continuance in the service under such reenlistment not later than June 30, 1943; (2) if not in the service, for reenlistment and for continuance in the service under such reenlistment not later than June 30, 1943; and (3) in either case for receipt while so serving of the pay of his grade and length of prior service.

"SEC. 2. Hereafter, service in the Regular Army honorably terminated shall be credited for purposes of legal residence under the naturalization laws of the United States, regardless of the legality or illegality of the original entry into the United States of the alien, the certificate of the honorable termination of such service or a duly authenticated copy thereof made by a naturalization examiner of the Immigration and Naturalization Service being accepted in lieu of the certificate from the Department of Labor of the alien's arrival in the United States required by the naturalization laws; and service so credited in each case shall be considered as having been performed immediately preceding the filing of the petition for naturalization."

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.

FORT THOMAS MILITARY RESERVATION, KY.

The Clerk called the next bill, S. 3402, to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, under such terms and conditions as may be deemed advisable by him, to grant to Simon Pendleton Kramer and Minnie Halle Kramer, joint owners, their heirs and assigns, an easement for a right-of-way for roadway purposes in a certain road as now located on the Fort Thomas Military Reservation, Ky., extending from south Fort Thomas Avenue on the westerly boundary of said reservation to lands of the said Simon Pendleton Kramer and Minnie Halle Kramer adjacent to the easterly boundary of said reservation, in exchange for the release to the United States of the property rights of the said Simon Pendleton Kramer and Minnie Halle Kramer, joint owners, their heirs and assigns, in a certain road, or such portion thereof as may be designated by the Secretary of War, located on said reservation as described in and reserved in a certain deed of A. H. Bloom, dated August 27, 1887, conveying to the United States part of the lands comprising the Fort Thomas Military Reservation, Ky.

With the following committee amendments:

Page 1, line 5, strike out "Simon Pendleton Kramer and."

Line 6, strike out "joint owners, their" and insert "widow of Simon Pendleton Kramer, her."

Page 2, line 3, strike out "Simon Pendleton Kramer and."

Line 7, strike out "Simon Pendleton Kramer and."

Line 8, strike out "joint owners, their" and insert "her."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING THE NUMBER OF BRIGADIER GENERALS OF THE REGULAR ARMY

The Clerk called the next bill, S. 3423, to increase the number of brigadier generals of the line of the Regular Army by four.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the number of brigadier generals of the line of the Regular Army is hereby increased from 46 to 50.

With the following committee amendment:

Page 1, beginning in line 3, strike out all after the enacting clause and insert the following:

"That the number of brigadier generals of the line of the Regular Army is hereby increased from 46 to 50, and hereafter upon the appointment of an officer below the rank of brigadier general to be chief of infantry, cavalry, field artillery, or coast artillery, he shall at the same time be appointed to be a permanent brigadier general of the line and an increase in the number of brigadier generals for this purpose is hereby authorized: *Provided*, That no further appointments to the grade of brigadier general of the line shall thereafter be made until the total number thereof shall be less than fifty: *Provided further*, That the selection of chief of branch shall not be limited to the list of brigadier generals."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES MILITARY ACADEMY

The Clerk called the next bill, S. 3496, to prevent retardation in promotion and in pay and allowances of permanent professors of the United States Military Academy appointed by the President from the commissioned officers of the Regular Army.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. I object, Mr. Speaker.

LEADER OF THE MILITARY ACADEMY BAND

The Clerk called the next bill, S. 3575, to make better provision for the teacher of music, the leader of the Military Academy Band.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after the date of approval of this act the teacher of music, the leader of the Military Academy Band, shall have the rank of captain of the United States Army and shall be entitled to receive the pay and allowances of an officer in the third pay period: *Provided*, That in the computation

of the pay and allowances of such teacher of music all active service in the Army, including service as teacher of music, shall be counted as if it were commissioned service: *Provided further*, That the said leader of the Military Academy Band shall, at such time as the President in his discretion may direct, be retired as a teacher of music with the rank of captain, and when so retired, shall be entitled to receive the same retirement pay as is now or may hereafter be provided by law or regulation for an officer of the Army in the third pay period with length of service computed as stated above: *And provided further*, That the dependents of said teacher of music shall be entitled to the same pensions, death gratuity, and other benefits as are now or may hereafter be provided for an officer of the Regular Army in the third pay period with the corresponding length of service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL EMPLOYEES PERFORMING JURY SERVICE IN STATE AND UNITED STATES COURTS

The Clerk called the next bill, H. R. 6507, to provide for leave of absence, with pay, for any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the compensation of any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States shall not be diminished during the term of such jury service by reason of such absence, except as provided in section 3, nor shall such period of service be deducted from the time allowed for any leave of absence authorized by law.

SEC. 2. Any employee specified in section 1 who may be called upon for jury service in any court of the United States shall not receive any compensation for such service.

SEC. 3. There shall be credited against the amount of compensation payable by the United States to any employee specified in section 1 for such period as such employee may be absent on account of jury service in the court of any State any amounts which such employee may receive from such State on account of such jury service.

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.

CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK

The Clerk called the next bill, H. R. 8512, to provide for the acquisition of additional lands for the national military parks, national historical parks, national battlefield parks, and battlefield sites administered by the National Park Service of the Department of the Interior, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to acquire on behalf of the United States, by purchase when purchasable at prices deemed by him reasonable, or by condemnation under the provisions of the act of August 1, 1888, such tracts of land contiguous to, or within the boundaries of, any of the national military parks, national historical parks, national battlefield parks, or battlefield sites administered by the National Park Service of the Department of the Interior as he may determine to be necessary or desirable for addition to such areas, the title and evidence of title to such lands to be satisfactory to the said Secretary. When title to any such lands shall have vested in the United States, they shall be added to and become parts of the respective national military parks, national historical parks, national battlefield parks, and battlefield sites for which they are acquired, and shall be subject to all laws and regulations applicable thereto.

SEC. 2. There is hereby authorized to be appropriated to carry out the purpose of this act such sums as the Congress may from time to time determine.

With the following Committee amendment:

Page 1, line 7, after the figures "1888", strike out the remainder of section 1 and insert in lieu thereof:

"The following tracts of land or any part thereof for addition to Chickamauga and Chattanooga National Military Park; all of lots of land numbered 86, 87, 88, 95, 123, 165, in the ninth district and fourth section, Catoosa County, Ga., and such parts of lots of land 89, 90, 91, 92, 93, 124, 125, 128, 129, 160, 161, 164, 196, and 197, in said district and section as lie west of Chickamauga Creek.

"When title to any such lands shall have vested in the United States they shall be added to and become a part of said park and shall be subject to all laws and regulations applicable thereto."

The Committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOCAL DELIVERY RATE ON CERTAIN FIRST-CLASS MAIL MATTER

The Clerk called the next bill, S. 3667, to provide for the local delivery rate on certain first-class mail matter.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. BARRY. Mr. Speaker, reserving the right to object, this bill has been passed by the House on two occasions. The Committee on the Post Office and Post Roads has held lengthy hearings on it and the Senate has passed the measure three times. I wish the gentleman would withdraw his request that it be passed over.

Mr. CASE of South Dakota. I would like to look into the bill a little more and I am only asking that it be passed over without prejudice.

Mr. BARRY. The bill is designed to correct a situation in New York City which is purely local. There are five counties or boroughs within Greater New York and all of those counties have a 2-cent rate within the county, except Queens County, which has four different areas with a 3-cent rate. It is an obvious maladjustment and I would appreciate it if the gentleman would take my word for it.

Mr. JENSEN. As a member of the Post Office and Post Roads Committee I wish the gentleman would withdraw his objection. This bill has been before the Post Office and Post Roads Committee and has been thoroughly discussed, and I think it is a fair bill and I hope the gentleman will withdraw any objection.

The SPEAKER pro tempore. Does the gentleman from South Dakota insist on his request that the bill be passed over without prejudice?

Mr. CASE of South Dakota. Yes; Mr. Speaker.

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

There was no objection.

DISPATCHERS AND MECHANICS-IN-CHARGE IN MOTOR-VEHICLE SERVICE OF THE POSTAL SERVICE

The Clerk called the next bill, H. R. 9670, to provide an 8-hour workday and payment for overtime for dispatchers and mechanics-in-charge in the motor-vehicle service of the Postal Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the sixth paragraph of section 6 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, is amended to read as follows:

"Dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, shall be required to work not more than 8 hours a day. The 8 hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duties of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and employees of the pneumatic-tube system can be required to work in excess of 8 hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing the compensation for such overtime the annual salary or compencation for such employees shall be divided by 306, the number of working days in the year less all Sundays and legal holidays enumerated in the act of July 28, 1916; the quotient thus obtained will be the daily compensation which, divided by 8, will give the hourly compensation for such overtime service. When the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, they shall be allowed compensatory time on 1 day within 6 days next succeeding the Sunday, except the last 3 Sundays in the calendar year, and on 1 day within 30 days next succeeding the holiday and the last 3 Sundays in the year on which service is performed: *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays.

With the following committee amendment:

On page 2, line 10, after the word "driver-mechanics", insert "and garagemen-drivers in the motor-vehicle service."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALARIES OF RURAL LETTER CARRIERS

The Clerk called the next bill, H. R. 8582, to adjust the salaries of rural letter carriers.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I want to call the committee's attention to the fact that the Ramseyer rule has not been complied with in respect of this bill.

Mr. BURCH. The gentleman will find that a supplemental report has been filed.

Mr. WOLCOTT. Mr. Speaker, I have not any objection to the bill, but, as I have said on frequent occasions, those of us who have been assigned to protect this calendar sometimes burn the midnight oil on it, and we have not any time to refer to the code. The rule was adopted for the purpose of informing the House what changes are proposed to be made in existing law. It just so happens in this particular case I had previously been informed, but the House has no knowledge of the situation unless a supplemental report has been filed.

I note, Mr. Speaker, that a supplemental report has been filed complying with the Ramseyer rule, and for that reason I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragrapn of section 8 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, as amended, is hereby amended by inserting after the first sentence thereof the following new sentence: "The Postmaster General may, in his discretion, allow and pay such additional compensation as he may determine to be fair and reasonable in each individual case to rural letter carriers serving heavily patronized routes not exceeding 45 miles in length: *Provided*, That in no case shall the total compensation of a rural letter carrier serving a heavily patronized route of 45 miles or less in length exceed $2,100 per annum, exclusive of maintenance allowance: *Provided further*, That the Postmaster General shall report to the Committees on Post Offices and Post Roads of the two Houses the number and names of the routes on which these increases shall be made."

SEC. 2. This act shall take effect on the 1st day of the calendar month next following the month in which it is approved.

With the following committee amendments:

On page 1, in line 3, after the first "the", insert the words "second sentence of the."

On page 1, starting in line 8, strike out the words "is hereby" and all of lines 9, 10, and 11; and on page 2, strike out everything down to and including line 11 and insert in lieu thereof the following:

"is amended—

"(a) By striking out '38' wherever the same appears in such sentence and inserting in lieu thereof '45'; and

"(b) By striking out in the second proviso of such sentence the following: ', by January 1, 1940, after which date no further increases shall be made.'

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS BAYOU LAFOURCHE, LA.

The Clerk called the bill (S. 2999) to legalize a bridge across Bayou Lafourche at Galiano, La.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Chief of Engineers and the Secretary of War are hereby authorized to approve the location and plans of a pontoon bridge already constructed by John L. Guidry across Bayou Lafourche at Galiano, La.: *Provided*, That said bridge has been authorized by the Legislature of the State of Louisiana and as located and constructed affords reasonably free, easy, and unobstructed navigation.

SEC. 2. That when the location and plans of said bridge have been approved as provided in section 1 of this act, said bridge shall be deemed a lawful structure and subject to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, LA CROSSE, WIS.

The Clerk called the bill (S. 3183) to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis., authorized to be built by the State of Wisconsin by an act of Congress approved June 19, 1936, as heretofore extended by an act of Congress approved April 26, 1937, is further extended for 1 year, from April 26, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, HELENA, ARK.

The Clerk called the bill (S. 3254) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., authorized to be built by the Arkansas-Mississippi Bridge Commission and its successors and assigns by an act of Congress, approved May 17, 1939, are hereby further extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS OHIO RIVER, MAUCKPORT, IND.

The Clerk called the bill (S. 3561) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind., authorized to be built by the Indiana State Toll Bridge Commission by an act of Congress approved August 7, 1939, are hereby extended 1 and 3 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS ALLEGHENY RIVER, PORT ALLEGANY, PA.

The Clerk called the bill (S. 3570) to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany borough, Liberty Township, in the county of McKean, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Allegheny River, at a point suitable to the interests of navigation, at or near Port Allegany, Liberty Township, McKean County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MONONGAHELA RIVER, WEST ELIZABETH, PA.

The Clerk called the bill (S. 3571) to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Monongahela River, at a point suitable to the interests of navigation, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER, NIOBRARA, NEBR.

The Clerk called the bill (H. R. 8491) authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I reserve the right to object, to inquire from the author of the bill whether the State of Nebraska and the county of Knox are about bankrupt, as is the Federal Treasury, so that they cannot erect a free bridge?

Mr. STEFAN. This bill has been here several times, and we have met the various objections of the Departments. This, of course, will eventually be a free bridge. I feel that all these bridges should be free eventually and this is an approach to that objective. But we must get a start in building them. This gives us a start. I hope the gentleman from Wisconsin shall not object.

Mr. SCHAFER of Wisconsin. Under their present program, does the county of Knox and the State of Nebraska propose to make this a free bridge after the bridge has been paid for?

Mr. STEFAN. There is no question about that.

Mr. SCHAFER of Wisconsin. Mr. Speaker, in view of the gentleman's statement, I withdraw my objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Knox, State of Nebraska, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near Niobrara, Nebr., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said county of Knox, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes, in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said county of Knox, State of Nebraska, is hereby authorized to fix and charge tolls for transit over such bridge and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for amortization shall have been so provided, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to assign the powers and privileges of this act by mortgage for the purpose of financing the construction of the said bridge is hereby granted to the county of Knox, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted the same and as fully as though conferred directly upon such person or corporation until such time as there shall have been recovered through the toll system the purchase price and the annual costs of maintainence, repair, and operation of the said bridge.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, strike out all of section 5, lines 12 to 22, both inclusive, and in lieu thereof insert a new section 5 as follows:

"SEC. 5. The right to assign the powers and privileges conferred by this act by mortgage for the purpose of financing the construction of such bridge is hereby granted to the county of Knox, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted, to the same extent and as fully as though conferred directly upon such person or corporation, until such time as there shall have been recovered through the toll system an amount equal to the purchase price of such bridge and its approaches together with annual interest on the unpaid amount of such purchase price and the annual costs of maintenance, repair, and operation of such bridge during such period. Such bridge shall thereafter revert to and be maintained and operated by the county of Knox, State of Nebraska, free of tolls."

The committee amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER, DECATUR, NEBR.

The Clerk called the bill (H. R. 8589) to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River, at or near Decatur, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Burt, State of Nebraska, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near Decatur, Nebr., and to a place at or near Onawa, Iowa, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said county of Burt, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes, in the State in which such real estate or other property is situated upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said county of Burt, State of Nebraska, is hereby authorized to fix and charge tolls for transit over such bridge and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund

sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for amortization shall have been so provided, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to assign the powers and privileges of this act by mortgage for the purpose of financing the construction of the said bridge is hereby granted to the county of Burt, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted the same and as fully as though conferred directly upon such person or corporation until such time as there shall have been recovered through the toll system the purchase price and the annual costs of maintenance, repair, and operation of the said bridge.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, strike out all of section 5, lines 13 to 23, both inclusive, and in lieu thereof insert a new section 5, as follows:

"SEC. 5. The right to assign the powers and privileges conferred by this act by mortgage for the purpose of financing the construction of such bridge is hereby granted to the county of Burt, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted, to the same extent and as fully as though conferred directly upon such person or corporation, until such time as there shall have been recovered through the toll system an amount equal to the purchase price of such bridge and its approaches together with annual interest on the unpaid amount of such purchase price and the annual costs of maintenance, repair, and operation of such bridge during such period. Such bridge shall thereafter revert to and be maintained and operated by the said county of Burt free of tolls."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR PETERSBURG, MO.

The Clerk called the next bill, H. R. 8749, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.

There being no objection, the Clerk read the bill, as follows:

Be is enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Petersburg, Mo., authorized to be built by the county court of Howard County, Mo., by an act of Congress approved August 7, 1939, are hereby extended 1 and 3 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 6, strike out the word "court."

Page 1, line 6, after the word "Howard", strike out the word "County."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER NEAR WINONA, MINN.

The Clerk called the next bill, H. R. 9094, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near Winona, Minn., authorized to be built by the States of Minnesota and Wisconsin, jointly or separately, by an act of Congress approved June 28, 1938, as extended by an act of Congress approved July 25, 1939, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR RANDOLPH, MO.

The Clerk called the next bill, H. R. 9261, to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the railroad bridge and approaches thereto across the Missouri River at or near Randolph, Mo., authorized to be constructed, maintained, and operated by Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of the Chicago, Rock Island and Pacific Railway Co., their successors and assigns, by an act of Congress approved August 7, 1939, are hereby extended 2 and 4 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS ST. LAWRENCE RIVER NEAR OGDENSBURG, N. Y.

The Clerk called the next bill, H. R. 9411, to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., authorized to be built by the St. Lawrence Bridge Commission and its successors and assigns, by an act of Congress approved June 14, 1933, and heretofore extended by acts of Congress approved June 8, 1934, May 28, 1935, April 11, 1936, August 12, 1937, and April 26, 1939, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, after line 2, insert a new section, as follows:

"SEC. 2. That so much of section 4 of the act of June 14, 1933 (48 Stat. 141), which reads as follows: 'The bridge constructed under the authority of this act shall be deemed an instrumentality of international commerce authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation', is repealed, and in lieu thereof the following language is substituted in said section 4, to wit: 'The bridge hereby authorized or the income therefrom shall be subject to Federal, State, municipal, or local taxation only to the extent that a like structure or the income therefrom owned and operated by a public authority or public agency of the State of New York shall be subject to taxation. The bonds or obligations of the Commission, from time to time outstanding, and the income derived therefrom shall be subject to taxation in the hands of the holders thereof.'"

Page 2, line 21, strike out "2" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes."

LEASE FOR SELLWOOD STATION, PORTLAND (OREG.) POST OFFICE

The Clerk called the next bill, H. R. 8069, to re-form the lease for the Sellwood station of the Portland (Oreg.) post office.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 6 of the lease entered into on November 29, 1935, by and between Flora Noble and W. F. Noble, her husband, and the United States of America is, in order to correct a mutual mistake and to effectuate the intention of the parties to the lease at the time of its making, hereby re-formed, from the date of the execution of the lease and for its entire term of 10 years, to read as follows:

"6. The lessor shall furnish to the Government, during the occupancy of said premises, under the terms of this lease, as part of the rental consideration, the following: Said room, fitted and supplied by the lessor with the present equipment consisting of all boxes, fixtures, and furniture requisite to make the said room or rooms in every way satisfactory for use as a post office, provided that after acceptance of such equipment no additional equipment shall be required except for replacements. The lessor shall keep the said boxes, fixtures, and furniture in good repair and condition, to the satisfaction of the Post Office Department. The lessor shall pay all taxes and water rates, and shall have this lease duly recorded, and shall properly protect all windows and doors in the workroom by

iron bars or wire gratings according to requirements. The lessor shall furnish approved heating and lighting fixtures, plumbing and toilet facilities as now installed, the necessary water and electric meters; satisfactory heat, light, power, water, and janitor service, to the extent of caring for the heating plant and the cleaning of windows when required, but all other work requiring the services of a janitor to be assumed and provided by the lessee. The lessor shall keep the said heating and lighting fixtures, plumbing, and toilet facilities in satisfactory repair and condition during the term of this lease."

SEC. 2. The Post Office Department, the General Accounting Office, and all concerned shall amend their records accordingly, discharging the lessor from any alleged liability for janitor service other than as undertaken in the lease as herein re-formed and making proper allowances to the postmaster at Portland, Oreg., for expenditures made by him in supplying those janitor services not imposed by the re-formed lease upon the lessor. So much of the amount heretofore expended by the postmaster for janitor services not covered by the re-formed lease as may not be charged to the appropriation for the fiscal years affected because of lapse of appropriation, or otherwise, may be charged to the current appropriation "For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations." Hereafter obligations arising against the United States for janitor services pursuant to the re-formed lease shall be charged to the aforesaid appropriation for the appropriate fiscal year.

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.

DESIGNATING PERSON TO ACT AS PRESIDENT

The Clerk called the next bill, H. R. 9462, designating the person who shall act as President if a President shall not have been chosen before the time fixed for the beginning of his term, or when neither a President-elect nor a Vice President-elect shall have qualified.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, this is a very important bill. It might become very important, and I think we should give a little more consideration to this than the time limited by unanimous consent.

For that reason I ask unanimous consent that the bill be passed over without prejudice.

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

Mr. HOBBS. Mr. Speaker, reserving the right to object, this bill has not the serious connotation, in my judgment, which the gentleman from Michigan may think it has. It grows out of section 3 of the twentieth amendment to the Constitution, and there is signified the intent of the Constitution, and therefore of the sovereign people, that this should be done by the Congress. It merely designates the Speaker of the House, or the President pro tempore of the Senate to act as President temporarily, in the event of the remote contingency hypothesized. Immediately upon the qualification of either the President-elect or the Vice President-elect, the temporary tenure of the substitute ceases. This legislation does not seek to change any part of the present mode of electing or inaugurating our President. It simply safeguards against a remote possibility which may never occur. But if it should occur, this foresight will save an embarrassing situation.

Mr. WOLCOTT. We have been legislating to protect the Norris amendment to the Constitution ever since it was adopted.

Mr. HOBBS. That is true.

Mr. WOLCOTT. Possibly we made a big mistake, without knowing it, when we adopted that amendment.

Mr. HOBBS. I agree with the gentleman.

Mr. WOLCOTT. This legislation has been constant and continuing ever since that amendment was adopted. It shows that we must be very cautious when amending the Constitution.

Mr. HOBBS. I agree with the gentleman.

Mr. WOLCOTT. And we should be just as cautious in interpreting the Constitution by legislative enactment. We should be very cautious to keep the three departments of Government distinct. I can visualize a condition whereby this House might, under certain circumstances, fail to elect a President of the United States in order to perpetuate in office the Speaker of this House. I think we should give some consideration to that before we pass this bill.

Mr. HOBBS. We have given consideration to that and we believe to every other contingency that might arise, but I will say to the gentleman there is no dispute about this. The Speaker of the House is in rank the third official in this Government, or possibly the second. He certainly is the logical choice, and the President pro tempore of the Senate, in the absence of any one of the top three, is certainly the next man in logical succession. This bill merely provides for the succession we must all agree is wise. It complies with the suggestion contained in section 3 of the twentieth amendment.

Mr. WOLCOTT. I might suggest to the gentleman that in order to take all politics out of this question the committee might have recommended that the Chief Justice of the Supreme Court, who is perpetuated in office and is not subject to the politics of this House, might be named instead of the Speaker, with better grace. It seems to me we are possibly taking unto ourselves something that is not intended by the Constitution, by making it possible for the House of Representatives to perpetuate one of its number as President of the United States.

Those are just questions that come to my mind in considering this bill. I think in order that we may give a little more consideration to it, it should go over. We should sleep on it overnight.

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

There was no objection.

FLORIDA SHIP CANAL

The Clerk called the next bill, H. R. 6945, conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses resulting from the construction, further development, and improvement of the intracoastal waterway, Miami to Jacksonville, Fla., and for other purposes.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the author of the bill, the gentleman from Florida [Mr. CANNON], or someone on the committee give us information as to the probable aggregate amount of claims which may be filed against the Government under this bill?

Mr. CANNON of Florida. They, of course, are indeterminate. No jurisdiction is vested in any body or in any court. This is a prerequisite, and the matter is still probative. No one can determine how much the demand will be, if any. I may say to the gentleman from Michigan that there is no presumption of damage at all. That is taken care of in the bill itself.

Mr. WOLCOTT. Here is a situation which is interesting in connection with this bill: The President on his own initiative without any specific authority from this Congress started the Florida ship canal. This Congress in its wisdom later on stopped him and the people of Florida said that if the Florida ship canal were constructed there might be some seepage of salt water into the soil so much so as to destroy southern Florida for all agricultural purposes. I wonder if there has been any seepage resulting from the construction of that part of the Florida ship canal which was authorized by the President and if we might expect that this bill would set a precedent under which several millions or maybe hundreds of millions of dollars in claims would be brought against the Government because of the action of the President in starting the Florida ship canal?

Mr. CANNON of Florida. I may say to the gentleman from Michigan that my predecessor in office and myself are vigorously and bitterly opposed to the cross-State canal. The cross-State canal, as the gentleman may well know, has not been dug to project depth; it has not reached the natural reservoirs. This probably explains the reason why the water has not been damaged. The time might come, however, when the canal would be completed—although it is

my earnest hope that it never will be—but it may, and if it is and damage results I want my people protected.

Mr. WOLCOTT. As I understand, this bill merely confers upon the District Court of the United States for the Southern District of Florida the right to hear and determine claims as to whether there has been actual damage or not, that the claims are then brought back here for settlement.

Mr. CANNON of Florida. The gentleman is correct. There is no legal presumption for or against the litigant at all.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment, respectively, upon claims of all persons who have claims for damages or losses resulting from the construction, further development, and improvement of the intracoastal waterway, Miami to Jacksonville, Fla., by the War Department, and from the overflow of salt waters resulting therefrom or caused thereby, or for damages or losses resulting from the construction, further development, and improvement of said waterway by the War Department, which damages or losses could have been prevented by the exercise of reasonable care and diligence on the part of the War Department or its agents.

SEC. 2. Suits upon such claims, respectively, may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations, and proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in cases which such court has jurisdiction under section 145 of the Judicial Code, as amended.

SEC. 3. For the purposes of this act, the word "persons" shall be interpreted to mean any person or persons, individual or individuals, copartnership, firm, or corporation.

With the following committee amendments:

Page 1, lines 3 and 4, strike out the words "Court of Claims" and insert "District Court."

Page 1, line 4, after the word "States", insert "for the Southern District of Florida."

Page 1, line 6, after the word "losses", insert "allegedly."

Page 2, line 2, after the word "losses," insert "allegedly."

Page 2, line 5, after the word "losses", insert a comma and the language: "If any, it is alleged."

Page 2, line 12, strike out the word "claim" and insert "claims."

Page 2, line 13, after the word "cases," insert "over."

Page 2, line 14, strike out the language: "Section 145."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses allegedly resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes."

WRECKING OR ATTEMPTING TO WRECK TRAIN ENGAGED IN INTERSTATE COMMERCE MADE A CRIME

The Clerk called the next bill, H. R. 8086, to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce.

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, and I shall not, I would like to ask the gentleman from Texas [Mr. HOBBS] whether or not the provisions of this bill would apply to a railroad man such as an engineer, a fireman, or the switchman who might be found guilty of neglect by a board of inquiry.

Mr. HOBBS. I may say to the gentleman from Pennsylvania that no such result could possibly follow the enactment of this bill. It does not apply to negligence, it applies to the willful wrecking of a train.

Mr. VAN ZANDT. Would the provisions of the bill apply to a switchman, for instance, who was found guilty by a board of inquiry of failing properly to throw a switch, resulting in the wrecking of a train?

Mr. HOBBS. Not at all. The same distinction is drawn in this bill as exists now in the law of negligence. This bill would apply only to the willful wrecking of a train in interstate commerce, not to negligent or careless failure to do something which should have been done, or by the doing of something which should not have been done. In other words, it condemns only willful misconduct, not simple negligence.

Mr. VAN ZANDT. Then it is my understanding when the House Judiciary Committee reported out this bill it was their belief and understanding the provisions of same would not apply to railroad employees who may be guilty of neglect in their duties which resulted in a train accident.

Mr. HOBBS. That is true.

Mr. COCHRAN. Mr. Speaker, reserving the right to object. The title of the bill is very misleading. One would think there are no laws making it a crime to wreck a train. It is at present, of course, a crime covered by State laws to wreck or attempt to wreck a train, no matter whether it is engaged in interstate commerce or otherwise. What you are doing here is to give jurisdiction to Federal authorities to take into the Federal courts all those who are guilty of attempting to wreck a train moving in interstate commerce. It also includes motor trucks, does it not?

Mr. HOBBS. No, sir.

Mr. COCHRAN. It simply applies to railroad trains?

Mr. HOBBS. It probably should include the willful wrecking of busses or airplanes, but at the present time we did not think we should so broaden the purview of this act.

This bill was requested by States which had experienced difficulty, by reason of the rapidity with which fugitives can cross State lines, in arresting such fugitives from justice.

The Federal Government may reach them in Galveston, Los Angeles, or anywhere else, and bring them back to the jurisdiction where the crime was committed.

Mr. VAN ZANDT. Possibly this is a vehicle for the F. B. I. to employ in cases where trains have been wrecked such as in Nevada a few months ago?

Mr. HOBBS. Yes, sir.

Mr. KERR. Will the gentleman yield?

Mr. HOBBS. I am always glad to yield to the gentleman from North Carolina.

Mr. KERR. It just simply gives the Federal Government concurrent jurisdiction with the States in matters of this kind?

Mr. HOBBS. It will enable the Federal Government to aid the States in bringing criminals, who have willfully wrecked trains engaged in interstate commerce, to justice.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whoever shall willfully and maliciously derail, disable, or wreck any train, engine, motor unit, or car used, operated, or employed in interstate or foreign commerce by any common carrier railroad, and whoever shall willfully and maliciously set fire to, or place any explosive substance on or near, or undermine any tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance used in the operation of any such common carrier in interstate or foreign commerce, or otherwise make any such tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance unworkable or unusable or hazardous to work or use, with the intent to derail, disable, or wreck a train, engine, or car used or operated in interstate commerce, and whoever shall willfully and maliciously attempt to do any of the aforesaid acts or things, shall be deemed guilty of a crime, and on conviction thereof shall be subject to a fine of not more than $10,000 or imprisonment for not more than 20 years, or both fine and imprisonment in the discretion of the court: *Provided*, That whoever shall be convicted of any such crime, which has resulted in the death of any person, shall be subject also to the death penalty or to imprisonment for life, if the jury shall in its discretion so direct, or, in the case of a plea of guilty, if the court in its discretion shall so order.

Nothing in this act shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof; and a judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

With the following committee amendments:

Page 1, line 3, strike out "and maliciously."

Page 1, line 6, strike out "common carrier."

Page 1, line 6, strike out "and" and insert "or."

Page 1, line 6, strike out "and maliciously."

Page 2, line 1, strike out "common carrier" and insert "railroad."

Page 2, line 7, strike out "engine, or car used or operated in interstate commerce, and maliciously" and insert "engine, motor unit, or car used, operated, or employed in interstate or foreign commerce or."

Page 2, line 9, strike out "and" and insert "or."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUANCE OF PRISON INDUSTRIES REORGANIZATION ADMINISTRATION

The Clerk called the next bill, S. 2303, authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the duties and functions of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, are hereby continued until June 30, 1941.

SEC. 2. There is hereby authorized to be appropriated for the administrative expenses of the Administration an amount of $50,000 for the fiscal year 1940.

Mr. HOBBS. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 1, line 9, strike out the figures "1940" and insert "1941."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING FURNISHING OF STEAM HEAT TO NATIONAL ACADEMY OF SCIENCES

The Clerk called the next bill, H. R. 8076, to authorize the furnishing of steam from the Central Heating Plant to the National Academy of Sciences, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Works Administrator through the Public Buildings Administration be, and is hereby, authorized to furnish steam from the Central Heating Plant for the use of the National Academy of Sciences on the property designated as square 88 in the District of Columbia: *Provided*, That the National Academy of Sciences agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Administrator of the Federal Works Agency: *Provided further*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and contract for the work necessary to connect with the Government mains and to be reimbursed therefor by the National Academy of Sciences.

With the following committee amendment:

Page 2, line 6, after the word "to", strike out "be reimbursed therefor by the National Academy of Sciences" and insert "receive payment from the National Academy of Sciences by the transfer of funds in advance to cover the cost of such work and services, including administrative expenses."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEARANCE OF TITLE TO CERTAIN REAL ESTATE

The Clerk called the next business, House Joint Resolution 517, to clear title to certain real estate.

There being no objection, the Clerk read the bill, as follows:

House Joint Resolution 517

Whereas, on the 8th day of October 1938, one Helen L. Kane, a widow, executed, and thereafter, on the 10th day of October 1938, caused to be recorded in liber 199 of deeds, on page 388, in the office of the register of deeds of Branch County, Mich., where said land was located, a deed purporting to convey to "The Government of the United States, Washington, D. C., with life interest to Helen L. Kane, of Colon, Mich.," the lands known and described as the northwest quarter of the southwest quarter of section 30, township 6 south, range 8 west, Branch County, Mich.; and

Whereas, under date of October 17, 1938, and after the recording of said deed, said Helen L. Kane caused to be written and mailed the following letter, which was duly received, to wit:

HENRY MORGENTHAU, Jr.,
Treasurer of the United States, Washington, D. C.

DEAR SIR: Am writing to let you know that on October 14, 1938, I mailed you the deed to a 40-acre farm situated in Matteson, Branch County, Mich. The letter was mailed at Coldwater, Mich. The description of the farm is as follows: The NW¼ of the SW¼ of section 30, town 6, south, range 8 west. I retained a life interest in the property. In case the deed did not reach you, you can obtain a copy of the deed from the register of deeds office at Coldwater, Mich. It was recorded October 10, 1938, at 10 o'clock a. m., in liber 199, page 388. In case you do not receive a copy of it through the mail, send a trusted representative to obtain one.

It is very important that you know about it, as there is enough gold, diamonds, and oil on the place to pay off the national debt many times over.

If you would like to pay off the national debt at once and avoid paying interest on it, I would deed over my life interest for a pension of $4,000 a year during my lifetime.

Please let me hear from you. I will cooperate with the Government in any way that I can.

Sincerely yours,

(Signed) HELEN L. KANE.

COLON, MICH., October 17, 1938;

and

Whereas thereafter, and on the 19th day of November 1938, the Acting Chief of the Division of Bookkeeping and Warrants of the Department of the Treasury wrote a letter to the said Helen L. Kane, which was in words and figures as follows:

NOVEMBER 19, 1938.

Miss HELEN L. KANE,
Colon, Mich.

DEAR MISS KANE: Receipt is acknowledged of deed to the Government of the United States of 40 acres of land in Matteson, Branch County, Mich., and of your letter of October 17, 1938, with regard to the land involved.

You are advised that the matters involved are being given attention and you will be further informed as soon as possible.

By direction of the Secretary:

Very truly yours,

(Signed) R. W. MAXWELL,
Acting Chief, Division of Bookkeeping and Warrants;

and

Whereas still later and on the 25th day of January 1939, said deed was, by registered mail, returned to the said Helen L. Kane, accompanied by a letter which was in words and figures as follows:

JANUARY 25, 1939.
(By registered mail.)

DEAR MADAM: Further reference is made to your letter of October 17, 1938, concerning the matter of your conveying to the United States, with reservation of a life interest in yourself, of a certain piece or parcel of land situate and being in the township of Matteson, county of Branch, and State of Michigan, and described as follows, to wit:

The northwest quarter (NW¼) of the southwest quarter (SW¼) of section thirty (30) town six (6) (south) range eight (8) west, containing forty (40) acres, including all oil, mineral, and precious-stone rights.

It would appear from your letter and the fact you transmitted the deed to the above land to the Department that it was your desire to donate the same to the United States.

The matter has been carefully considered and, in view of a number of legal and practical questions which have been raised, the conclusion has been reached that it would not be advisable for the Department to accept the conveyance of the property in question at this time.

In view of the above, the deed which you transmitted to the Department on October 14, 1938, is returned to you with the suggestion that you may desire to take the matter up with the register of deeds, Colon, St. Joseph County, Mich., or take such other action as may be necessary with a view to removing any cloud upon your title that may have been caused by your attempt to convey to the United States.

Very truly yours,

(Signed) WM. H. MCREYNOLDS,
Administrative Assistant to the Secretary.

Miss HELEN L. KANE,
Colon, St. Joseph County, Mich.

Enclosure;

and

Whereas the United States Government now has no interest in said premises, but said deed remains a cloud upon the title thereto: Now therefore be it

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to execute and deliver to the register of deeds of said Branch County, Mich., a conveyance in the following form, to wit:

The United States having no interest in the property known and described as the northwest quarter of the southwest quarter of section 30, township 6 south, range 8 west, Branch County, Mich., and which said property one Helen L. Kane attempted to convey, under certain conditions, to the United States Government, the United States does hereby, through the Secretary of the Treasury (or any subordinate in his office), he being by joint resolution of Congress so authorized and directed, quitclaim and convey to the said Helen L. Kane all interest of "The Government of the United States, Washington, D. C.," in the premises heretofore described.

Mr. COSTELLO. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Strike out all of the preamble.

Mr. COSTELLO. The purpose of this amendment is simply to eliminate the whereas clauses in the bill.

The amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DETERMINATION OF FOREIGN CONSTRUCTION COSTS

The Clerk called the next business, House Joint Resolution 537, to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

Mr. BLAND. Mr. Speaker, will the gentleman withhold his objection?

Mr. SCHAFER of Wisconsin. This appears to be a bill to play Santa Claus to certain groups of shipbuilders. I would appreciate obtaining some information about it.

Mr. BLAND. Mr. Speaker, I shall be delighted to give the gentleman the information. The purpose of the Merchant Marine Act for the construction of ships engaged in foreign commerce was to preserve parity as nearly as possible between American construction costs and foreign costs. A situation has developed by reason of the war which makes it impossible to determine as of a given date, as of the present time, for instance, what is the construction cost abroad. For instance, Norway is out of the picture; Sweden is out of the picture; Denmark and Belgium are out of the picture. Great Britain has taken over all of the shipping there. It is also impossible to get any information from Japan. The result is that at the present time it is not possible as of the date when a construction contract is awarded to tell what will be the construction cost abroad, and in order to build and lease we have to know what that construction cost is. I may say that there was some question whether this power did not already exist, but upon careful consideration it was believed that it was the intent of Congress the subsidy should be determined as of the time when the contract was let as nearly as possible.

This resolution simply provides that for a period of 1 year from the date of the enactment of this resolution, or if the orders of the proclamation of neutrality, and so forth, are revoked within the year, then until such revocation within such 1-year period of the proclamation heretofore issued, the subsidy to be paid is on the basis of conditions existing during the period prior to September 3, 1939, which was the date of the first declaration of war. In that way, we reach a determination as to what shall be the basis of difference between construction here and abroad.

This does not change in any respect the power that is given in the Maritime Commission to limit those subsidies or to determine them as heretofore; the provision still remains that it shall not be more than 33⅓ percent of the American cost, and also that where the conditions are shown to justify it, the subsidy shall not go above 50 percent of the American cost, and then only by affirmative vote of four members. Mr. Speaker, the purpose of this resolution is to enable the Maritime Commission to carry forward its program of building those ships that will be vitally needed if this war continues, and they will be needed at the conclusion of the war. It is a temporary matter only.

Mr. SCHAFER of Wisconsin. If this joint resolution is passed, we will still have the ceilings of 33⅓ percent, and 50 percent on the subsidy?

Mr. BLAND. Absolutely.

Mr. SCHAFER of Wisconsin. In view of the fact that in foreign countries which are engaged in war the cost may rise, the passing of this joint resolution, in the opinion of the gentleman, will not permit the giving to American shipowners of an additional subsidy based on the pyramided war cost in foreign lands?

Mr. BLAND. Not at all. This is freezing it, still preserving the 33⅓- and the 50-percent limitations, but it leaves them something on which they can figure.

Mr. SCHAFER of Wisconsin. In view of the fact that the House passed a bill last week which would give the bureaucrats in the Maritime Commission the right to sell all of our merchant marine acquired prior to 1936, including the 116 sterilized ships as well as the others, and in view of the fact that an adequate merchant marine is essential for our national defense, I withdraw my objection to the present consideration of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

House Joint Resolution 537

Resolved, etc., That, for the period of 1 year from the date of the enactment of this joint resolution or until the revocation within such 1-year period of the proclamations heretofore issued by the President under section 1 (a) of the Neutrality Act of 1939, the United States Maritime Commission is authorized to make, upon the basis of conditions existing during the period prior to September 3, 1939, the determinations under section 502 (b) of the Merchant Marine Act, 1936, as amended, of estimated foreign cost of vessels covered by construction contracts executed after that date.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FUGITIVE FELON ACT

The Clerk called the next bill, H. R. 5613, to extend the Fugitive Felon Act to include flight from prosecution for arson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act making it unlawful for any person to flee from one State to another for the purpose of avoiding prosecution or the giving of testimony in certain cases," approved May 18, 1934, is amended by inserting after "rape", the following: "arson."

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.

COAST GUARD

The Clerk called the next bill, H. R. 9553, to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, this is a somewhat lengthy bill, and I wish the distinguished and able gentleman from Virginia [Mr. BLAND] would give us some clarifying information before we pass the stage of objecting to the present consideration of the bill.

Mr. BLAND. In passing Coast Guard legislation it has developed, especially with respect to consolidating the Lighthouse Service and other services of the Coast Guard, that there are a number of clarifications needed in the act itself. This bill does not involve any additional expense whatever; if anything, by reason of the clarifications involved, it may probably result in economies; but I do not know that that is entirely true. Certainly it involves no additional expense.

There is in existing Coast Guard law an erroneous reference to the rank of "rear admiral (lower half)," and that is corrected.

There is a provision included in this bill that determines the question with reference to subsistence that has been in practice for a number of years. The present Comptroller General's office has required that there shall be corrections. The practice has been corrected in the naval service and all the other services except the Coast Guard.

Provision is made for correcting an erroneous reference to the rank of "rear admiral (lower half)." I never knew and no one else apparently knew what it meant. What the "rear admiral (lower half)" meant seemed to be determined largely by pay.

This bill also designates the duties of the assistant commandant. We passed a law providing for an assistant commandant and referred to his general duties, but here we specifically provide what those duties shall be.

The bill also clarifies the laws relating to the discontinuance and reestablishment of light stations and Coast Guard stations. This is so adjusted that when it is believed to be in the interest of economy or wise to change certain stations, that authority shall exist in law without question.

I may say that the bill consists simply of clarifications.

Mr. SCHAFER of Wisconsin. In fact, the bill proposes to increase the efficiency of the Coast Guard, which is an essential arm of our national defense.

Mr. BLAND. I should so construe it.

Mr. SCHAFER of Wisconsin. I withdraw my objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the first proviso of section 2 of the act of January 12, 1923 (42 Stat. 1130), as amended (U. S. C., 1934 ed., Supp. V, title 14, sec. 161), is hereby further amended to read as follows: "*Provided*, That any officer who has served or shall hereafter serve as Commandant, if heretofore or hereafter retired, whether before or at any time after the termination of his service as Commandant, shall, if receiving the pay of a rear admiral (upper half) at the termination of his service as Commandant, be placed on the retired list with the rank of rear admiral and the retired pay of a rear admiral (upper half), or, if receiving the pay of a rear admiral (lower half) at the termination of his service as Commandant, shall be placed on the retired list with the rank of rear admiral and the retired pay of a rear admiral (lower half), and that any officer whose term of service as Commandant has expired may be appointed a captain and shall be an additional number in that grade, but, if not so appointed, he shall take the place on the lineal list in the grade that he would have attained had he not served as Commandant, and be an additional number in such grade and in the grades to which he may be promoted:"

(b) The second and third provisos of section 2 of the act of January 12, 1923 (42 Stat. 1130), as amended (U. S. C., 1934 ed., Supp. V, title 14, sec. 12), are hereby further amended to read as follows: "*Provided further*, That the engineer in chief, while so serving, shall have the rank of rear admiral and the pay and allowances of a rear admiral (lower half), and hereafter the engineer in chief shall be selected from the active list of engineering officers not below the grade of commander: *Provided further*, That any officer who was serving on February 15, 1940, or shall thereafter serve, as engineer in chief shall, when retired, whether before or at any time after the termination of his service as engineer in chief, be retired with the rank of rear admiral and the retired pay of a rear admiral (lower half), and that any officer whose term of service as engineer in chief has expired shall take the place on the lineal list in the grade that he would have attained had he not served as engineer in chief, and be an additional number in such grade and in the grades to which he may be promoted."

SEC. 2. Section 3 of the act of January 12, 1923 (42 Stat. 1131), as amended (U. S. C., 1934 ed., title 14, sec. 174), is hereby further amended by striking out so much of the second proviso thereof as follows the semicolon and inserting in lieu thereof the following: "and, in the case of a captain, the rank and retired pay of one grade above shall be the rank of rear admiral and the retired pay of a rear admiral (lower half). Any officer of the Coast Guard now having the rank of commodore on the retired list shall hereafter have in lieu thereof the rank of rear admiral, without any increase in pay by reason of such change in rank."

SEC. 3. Section 1 of the act of April 16, 1908 (35 Stat. 61), as amended and supplemented (U. S. C., 1934 ed., Supp. V, title 14, secs. 11 and 11 (a)), is hereby further amended by changing the last paragraph thereof to read as follows:

"The President is authorized to appoint in the Coast Guard, by and with the advice and consent of the Senate, one Assistant Commandant who shall serve for a term of 4 years unless sooner relieved by the President. The Assistant Commandant shall perform such duties as the Commandant of the Coast Guard may prescribe and shall act as Commandant during the absence or disability of the Commandant or in the event that there is a vacancy in the office of Commandant. The Assistant Commandant shall be selected from the active list of line officers not below the grade of commander, and such appointment shall not create a vacancy; and the Commandant of the Coast Guard shall make recommendations for the appointment of the Assistant Commandant. The Assistant Commandant shall have the rank of rear admiral and the pay and allowances of a rear admiral (lower half): *Provided*, That an officer whose term of service as Assistant Commandant has expired shall take his place on the lineal list in the grade that he would have attained had he not served as Assistant Commandant: *Provided further*, That any officer who was serving on February 15, 1940, or shall thereafter serve, as Assistant Commandant shall, when retired, whether before or at any time after the termination of his service as Assistant Commandant, be retired with the rank of rear admiral and the retired pay of a rear admiral (lower half)."

SEC. 4. Section 2 of the act of May 4, 1882 (22 Stat. 56), as amended and supplemented (U. S. C., 1934 ed., title 14, sec. 93), is hereby further amended to read as follows:

"The Secretary of the Treasury, on the recommendation of the Commandant of the Coast Guard, may discontinue from time to time any Coast Guard station, house of refuge, or light station, as may from any cause become useless or unnecessary. Any Coast Guard station, house of refuge, or light station, thus discontinued, may be reestablished by the Secretary of the Treasury, upon like recommendation, whenever he believes such reestablishment to be required by the public interest."

SEC. 5. Section 4674 of the Revised Statutes, as amended and supplemented (U. S. C., 1934 ed., title 33, sec. 742), is hereby repealed.

SEC. 6. Section 7 of the act of May 14, 1908 (35 Stat. 162), as amended and supplemented (U. S. C., 1934 ed., title 33, sec. 741), is hereby repealed.

SEC. 7. The provisions of section 6 of the act approved June 20, 1918 (40 Stat. 608), as amended and supplemented (U. S. C., 1934 ed., Supp. V, title 33, secs. 763 and 763a–1), shall not apply to persons of the Coast Guard other than officers and employees of the former Lighthouse Service who, on June 30, 1939, met the requirements for retirement (except those relating to age and period of service) of said section.

SEC. 8. Section 4 of the Coast Guard Reserve Act of 1939, approved June 23, 1939 (53 Stat. 855; U. S. C., 1934 ed., Supp. V, title 14, sec. 254), is hereby amended to read as follows:

"SEC. 4. The Coast Guard is authorized to utilize in the conduct of duties incident to the saving of life and property, or in the patrol of marine parades and regattas, any motorboat or yacht temporarily placed at its disposition for any of such purposes by any member of the Reserve: *Provided*, That no such motorboat or yacht shall be assigned to any such Coast Guard duty unless it is placed in charge of a commissioned officer, chief warrant officer, warrant officer, or petty officer of the Coast Guard during such assignment: *Provided further*, That appropriations for the Coast Guard shall be available for the payment of actual necessary expenses of operation of any such motorboat or yacht when so utilized, but shall not be available for the payment of compensation for personal services, incident to such operation, to other than the personnel of the regular Coast Guard. The term 'actual necessary expenses of operation', as used herein, shall include fuel, oil, water, supplies, provisions, and any replacement or repair of equipment or any repair of the motor boat or yacht where, upon investigation by a board of not less than three commissioned officers of the Coast Guard, it is determined that responsibility for the loss or damage necessitating such replacement or repair of equipment or such repair of the motorboat or yacht rests with the Coast Guard."

SEC. 9. The Coast Guard Reserve Act of 1939, approved June 23, 1939 (53 Stat. 854; U. S. C., 1934 ed., Supp. V, title 14, sec. 251 and the following is hereby further amended by adding at the end thereof a new section as follows:

"SEC. 9. Pursuant to such rules and regulations as the Commandant may prescribe, correspondence courses of the Coast Guard Institute may be made available to members of the Reserve: *Provided*, That the actual cost of the study materials for each such course shall be paid by the member of the Reserve taking such course and the proper Coast Guard appropriation shall be credited accordingly."

SEC. 10. (a) Enlisted men of the Coast Guard, and civilian officers and civilian crews of lightships and tenders shall be allowed a ration, or commutation thereof in money, in such an amount and under such limitations and regulations as the Secretary of the Treasury may prescribe. Money for commuted rations authorized herein shall, in the discretion of the Secretary of the Treasury, and subject to such rules and regulations as he may prescribe, be paid on proper vouchers or pay rolls to persons entitled to receive it, or to the officers designated by the Commandant of the Coast Guard to administer the financial affairs of the masses in which such persons may be subsisted.

(b) Money paid for commuted rations, as authorized by subsection (a) of this section, to the officers so designated by the Commandant, may be deposited in general or limited depositories of public money or in any bank in which deposits are insured and expended and accounted for in such manner and under such regulations as the Secretary of the Treasury may prescribe.

(c) Nothing contained in this section shall be construed as modifying or changing in any manner the provisions of section 11 of the act of June 10, 1922 (42 Stat. 630; U. S. C., 1934 ed., title 37, sec. 19), pertaining to subsistence allowances for enlisted men: *Provided*, That no ration or commutation thereof shall be allowed to a person receiving a subsistence allowance: *Provided further*, That the value of a commuted ration as fixed by the

Secretary of the Treasury, shall not exceed the value of a subsistence allowance as determined by regulations prescribed by the President in accordance with the provisions of section 11 of such act of June 10, 1922.

With the following committee amendment:

Page 8, following line 21, insert the following:

"SEC. 11. The provisions of the act entitled 'An act authorizing appropriations to be made for the disposition of the remains of personnel of the Navy and Marine Corps and certain civilian employees of the Navy, and for other purposes,' approved April 20, 1940, Public Law No. 465, Seventy-sixth Congress, third session, shall apply to the officers and enlisted men and civilian personnel of the Coast Guard in like manner as to the personnel of the Navy and civilian personnel of the Navy Department or the Naval Establishment, whether the Coast Guard is operating under the Treasury Department or operating as a part of the Navy, and all of the duties which devolve upon the Secretary of the Navy under said act with reference to the personnel of the Navy and civilian personnel of the Navy Department or the Naval Establishment shall devolve upon the Secretary of the Treasury with respect to the officers and enlisted men and civilian personnel of the Coast Guard."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CANAL ZONE CODE

The Clerk called the next bill, H. R. 9603, to amend the Canal Zone Code.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2264 of title 3 of the Canal Zone Code, approved June 19, 1934, is hereby amended to read as follows:

"2264. When void as to third person: A mortgage of personal property is void as against creditors of the mortgagor and subsequent purchasers and encumbrancers of the property in good faith and for value, unless—

"1. It is accompanied by the affidavit of all the parties thereto that it is made in good faith and without any design to hinder, delay, or defraud creditors;

"2. It is acknowledged or proved and certified in the manner prescribed in chapter 22 of this title; and

"3. It, or a true copy, is filed in the office of the registrar of property of the Canal Zone."

SEC. 2. That section 2265 of title 3 of the Canal Zone Code is hereby amended to read as follows:

"2265. Filing: The registrar of property shall mark upon the mortgage of personal property, or copy, filed with him the day and hour of filing and shall file the mortgage, or copy, in his office for public inspection. He shall keep a separate book in which he shall enter the names of the mortgagor and the mortgagee, the date of the mortgage, the day and hour of filing, a brief description of the property mortgaged and the amount of the mortgage. Such book shall be indexed under the names of both mortgagor and mortgagee. For filing and entering such mortgage or copy, or any assignment of such mortgage, the registrar shall be entitled to a fee of 50 cents."

SEC. 3. That article 2, chapter 63, title 3, Canal Zone Code, is hereby amended by adding immediately after section 2265, a new section No. 2265a and reading as follows:

"2265a. Filing assignment of mortgage, notice to mortgagor: An assignment of a mortgage of personal property may be filed in like manner as a mortgage of personal property, and each filing operates as notice to all persons subsequently deriving title to the mortgage from the assignor: *Provided*, That when a mortgage of personal property is executed as security for money due, or to become due, on a promissory note, bond, or other instrument designated in the mortgage, the filing of the assignment of the mortgage is not, of itself, notice to a mortgagor, his heirs, or personal representatives, so as to invalidate any payment made by them, or either of them, to the person holding such note, bond, or other instrument."

SEC. 4. That article 2, chapter 63, title 3, Canal Zone Code, is hereby amended by adding at the end of the said article a new section No. 2274, and reading as follows:

"2274. Mortgage of personal property, how discharged: Upon the payment or satisfaction of a mortgage of personal property, the mortgagee, his assignee, or legal representative, upon the request of the mortgagor or of any person interested in the mortgaged property, must execute, acknowledge, and deliver to the person requesting it a certificate setting forth such payment or satisfaction. If the mortgagee, his assignee, or legal representative shall refuse to execute, acknowledge, and deliver to the mortgagor or other person interested in the mortgaged property the certificate provided for herein he shall forfeit to the person requesting such certificate the sum of $5 and be liable for all damages suffered by reason of such refusal. Upon presentation of the certificate of payment or satisfaction to the registrar of property, he shall file the same and note the discharge of the mortgage and the date thereof on the margin of the page where the mortgage has been entered. For filing and entering the certificate of payment or satisfaction, the registrar shall be entitled to a fee of 25 cents."

SEC. 5. That section 784 of title 5 of the Canal Zone Code is hereby amended to read as follows:

"784. Taking vehicle for temporary use or operation: Any person who shall, without the permission of the owner thereof, take any automobile, bicycle, motorcycle, or other vehicle, for the purpose of temporarily using or operating the same, shall be punished for the first offense by a fine of not more than $100 or by imprisonment in jail for not more than 30 days, or by both, and shall be punished for each subsequent offense by a fine of not more than $500 or by imprisonment in jail for not more than 6 months, or by both."

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.

WEATHER BUREAU STATION AT BOSTON

The Clerk called the next bill, H. R. 9064, to authorize an appropriation for a Weather Bureau station at Boston.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 to enable the Chief of the Weather Bureau, under the direction of the Secretary of Agriculture, to establish at Boston a meteorological station.

Mr. CHURCH. Mr. Speaker, I offer an amendment, which I understand the author of the bill will accept.

Mr. McCORMACK. I have no objection to the amendment, Mr. Speaker.

The Clerk read as follows:

Amendment offered by Mr. CHURCH: Page 1, strike out all of line 7 and insert in lieu thereof the following: "to provide additional personnel and facilities at the meteorological station at Boston, Mass., for the purpose of rendering additional weather and forecast service to the New England area."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF THE UTE INDIANS

The Clerk called the next bill, S. 72, to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

The SPEAKER pro tempore. This completes the call of the eligible bills on the calendar.

TO PROHIBIT THE EXPORTATION OF TOBACCO SEED AND PLANTS, EXCEPT FOR EXPERIMENTAL PURPOSES

Mr. KERR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9560) to prohibit the exportation of tobacco seed and plants, except for experimental purposes.

The Clerk read the title of the bill.

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

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, under the rules this bill would not be eligible for consideration today. I would object to its consideration if it were not for the fact that this bill has been on the calendar frequently and has been explained to the House and for that reason I shall not object to taking it up at this time.

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

There was no objection.

Mr. KERR. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 3530) to prohibit the exportation of tobacco seed and plants, except for experimental purposes, may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That it shall be unlawful to export any tobacco seed and/or live tobacco plants from the United States or any Territory subject to the jurisdiction thereof, to any foreign country, port, or place, unless such exportation and/or transportation is in pursuance of a written permit granted by the Secretary of Agriculture. Such permit shall be granted by the Secretary only upon application therefor and after proof satisfactory to him that such seed or plants are to be used for experimental purposes only.

SEC. 2. Any persons violating any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the action on the bill called up by the gentleman from North Carolina [Mr. KERR].

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

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, this piece of legislation means much to the tobacco growers of America. It probably means more to them than any other single piece of tobacco legislation ever considered by the Congress. It means the preservation, and probably the expansion, of tobacco growing in America. Its defeat means not only curtailing our tobacco acreage, but transferring the curtailed acreage to foreign countries.

It may be true that at the moment the flue-cured growers in the South are the ones who are most vitally affected. This type of tobacco is indigenous to the southern section of the United States and is used by every cigarette manufacturer, not only in America but throughout the entire world in the popular brands of cigarettes. Until recently flue-cured tobacco was only grown in the southern part of the United States. Now, what has happened? Simply this: It was found that by using American flue-cured tobacco seed in certain foreign countries that these countries could grow flue-cured tobacco practically as good as the American flue-cured tobacco, but it was further learned that after 2 to 3 years the flue-cured tobacco would revert to the native type of the foreign country, and hence lose its commercial value. What does this mean? It means that these foreign countries, in order to continue in the growing of flue-cured tobacco, have to secure flue-cured tobacco seed from the American flue-cured tobacco growers every 2 or 3 years. And this means that if we stop the exportation of flue-cured American tobacco seed we stop the growing of flue-cured tobacco in foreign countries and keep this foreign flue-cured tobacco acreage in America, for the American tobacco growers, right where it belongs. To impress upon you the gravity of the situation, let me call your attention to the fact that today the British manufacturers and their subsidiaries are using annually more than 100,000,000 pounds of flue-cured tobacco grown in foreign countries from American seed. This means, to say the least, that the exportation of American tobacco seed is taking away from the American flue-cured growers 100,000 acres of flue-cured tobacco. Let me translate this into flue-cured tobacco farms: This year the Department of Agriculture is alloting 760,000 acres of flue-cured tobacco to 192,000 flue-cured farm units, an average of, roughly speaking, 4 acres per farm unit. Now, on this basis, allowing 1,000 pounds of flue-cured tobacco per acre, the 100,000,000 pounds we are losing by reason of permitting the exportation of tobacco seed, would take care of an additional 25,000 farm units, or increase the present allotment to the 192,000 farmers around 12½ percent.

Now, what I have recited applies only to flue-cured tobacco. It may be that by using American seed foreign countries can produce Burley and other types of American tobacco. If this is true, the situation would be further aggravated.

Mr. Speaker, I ask permission to insert at this point the report I made on H. R. 9560 on May 16, 1940, when the bill was favorably reported by the Agriculture Committee to the House.

[H. Rept. No. 2198, 76th Cong., 3d sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 9560) to prohibit the exportation of tobacco seed and plants except for experimental purposes, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

The exportation of flue-cured tobacco, the type grown in Virginia, North Carolina, South Carolina, and Georgia, is one of the most important features in international trade. This extensive business with the world has enabled us for several years to retain a balance of trade in our favor.

This type of tobacco, used by every cigarette manufacturer throughout the world in making popular cigarettes, is blended with other tobaccos in producing the cigarette which is now universally used and the demand for which has increased tremendously in recent years.

Until a few years ago this type of tobacco was grown only in the United States. The British manufacturers own and control a large percentage of the business in foreign countries, and until recently they bought their tobacco from the United States and purchased more than one-half of our crop annually. These foreign exporters, in order to get cheaper tobacco, and tobacco which by preferential tariff taxes would cost them much less, conceived the idea of getting American seed from the American farmer through their local buyers and growing a substitute for our tobacco grown in the United States. This tobacco is being grown in the British Empire and those areas where the British manufacturers or their subsidiaries control the cigarette business; so these seed were taken out of the United States and sent to Canada, India, Australia, Rhodesia, and other provinces and were planted there by their farmers, who were encouraged to grow this type of tobacco as a substitute for the American type.

It was discovered in foreign areas that they could use our seed and from these seed could grow for 2 or 3 years a substitute for our tobacco, but that after 2 or 3 years the tobacco grown from these American seed would revert to the native type of the foreign country and lose its commercial value. The American flue-cured tobacco is indigenous to the southern section of the United States; the soil and climate of this section of the United States provide the properties which make this flue-cured tobacco the best smoking tobacco grown in the world, and it will not retain these properties when planted in other countries, even as a substitute, for longer than 2 or 3 years; therefore, it is necessary for foreign countries to secure annually large quantities of our tobacco seed.

Japan is getting our seed and scientifically encouraging farmers in Manchuria and elsewhere to grow a substitute for our flue-cured tobacco by using our seed. In six or seven provinces in China they are growing from our seed a substitute for our tobacco. India has for a long time been one of the large tobacco-growing countries, but until recently they did not attempt to grow American flue-cured tobacco. Now, under the direction and with the encouragement of the British Government and manufacturers, India is getting our seed and producing millions of pounds of tobacco as a substitute for American cigarette tobacco. It is conservatively estimated that British manufacturers and their subsidiaries are now using more than 100,000,000 pounds of flue-cured tobacco grown from American seed.

To encourage the growth of our type of cigarette tobacco the Chinese Government has put a high tax rate on high-grade cigarettes made from tobacco imported from the United States. The British Government has placed a much higher tax on tobacco imported from the United States than that grown from our seed in their own country, notwithstanding the fact that their substitute is grown from our seed and displaces our business.

Many other countries—Turkey, Greece, and Sumatra—protect their tobacco industries and will not allow their seed or plants to be sent to other countries for commercial purposes; for they, like the United States, grow a particular type of tobacco.

The purpose of the proposed legislation is to prevent the ultimate destruction of the export tobacco industry of this country, and the facts stated in this report cannot be denied, and the proposed measure does not involve the rights of nations to secure seed or plants for experimental purposes.

These tobacco seed are procured by the local representatives and buyers of foreign countries. They often peg the prices of a good farmer's tobacco and then ask him as a favor to give them some of his seed; and the farmer, not knowing that this is something which is destroying his own business, consents to give the representative the seed, which are sent to a foreign country usually in a package of exported American tobacco.

The procurement of these seed involves no international or American commercial business.

Farmers who are more sensitive probably as a class, would not furnish their seed if they knew that they were breaking down their own business or violating the law.

In 1928, when British India began to grow a substitute for American flue-cured tobacco from seed sent them from the United States, they produced 32,000 pounds; 10 years thereafter, in 1938, this production had increased to 36,000,000 pounds. When this tobacco is exported to other areas of the British Empire there is only charged a duty of $1.85 per pound, as against $2.35 on the pure American leaf.

AMENDMENT OF RAILROAD RETIREMENT ACTS OF 1935 AND 1937, THE CARRIERS TAXING ACT OF 1937, AND SUBCHAPTER B OF CHAPTER 9 OF THE INTERNAL REVENUE CODE

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 496) providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code.

The Clerk read the title of the joint resolution.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I believe we should have an explanation of the purpose of the resolution.

Mr. BULWINKLE. Mr. Speaker, briefly, under the Railroad Retirement Act, all employees and employers of the railroads have to pay so much into a common fund. In the case of the Pullman Co. running into Mexico, the Pullman Co. has paid its part on the employees that live in Mexico and work in Mexico, but these employees in Mexico have not paid their part. They cannot collect it from them under the Mexico law, and the purpose of this is to amend the act insofar as it affects those living in foreign countries, where they work and live entirely in foreign countries. The Railway Retirement Board and certain brotherhoods have asked for the passage of the bill.

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

There being no objection, the Clerk read the joint resolution, as follows:

House Joint Resolution 496

Resolved, etc., That subsection (c) of section 1 of the Railroad Retirement Act of 1937, approved June 24, 1937 (50 Stat. 307), is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided further*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

Subsection (d) of section 1 of said act is hereby amended by substituting for the proviso therein the following: "*Provided, however*, That an individual shall not be deemed to be in the employment relation to an employer unless during the last payroll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (c) of this section."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Railroad Retirement Act of 1937 when that act was enacted on June 24, 1937.

SEC. 2. Subsection (c) of section 1 of the Railroad Retirement Act of 1935, approved August 29, 1935 (49 Stat. 967), is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided, however*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of a carrier when rendering service outside the United States to a carrier conducting the principal part of its business in the United States if such carrier is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

Subsection (d) of section 1 of said act is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided, however*, That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of a carrier in accordance with subsection (c) of this section."

The amendments in this section shall operate in the same manner and have the same affect as if they had been part of the Railroad Retirement Act of 1935 when that act was enacted on August 29, 1935.

SEC. 3. Subsection (b) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended by substituting for the second proviso therein the following: "*Provided, however*, That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (d) of this section."

Subsection (d) of section 1532 of said code is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided further*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Internal Revenue Code when that code was enacted on February 10, 1939, and as if they had been part correspondingly of subsections (b) and (d) of the Carriers Taxing Act of 1937 (50 Stat. 435) when that act was enacted on June 29, 1937.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE WILMOT NATIONAL GUARD TARGET RANGE

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to return to Calendar No. 714, the bill (S. 2122) to authorize the sale of the Wilmot National Guard target range, Arizona. I spoke to the objector a few moments ago, explaining the bill fully, and he will not object.

The Clerk read the title of the bill.

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

There was no objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to sell at public sale, after such advertisement and under such regulations as he may prescribe, the Wilmot National Guard target range, consisting of sections 1 and 12, township 15 south, range 14 east, Gila and Salt River base and meridian, Arizona, and to utilize the proceeds of such sale for the construction of necessary improvements at the National Guard camp located at Flagstaff, Ariz.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PROTECTION OF THE BALD EAGLE

Mr. CLASON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 718, H. R. 4832, for the protection of the bald eagle.

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

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. I understand that the Delegate from Alaska has an amendment to offer to this bill.

Mr. DIMOND. Yes.

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

There was no objection.

The Clerk read the bill, as follows:

Whereas the Continental Congress in 1782 adopted the bald eagle as the national symbol; and

Whereas the bald eagle thus became the symbolic representation of a new nation under a new government in a new world; and

Whereas by that act of Congress and by tradition and custom during the life of this Nation, the bald eagle is no longer a mere bird of biological interest but a symbol of the American ideals of freedom; and

Whereas the bald eagle is now threatened with extinction: Therefore

Be it enacted, etc., That whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted so to do as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle, commonly known as the American eagle, alive or dead, or any part, nest, or egg thereof, shall be fined not more than $500 or imprisoned not more than 6 months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any such eagle, alive or

dead, or any part, nest, or egg thereof, lawfully taken prior to the effective date of this act, but the proof of such taking shall lie upon the accused in any prosecution under this act.

SEC. 2. That whenever after investigation the Secretary of Agriculture shall determine that it is compatible with the preservation of the bald eagle as a species to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, or zoological parks, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality he may issue permits therefor under regulations which he is hereby authorized and directed to prescribe.

SEC. 3. That for the efficient execution of this act section 5 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), shall be deemed to be incorporated herein in haec verba.

SEC. 4. That as used in this act "whoever" includes also associations, partnerships, and corporations; "take" includes also pursue, shoot, shoot at, wound, kill, capture, trap, collect, or otherwise willfully molest or disturb; "transport" includes also ship, convey, carry, or transport by any means whatever, and deliver or receive or cause to be delivered or received for such shipment, conveyance, carriage, or transportation.

SEC. 5. That moneys now or hereafter available to the Secretary of Agriculture for the administration and enforcement of the aforesaid Migratory Bird Treaty Act of July 3, 1918, shall be equally available for the administration and enforcement of this act.

Mr. DIMOND. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 2, line 2, after the comma, insert the following: "except the Territory of Alaska."

The SPEAKER. The question is on agreeing to the amendment offered by the Delegate from Alaska.

The amendment was agreed to.

Mr. CLASON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CLASON: Page 2, line 15, strike out the word "Agriculture" and insert the word "Interior", and on page 3, line 13, strike out "Agriculture" and insert "Interior."

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AMENDMENT TO TOBACCO ADJUSTMENT ACT

Mr. WARREN. Mr. Speaker, I ask unanimous consent for the present consideration of Calendar No. 756, H. R. 9700, to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes. This bill has the unanimous report from the Committee on Agriculture and it has been agreed to as I understand it by all the Members of Congress from the tobacco districts, and by the tobacco farmers generally.

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

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object, to ask the gentleman from North Carolina to explain the bill. We have not had an opportunity to see it.

Mr. WARREN. I do not happen to have a copy of the bill with me. We thought the bill would be reached today. It makes certain amendments to the Tobacco Control Act, which is in accordance with the desire of all of the farmers that we have been able to hear from, and approved by the Department. These amendments are considered absolutely necessary to carry forward the program, which they have voted overwhelmingly for this year.

Mr. WOLCOTT. What is the necessity for expediting the consideration of it? It was put on the calendar on May 16.

Mr. WARREN. Because the election for the future year is to be held in July, and I am sure that the gentleman from Michigan understands that 60 percent of the tobacco crop is export, and that there has been an embargo placed on the export part of the crop by the British.

Mr. AUGUST H. ANDRESEN. As I understand it, the bill provides that the tobacco farmers may vote to have themselves controlled by the Department for a 3-year period instead of a 1-year period.

Mr. WARREN. That is one of the six amendments.

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

Mr. WARREN. Yes.

Mr. SCHAFER of Wisconsin. Must this bill be enacted because of the British embargo on American tobacco?

Mr. WARREN. I would not say that, but that is one of the reasons why we are anxious to have this referendum before the next crop is marketed, if we expect to get any help from the Department.

Mr. SCHAFER of Wisconsin. And we will have to enact this bill to help our American tobacco farmers, because we repealed the arms embargo, and the British are now spending their money for munitions and implements of war and not tobacco.

Mr. WARREN. The tobacco farmers have never cost this Government one copper cent by reason of the control program, and more taxes come into the Government from tobacco than from any other single source.

Mr. SCHAFER of Wisconsin. That is not my point. The British have placed an embargo on American tobacco and stopped buying many millions of dollars' worth of American tobacco which they formerly bought. Great Britain today is buying munitions of war and implements of war and has no money to buy American tobacco as they have in the past. The American tobacco farmers are now feeling the result of the repeal of the arms embargo.

Mr. WARREN. The tobacco farmers are feeling the present situation, and I say to the gentleman that it is imperative in my opinion that this bill should be passed before another crop will be placed on the market.

Mr. MARTIN of Massachusetts. When will the next crop come?

Mr. WARREN. It begins in July.

Mr. MARTIN of Massachusetts. And suppose this bill goes over until tomorrow or next day, when we will have an opportunity to consult the members of the Committee on Agriculture? The gentleman, I think, could get unanimous consent for it then.

Mr. WARREN. If the gentleman wishes it to go over I shall be glad to yield to him, but I am stating to the gentleman that I am informed that the bill came out of the Committee on Agriculture unanimously, and that these amendments have been a source of discussion and preparation by the members from the tobacco districts for the last 5 months.

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

Mr. WARREN. Yes.

Mr. FLANNAGAN. These amendments have been under consideration for 2 or 3 months, and finally the tobacco interests got together and agreed on them, and it is imperative that we secure action as soon as possible.

Mr. MARTIN of Massachusetts. I do not dispute that, but it is quite irregular to have it taken up in this way, without warning.

Mr. FLANNAGAN. And in that connection I would like to state that another bill is pending amending the act so as to include the shade grown tobacco in the Connecticut Valley.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (3) (C) of section 301 (b) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after the comma following the words "calendar year then current" the following: "except that it shall not include any amount of such tobacco of the 1939 and 1940 crops which the Secretary determines is stored temporarily in the United States because of war or other unusual conditions delaying the normal exportation thereof, and."

SEC. 2. That subsection (a) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the figure "10" in the last sentence and inserting in lieu thereof the figure "20", and by striking out the period at the end of the last sentence and inserting in lieu thereof a comma and the following: "or to avoid undue restriction of marketings in adjusting the total supply to the reserve supply level."

SEC. 3. That subsection (c) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding thereto

the following: "In the same referendum the Secretary shall also submit to such farmers the question of whether they favor tobacco marketing quotas for a period of 3 years, beginning with the marketing year next following. If two-thirds of the farmers voting on this question favor marketing quotas for a 3-year period, the Secretary shall proclaim marketing quotas for such period, and, beginning on the first day of the marketing year next following and continuing throughout the period so proclaimed, a national marketing quota shall be in effect for the tobacco marketed during each marketing year in said period unless amendments are made in the provisions for determining farm allotments so as to cause material revision of such allotments before the end of such period. If more than one-third of the farmers voting on this question oppose marketing quotas for the 3-year period, such result shall be proclaimed by the Secretary and quotas for a longer period than 1 year shall not be in effect, but such result shall in no wise affect or limit the proclamation and submission to a referendum, as otherwise provided in this section, of a national marketing quota for any marketing year thereafter."

SEC. 4. That subsection (a) of section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the colon and all the words thereafter which follow the words "such 5-year period" and inserting in lieu thereof a period and the following: "Notwithstanding any other provision of this section and section 312, except the provisions in subsection (g) of this section relating to reduction of allotments, for any of the 3 marketing years, 1941–42 to 1943–44, in which a national marketing quota is in effect for burley or flue-cured tobacco, such national marketing quota shall not be reduced below the 1940–41 national marketing quota by more than 10 percent and the farm-acreage allotments (other than allotments established in each year under subsection (g) of this section for farms on which no tobacco was produced in the last 5 years) shall be determined by increasing or decreasing the farm-acreage allotments established in the last preceding year in which marketing quotas were in effect in the same ratio as such national marketing quota is increased or decreased above or below the last preceding national marketing quota: *Provided,* That in the case of flue-cured tobacco no allotment shall be decreased below the 1940 allotment if such allotment was 2 acres or less, and in the case of burley tobacco no allotment shall be decreased below the 1939 allotment if such allotment was one-half acre or less, or below the 1940 allotment if such allotment was over one-half acre and not over 1 acre: *And provided further,* That an additional acreage not in excess of 2 percent of the total acreage allotted to all farms in each State in 1940 shall be allotted by the local committees, without regard to the ratio aforesaid, among farms in the State in accordance with regulations prescribed by the Secretary so as to establish allotments which the committees find will be fair and equitable in relation to the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; and crop-rotation practices."

SEC. 5. That section 314 of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting "(a)" immediately before the first word therein and by adding at the end of the section the following: "If any producer falsely identifies or fails to account for the disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in excess of the farm-acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm, and the penalty in respect thereof shall be paid and remitted by the producer. Tobacco carried over by the producer thereof from one marketing year to another may be marketed without payment of the penalty imposed by this section if the total amount of tobacco available for marketing from the farm in the marketing year from which the tobacco is carried over did not exceed the farm marketing quota established for the farm for such marketing year (or which would have been established if marketing quotas had been in effect for such marketing year), or if the tobacco so carried over does not exceed the normal production of that number of acres by which the harvested acreage of tobacco in the calendar year in which the marketing year begins is less than the farm-acreage allotment. Tobacco produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though it is marketed prior to the date on which such marketing year begins.

"(b) The Secretary shall require collection of the penalty upon a proportion of each lot of tobacco marketed from the farm equal to the proportion which the tobacco available for marketing from the farm in excess of the farm marketing quota is of the total amount of tobacco available for marketing from the farm if satisfactory proof is not furnished as to the disposition to be made of such excess tobacco prior to the marketing of any tobacco from the farm. All funds collected pursuant to this section shall be deposited in a special deposit account with the Treasurer of the United States until the end of the marketing year next succeeding that in which the funds are collected, and upon certification by the Secretary there shall be paid out of such special deposit account to persons designated by the Secretary the amount by which the penalty collected exceeds the amount of penalty due upon tobacco marketed in excess of the farm marketing quota for any farm. Such special account shall be administered by the Secretary, and the basis for, the amount of, and the person entitled to receive a payment from such account, when determined in accordance with regulations prescribed by the Secretary, shall be final and conclusive."

SEC. 6. That subsection (a) of section 373 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end of such subsection and inserting in lieu thereof a semicolon and by adding the following: "and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required by this subsection within 15 days after notice to him of such violation shall be subject to an additional fine of $100 for each 10,000 pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided,* That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at any established place of business operated by him, or both."

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.

CONNECTICUT VALLEY SHADE-GROWN TOBACCO

Mr. FLANNAGAN. Mr. Speaker, there is another tobacco amendment that has been agreed upon affecting the shade-grown tobacco of the Connecticut Valley.

The SPEAKER. Does the gentleman ask unanimous consent for the present consideration of the bill?

Mr. FLANNAGAN. I do, Mr. Speaker. I ask unanimous consent for the immediate consideration of the bill (H. R. 9702) to amend the Agricultural Adjustment Act of 1938, as amended, to provide that marketing-quota provisions with respect to tobacco shall be applicable to Connecticut Valley shade-grown tobacco.

The Clerk read the title of the bill.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 301 (b) (7) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after the word "flue-cured" in each of the parentheses the words "and Connecticut Valley shade-grown."

SEC. 2. Section 301 (b) (10) (B) of such act, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "except that, in the case of Connecticut Valley shade-grown tobacco, the 'normal supply' shall be a normal year's domestic consumption and exports plus 125 percent thereof."

SEC. 3. Section 301 (b) (15) of such act, as amended, is amended by striking out the period after the figure "41" and inserting in lieu thereof a semicolon, and by adding thereafter the following paragraph:

"Connecticut Valley shade-grown tobacco, comprising type 61."

SEC. 4. Section 312 of such act, as amended, is amended by adding at the end thereof the following subsection:

"(g) Nothwithstanding any other provisions of this act, the Secretary shall, within 15 days after the enactment of this subsection (g), proclaim the amount of the total supply of Connecticut Valley shade-grown tobacco for the marketing year therefor beginning July 1, 1939, and a national marketing quota shall be in effect for Connecticut Valley shade-grown tobacco marketed during the marketing year for such tobacco beginning July 1, 1940. The Secretary shall also determine and specify in such proclamation the amount of such national marketing quota in terms of the total quantity of such tobacco which may be marketed, which will make available during the marketing year beginning July 1, 1940, a supply of such tobacco equal to the reserve supply level. The referendum with respect to such quota, pursuant to subsection (c) of this section, shall be held and the results thereof proclaimed within 45 days after the enactment of this subsection (g)."

SEC. 5. Section 314 of such act, as amended, is amended by inserting immediately after the words "subject to a penalty of", in the first sentence of such section, the words "25 cents per pound in the case of Connecticut Valley shade-grown tobacco", and by adding at the end of such section the following: "Notwithstanding the foregoing provisions of this section, the marketing of Connecticut Valley shade-grown tobacco produced prior to 1940 shall not be subject to penalty."

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.

SLUM CLEARANCE IN TERRITORY OF ALASKA

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to return to Calendar No. 692 (H. R. 8884), to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

Mr. TABER. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I am today in receipt of a statement made yesterday evening by the secretary of the Association of Southern Commissioners of Agriculture.

The author, who is the secretary of that association, sent that statement to me, together with a request that I introduce into this body a resolution calling for an additional appropriation of $100,000,000 to the Federal Surplus Commodity Corporation.

A perusal of that document, which is founded on fact, discloses a deep insight into the economics of our present agricultural price structure and exhibits these in a manner which makes it a document well worthy of the careful and studied consideration of every Member of this body.

Mr. Speaker, in speaking for agriculture, it is to be remembered that the Association of Southern Commissioners of Agriculture is itself a part and parcel of the National Association of Agricultural Commissioners, Secretaries, and Directors of Agriculture. In this instance the southern commissioners are speaking in behalf of our national agricultural economy.

The request made by the secretary of that association is the expression of a group of farm associations and organizations which held a meeting yesterday. The statement is endorsed by the representative of the National Grange, the representative of the National Farmers Guild, the president of the Domestic Oils and Fats Conference, as well as by several leading Members of this Congress, who are representatives not alone of southern agricultural districts and constituencies but of northern and western agriculture as well.

They come to this body with a righteous appeal. They ask that we in the House now take cognizance of the often-repeated "Declared policy of Congress," to achieve in behalf of our farmers and agricultural producers a parity of income as well as a parity of price.

They not only point out the enormous losses already suffered but the potential losses which will be continued and suffered by our agricultural producers unless we in this Congress make it possible to temporarily stabilize the prices of our agricultural products, and prevent the current disastrous decline to continue in the immediate future as a result of the present European war, and its resultant financial upset and conditions.

Mr. Speaker, I am introducing into the hopper today a joint resolution formulated in accordance with the request made upon me by the secretary of the commissioners of agriculture in behalf of those farm groups.

The document which they sent me and to which I refer is not a long document. I would therefore like to present it to this body in full and in addition thereto, and for the benefit of those members who are not now present, insert the same in the RECORD for later and more studied perusal by all Members.

The following is the statement issued by the agricultural meeting held yesterday, together with a copy of the joint resolution, drawn to meet their request:

ONE HUNDRED MILLION DOLLARS ADDITIONAL APPROPRIATIONS FOR COMMODITY PURCHASES TO BE REQUESTED

Concurrent with Secretary Wallace's request that the Board of Trade prohibit trading in grains below yesterday's closing price, notice was sent out by the southern commissioners of agriculture, making request for a meeting of farm leaders at the Raleigh Hotel, Washington, this afternoon.

There was a quick response to this call. The conference was attended by national representatives of leading farm producers' and processors' organizations as well as by Members of Congress from both the cotton-producing South and the Mississippi Valley Corn Belt.

Among the farm organizations' representatives were Col. C. C. Hanson, secretary to the southern commissioners of agriculture; W. S. Snow, president of the Domestic Oil and Fats Conference; Fred H. Brenckman, Washington representative of the National Grange, and E. E. Kennedy, National Farm Guild.

At the conclusion of the conference, Col. C. C. Hanson was directed to announce in behalf of the conferees that tomorrow they would seek to have introduced into the Senate a joint resolution asking that an additional $100,000,000 be placed at the disposal of the Surplus Commodities Corporation.

This sum, Colonel Hanson explained, "would be used in the purchase of agricultural crops in a price-supporting movement to insure against further price disturbance from current war development."

The colonel pointed out that the present decline in agricultural prices might well presage more than a temporary upset in prices. "Despite the apparent shortage in our wheat crop this year," he declared, "wheat has now tumbled 30 cents a bushel in the last week. But worse still, "The decline is occurring at the very time when farmers in the southern part of the winter wheat belt are actually making plans for the harvest of this year's wheat crop."

Colonel Hanson then explained that those attending the conference had thoroughly reviewed in detail and discussed at length the action of the Canadian authorities in "pegging" the price of Canadian wheat in order to protect their farmers. He disclosed the further fact that discussion was had as to the advisability of the United States Federal Government adopting similar measures with reference to our own major crops, inclusive of hog lard, peanut and cottonseed oil. He stated that they were in full concurrence with Secretary Wallace's attitude in the matter.

Declaring that the present price decline involved the potential loss of millions of dollars to American producers, the colonel expressed the confidence of the conferees that Congress would make the appropriation of $100,000,000 available at once in order to protect our cotton, hog, and grain farmers, as well as livestock industry against further adverse and devastating effects upon domestic prices, resulting from the war in Europe.

"Out of the entire field of commodities which have suffered in the current price decline," Colonel Hanson declared, "lard and cottonseed oil were disclosed to be by far the weakest features in the price structure. This," he said, "occurred despite the fact that there are no agricultural commodities more essential, either to a peacetime or to a wartime economy of any nation, than are its supplies of oils and fats."

He told of the many military strategists who are even now saying that if Germany loses the war it will be primarily because of her shortage of oils and fats, animal and vegetable, as well as mineral.

In pointing out that our domestic producers were now face to face with a price of 5 cents per pound for lard and but 5⅜ cents for cottonseed oil, Colonel Hanson concluded by saying that "the joint resolution would provide that no less than $10,000,000 of the total appropriation sought would be spent for the purchase of oils and fats."

He further said that it was the sense of the meeting that by the terms of the resolution the Surplus Commodities Corporation should be authorized and instructed, not alone to purchase hog lard and cotton oil but also mandated, either to profitably export the overburden of our domestic surplus out of the country in export trade, or else make provision to insure that the surplus here present be subsidized into the soap kettles, at a price which would enable these domestically produced commodities to compete more readily with foreign oils being imported.

Agreement has been reached that Senator BILBO (Democrat), Mississippi, would sponsor the joint resolution in the Senate. It was further stated that it would be offered in the House tomorrow by Congressman VINCENT F. HARRINGTON, of Sioux City, Iowa, Representative from a district which is virtually the center of the American lard-producing industry.

Mr. HARRINGTON, when interviewed at his office late this evening, declared:

"I have spent the entire day in my office drafting the joint resolution. In this effort I am acting in concert with Colonel Hanson, secretary to the Southern Commissioners of Agriculture, in order to protect the Iowa corn and hog producers from one of the most serious and sudden price declines which has ever occurred in the history of American agriculture."

Joint resolution to authorize the appropriation of $100,000,000 additional funds for use by the Federal Surplus Commodities Corporation for stabilizing agricultural prices now suffering severe declines due to the emergency arising out of the European war and its repercussion upon our domestic prices for agricultural products

Whereas the declared policy of this administration has been to protect American agriculture in all of its branches; and

Whereas it has repeatedly been the declared policy of this Congress to do everything within its power both to achieve and to sustain a parity of price, as well as a parity of income, for all American farmers; and

Whereas the European war now being waged has caused a most severe decline to occur, both in the price of practically all major agricultural crops (and hence the income of our farmers), as well as to create a further disparity between the price of things which farmers buy as compared with the price of those which they sell; and

Whereas the price of wheat has declined almost 30 cents per bushel in the last week; and

Whereas hog lard, an agricultural product most essential to our national economy, is now selling at the distressing price of 5 cents per pound, which is far less than the cost of production; and

Whereas the price of cottonseed oil, which is always dependent upon the current prices of hog lard, is now also selling at less than the cost of production; and

Whereas a national agricultural emergency has now arisen out of the European war, and which is resulting in serious repercussions upon all American farmers and agricultural producers: Now, therefore, be it

Resolved, That the Senate and the House of Representatives of the United States of America in Congress assembled do hereby appropriate the sum of $100,000,000 for use by the Surplus Commodities Corporation in acquiring stocks of major agricultural products in such amounts as are deemed necessary to stabilize agricultural prices; and be it further

Resolved (*by the Senate and House of Representatives of the United States of America in Congress assembled*), That the Surplus Commodities Corporation is hereby authorized and directed to immediately proceed to acquire by purchase hog lard and cottonseed oil in the sum of $10,000,000; and be it further

Resolved, That as soon thereafter as it is practicable the Federal Surplus Commodities Corporation shall arrange for the export of the lard and cottonseed oil acquired under this joint resolution. In the event of their inability to profitably export these products, then it is hereby directed to subsidize their sale into the soap kettles of the United States in amounts sufficient to relieve the overburden of present hog-lard and cottonseed-oil stocks upon domestic prices.

EXTENSION OF REMARKS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement on the life, character, and public service of Hon. M. M. Logan, late a Senator from Kentucky.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include a petition from certain farmers in my district in support of the Jones-Wheeler farm credit bill.

The SPEAKER. Is there objection?

There was no objection.

By unanimous consent Mr. BYRON and Mr. O'CONNOR were granted permission to revise and extend their own remarks.

JUVENILE COURT OF THE DISTRICT OF COLUMBIA (H. DOC. NO. 780)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with the accompanying papers, referred to the Committee on the District of Columbia and ordered printed:

To the Congress of the United States:

I transmit herewith for the information of the Congress a communication from the judge of the juvenile court of the District of Columbia, together with a report covering the work of the juvenile court during the fiscal year 1938–39.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 20, 1940.*

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from yesterday's Washington Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Wednesday next, the gentleman from New York [Mr. REED] may be permitted to speak for 15 minutes, after the legislative program of the day.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein two telegrams regarding an amendment to the Sugar Act and a copy of a resolution from the Parent-Teachers Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BEAM. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is not a quorum present. Obviously there is not a quorum present.

Mr. COOPER. 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. 118]

Allen, Pa.	Drewry	Kean	Ryan
Ball	Durham	Keefe	Sabath
Barden, N. C.	Eaton	Kennedy, Md.	Schaefer, Ill.
Barton, N. Y.	Evans	Kilday	Schiffler
Bates, Mass.	Faddis	Kirwan	Schulte
Bradley, Pa.	Ferguson	Lea	Secrest
Brewster	Fitzpatrick	McAndrews	Seger
Buckler, Minn.	Flannery	McArdle	Sheridan
Buckley, N. Y.	Folger	McLean	Simpson
Burdick	Ford, Thomas F.	Mansfield	Smith, Conn.
Cannon, Fla.	Gehrmann	Martin, Ill.	Smith, Ill.
Celler	Gifford	May	Somers, N. Y.
Chapman	Green	Merritt	South
Clark	Hare	Mitchell	Sullivan
Cluett	Harness	Myers	Sumners, Tex.
Coffee, Wash.	Hart	Norton	Sweeney
Cole, Md.	Harter, Ohio	O'Brien	Taylor
Cooley	Hartley	O'Leary	Thomas, N. J.
Crosser	Healey	Osmers	Thorkelson
Culkin	Hess	Plumley	Treadway
Cummings	Jarman	Ramspeck	Wadsworth
Darrow	Jeffries	Reece, Tenn.	Weaver
Dempsey	Jenkins, Ohio	Risk	White, Idaho
Ditter	Jenks, N. H.	Robsion, Ky.	White, Ohio
Dondero	Johns	Rogers, Okla.	Winter
Douglas	Johnson, Ind.	Routzohn	Wood

The SPEAKER. On this roll call 326 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON IRRIGATION AND RECLAMATION

Mr. HILL. Mr. Speaker, I ask unanimous consent that on tomorrow the Committee on Irrigation and Reclamation may be permitted to sit during the sessions of the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANNOUNCEMENT

Mr. COSTELLO. Mr. Speaker, I wish to announce that various members of the Committee on Military Affairs were unable to answer to their names on the quorum call due to the fact that the committee is in session.

CERTAIN CLAIMS AGAINST MEXICO

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 326) for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico.

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 S. 326, the Mexican claims bill, with Mr. RANKIN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BLOOM. Mr. Chairman, will the gentleman from New York yield some of his time?

Mr. FISH. Mr. Chairman, I would suggest that we proceed in the regular order; that the gentleman from New York [Mr. BLOOM] assign time to a Member on his side first.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, this is a Senate bill, sponsored by Senator MORRIS SHEPPARD, of Texas, who is its author. It has twice passed the Senate but has never been voted upon in the House, although it has been twice reported by the Committee on Foreign Affairs of the House, once under the chairmanship of Hon. Sam D. McReynolds and again under the present chairmanship of the gentleman from New York [Mr. BLOOM].

Mr. Chairman, the pending bill authorizes the payment of awards made to American citizens by the General Claims Commission under a treaty dated September 8, 1923, between the United States and Mexico. Unless one has read the

treaty and understands the causes leading to the consummataion of the treaty and its terms, one cannot intelligently vote upon the bill. There has been a great deal of misunderstanding and misinformation about the bill.

Prior to September 8, 1923, due to strained relations between the United States and Mexico, there had been a severence of diplomatic relations between the two countries. There had been a great deal of marauding going on by citizens of the two countries. As a result conditions grew so tense, as I stated before, that diplomatic relations had been severed. The State Department, after much negotiation with the Mexican Government, not alone for the benefit of those who had claims against Mexico, but for the improvement of relations between the two countries and to restore commerce and confidence between them, adopted a treaty to promote peace between the United States and Mexico, by which diplomatic relations between the two countries was resumed. Under that treaty what is known as the General Claims Commission was set up, composed of representatives of the two countries, to pass upon and consider all claims both of Mexican citizens against our Government and our own citizens against the Mexican Government. It was not known at that time, of course, which group of claims would be the greater—that is, claimants of Mexican nationals against our Government, or our nationals against the Mexican Government—but article IX of the treaty is as follows:

> The total amount awarded in all the cases decided in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country and the balance shall be paid at Washington or at the City of Mexico, in gold coin or its equivalent to the Government of the country in favor of whose citizens the greater amount may have been awarded.

It was further contemplated and provided that each Government would pay to its own citizens the claims awarded against the other Government and then would collect the difference and there would be an adjustment between the Governments. That is the basis of the matter and that was the understanding at the time the treaty was entered into on September 8, 1923, and this bill merely provides that American claimants in whose favor awards have been made by the Commission shall be paid.

It was thought that 3 years would be sufficient time within which to complete the work of the Commission but the 3 years passed with the work incomplete, due to the large number of claims filed by the citizens of both countries, and the life of the Commission was extended another 3 years. The Commission had so much work to do in passing on the large number of claims that its life was extended time after time until it finally expired October 31, 1937. Two thousand eight hundred and seventy-one American claims were filed, and 2,021 claims were passed upon or adjudicated, and of this number 124 were allowed and approved, and 1,897 were disallowed, leaving still remaining unpassed upon 850 claims.

The aggregate amount of claims awarded by the Commission in favor of the citizens of our country was $2,789,509.33, and the aggregate amount of total awards in favor of citizens of Mexico against our Government was $431,431.82.

There were about 850 American claims that were not adjudicated or passed upon. This bill provides for the payment only of those claims which were allowed and approved. There is nothing due upon the claims which were disallowed. Most of the American claimants are individuals. Twenty-eight of the claims range from $50 to $1,000; 74 are for amounts between $1,000 and $10,000, and 22 of the claims are in excess of $10,000. Eight hundred and fifty claims were never disposed of, but the Commission expired by operation of law. I do not know whether the Commission was negligent or not diligent in disposing of all the claims, but they considered a huge volume of claims, approximately 3,000 American claims and a large number of Mexican claims.

The question is whether or not this Commission having expired, having adjudicated these claims, having approved them, this bill introduced by Senator SHEPPARD, of Texas, shall be passed. It provides that our Government shall pay the awards that were made to our citizens, but that interest shall not be paid subsequent to the date of the awards.

There is one large claimant involved here, the Illinois Central Railroad. A great deal of prejudice has been created against the bill by reason of that fact. The Illinois Central Railroad claim is based upon the sale of locomotive engines by that railroad to the Government of Mexico. The Illinois Central Railroad was trying to effect a settlement of that claim when this Commission was created. In 1926, after the Commission was created, the Mexican Government sent to the city of Chicago, Ill., a representative of the government to try and negotiate a settlement with the Illinois Central Railroad for these locomotives which had been bought by the Mexican Government from that railroad and which were in use by that government. The representatives of the railroad told the Mexican Government that, having filed its claim with the Commission, they would have to go to Washington before they could talk settlement with the Government of Mexico, because the matter was in the hands of the Government of the United States under this treaty. They went to the State Department in Washington. As a matter of fact, the terms of settlement were actually agreed upon. The Mexican Government was to pay the railroad $100,000 in cash and $100,000 a month until the full claim was settled. But when they came to the State Department in Washington to see whether or not the settlement could be negotiated, they were informed by representatives of the State Department that this treaty having been entered into, citizens and claimants could not settle their own claims; that all settlements would have to be made by the Government; that they could not be made by individual claimants.

Mr. BEAM. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I cannot yield. There are a lot of facts I want to tell the gentleman.

Mr. BEAM. I want to give the gentleman some enlightenment if he will yield?

Mr. LUTHER A. JOHNSON. I regret my limited time does not permit me to yield, but I think I know all of the facts about this bill.

Mr. Chairman, there were other claimants in the same situation. There was a Texas claimant who had a very large amount involved in the form of goods he had sold down there. This was not merely a tort. This was on contract. Some of the claims were for property taken, some for cattle confiscated, some for assaults made and various other character of claims, based both on tort and contract. The Government of the United States, having required its citizens to go before the Commission and file their claims and adjudicate them, the Government of the United States cannot now and ought not in equity deny to these citizens the payment of the money which they have been deprived of throughout all these years.

It is said that the State Department's attitude is hostile to this bill, but the report of the Secretary of State is here. When Senator SHEPPARD introduced his first bill (S. 3104) which was prior to the expiration of the Commission, the State Department made an adverse report, because at that time the General Claims Commission was still in existence and still considering claims.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. LUTHER A. JOHNSON. After this pending bill was introduced, in view of the fact that these claimants had been denied their money during all these years, and in view of the further fact the commission had expired and there was no longer any tribunal which could take the matter up, Secretary Hull said, in view of the unsettled claims and in view of the fact these claimants had waited so long, as to whether or not they should now be paid was a matter of legislative policy for the Congress to decide.

That is the position we are in at this time. They talk about the Government assuming an indebtedness. They talk about the American Government paying debts due our citizens by another government. If this matter had simply

involved the claims of our citizens against the Mexican Government alone, there might be some question; but remember, there are cross-claims, there are cross-currents here, and, as was said by Under Secretary Cotton when he appeared before the committee, and as was stated by Mr. Hackworth, counselor of the State Department, the Government having taken over these claims, became the creditor, and it is the duty of the Government to make a settlement. No man can read this contract and understand it, lawyer or layman, but who will agree that it was contemplated, as the State Department agreed in the hearings, that each Government pay its respective citizens the amount of the claims awarded in favor of their citizens, then negotiate a settlement between the two Governments.

The question is asked, Why pay this now? Why not wait until Mexico pays? They state that some of these claims have not been disposed of as yet, and that there are some claimants who have equities here. Yes; there are 850 claimants who filed their claims within the proper time, and those claims have never been considered and have not been disposed of.

I may state something right here that the record does not show. I understand from Oscar Underwood, Jr., who was the American representative upon that commission, that all of the claims could have been disposed of but for the fact that the representative on the commission from the Mexican Government finally quit and they could not conclude because he would not cooperate, and that is the reason that finally the claims were not all passed on. Is it right that these claimants who have had their claims awarded, approved, and adjudicated for many years should not be paid because Mexico did not see fit to conclude adjudication of all the claims? Are those citizens to be denied their rights? Is it not proper that our Government take this matter up and pay these claimants, then make its demand on Mexico? With reference to these other claims, either one of two courses can be followed. Either the two Governments can reestablish this commission to pass upon these other undisposed of claims or, if not, there can be made what is called a lump-sum settlement, such as was made under the Special Claims Commission that was created, whereby claimants were settled with on a certain percentage basis. Mexico is paying those special claims. It agreed to pay $500,000 a year for 10 years until the total amount agreed upon is paid and those payments are now being paid out. But the Special Claims Commission had nothing to do with the claims involved in this bill, all of which were considered under this particular treaty, and adjudicated and passed on under this treaty, and the only way they can be settled is to pay the awards, as provided in this bill.

Mr. HALLECK. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Indiana.

Mr. HALLECK. I understand there were some awards made on behalf of Mexican citizens for claims against our Government.

Mr. LUTHER A. JOHNSON. Yes.

Mr. HALLECK. Has our Government ever paid those claims?

Mr. LUTHER A. JOHNSON. It has not paid one dime of them.

Mr. HALLECK. Can the gentleman tell the membership of the House why our Government has not paid those claims?

Mr. LUTHER A. JOHNSON. Because, under the treaty, the Mexican Government is to pay the awards made in favor of its citizens and our Government is to pay the awards in favor of our citizens, and then Mexico is to pay the difference between the two amounts. This treaty was based upon that agreement, to which these claimants were not a party. They were bound by it, they had to go into it, and they had to accept under it. I would say it would be a repudiation of a just contract and a just agreement made by this Government if these claimants are not paid the amount that has been awarded in their favor. Then let our Government proceed, as article IX of the treaty provides, to collect the difference between the amounts due between our Government and Mexico. [Applause.]

Under leave granted to extend my remarks, I submit herewith statements made by others familiar with the terms of this bill, and the grounds on which it is based.

Senator MORRIS SHEPPARD in the House Foreign Affairs Committee used the following words:

> The history of the matter shows that our Government negotiated with Mexico the convention of September 8, 1923, for the purpose of clearing the way for the resumption of diplomatic relations between the two Governments. It was considered necessary for the Government to assume the obligations that are contained in that convention in order thus to serve our whole people by eliminating a constant threat of war, relieve our taxpayers of the burden of maintaining a heavy military guard at our border, increase the revenues of our Government through additional custom receipts, and reestablish full commercial dealings between our people and those of Mexico.
>
> In order to obtain the foregoing results the Government undertook, through the methods provided in that convention, to settle all of the claims of our citizens against Mexico so that our citizens might have "just and adequate compensation" for the damages and losses they had sustained in Mexico.

CONVENTION CONTEMPLATED PAYMENT BY EACH GOVERNMENT OF AWARDS TO ITS CITIZENS

That provision of the convention has been interpreted from the beginning to mean that each Government was expected to make settlement with its own citizens on awards that might be made in their favor. The Under Secretary of State, Mr. J. P. Cotton, in a letter to Senator MORRIS SHEPPARD, dated November 7, 1929, quotes that language and says:

> It will be noted from the foregoing that it is contemplated that each Government shall settle with its own citizens in respect of awards made by the Commission.

And the Senate Foreign Relations Committee report on bill S. 3104 says:

> As it was not known at the time the convention was entered into which Government would be adjudged to be entitled to the larger amount, and as each Government is required by the foregoing provision to appropriate any award made in favor of its citizens to offset awards made in favor of the citizens of the other Government, it must have been contemplated that each Government would settle with its own citizens in respect of awards made in their favor. Such interpretation has been approved before the committee by representatives of the State Department.

PAYMENT OF AWARDS TO AMERICAN CITIZENS PRIMARY OBLIGATION OF THE UNITED STATES

From the foregoing it is evident that the payment of such awards by our Government would not amount to assuming a new debt, or the underwriting of the debts owing by Mexico, or the establishment of any precedent for the assumption by our Government of debts owing to our citizens by foreign countries, but would be merely and only the discharge by our Government of its own primary obligations assumed by it when it entered into the General Claims Convention.

Senator W. R. AUSTIN, of Vermont, addressing the Senate on May 18, 1938, in support of bill S. 3104, approved the foregoing conclusion in the following words:

> Mr. President, reserving the right to object, let me say that I objected to this bill when it was reached on the calendar at the last call. Since that time I have made certain study of the character of the bill. I had no objection to the merits of the bill at the time I previously raised the question, but I felt a responsibility with respect to it, because it seemed to be a new undertaking by the Government of the United States, to pay the debt of another government; that is, it appeared as though the bill itself would create a liability on the part of the United States without any consideration at all for it, and without any way for the Government to indemnify itself for such an assumption of debt. For that reason I objected to the consideration of the bill.
>
> I am persuaded, by the study I have made since then, that the bill does not create any debt. It does not make a new promise, but is a bill to carry out an old obligation entered into by a convention between Mexico and the United States, by means of which the contracting parties undertook to pay debts due from their vis-à-vis to their own nationals, and afterward offset claims on the part of each country against the other.

FURTHER DELAY OF PAYMENT UNJUST TO AMERICAN CLAIMANTS

Judge Sam D. McReynolds, of Tennessee, former chairman of the House Foreign Affairs Committee, referring to this

situation during the hearing on bill S. 3104 before that committee, which was the predecessor of the present bill, said:

> Everything is barred and the citizens are cut off from their rights, no convention and no agreement and the Government stepped in and stopped them when they thought they would get something and the Government is morally responsible.

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. VORYS], a member of the Committee on Foreign Affairs.

Mr. VORYS of Ohio. Mr. Chairman, this bill simply provides that the United States is to pay about $3,000,000 of the debts of Mexico to American citizens, whereas there are just claims aggregating hundreds of millions of dollars, which have already been filed with this very Commission, that are unpaid. Out of this vast amount we are to pick out $3,000,000 worth and pay those claims. Our Government is to pay them 100 cents on the dollar, a large part of them with interest, and then see whether we can collect from Mexico.

This is an action that is without precedent in our history. Two precedents have been cited. One was when we paid $320,000 to United States claimants against Mexico, but at the end of the Mexican War we got a lot of territory from Mexico. The other was an appropriation of $50,000,000 to pay claims of Americans against Germany, but we had the proceeds of certain patents in our hands. This sort of thing is utterly without precedent.

What is the precedent that is to be established now? The precedent is that we are to pay claims of Americans against a foreign country. Is there anything that is unusual about these claims? We have a great many classes of claims against Mexico and other countries. For instance, we have a vast number of agrarian claims. Our committee has been unable to find the amount of them. There are oil claims, and we understand that one of these claimants by direct negotiation got $1,000,000 recently. We have 850 special claims under a treaty entered into within a few days of the time of this treaty. These 850 claims, aggregating $200,000,000, are left out of this, although they have been filed and have not been heard.

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

Mr. VORYS of Ohio. I yield to the gentleman from Minnesota.

Mr. YOUNGDAHL. Does the gentleman know any reason why these 850 unadjudicated claims should not be given the same consideration as the claims provided for in this bill?

Mr. VORYS of Ohio. I know of no reason. For instance, I know that the gentleman was before our committee interested in a Tabasco plantation claim. That was a very substantial claim which had its origin during the revolutionary period. However, that was thrown by the Mexican negotiators from the special or revolutionary class into the general class because they had agreed on a percentage settlement for the special claims, and it was to their advantage to have any large claims thrown in among the general claims instead of the special claims. This is why the constituents of the gentleman from Minnesota had their claim thrown into that group. The claim was properly filed before this Commission, but by lapse of time, if this legislation goes through, and if the argument of those for this legislation is accepted, the gentleman's constituents are out forever.

Mr. BLOOM, Mr. LUTHER A. JOHNSON, and Mr. HALLECK rose.

Mr. VORYS of Ohio. I refuse to yield.

Mr. YOUNGDAHL. What about these 850 claims that have been filed? Is it not possible to extend the treaty to include the adjudication of these claims?

Mr. VORYS of Ohio. Yes. This same treaty of 1923 has been extended four different times. Some of the claims were "out forever" in 1927. They extended the treaty until 1930, and then they said, "Those are all out forever." After four extensions the proponents of this legislation now come in and say, "We are sorry about those 850 claimants, they are left out of this thing, and their only rights are to have their Government go ahead and do something and try to get up some sort of negotiations with Mexico."

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

Mr. VORYS of Ohio. I yield to the gentleman from New York.

Mr. BLOOM. Is it not a fact that everyone is out; that is, these claimants and every other claimant is out, because there is no treaty in existence at the present time? I should like to have the gentleman explain, if he will, if this legislation should not prevail, what other way there is by which any of these claimants may be paid?

Mr. VORYS of Ohio. I will explain that right now.

Mr. BLOOM. I should be very glad to have the gentleman do so.

Mr. VORYS of Ohio. The argument that is made here is just the argument that has been made all along. "What else can the Illinois Central Railway do? What else can these people do?" Has not our Government a moral obligation to attempt to collect? Certainly our Government has. These claimants can proceed the way all the other claimants will have to do; that is, await the proper kind of efficient and forceful diplomatic action by our Government. I concede that when our Government encourages foreign trade it has some sort of moral obligation to those who enter into that trade to use its best efforts to collect. I am perfectly willing to concede that our Government has been hopelessly weak in attempting to collect from Mexico.

Let us just see what a few of the other claimants are. Here are the 850 general claims, and the oil claims and the agrarian claims against Mexico. I happen to know that there is $300,000,000 in claims against Russia. We have a similar treaty with Panama arising from similar claims. We have Brazilian bonds. We have $14,000,000 of claims against the Spanish Government. There is one from my district. The justice of the claim is unquestioned, but the claimant cannot get his money.

Are we going to say as to all of these hundreds of millions of dollars of claims against foreign governments that we will pay them all, or are we going to say, "No, you all wait, but out of the whole bunch we are going to pick this $3,000,000 of claims, and we are going to pay them off"? If we are going to make a select group of these people, let us see why, and we come then to the language which it is claimed creates a moral obligation.

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

Mr. VORYS of Ohio. I yield.

Mr. BLOOM. I know the gentleman wants to be fair and get all the facts before the Committee. Is there any other way now that all of the claimants who transferred their claims to the United States Government can get this money other than through this legislation? Can they go to the Mexican Government direct to get the money when they have transferred their claims to the United States Government for a consideration, mind you, in the treaty? I would like to have the gentleman answer that, if he will.

Mr. VORYS of Ohio. I certainly will answer it. Is there any other way that these claimants can proceed? Have they given up anything that any claimant against a foreign government does not give up when he goes before a claims commission under one of these treaties?

Mr. BLOOM. Oh, yes.

Mr. VORYS of Ohio. We have exactly the same provision in the special claims treaty, the Mexican claims treaty of 1868, exactly the same provision of this famous paragraph in article 8 of the Panama Treaty of 1932, the same provision in two claims treaties with England. Now, are all those people in any special position? Have they given up anything that they would otherwise have had? The answer is "No."

Mr. FISH. Let me interrupt the gentleman, if I may. The gentleman from New York [Mr. BLOOM] is trying to make it out that they have assigned their claims. There has been no assignment of claims. The Government does not own any of these claims. They were merely trying to help them, and if the Mexican Government does not pay that is the fault of that government. We do not owe these claims.

Mr. BLOOM. The treaty provides that they should assign all claims.

Mr. VORYS of Ohio. Let us study the treaty for a moment. Article 9 provides that the total amount awarded in all cases in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country, and the balance paid at Washington or in Mexico City.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. VORYS of Ohio. Now, how does article 9 work out? Does that have the United States paying any claim before it receives the money? No. Since the hearings have been conducted and the awards made, the balance is in favor of the United States to the tune of about $2,600,000, and to carry out article 9 would mean not that the United States would pay anything, but that Mexico would pay $2,600,000 up here. So that there is nothing in article 9 that would require our Government to pay until it had received the money for payment.

Now, let us look at article 8; that is where they say that they had to give up something, and that therefore our Government has to pay.

The very first part of article 8 states that the high contracting parties agree to consider the decision of the Commission as final, and I quote:

> And to give full effect to such decisions, and that a full, perfect, and final settlement of each such claim shall be made.

All of the provisions of the treaty must be carried out, including the payment under article 9, or none of them. If there were any release provided in article 8, the only quid pro quo—the only consideration—was the payment that the Government which owed the most was to make under article 9. So that no payment having been made, no consideration passed, and no claimant is bound by this treaty.

Remember this: Any claimant against a foreign country has to go just as far as he can himself and then wait for his government to go ahead, and that is the position these people are in.

Now, here is the proposal that is made here. In China they have a proverb that if you save the life of a man, you have got to keep that man the rest of his life. Here is a proposal that just because our Government went in to help these people get these claims liquidated, and spent $3,425,000 in having these hearings, through 18 appropriations by this Congress, now the arbitrator has to pay the amount of the arbitration and then see if he can collect it from someone.

If that precedent is to be established, then this Government is going to have to pay billions of dollars. If, on the other hand, no precedent is created, because this is to be a favored class, it cannot be because of any legal obligation, because if there were a legal obligation this treaty, having the force of law, would not need any legislation in order to authorize an appropriation. The proponents of this legislation were stumped when we put that to them in our committee. If this treaty has the force of law, it constitutes an authorization and nothing but an appropriation is needed. There is no legal obligation and there is no moral obligation, any more than exists under the Special Claims Treaty, which has exactly the same provision, but under which the claimants have gotten only 2.6 percent of their claims, or under the 1868 Mexican treaty, or under the Panama treaty, or under the British treaties—and in another body it was said that we have 20 or 25 such treaties.

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

Mr. VORYS of Ohio. I yield.

Mr. KITCHENS. Is there any charge here that the Government has not done all it could to collect these claims?

Mr. VORYS of Ohio. The Government by way of a commission has done all it could.

Mr. KITCHENS. And there is no claim here of negligence on the part of the Government as a reason why these claims have not been paid?

Mr. VORYS of Ohio. No; but there are many who feel that the Government should try harder to collect its claims against Mexico, and I am one of those.

Mr. KITCHENS. And these assignments are made to the Government in order to facilitate the matter, in order to enable the Government to help collect these claims?

Mr. VORYS of Ohio. Yes.

Mr. KITCHENS. Does the gentleman know of any reason why the Government should not reassign these claims to these claimants and allow them to proceed in any way they desire?

Mr. VORYS of Ohio. There would be only one objection, and that would be from the claimants who would say, "We do not want them." The Illinois Central Railroad Co., as shown by the testimony before our committee, had a chance to go ahead and make a settlement and collect $100,000 every few months. All they had to do was to go on on their own. The Government said, "You can withdraw from this and try to collect it yourself, or you can stay in and help us to close them up." They stayed with this Commission and I do not blame them, but they cannot claim, when they were given the choice of going ahead themselves or having the Government behind them and they chose to have the Government behind them, that that created a moral obligation on the part of the Government to pay them out of the Government's own pocket.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. FISH. Mr. Chairman, I yield the gentleman 2 minutes more.

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

Mr. VORYS of Ohio. Yes.

Mr. BLOOM. I want to read to the gentleman something from the record.

Mr. VORYS of Ohio. Does the gentleman want to ask a question?

Mr. BLOOM. Yes. To see what the State Department says. Mr. Hackworth, the legal adviser of the State Department was before our committee in the hearings upon the bill and he said:

> We have taken over the claims, and are prosecuting them as a Government claim on behalf of our nationals. The Government is the creditor.

Now, that is the statement of Mr. Hackworth, who is the legal adviser of the State Department of the United States. Will the gentleman kindly answer that?

Mr. VORYS of Ohio. The Government took over these claims as an attorney in fact, representing the claimants. It was not going to have outsiders acting on the same claims that were before the Government, but if you want to know the position of the government officials, it is to be found in these words from the Budget Bureau:

> This legislation would not be in accordance with the program of the President.

That is the end of the quotation. That is the official position of our Government, that it would not be in accordance with the program of the President, and while I am not one who is ordinarily defending the program of the President, yet when I find an instance when the President is not in favor of paying out money, I think it is a sound program to follow.

Mr. FISH. Does anyone in the Government service, Mr. Hackworth or any one else, endorse this bill?

Mr. VORYS of Ohio. No. The only record is that the State Department reported adversely, and now makes no comment at all, except to state the President's position.

The CHARIMAN. The time of the gentleman from Ohio has again expired.

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NICHOLS. Mr. Chairman, as most of you know, there had been preparations made for those Members of the House and their families who cared to, by defraying their own expenses, go on a trip this week-end to New York and to the world's fair and to West Point and the Museum of Modern Art. That trip was to have started at Thursday noon. By reason of the legislative program in the House, by reason of the urge for national-defense legislation, by reason of the fact that on Thursday and Friday under the present program of the House there will be on the floor for consideration authorization bills from either the Committee on Military Affairs or the Committee on Naval Affairs, those of us who have had something to do with making arrangements for this trip have, after consultation and conference with the leadership of the House, decided to cancel the trip. I feel very badly about this. Very elaborate plans have been made and much time and money spent, but in view of the situation as its exists throughout the country today we feel that for the remainder of this year we should not try to make such a trip. So the trip is canceled and those who have paid for their reservations in the Sergeant at Arms' office will of course be refunded that money by calling at the Sergeant at Arms' office.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, perhaps I should say at the outset, so that my remarks are not discounted too greatly, that the Illinois Central Railroad, which is probably the major claimant under consideration here today, operates from one end to the other of the State of Illinois. As a matter of fact, the Illinois Central operates through my home town. I have no pass on which to ride on the Illinois Central Railroad. I do not own a single share of Illinois Central stock or bonds or the stock or bonds of any other railroad. I am under no obligation to them and they are under no obligation to me.

However, if there is to be any depreciation of the effect of what I may say today, I would rather deprecate it myself than have somebody come along afterward and do the job for me.

On that basis let me say that the difficulty I had with this claim was, first, to satisfy myself that there was an existing valid obligation owing from the Federal Government to our own nationals. Secondly, whether or not that money should be paid regardless of whether or not we collected any money from the Mexican Government. I have answered that question in the affirmative for myself, so I shall vote for the bill.

The reasons whereby I arrived at that conclusion are somewhat as follows:

In the first place, I agree with the gentleman from Texas [Mr. LUTHER A. JOHNSON] that you could get no adequate understanding or appreciation of this problem until you examined briefly into the background. Prior to 1923 we had difficulty on the border. In fact, we had an extensive military patrol operating on the Mexican border. Finally diplomatic relations were severed and in consequence there were no customs receipts derived from trade between this country and Mexico. Now, there was a situation affecting the welfare of the whole country and it became the impelling reason for the development of what is known as a convention, under which that Claims Commission took jurisdiction of general claims running back to 1868, in the hope that they would be adjudicated, and whatever the excess was in favor of one government or the other, it would be deducted from the whole amount and the rest of it settled in cash by the government that was on the long end of the findings. I contend that irrespective of whether we collect from Mexico or not we are still not only morally bound, but in my judgment legally bound, to pay our own nationals.

Let us look at it in this light: As the thing sets up today it seems that the American nationals are entitled to get $2,800,000. In round numbers, the Mexicans are entitled to something like $400,000. So that there is a difference in favor of our own citizens of approximately $2,400,000. It was anticipated under section 9 of this convention that after making the deduction, the balance would be paid by the Government in debt in the form of gold, either in Washington or in Mexico City. Let us assume that the shoe was on the other foot. Instead of the United States being the prospective recipient of $2,800,000, that went to Mexico and only $400,000 to our own country, what would have happened?

This Congress would have authorized such action as was necessary, first of all, to pay the difference of $2,400,000 to Mexico, and, secondly, to pay the remaining $400,000 to our own nationals. That, to me, is persuasive that they never at any time contemplated that we must first get the money from Mexico before we paid our own nationals. As a matter of fact, the Commission did not know whether American citizens or Mexican nationals would be on the long end of this bargain. The Commission had no way of knowing until it had adjudicated these claims as to whether the balance would be in favor of this country or of Mexico. As a consequence, it is my considered judgment that that was not a contingency upon which that deal was made, and therefore there is not only a moral obligation but there is a legal obligation as well for the payment of this money at once without regard to what action the Mexican Government takes.

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

Mr. DIRKSEN. Let me finish and then I will get a little time to yield, if you please.

Secondly, our claimants surrendered every right. Let us take the Illinois Central case, for instance. A representative of the Mexican Government went to Chicago. They sat down with the officials of the Illinois Central and they worked out an arrangement whereby they were to pay to the Illinois Central Railroad the sum of $100,000 in cash as a down payment and then to pay $100,000 a year until the claim was liquidated.

Mr. BLOOM. And remember that was in 1925.

Mr. DIRKSEN. That is right. Now, the Illinois Central Railroad, not wishing to incur any displeasure or have any difficulty with the State Department, finally decided that they should send a representative, together with the bargaining agent of the Mexican Government, to Washington.

When they came down to Washington what happened? The State Department said to them that their claim had been surrendered to the Commission; that they had yielded every right to proceed individually or otherwise in order to collect this money, and that they would have to stand by any action that was taken by the Commission under this convention of the two countries. The Illinois Central would have been paid today—in fact, it would have been paid in full more than 10 years ago if it had been permitted to proceed as an independent bargaining agent.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Going back to 1925, or whenever this claim was adjudicated, let us take the $1,800,000, or whatever the claim is; $100,000 down and $100,000 per month for 17 months would have liquidated the claim.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. VORYS of Ohio. The gentleman has said that the railroad was forced to abandon its rights to proceed independently. It was given the alternative to go ahead without the aid of the Government or to continue under this plan. That is precisely the position of these 850 other claimants for $250,000,000.

Mr. BLOOM. Not after the treaty was signed.

Mr. DIRKSEN. Exactly; so we see the rather tenuous position that any collection of the money meant exactly nothing.

You cannot deny the fact that the Illinois Central claim would have been liquidated in its entirety today if the State Department had not insisted that they surrender every right to proceed. That is further borne out by the facts if you look at the total claim.

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

Mr. DIRKSEN. I yield.

Mr. SHANLEY. The gentleman says they would have gotten that money. Does not the gentleman think that there is no question but that they made their mind up that

they could not get it from the Mexican Government and allowed themselves to go into the general-claims basket?

Mr. DIRKSEN. I would say to my friend from Connecticut that I do not believe that was the reason at all. The fact of the matter is that under the terms of the convention if they had proceeded and the Federal Government of the United States had decided that they should not go ahead and collect their money by private means, it might probably be at the expense of other claims; therefore, they would have to go into the general jackpot. As a result they did not dare to offend their own Government, for one scratch of the pen on a single paragraph by the State Department could have jeopardized the entire claim. I am sure that no other claimant as a practical matter would or could have pursued a different course.

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

Mr. DIRKSEN. I yield.

Mr. PARSONS. Is it not a fact that the State Department notified the Illinois Central that unless they did bring this claim through the Commission that this Government would never be liable if Mexico defaulted in the affair.

Mr. DIRKSEN. Exactly. So they had no choice in the matter when it comes down to actual diplomatic practice.

Mr. BEAM and Mr. COX rose.

Mr. DIRKSEN. I yield to my colleague the gentleman from Illinois [Mr. BEAM].

Mr. BEAM. To offset what the gentleman said in his earlier remarks, I simply want to refer him to the usually creditable statements made by the gentleman from Missouri, our colleague Mr. SHORT, who the other day said there are awards against the Mexican Government now on account of the seizure of farm lands aggregating $200,000,000, lands which the Mexican Government seized, the value of which is due and owing to the United States. He also stated that there are general claims of American citizens not involving oil which long ago had been reduced to the form of a debt from the Mexican Government in the sum of $80,000,000, which still stands unpaid; also several hundreds of millions of dollars due for confiscated railroads in Mexico.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 5 additional minutes to the gentleman from Illinois.

Mr. DIRKSEN. Let me answer that observation, as it is somewhat similar to the observation made by the gentleman from Ohio [Mr. VORYS]. The reason the 850 claims on the part of our nationals and the 250 claims on the part of Mexican nationals have not been adjudicated is because the life of the Commission expired by law; and if there had been 10,000 claims the Commission still could not have adjudicated a single one more than they did. The other point is that these 850 claims are not foreclosed. It is a question now of a new convention so that a new commission will have jurisdiction to entertain those claims. And that, I would say to my good friends from Illinois, goes also for oil and agrarian claims. But they will not reach such enormous and astronomical amounts. The many adjudications that have been made by the Commission obligates us, so far as we are concerned, for an aggregate of $2,400,000. So when you take 850 claims there may be only a few million dollars more involved instead of $200,000,000, $400,000,000, $500,000,000, or these loose sums that are so easily bandied about but which in fact are meaningless and of very dubious accuracy.

Now, finally, let me ask this, and then I want to yield to my friend from Georgia. Something was said about the petroleum claims and about the expropriation of property in Mexico. The situation is altogether different. In the first place, the genesis of these claims is found in a condition which was of major importance to the whole country when we had a military patrol, and a costly one, on the Mexican border. Secondly, there were no receipts from trade with that country. Thirdly, there was a severance of diplomatic relations. These were matters of real concern and they were resolved by the convention under which the Claims Commission was created. The petroleum question is nothing more than the simple expropriation of private property. In view of the last message from the State Department of the Government of Mexico the thing is still in negotiation. So it cannot be said that Mexico has closed the door to further negotiations in regard to those claims.

I now yield to the gentleman from Georgia [Mr. COX].

Mr. COX. The gentleman understands that I have no interest whatever in the subject matter of the bill.

Mr. DIRKSEN. I would say that is entirely true.

Mr. COX. It is satisfactory to me whatever the Committee does about the bill. But if members of the Committee are willing to have their vote represent their well-considered judgment and appraisal it is rather important that they examine the bill for themselves on the testimony taken by the committee reporting it or else that they trust in the sound judgment of the committee being sufficient to support them in their support of the bill, because a mere surface consideration will drive them away from it whereas a close careful consideration, in my judgment, will convince them that it is a sound proposal and that the bill ought to pass.

Mr. DIRKSEN. And I would say to the gentleman from Georgia, therefore, that it is my considered conclusion that there is an obligation owing from the United States Government to our own nationals with respect to these claims. They should be paid immediately irrespective of whether we first or last recapture this money or collect it from the Mexican Government.

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

Mr. DIRKSEN. I yield.

Mr. LUTHER A. JOHNSON. With reference to the question of the Mexican Government not paying its claims, I would like to say that they are not claims which have been adjudicated and settled under a treaty. My understanding is that Mexico has never yet after she entered into a treaty refused or failed to carry it out.

In other words, they have never repudiated the payments when they agreed to pay them and when the bill is presented we have a right to presume, based on past history, that it will pay the claims.

Mr. DIRKSEN. Mr. Chairman, on November 7, 1929, the Undersecretary of State, Mr. J. P. Cotton, in addressing a letter to Senator SHEPPARD, had this to say:

> It will be noted from the foregoing that it is contemplated that each government shall settle with its own citizens in respect of awards made by the Commission.

That was said by an Undersecretary of State in November of 1929 and indicates that there was not in the minds of anybody the question of first getting this money before these obligations should be paid.

[Here the gavel fell.]

Mr. ANDERSON of Missouri. Mr. Chairman, I suggest the absence of a quorum.

The CHAIRMAN (Mr. RANKIN). The Chair will count. [After counting.] One hundred Members are present, a quorum.

Mr. FISH. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. MARTIN], and I ask unanimous consent that he may be permitted to speak out of order for the 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Chairman, on Thursday last, the President delivered a special message to Congress requesting the appropriation or authorization of a large additional sum for national defense. In view of the ever-increasing use of force as a principal element in international relations, and, further, in view of the especially critical situation in which the world now finds itself, the defense objectives of the President meet with national approval.

Our Military Establishment should be so strengthened that it will be adequate to perform its function of maintaining our traditional defensive military policy.

Vital necessity demands, however, that the Congress and the country know the present condition and future prospects of the finances of the United States Government; for without such knowledge we shall be groping our way along an uncertain road.

It is a well-known fact that, without considering the appropriations recommended on Thursday by the President, the statutory debt limit of $45,000,000,000 will be exceeded within a few months.

We are impelled to ask how the President proposes to pay for this new defense program? Shall we raise the debt limit? Shall we impose additional taxes? Shall we do both?

Neither alternative presents a pleasant prospect. Neither is free from elements of danger.

We have protested again and again against the extravagance of recent years. We have dreaded the very condition which confronts the Nation today.

But, faced as we are with a huge national debt, it is incumbent on the Congress, it seems to me, to recognize the situation.

Under these circumstances, I inquire of the majority leader how the administration intends to finance these new demands?

It strikes me that candor is greatly to be desired at this moment. We owe it to the people, so that they may understand and gird themselves against the strain that is to come.

The Republicans in the House of Representatives await with deep concern the action of the responsible Democratic majority. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. RAYBURN], and I ask unanimous consent that he may be permitted to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

Mr. RAYBURN. Mr. Chairman, the gentleman from Massachusetts [Mr. MARTIN] was kind enough to let me know that he was going to make a statement at this time. He has asked a question that is very easy to ask. I was expecting it to come from various sources on that side of the House, and I am glad that it came from such a distinguished source as the gentleman from Massachusetts [Mr. MARTIN], who asks, "Where are we going to get the money?" with apologies to the gentleman from Pennsylvania [Mr. RICH].

I believe that 99½ percent of the citizens of the United States of America, on account of world conditions, believing that the United States of America is not an aggressor in any part of the world, because we covet not a foot of ground over which any other flag flies, are genuinely aroused on account of things that are happening in various quarters of the world. To prepare to meet all conditions, I think they are willing to pay. [Applause.] If they are not, then I misinterpret not only the temper but the patriotism and the love of country of these people.

We must pay these bills. I may say to my distinguished friend that the executive departments of the Government and some parts of the legislative branch are giving serious consideration at this time to the recommendations to be made. When those recommendations are ready, they will be sent before the committees of Congress. When they are sifted, and when they are brought forth, and when they are considered fairly by the American people, I believe the American people will be perfectly willing to pay for this additional defense, whether it be by raising the debt limit or in some other way. Whether it be by way of raising additional taxes from certain things, I do not know, because it has not been determined which course will be pursued, or whether both may be followed. But we are willing to ask the American people to pay for their protection in a time like this. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, I take it from the majority leader that he realizes the deep concern which the American people must have with reference to the financial condition of the Government. He is groping with the problem. I would like to ask one question. Does he not believe that the sooner we let them know just what the tax program will be or any other program, the better off the country will be?

Mr. RAYBURN. Yes; that is always the case.

Mr. MARTIN of Massachusetts. Does he not think we should do that during this session of Congress?

Mr. RAYBURN. I think those matters are being given consideration. The gentleman may be more enlightened in a few days than I could enlighten him at the present time.

Mr. MARTIN of Massachusetts. I thank the gentleman.

Mr. BLOOM. Mr. Chairman, I yield 7 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, let us go back to the bill. I have no interest in this bill at all except as a Member of this body, but as a Member of this body I feel I owe a duty to the taxpayers of this country to oppose taking money out of the Treasury of the United States and giving it to a preferred class of persons not authorized by law, when there is neither a moral nor a legal obligation to pay them.

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

Mr. O'CONNOR. I yield to my good friend, the gentleman from Utah.

Mr. MURDOCK of Utah. Before the gentleman gets into his statement, may I ask this question. As I understand, these claims have already been assigned to the Government of the United States, and the assignor is now depending on the Government, and has been since the assignment, to make collection. Is that right?

Mr. O'CONNOR. If it is right, I believe I can answer the gentleman's question.

Mr. MURDOCK of Utah. If it is right, then the question arises in my mind, if the assignment has actually been made and the assignor or assignors are dependent upon this Government to make collection, are they not helpless to do anything for themselves?

Mr. O'CONNOR. I will answer the question in this way. I call the attention of the gentleman, before proceeding to answer his question, to the fact that $1,807,531.36 of this claim goes to the Illinois Central Railroad. The rest goes in dribs and drabs to various other claimants. There is no one in this House who would for a moment claim that this bill would ever be before the House if it were not for the Illinois Central Railroad Co.

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

Mr. O'CONNOR. I am sorry but I decline to yield.

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

Mr. O'CONNOR. I yield to the gentleman from Iowa.

Mr. GWYNNE. Does not the gentleman believe the facts in the Illinois Central case make a valid legal obligation on the part of the Government?

Mr. O'CONNOR. I do not, and I will explain why.

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

Mr. O'CONNOR. I cannot yield at this time. I will yield later if the gentleman will give me some time.

As I said a moment ago, it is the Illinois Central Railroad that, in my opinion, is pushing this bill in the House. In my opinion, it was the one that pushed the bill through the United States Senate.

Mr. Chairman, we have been called upon within the last week by the President of the United States to appropriate in the neighborhood of $900,000,000 additional for the defense of this country. Is there any denying the fact that this House is going to vote that sum? I do not believe there is a Member of this House that will vote against it, if he believes that the money is going to be used to defend this country. In addition, we have pending before this Congress a relief bill of approximately $1,000,000,000, with the United States Treasury in the condition the distinguished gentleman from Massachusetts [Mr. MARTIN] has just pointed out.

Mr. Chairman, do you want under these conditions now to reach into the United States Treasury and extract over $2,500,000 from the taxpayers of this country who have property the assessor can find? They are the ones who pay the taxes. They are the people who have the homes, the farms, the livestock, and the businessman with the goods on his shelves where the assessor can lay his hands upon them.

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

Mr. O'CONNOR. I am sorry, I do not have time to yield.

They are the people who are going to pay this bill. I want to ask in the name of God how anybody can look in the face of a home owner or a farm owner or a property owner and justify a vote for such a measure as this?

Let me call your attention to this fact: Article IX of the convention is the article upon which the gentleman bases the claim that there is a legal obligation on the part of the United States Government to respond to the Illinois Central Railroad Co.'s claim. Article IX reads as follows:

> The total amount awarded in all cases decided in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country, and the balance shall be paid at Washington or at the city of Mexico, in gold coin or its equivalent, to the Government of the country in favor of whose citizens the greater amount may have been awarded.

There is not a single word in this article that shows an express or implied promise on the part of the Government to pay Mexico's debt to the Illinois Central Railroad, or any other claimant. Neither does this language or the facts in the case create any equity in favor of the claimants as against the Government.

Mr. Chairman, juries are called on to determine and make awards as between individuals when they have controversies, but no one would ever go as far as to claim that because a jury made an award in damages it was required to pay the award. If so, no one would serve as a juror. Courts of equity have been called upon frequently to balance set-offs between claimants or litigants and usually the decree makes some such provision as this:

"John Jones has a claim against John Smith of $1,000 and John Smith has a claim against John Jones of $500. The difference between the two will be paid by the larger debtor to the other."

Courts of equity have the power to do this: To make such awards, but the courts do not pay.

The Commission appointed by the Government assumed no obligation on the part of the United States Government to pay when this Commission was appointed; neither did the Government assume such obligation. The Commission was appointed simply to make the awards, or, in other words, to adjudicate the respective rights of the claimants. Then, when the respective rights were adjudicated, and it was determined what the sums were, if there was a balance in favor of the United States citizen as against Mexico, under article IX that amount would be paid to the United States Government. And for what purpose? The United States Government would thereupon make allocations or payments to the respective claimants to whom the amounts are payable; but there is nothing in this article to even indicate, by the greatest stretch of the imagination, that the United States Government was to pay out anything to any claimant until it had received the money from Mexico, and if you will examine closely the letter of the Secretary of State you will see that is his construction.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman from Montana 3 additional minutes.

Mr. O'CONNOR. I am now going to further answer the question of the gentleman from Utah [Mr. MURDOCK]. Here is the situation. The Illinois Central had been for years trying to collect this claim from the Mexican Government without success.

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

Mr. O'CONNOR. I am sorry I have not the time to yield.

Mr. LUTHER A. JOHNSON. I will get the gentleman another minute.

Mr. O'CONNOR. I will yield later on when I have finished this statement, if I have the time.

As I said, Illinois Central had been trying to collect this claim and it could not do it. It had sold engines to the Mexican Government. It took its chance just the same as if you sold me a bill of goods and I did not pay for them. Would you want the United States Government to guarantee my debt to you? That is just what this bill does. If you pass this bill you are having the United States Government guarantee debts of foreign countries to our own American citizens. If you do that, what are you doing? You are going to establish a precedent that will throw open the doors for the introduction of bills into this House involving one-third of a billion dollars to compensate our citizens for holders of defaulted bonds of the South American republics. I have in my hand here a letter from an old gentleman at Livingston who had his life's savings as a machinist for the N. P. in a bank. He was advised to buy South American bonds and he did that. Now, what is the story? He writes to me, and I am not the first one. He wrote to Senator Walsh, the man whose memory you all revere, and Senator Walsh never had the temerity to go before the Congress and ask the taxpayers of the country to make good on that claim, and neither have I, but here are Bolivian bonds for which he paid $107 a share that are today worth 3 cents a share.

Pass this bill, if you please, establish the precedent that this Government has got to guarantee the debts of other governments to our private citizens, and you are going to establish a precedent to throw open the doors of the United States Treasury in all such cases. Do you wish to do that? Do the taxpayers of the country want you to do that? That is the question.

Moreover, in this connection what about all of the debts owed by all of the European nations to the citizens of this country? I imagine they would run into such staggering sums as to wreck the finances of the country. We must think about what we are doing.

I will further answer the gentleman from Utah by saying, in the first place, the Illinois Central had the option of keeping their claim or turning it over to the Government. It did not have to. It could not collect so it took this course. The Government tried to help it. It could have pursued its own course, but it was trying without success and had not been able to collect and, consequently, it turned its claim over to the Government.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. O'CONNOR. But if it did assign this claim for adjudication and collection to the United States, the gentleman is a good lawyer and the gentleman knows, and I know that he knows, that all in the world they have got to do is to ask the Government to reassign the claim which the Government would do and they can proceed to take their own way and time in recovering or collecting. They know they never could and cannot now recover, and hence this bill. We do not know what, if any, profit it made on the sale of these engines to the Mexican Government. It is not in the same position as my friend in Livingston who put up cash for these bonds. They sold some engines, perhaps, that they could not use on their own railroads to the Mexican Government and now they want you, the taxpayers of this country, to pay for them. Do you want to do this? That is the question. We are facing a serious question in this bill. Are we going to open the doors of the Treasury of the United States to every kind of claim of this nature because a powerful lobby has been established here in Washington to bring about the payment of this claim? Answer that question.

In brief the Illinois Central Railroad could not collect its claim. It either assigned or turned over to the United States Government its claim for adjudication and collection with no obligation on the part of the Government to pay the same. The Government was simply trying to assist this railroad as well as the other claimants. Now the Mex-

ican Government obviously did not pay to the Government of the United States the balance due the citizens of the United States—hence the Government had nothing with which to pay anything to the claimants. There is nothing to prevent the reassignment of these claims on the part of the Government to the various owners thereof and they may pursue their own course in the collection of the same. That is the case in a nutshell. There is neither legal nor moral obligation on the part of the United States Government to pay and there is no equity in favor of the claimants as against the Government. [Applause.]

Mr. KELLY. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN (Mr. RANKIN). The Chair will count. [After counting.] Eighty-six Members are present; not a quorum. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 119]

Allen, Pa.	Drewry	Kennedy, Md.	Rogers, Okla.
Ball	Durham	Kilday	Romjue
Barden, N. C.	Eaton	Kirwan	Routzohn
Barton, N. Y.	Edmiston	Kleberg	Ryan
Bates, Mass.	Evans	Knutson	Sabath
Beckworth	Faddis	Kramer	Sacks
Bender	Fitzpatrick	Kunkel	Schaefer, Ill.
Bolles	Flaherty	McAndrews	Secrest
Bradley, Pa.	Flannagan	McArdle	Seger
Brewster	Flannery	McDowell	Sheridan
Buckler, Minn.	Folger	McLean	Simpson
Buckley, N. Y.	Ford, Leland M.	Maas	Smith, Conn.
Burdick	Gifford	Magnuson	Smith, Ill.
Burgin	Gilchrist	Martin, Ill.	Smith, Wash.
Byron	Green	May	Smith, W. Va.
Carter	Gross	Merritt	Somers, N. Y.
Casey, Mass.	Hare	Mitchell	Starnes, Ala.
Celler	Hart	Mouton	Sullivan
Chapman	Harter, Ohio	Murdock, Ariz.	Sumners, Tex.
Clark	Hartley	Myers	Sweeney
Clason	Healey	Norton	Taylor
Cluett	Hess	O'Brien	Thomas, N. J.
Coffee, Nebr.	Jarman	O'Leary	Thorkelson
Coffee, Wash.	Jeffries	Osmers	Treadway
Cole, Md.	Jenkins, Ohio	O'Toole	Voorhis, Calif.
Cooley	Jenks, N. H.	Plumley	Wadsworth
Culkin	Johns	Rabaut	White, Idaho
Cummings	Johnson, Ind.	Ramspeck	White, Ohio
Darrow	Kean	Randolph	Wood
Dempsey	Kee	Reece, Tenn.	
Dondero	Keefe	Risk	
Douglas	Keller	Robsion, Ky.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RANKIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill S. 326, and, finding itself without a quorum, he had caused the roll to be called, when 305 Members responded to their names, a quorum, and he handed in the list of absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. HENNINGS].

Mr. HENNINGS. Mr. Chairman, nothing would give me greater pleasure than to be able to support this resolution, if for no other reason than because of the high esteem and affection in which all Members of this House, and particularly those on the committee who have had the privilege and pleasure of associating with him, have for our friend the gentleman from Texas, Judge LUTHER A. JOHNSON. His wise counsel and unerring good judgment, his high integrity and devotion to duty, have for many years contributed to making him one of the most valuable Members of this House. [Applause.] I am constrained, however, in this instance to differ with my friend in that I feel that here we are making but a partial approach to the entire broad subject of Mexico and her obligations to American citizens. The history of the various claims commissions first established in the year 1839 has been a very sad and tedious one. As far back as 100 years ago a board consisting of four members was appointed by the President of each country. The King of Prussia at that time was called upon to act as umpire in the event of a difference between the commissioners. At that time 72 cases were disposed of under this convention, 11 awards totaling $439,393 were made, and 57 cases were referred to the umpire. In all, 72 cases were disposed of; and the Mexican Government was unable to pay any award. As we pursue the tortuous course of the various conventions and commissions down through 1925—and a brief history of these conventions and claims commissions will be found at the end of my remarks so that the membership of the House may have an opportunity to read something about them—we find that it has been one of hopeless frustration, insofar as claims commissions and conventions are concerned; and, in all, since 1925 we have appropriated in the Congress the sum of $3,405,000 for the expenses of the general and special United States and Mexican Claims Commission.

It seems to me that in a fair consideration of this measure the House would like to know not only whether in the first place, as has been ably pointed out, this is a just and proper way to take care of the obligations which have been created through the assignment of this cause of action, so to speak, to the State Department by our claimants, or whether, likewise, there is to be established a precedent which is not only dangerous as a matter of national policy, which may have serious repercussions in the future because of the large number of claimants who now have allowed and adjudicated claims, and the large number which are bound to follow because of the substantial amount of our investment in the Republic of Mexico.

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

Mr. FISH. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. HENNINGS. Mr. Chairman, to attainment of a world order under law and justice, for which our Secretary of State has frequently called during this administration, the United States can contribute by precept and example in insisting upon a rigid adherence to the principles of international law, at least by the nations on this continent.

To find legal and peaceful solutions for the accumulated mass of difficulties that have beset relations between Mexico and the United States for more than 25 years is the purpose of a resolution which I recently introduced, after studying the many abortive attempts on the part of our Government to compose by negotiation our differences with Mexico.

To postpone a complete examination of Mexico's treatment of our nationals is to give tacit consent to further expropriations and invite an explosive situation fraught with serious consequences to the harmony and solidarity of the nations on this hemisphere.

In brief, Mexico embarked on a communistic and revolutionary course, at the instigation of foreign influences, around 1905–10. In its essence the program involved the seizure of foreign property and the expulsion of American citizens who were contributing to the development and recovery of Mexico after centuries of domination under the Spaniards.

With accentuating boldness and increasing disregard for the rights of our citizens under international law, Mexico finally incurred the displeasure of the United States in 1914–15, and lost for several years the recognition of our Government and suffered the invasion of its territory by our naval and military forces.

In 1923, after a series of conferences, and upon Mexico's acceptance of certain conditions looking toward the proper treatment of our citizens in the future, recognition was again accorded the Government of Mexico and treaties were entered into in the expectation that arbitration would prove to be a practical means of solving difficulties that arose between the two countries.

But within 3 years Mexico repudiated the promises and agreements upon which recognition had been granted; and in 1937 the General Claims Commission, which was created in 1923 to arbitrate claims, expired, having failed completely to accomplish its purposes.

The collapse of the claims convention and Mexico's continuing seizure of American-owned property in disregard of her own implied promises and of our friendly warnings and protests, is a severe test of the good-neighbor policy.

The United States has been long-suffering and kind to Mexico over many years. Oftentimes we have strained many legal and diplomatic points, and even sacrificed the rights of our citizens, to demonstrate beyond cavil that we were sympathetic to Mexico's aims and would go far to help her realize them. It is our sincere desire to prove our friendship and to preserve the peace of Mexico we have sometimes suffered severe criticism for intervening with material aid and comfort to support de facto governments in power, always in the hope that our good will might be reciprocated in behalf of our citizens in that country.

But despite our diplomatic patience and our reliance upon friendly arbitrations as a means of settling incidental disputes, Mexico persists in imposing on our good nature by acts of aggravation that are not to be tolerated if international law is to be upheld.

The time has now come to examine Mexico's conduct in the light of the law of nations and to seek the remedies it affords in order to discourage and prevent the spread of communistic doctrines from Mexico to other countries on this hemisphere.

I believe the membership may be interested in a brief summary of the historical background of Mexican claims since the beginning of our course of negotiation with the republic to the south of us.

THE CLAIMS CONVENTION OF 1839

A board of four members, two to be named by the President of each country; commissioners to decide within 18 months on justice of claims by United States citizens against Mexico, and amount of compensation; King of Prussia to act as umpire in the event of differences between commissioners.

Seventy-two cases disposed of under this convention; 11 awards totaling $439,393 made, and 4 cases rejected; 57 cases referred to umpire who rejected 4 and awarded $1,586,745 in 53 cases.

The period of 18 months was found too short, and many claims not disposed of; Mexican Government unable to pay any award.

Followed the claims convention of 1843.

This convention was signed in January of 1843, postponing the payment of the 1839 awards, and arranging for another convention to take up the balance of the outstanding claims.

The United States Government objected to allowing submission of claims by one government against the other since this would allow bringing up the subject of Mexican claims for American support of the Texas revolt; a claims convention concluded on November 20, 1843 was ratified by the United States with a reservation that struck out the provision regarding the submission of governmental claims; in view of this the Mexican Government refused to ratify the claims convention.

The Texas question next arose.

United States annexed Texas in 1845, and during that and the following year attempted to secure a release of Mexico's claim to Texas in return for the assumption by the United States of American claims against Mexico; cash payment for California also proposed; Mexico refused everything suggested.

The treaty of Gaudalupe Hidalgo is of interest.

War broke out between Mexico and the United States and the treaty of peace signed in 1848 provided for the assumption by the United States of the liquidated claims under the convention of 1839, and for the satisfaction by the United States of all other claims against Mexico arising prior to the signature of the treaty of peace not exceeding $3,250,000; the United States set up Board of Commissioners to pass upon unliquidated claims by the act of March 3, 1849, and the three Commissioners appointed by the President awarded $3,208,314 in 198 cases and rejected 70 claims.

GADSDEN TREATY OF 1854 TO THE M'LANE-OCAMPO TREATY OF 1859

The American Minister Gadsden concluded a treaty with Mexico calling for the cession of certain territory by Mexico and the payment by the United States of $15,000,000 in consideration of the cession and the release of the United States from certain obligations of the Treaty of Guadalupe Hidalgo, and of $5,000,000 in consideration of the assumption by the United States of private claims; Senate struck out provision relating to private claims.

Claims continued to pile up and President Buchanan in his annual message in 1858 estimated the total to be over $10,000,000.

The McLane-Ocampo Treaty was concluded with Mexico in 1859 under which the United States in return for certain economic and commercial concessions agreed to pay Mexico $4,000,000, half of which was to be retained in satisfaction of American claims; Senate refused to ratify this treaty.

CLAIMS CONVENTION OF 1868

This convention signed on July 4, 1868, provided that all claims of the citizens of either country arising since the signing of the Treaty of Guadalupe Hidalgo were to be submitted to two commissioners, one to be appointed by each government, these two to name a third person as umpire to decide in cases of differences; United States filed 1,017 claims totaling $470,126,613; Commission awarded United States $4,125,622 in 186 cases and rejected 831 claims; Mexico filed 908 claims totaling $86,661,891; Commission awarded Mexico $150,498 in 167 cases and rejected rest.

The first installment on the awards fell due January 31, 1877, and was promptly paid by the Government of Diaz which had come into power shortly before. However, new claims had accumulated as a result of the unsuccessful revolutions of 1871 and 1872; as a condition to the recognition of the Diaz Government the United States urged another claims convention to settle these new claims; this delayed recognition of the Diaz Government, but eventually the government was recognized without the convention.

THE DIAZ REGIME

This represented 35 years of tranquillity; claims presented were disposed of through diplomatic channels or not at all; no further claims convention attempted until end of Diaz regime by Madero revolt of 1910.

SIGNATURE AND RATIFICATION OF THE UNITED STATES-MEXICAN CLAIMS CONVENTIONS

The General Claims Convention was signed at Washington September 8, 1923, ratified by the President of the United States February 4, 1924, and by Mexico February 16, 1924; the Special Claims Convention was signed at Mexico City September 10, 1923, ratified by the President of the United States February 4, 1924, and by Mexico February 16, 1924.

JURISDICTION OF UNITED STATES-MEXICAN GENERAL CLAIMS COMMISSION

This Commission had jurisdiction over all claims—except those arising from acts incident to the revolutions—by citizens of either country against the other, including claims by American or Mexican citizens who had interests in corporations of a different nationality which had suffered damage.

JURISDICTION OF UNITED STATES-MEXICAN SPECIAL CLAIMS COMMISSION

This was limited to claims for losses or damages caused during the period included between November 20, 1910, and May 31, 1920, by an act of one or any of the following:

First. By force of a government de jure or de facto.

Second. By revolutionary forces as a result of the triumph of whose cause governments de facto or de jure have been established, or by revolutionary forces opposed to them.

Third. By forces arising from the disjunction of the forces mentioned in the next preceding paragraph up to the time when the government de jure established itself as a result of a particular revolution.

Fourth. By Federal forces that were disbanded, and

Fifth. By mutinies or mobs, or insurrectionary forces other than those referred to under subdivisions 2, 3, and 4, or by bandits, provided in any case it be established that the appropriate authorities omitted to take reasonable measures to suppress insurrectionists, mobs, or bandits, or treated them with lenity or were in fault in other particulars.

THE NATIONAL CLAIMS COMMISSION LEGISLATION OF 1917

The Carranza government enacted a decree setting up a national claims commission on November 24, 1917; United States objected to certain features, and the chief concern

of the United States at that time was with claims arising out of the Mexican legislation relating to mineral resources and agrarian reform under the constitution of 1917 rather than with claims for injuries by acts of officials and soldiers.

THE CIRCULAR TELEGRAMS OF 1921

The Carranza government was overthrown in 1920 after a revolt led by General Obregon; anxious to obtain recognition, the new government evinced a willingness to settle all claims; on July 12, 1921, the Mexican Government sent circular telegrams to the governments of all countries whose nationals might have claims against Mexico, inviting them to participate in the formation of mixed claims commissions to pass on claims incident to the revolutionary disturbances; thus for the first time, the Mexican Government had extended an invitation to conclude conventions submitting claims to international adjudication.

THE UNITED STATES-MEXICAN NEGOTIATIONS OF 1921: THE PANI-SUMMERLIN CONVERSATIONS

In May 1921 conversations were begun between Pani, the Mexican Secretary for Foreign Relations, and the American Chargé d'Affaires Summerlin in regard to the recognition of the Mexican Government by the United States; Summerlin desired the conclusion of a commercial treaty, containing clauses relative to the safeguarding of American interests in Mexico acquired prior to the adoption of the constitution of 1917 as a condition of recognition; Mexico refused to accede to this.

THE "BUCARELI" CONFERENCE OF 1923 AND THE DRAFTING OF THE CLAIMS CONVENTIONS

A United States-Mexican Commission to discuss outstanding questions between the two countries was then appointed and met in Mexico City between May 4 and August 15, 1923; the formal meetings were taken up with discussions of petroleum and agrarian matters, but during the recesses claims conventions were drawn up.

At the final meeting of the Commission it was announced that the texts of the general and special claims conventions which were incorporated in the minutes were approved by the respective governments; on August 31, 1923, the United States and Mexico announced the resumption of diplomatic relations.

THE MEXICAN REVOLUTIONS

A revolution aimed at the government of Diaz occurred in 1910; Madero, who assumed the presidency in 1911, was overthrown by Huerta in 1913; Huerta was faced by revolts led by Carranza, Villa, and Zapata; Carranza gained power in 1914 but was overthrown by Obregon in 1920; during this period the United States occupied Veracruz and sent an expeditionary force into Mexico in pursuit of Villa.

THE CONSULTIVE CLAIMS COMMISSION OF 1911

The Madero government, responding to foreign pressure, set up a consultive claims commission in June 1911; the commission considered various claims and handed down various awards; only one being paid, and that under great pressure by the German Government. The United States Congress, by joint resolution on August 9, 1912, authorized the Secretary of War to appoint a commission to investigate the claims of American citizens.

THE CARRANZA DECREE OF 1913—CARRANZA PROMISES

General Carranza, then chief of the constitutionalist army operating against Huerta, issued a decree on May 10, 1913, providing for the future creation of a Mexican national claims commission and also of a mixed commission.

When his government was established, Carranza made great efforts to secure recognition; he publicly declared on June 11, 1915, that his government would allow to foreigners residing in Mexico "indemnities for the damage which the revolution may have caused them, insofar as such indemnities may be just, and which are to be determined by a procedure to be established later."

De facto recognition was accorded to the Carranza government by the United States on October 19, 1915, following his declaration that he would "recognize and satisfy indemnities for damages caused by the revolution which shall be settled in due time in terms of justice."

THE AMERICAN-MEXICAN COMMISSION OF 1916–17

From September 1916 to January 1917 a joint American-Mexican commission discussed outstanding difficulties between the two countries, the American commissioners proposing the establishment of a mixed claims commission. Because of the failure to agree on the immediate withdrawal of American troops which had entered Mexico in search of Villa, the conferences broke up.

Appropriations by Congress for the expenses of the General and Special United States-Mexican Claims Commission and of the agency of the United States

Fiscal year:	
1925 (43 Stat. 691)	$171,930
1926 (43 Stat. 1340)	275,000
1926 (44 Stat. 865) (deficiency)	10,800
1927 (44 Stat. 340)	350,000
1928 (44 Stat. 1190)	350,000
1929 (45 Stat. 74)	350,000
1930 (45 Stat. 1105)	350,000
1931 (46 Stat. 184)	350,000
1932 (46 Stat. 1319)	367,000
1935	170,000
1936	319,120
1937	214,270
1938	126,900
Total	3,405,020

AMERICAN INVESTMENTS IN MEXICO

In 1912, Marion Letcher, United States consul at Chihuahua placed the total investment of Americans at $1,057,770,000, and the British investment at $321,301,800. As Mexico's total wealth at that time was $2,434,241,422, American investors apparently owned half of it. This investment according to a subsequent estimate by the Bureau of Foreign and Domestic Commerce in 1924, was divided approximately as follows:

Oil lands and refineries	$478,000,000
Mines and smelters	300,000,000
Agricultural and timber lands	200,000,000
Railroads	160,000,000
Manufacturing	60,000,000
Wholesale and retail stores	50,000,000
Governmental bonds (not including State and municipal bonds)	$22,000,000
Banks, telephones, and telegraphs, light and power companies, tramways	10,000,000

In 1931 the Bureau of Foreign and Domestic Commerce estimated the total of American direct investments in Mexico at $672,500,000. This estimate took into account the depreciation of the value of petroleum properties, the destruction of property in the revolutionary disturbances, and the expropriation of agrarian lands—American Direct Investments in Foreign Countries, Trade Information Bulletin No. 731. A subsequent estimate made in the same year placed the total at $694,576,000—Trade Information Bulletin No. 767.

The estimate of investments as of December 31, 1933, was $635,000,000—T. I. Bulletin No. 819, 1934—while the December 31, 1936, estimate was $479,000,000. This latter figure was divided as follows:

33 manufacturing	$8,000,000
41 distribution	10,000,000
17 agriculture	17,000,000
50 mining and smelting	213,000,000
33 petroleum	69,000,000
24 public utility and transportation	147,000,000
17 miscellaneous	13,000,000

In view of the foregoing, which constitutes but a partial résumé of this exceedingly important field, I submit that before the Congress appropriates for any particular claimant or group of claimants, a congressional inquiry, such as provided for in House Resolution 454, is manifestly a proper approach to an old and vexing problem.

We have some $485,000,000 worth of American property in Mexico by late appraisal. It seems to me that whether this particular measure is meritorious or not, and there seems to be grave doubt as to its status as a precedent, in view of the larger problem, that we should face the entire issue of our

relations with Mexico and her "por la mañana" policy pursued throughout the long course of negotiations by our State Department. The failure of Mexico to realize her responsibility as a nation and as a people is of deep concern to the 21 other American republics and endangers the carrying out of the good-neighbor policy so indispensable to peace and harmony in the Western Hemisphere. [Applause.]

On April 3 last I introduced House Resolution 454, which I commend to the attention of the committee today. The resolution is as follows:

Whereas it is the fixed policy of the Government of the United States to seek a world order under law and justice and to enforce respect for the principles of international law as a guide to just and peaceful relations between nations; and

Whereas it is public knowledge that citizens of the United States have made charges of violation of international law against the Government of the United Mexican States, in that it has deprived them of valuable rights and property without just compensation; and

Whereas it is in the public interest and in the interest of international comity that charges against the Government of the United Mexican States of violation of international law be verified or disproved, and, if found to be true, that the Congress may take any and all means available under the Constitution to the end that commensurate justice be obtained: Therefore be it

Resolved, That there is hereby created a select committee to be composed of five Members of the House to be appointed by the Speaker, one of whom he shall designate as chairman, and not more than three of whom shall be members of the same political party. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to investigate the activities and policies of the Government of the United Mexican States insofar as such activities and policies relate to, and affect the rights of, citizens of the United States, with a view to determining whether, in fact, the Government of the United Mexican States has been or is now, through violation of the principles of international law, denying justice to citizens of the United States.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation, together with such recommendations as it deems desirable.

For the purpose of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas shall be issued under the signature of the chairman of the committee or any member designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. IZAC], a most distinguished member of the Committee on Foreign Affairs.

Mr. IZAC. Mr. Chairman, after the convention of 1868 became inoperative very few of the claims of American citizens against the Mexican Government were settled. It remained for us in 1923 to set up this new convention. Now, in the long history of Mexican-American relations there have been only a small number of the great total of cattle, land, mine, and other claims that were settled direct by the Mexican Government without being brought before some tribunal.

It is easy enough for us to say, "Well, there has been no precedent established in the past." If it had not been that we had about a half billion dollars of German funds in this country, perhaps we would not have had a similar precedent or a precedent of any kind; but we have been paying out as the result of a convention set up between Germany and this country untold millions of dollars to our citizens in payment of their just claims against the German Government. With that as a yardstick, we entered into a similar convention, this time with Mexico.

We tried to adjudicate claims arising since 1868, covering everything imaginable. We have gotten pretty far along. It is true that toward the end of the negotiations the Mexican Commissioner got tired seeing the claims of his nationals in the minority over the American nationals, so he declined to continue. When that happened they had adjudicated about 80 claims, totaling nearly a half million dollars, in favor of Mexican citizens, whereas in favor of American citizens they had adjudicated 124 claims, amounting to about $3,000,000. So, of course, the advantage was in our favor.

It is perhaps pertinent at this point to tell you the amount due some of these claimants.

Twenty-eight of the claims range from $50 to $1,000. They take in those little claims like we have on the Tiajuana, the Rio Grande, and the Colorado Rivers. Some of our people went across the border and plowed up a little land and the Mexicans came along and stole their property and in some cases killed the American owner. Some of these are personal-damage claims. There are 74 claims that amount to between $1,000 and $10,000; 22 are in excess of $10,000. Only 1, of course, is of great magnitude, and that happens to be the Illinois Central Railroad, for some 80 or 100 engines that they sold the Mexican National Railways. I presume their claim is just, as is the little $50 claim, but I hold no brief for them. It just happens that was one of the cases adjudicated. Again I hold no brief for our Commissioner. I do not know who he was. I would not know him if I met him, nor the Mexican Commissioner, but those two had to agree on every one of these cases in order to get a settlement, and they agreed on the 124 I have mentioned.

Of course we are hopeful that it would not be necessary for us to resort to force, as seems to be the European way of enforcing one's demands on his neighbors. My colleague the gentleman from Missouri [Mr. HENNINGS] would like to have a reexamination of our situation on the border. So would I, because I have perhaps more nationals interested in that than any other Congressman. It is likely, moreover, that some of the Texas Congressmen are vitally interested, because their nationals have been in trouble at various times with the Mexican Government. But I want to assure you that there is no other peaceful way that we can go about getting the claims of an American citizen paid.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. IZAC. Other methods have been tried since 1868 and practically every national of ours who has tried to get his claim adjudicated or even presented to the Mexican Government has come away with empty hands. It is in defense of our own interests that we entered into this convention with the Mexican Government. I believe it was the correct way to proceed. It is true, we could have gone down and lopped off lower California, perhaps, or Sonora, or some little section of land and held it against the money that our nationals said they were entitled to as just claims, but that is not the American way. If we want to live up to the good-neighbor policy, we have to take this form of settlement.

We have entered into an agreement in good faith. I believe it is up to the American Government to implement the convention in this way. If the Mexican Government will order its Commissioner to continue, there is no reason why the balance of these claims should not be settled. As a matter of fact, there are some 850 yet to be adjudicated, and if they are not there is still no reason why those whose claims have been settled and to whom money is due should not be paid. I believe the only just thing for us to do in the situation is to pass this bill. If it works out all right, then let us go ahead with Mexico and take up the other 850 claims that are still awaiting adjudication. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. BLOOM. I would like to ask the gentleman from New York if he is going to reserve 15 minutes of his time? It was the intention to have the Committee rise at that time. If it is the intention of the gentleman to continue on, I would like to know about it.

Mr. FISH. We are going to consume all the time we are permitted to consume.

Mr. BLOOM. Is the gentleman going to continue until he uses his full hour?

Mr. FISH. Certainly.

Mr. BLOOM. That was not my understanding.

Mr. FISH. With whom did the gentleman have an understanding?

Mr. BLOOM. I thought someone had an understanding with the gentleman from New York.

Mr. FISH. Nobody has even mentioned it to me.

Mr. BLOOM. Very well.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. RICH] is recognized for 5 minutes.

Mr. RICH. Mr. Chairman, we have heard much about the good-neighbor policy. It seems to me if there were to be good neighborliness in this particular instance where we have tried to adjudicate the differences between Mexico and the people of America that Mexico should come across and pay Uncle Sam the amount of these claims so that we in turn could pay it over to the claimants. We have formed a great habit in the last few years of playing the good neighbor, and especially with those countries which owe us a great deal of money, but we have been unable to get them to recognize their claims. The claims involved in the present bill give us an instance. Have we the legal right, have we the moral right, to pay these claims and then tax the people back in our own districts to get the money with which to pay them? I wonder how that would appeal to the majority of the constituents back in our districts, particularly in the districts of those Members who advocate that the Federal Government pay these bills?

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

Mr. RICH. I yield for a question.

Mr. TABER. Are we going to pay Great Britain's debt and Germany's debt, too?

Mr. RICH. As far as I am concerned I am not going to. I want no part in paying those debts. I want to protect my constituents. That is what they sent me down here for, and I am going to do it. You can take my word of honor on that.

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

Mr. RICH. I yield.

Mr. HALLECK. Does the gentleman understand that upward of $400,000 has been awarded to Mexican citizens in payment of claims against this country and that our own Government has not paid those claims?

Mr. RICH. All I can say to that is that if we, as a government, owe that money to Mexico we should get busy and pay it.

Mr. HALLECK. The reason those claims have not been paid is because our Government expects to set off the claims of our citizens against the Government of Mexico.

Mr. RICH. Mexico is making money off the people of this country. She is getting more American tourists than ever went to that country before. Mexico should use part of the money she is getting to pay the claims of our people against the Mexican Government.

This bill does not meet the views of the President, and here is once where I agree with the President. I am for him when he is right and will stick by him when he is right, but I must oppose him when he is wrong.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield, but if I continue yielding I shall not have much time left for myself.

Mr. ALLEN of Illinois. The gentleman is the proprietor of a woolen mill and has made many contracts. If the Government were to come in and say to the gentleman that he could not seek a settlement of those accounts by direct negotiation but would have to accept a settlement of them through Washington, would he like it? Would he not feel that the Government by its action have become liable to him?

Mr. RICH. I have never come to the Government in my life for a single thing. I would rather carry my business on in the good old-fashioned American way where a man's word is considered good and his contract valid, and take my chances of collecting what was due me without going to the Government and asking them to do it. I thank God that we never have done that, and I hope to goodness we never shall. We believe in honest, upright, American business.

Mr. Chairman, I cannot yield further or I will find that my time has run out before I could say what I wanted to.

Before this Congress shall have adjourned, by the time you get through with the President's wants in preparation for war and before you get through with the relief bill that is pending, you will have appropriated over $11,000,000,000. Do not forget that next year your income will be only $5,500,000,000, according to the President's own estimate. You are going to be $5,500,000,000 in the red for the fiscal year 1941.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 1 additional minute to the gentleman from Pennsylvania.

Mr. RICH. I hold in my hand the Treasury statement of the 15th of the month. Where formerly 2 pages sufficed to print this statement it now takes 10. You are going in the red so fast you do not know what is happening. Yet in spite of this you would have the Federal Government pay a debt owed by the Government of Mexico to certain American citizens.

You are treading on dangerous ground. Eventually one of three things will happen: You will have to cut down your expenses, you will have to increase your taxes, or you will go broke. What are you going to do? Your vote on this bill will be a partial answer. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from New York [Mr. FISH] has 15 minutes remaining. The gentleman from New York [Mr. BLOOM] has 16 minutes remaining.

Mr. FISH. Mr. Chairman, may I inquire of the gentleman from New York [Mr. BLOOM] whether it would be agreeable to save 15 minutes a side so we can explain the bill when we take it up again?

Mr. BLOOM. Mr. Chairman, I may say to the gentleman from New York that that is exactly what I proposed a few minutes ago. I am very glad he has come around to that way of thinking. I agree to that.

Mr. FISH. I accept it.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RANKIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill S. 326, the Mexican-claims bill, had come to no resolution thereon.

NAVAL DEPARTMENT APPROPRIATION BILL, 1941

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 47.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the action of the two Houses, respectively, with reference to the appointment of conferees on the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, be, and it is hereby, rescinded; and that the bill, with the accompanying papers, be returned to the Senate.

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

Mr. WOODRUM of Virginia. Mr. Speaker, reserving the right to object, I understand the situation with reference to the naval bill is this: The regular naval appropriation bill has passed the Senate and is now on the Speaker's table. The defense estimates affecting the Navy are pending in both the Senate and House Appropriations Subcommittees. The House at the moment has unfinished business in the form of the relief bill which will take a day or two to finish. It seems advisable for the Senate to proceed with consideration of the naval defense items, after which time the bill may come back to the House with whatever amendments the Senate wishes to add.

In view of conversations which have been held between the minority and the majority the understanding is if this concurrent resolution is agreed to and the naval bill goes back to the Senate, after the Senate has acted upon the bill, as well as the War Department bill which also contains amendments with respect to the defense program, those two bills, when they come to the House with Senate amendments, will be held on the Speaker's table until the House Appropriations Committee may be given a reasonable opportunity to have such supplemental and additional hearings on the items as it may determine are appropriate?

Mr. RAYBURN. That is my understanding of the arrangement. I also understand that the Speaker has agreed that that shall be done.

Mr. WOODRUM of Virginia. In that way the rights of the House to have hearings on the appropriation items will be fully protected before the House is called upon to give consideration to them?

Mr. RAYBURN. Yes.

Mr. TABER. Mr. Speaker, reserving the right to object, that means the Members of the House will have the opportunity of knowing just what they are voting for so far as national defense is concerned when that matter comes up?

Mr. RAYBURN. Yes.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, can the leadership give us any assurance that there will be an opportunity for discussion of the conference report when it comes up for consideration? The conferees may agree and bring in practically all of the suggested items in a conference report and the report is then voted up or down.

Mr. RAYBURN. There is always an hour on that. The Appropriations Committee will hold hearings. Then the members of that committee will come to the House with some kind of a report proposing amendments to the Senate amendments or otherwise. Upon an occasion like that there will be opportunity for reasonable debate. As far as committing the House on the proposition of granting more than the regular time on a conference report, that is a matter I do not think I should be called upon to commit the House on at this time.

Mr. CASE of South Dakota. My thought is that the conferees may come to an agreement on a great many of the large items, then the members of the Subcommittee on Appropriations will be under pressure from other members and then we will only have an hour to consider the conference report and they may have added a half-billion dollars.

Mr. RAYBURN. Let me repeat, those matters will all be thoroughly discussed in the House after hearings before the Appropriations Committee.

Mr. TABER. Mr. Speaker, after the bill comes from the Senate, if there are items that the Appropriations Committee of the House feels should be materially changed from the way they were proposed by the Senate, amendments may be offered on the floor to the bill, when it is taken up and before it is sent to conference. In that event there will be an hour's debate under the rules on each amendment. Is that correct?

Mr. RAYBURN. It would depend on how the matter comes up. If it came up under a rule, of course, the rule would control, but if it came up under the general rules of the House, yes.

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

There was no objection.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL DEFENSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House at this time for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KENNEDY]?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, on last Thursday the President of the United States appeared in this Chamber and addressed the House and Senate in joint meeting. At that time, the President pointed out many important considerations in connection with our national defense. I believe every Member of this House has taken to heart the words of the President.

As a consequence of the address of the President, I have prepared the following resolution which I am introducing at this time. I will read it to you because I think it is timely and important:

Joint resolution creating a National Defense Authority to investigate and report to the President on the national-defense requirements of the United States

Resolved, etc., That (a) there is hereby created a National Defense Authority, which shall consist of 25 members who shall be appointed by the President. In making appointments to the Authority, the President shall take into consideration and give equal weight to the following factors: (1) Industrial achievements, (2) scientific achievements, (3) legislative experience combined with prior service in the armed forces of the United States and knowledge of national-defense requirements, (4) political affiliation, (5) place of residence in the United States, (6) technical knowledge of national-defense requirements in relation to the functions of the United States Army, (7) technical knowledge of national-defense requirements in relation to the functions of the United States Army Air Corps, and (8) technical knowledge of national-defense requirements as related to functions of the United States Navy.

(b) It shall be the duty of the Authority to make an immediate investigation into the national-defense requirements of the United States, and into the methods by which such requirements may be met in the shortest possible time, and to report to the President the results of its investigation.

(c) The Authority shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, without regard to the civil-service laws or the Classification Act of 1923, as amended. The Authority is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government.

SEC. 2. For the purposes of this joint resolution the Authority shall be entitled to exercise the same powers and rights as are conferred upon the Securities and Exchange Commission by section 18 (c) of the act of August 26, 1935 (49 Stat. 831); and the provisions of sections 18 (d) and 18 (e) of such act shall be applicable to all persons summoned by subpena or otherwise to attend and testify or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records and documents before the Authority.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

During his address the President said:

Let us examine without self-deception the dangers which confront us. Let us measure our strength and our defense without self-delusion.

The clear fact is that the American people must recast their thinking about national protection. * * *

Loose talking and thinking on the part of some may give the false impression that our own Army and Navy are not first-rate or that money has been wasted on them.

At this time I am asking for an immediate appropriation by the Congress of a large sum of money for four primary purposes. * * *

I ask for an immediate appropriation of $896,000,000—and may I say I hope there will be speed in giving the appropriation. [Applause.]

In addition to the above sum, I ask for authorizations for the Army, Navy, and Marine Corps to make contract obligations in the further sum of $186,000,000. * * *

Our task is plain. The road we must take is clearly indicated. Our defenses must be invulnerable, our security absolute. But our defense as it was yesterday, or even as it is today, does not provide security against potential developments and dangers of the future. * * *

Our security is not a matter of weapons alone. The arm that wields them must be strong, the eye that guides them clear, the will that directs them indomitable.

It is my intention that the personnel of this committee shall be made up of men and women representing every section of the country, every shade of political opinion, as well as representatives of the various professions. In my opinion, a committee of this sort would have the complete confidence of the Nation and would supply the knowledge and experience so necessary to sober the pressing questions of the hour. I trust, Mr. Speaker, that the appropriate committee to which my resolution is referred will give it immediate attention and report the resolution forthwith. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Wednesday of this week, after the disposition of the business on the Speaker's table, and following the com-

pletion of the legislative program for the day and any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the RECORD by inserting a speech by Judge Panken of New York on the European situation.

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

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to include in my remarks of today certain data and tables relating to the historical background of Mexican claims.

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

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief item from this morning's Post.

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

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an anticipation of industrial mobilization by President George Washington.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

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

There was no objection.

NATIONAL DEFENSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein the radio address delivered by Colonel Lindbergh last night.

The SPEAKER. Permission has already been granted to one Member to insert that address in the RECORD.

Mrs. ROGERS of Massachusetts. The only reason that I should like to have it included in my remarks is that I believe it fits in with the few remarks I intend to make.

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, to have the same speech inserted in the RECORD twice on the same day I believe is going just a little too far. I trust the gentlewoman from Massachusetts will not force me to object.

Mrs. ROGERS of Massachusetts. Mr. Speaker, may I modify my request so as to include in my remarks five short paragraphs from that address regarding the defense of the Western Hemisphere?

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Colonel Lindbergh in his address last night said, in part:

This brings us to an issue which must sooner or later be faced. An adequate air defense of the Western Hemisphere necessitates the cooperation of the other nations of this hemisphere. Our military aircraft must have access to their bases. Their foreign policy must have some relationship to ours. We cannot hold this hemisphere free from foreign war if nations which lie within it declare war on foreign powers.

Colonel Lindbergh spoke the exact truth. He also said:

We must not waver now that the crisis is at hand. There is no longer time for us to enter this war successfully. The result of vacillating policies lies clearly before us in the chaos in Europe today.

We need a greater air force, a greater army, and a greater navy; they have been inadequate for many years. Let us form with our neighboring nations a clear-cut and definite policy of American defense.

If we are to defend the United States alone, then we must construct numerous air bases along the Mexican and Canadian borders. Such a plan would require large numbers of small bombers and pursuit planes, and eventually it would leave us as vulnerable to air attack as the nations of Europe are today.

POLICY MUST BE FIXED

On the other hand, if we are to defend the entire Western Hemisphere, we need long-range bombers capable of attacking a hostile fleet a thousand miles or more at sea. But there is little use discussing types and numbers until a defense policy is established.

From the standpoint of defense, we still have two great oceans between us and the warring armies of Europe and Asia. In fact, there is hardly a natural element contributing to air strength and impregnability that we do not now possess. Aviation is for us an asset. It adds to our national safety. With a firm and clear-cut policy we can build an air defense for America that will stand above these shifting sands of war.

But until we have decided upon a definite policy of defense the mere construction of large numbers of aircraft will not be adequate for our national safety. In fact, without a strong policy of defense, we will not even know what types of planes to build. The speed and range of our fighting planes must depend upon the bases available for their use.

Mr. Speaker, I believe every Member of Congress agrees with Colonel Lindbergh in that we should form with the nations in the Western Hemisphere a clear-cut policy regarding the defense of the Western Hemisphere. We should form that policy immediately. I for one have always been an exponent of an adequate and complete national defense. I believe Members of Congress owe it to their constituencies to see that our national defense proceeds as fast as possible. We have a great and grave responsibility to perform. I, for one, am willing to do everything in my power to that end. I hope we shall be in continuous session in order that we may leave no stone unturned to see to it that our defense is adequate. I should like two navies, one for the Pacific and one for the Atlantic, and an air force that is second to none. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today, together with the colloquy I had.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Mr. John T. Flynn.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SHANNON, for 5 days, on account of the death of a friend, Andrew E. Gallegher.

To Mr. JOHNSON of Indiana (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of important business.

To Mr. DEMPSEY, for today, on account of important official business.

COLONEL LINDBERGH

Mr. RAYBURN. Mr. Speaker, I am tempted to make some remarks about a man for whom I have a great respect, in his line, and for whose ability I have a great admiration, in his line, that is, Colonel Lindbergh; but after listening to

his address over the radio last night I recalled the old phrase, "Every workman to his own bench." Colonel Lindbergh is highly capable as a flier and as an aviator. I should have liked his speech last night very much more if he had confined his remarks to the field in which I believe he is so very proficient.

ENROLLED BILLS SIGNED

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

H. R. 2948. An act for the relief of Morris Hoppenheim, Lena Hoppenheim, Doris Hoppenheim, and Ruth Hoppenheim;

H. R. 3094. An act for the relief of Luise Ehrenfeld;

H. R. 7079. An act to provide for the appointment of additional district and circuit judges; and

H. R. 8826. An act to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 21, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on May 21, 23, and 24, 1940, at 10 a. m., in the committee rooms in the New House Office Building. Further dates will be announced if necessary.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. Tuesday, May 21, 1940, for the consideration of H. R. 9116.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. 4 of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. Wednesday, May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Tuesday, May 21, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow. (It is hoped the opposition will begin to be heard on Wednesday.)

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, May 22, 1940, at 10:30 a. m., for the consideration of H. R. 9774—to deport aliens. Also private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1642. A communication from the President of the United States, transmitting an estimate of appropriation in the amount of $657.39, to pay claims for damages to any person or damages to or loss of private property caused by employees of the Federal Bureau of Investigation (H. Doc. No. 756); to the Committee on Appropriations and ordered to be printed.

1643. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Treasury Department to pay a claim for damages by collision or damages incident to the operation of vessels of the United States Coast Guard, in the sum of $406.85 (H. Doc. No. 757); to the Committee on Appropriations and ordered to be printed.

1644. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Navy Department to pay a claim for damages by collision or damages incident to the operation of vessels of the Navy, in the sum of $170 (H. Doc. No. 758); to the Committee on Appropriations and ordered to be printed.

1645. A communication from the President of the United States, transmitting estimates of appropriations submitted by the War Department to pay claims for damages due to military operations, amounting to $1,449.92 (H. Doc. No. 759); to the Committee on Appropriations and ordered to be printed.

1646. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the War Department to pay claims for damages under river and harbor work in the sum of $8,825.45 (H. Doc. No. 760); to the Committee on Appropriations and ordered to be printed.

1647. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts, and which require an appropriation for their payment amounting to $14,182.68 (H. Doc. No. 761); to the Committee on Appropriations and ordered to be printed.

1648. A communication from the President of the United States, transmitting an estimate of appropriation for payment of certain claims allowed by the General Accounting Office amounting to $135.20 (H. Doc. No. 762); to the Committee on Appropriations and ordered to be printed.

1649. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims which require an appropriation for their payment amounting to $344,494.10 (H. Doc. No. 763); to the Committee on Appropriations and ordered to be printed.

1650. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1941 amounting to $35,000,000 (H. Doc. No. 764); to the Committee on Appropriations and ordered to be printed.

1651. A communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property in the sum of $16,239.49 (H. Doc. No. 755); to the Committee on Appropriations and ordered to be printed.

1652. A communication from the President of the United States, transmitting a schedule of claims amounting to $376,711.51, allowed by the General Accounting Office (H. Doc. No. 765); to the Committee on Appropriations and ordered to be printed.

1653. A letter from the Secretary of Agriculture, transmitting a recommendation that consideration be given to an urgent need for legislation to increase the credit resources of the Commodity Credit Corporation of the Department of Agriculture; to the Committee on Banking and Currency.

1654. A letter from the Administrator of the Federal Housing Administration, transmitting the Sixth Annual Report of the Federal Housing Administration for the year ending December 1939 (H. Doc. No. 766); to the Committee on Banking and Currency and ordered to be printed, with illustrations.

1655. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Department of Labor for the fiscal year 1939 (H. Doc. No. 767); to the Committee on Appropriations and ordered to be printed.

1656. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the appropriation for the War Department for construction of buildings, utilities, and appurtenances at military posts, contained in the Supplemental Military Appropriation Act, 1940 (H. Doc. No. 768); to the Committee on Appropriations and ordered to be printed.

1657. A communication from the President of the United States, transmitting a draft of a proposed provision affecting the appropriation of the Navy Department for aviation, Navy, fiscal year 1938 (H. Doc. No. 769); to the Committee on Appropriations and ordered to be printed.

1658. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1940 in the amount of $415,000, together with a draft of a proposed provision to amend an existing appropriation for the fiscal year 1939, both of which pertain to the legislative establishment, Government Printing Office (H. Doc. No. 770); to the Committee on Appropriations and ordered to be printed.

1659. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States New York World's Fair Commission amounting to $275,000 (H. Doc. No. 771); to the Committee on Appropriations and ordered to be printed.

1660. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Executive Office of the President, in the amount of $50,000, for the fiscal year 1941, to remain available until expended (H. Doc. No. 772); to the Committee on Appropriations and ordered to be printed.

1661. A communication from the President of the United States transmitting a draft of a proposed provision affecting the appropriation of the Naval Establishment for general expenses, Marine Corps, for the fiscal year ending June 30, 1940 (H. Doc. No. 773); to the Committee on Appropriations and ordered to be printed.

1662. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1941, to remain available until expended, in the amount of $1,000,000, for the Veterans' Administration, for hospital and domiciliary facilities (H. Doc. No. 774); to the Committee on Appropriations and ordered to be printed.

1663. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, for the fiscal year 1941, amounting to $15,000 (H. Doc. No. 775); to the Committee on Appropriations and ordered to be printed.

1664. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1940, amounting to $400,000 (H. Doc. No. 776); to the Committee on Appropriations and ordered to be printed.

1665. A communication from the President of the United States, transmitting a supplemental estimate of appropriation, for the National Advisory Committee for Aeronautics for the fiscal year 1941, amounting to $2,000,000 (H. Doc. No. 777); to the Committee on Appropriations and ordered to be printed.

1666. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States Golden Gate International Exposition Commission amounting to $200,000 (H. Doc. No. 778); to the Committee on Appropriations and ordered to be printed.

1667. A communication from the President of the United States, transmitting two supplemental estimates of appropriation for the fiscal year ending June 30, 1941, for the Department of Agriculture, totaling $22,000 (H. Doc. No. 779); to the Committee on Appropriations and ordered to be printed.

1668. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane of September 21, 1938, at New London, Conn.; to the Committee on Claims.

1669. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1940, amounting to $1,608,000 (H. Doc. No. 754); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9514. A bill for the relief of certain former disbursing officers for the Civil Works Administration and the Federal Emergency Relief Administration; without amendment (Rept. No. 2249). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. S. 2639. An act relating to the hours of service of persons employed upon the Government-owned Wiota-Fort Peck Railroad in the State of Montana; without amendment (Rept. No. 2250). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. S. 3042. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended; without amendment (Rept. No. 2251). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. H. R. 9113. A bill to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps; without amendment (Rept. No. 2252). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 6819. A bill for the payment of claims of the Fidelity Trust Co., of Baltimore, Md., and others; with amendment (Rept. No. 2237). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 6891. A bill for the relief of William M. Irvine; with amendment (Rept. No. 2238). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 6967. A bill for the relief of Thomas Boyd; without amendment (Rept. No. 2239). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 7283. A bill for the relief of Frank Hall; with amendment (Rept. No. 2240). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 7608. A bill for the relief of J. Montrose Edrehi; with amendment (Rept. No. 2241). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 7821. A bill for the relief of Anna T. Sifferman Varga; without amendment (Rept. No. 2242). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 7826. A bill for the relief of R. F. Brazelton; with amendment (Rept. No. 2243). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 7858. A bill for the relief of Mary D. Briggs and Simeon G. Rigor; with amendment (Rept. No. 2244). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 7914. A bill for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor; without amendment (Rept. No. 2245). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8097. A bill to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and

dependents of Vern A. Needles," approved July 15, 1939; without amendment (Rept. No. 2246). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8099. A bill for the relief of James L. Kinney; without amendment (Rept. No. 2247). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8722. A bill for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard; without amendment (Rept. No. 2248). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CASE of South Dakota:

H. R. 9818. A bill to provide for the further development of the fish-cultural station at Spearfish, S. Dak.; to the Committee on Merchant Marine and Fisheries.

By Mr. JONES of Texas:

H. R. 9819. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, the Agricultural Adjustment Act of 1938, as amended, and for other purposes; to the Committee on Agricuture.

By Mr. O'CONNOR:

H. R. 9820. A bill to provide for the construction, extension, equipment, and improvement of public-school facilities at Browning, Mont., Glacier County; to the Committee on Indian Affairs.

By Mr. SMITH of Washington:

H. R. 9821. A bill to provide for the construction by the Secretary of the Treasury of a Federal building for use as a National Guard Armory in Kelso, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. VINSON of Georgia:

H. R. 9822. A bill to expedite naval shipbuilding, and for other purposes; to the Committee on Naval Affairs.

By Mr. ALEXANDER:

H. R. 9823 (by request). A bill to provide veterans' work program; to the Committee on World War Veterans' Legislation.

By Mr. McLEOD:

H. R. 9824. A bill to provide for the transfer of the surplus decommissioned lighthouse tender *Mayflower* to the Detroit Naval Post, No. 233, Veterans of Foreign Wars; to the Committee on Merchant Marine and Fisheries.

By Mr. MAY:

H. R. 9825. A bill to expedite the strengthening of the national defense; to the Committee on Military Affairs.

By Mr. VAN ZANDT:

H. R. 9826. A bill to authorize the Postmaster General to continue the experimental air-mail service until June 30, 1941; to the Committee on the Post Office and Post Roads.

By Mr. BOREN:

H. R. 9827. A bill to provide for the training of civil aircraft pilots, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EBERHARTER:

H. R. 9828. A bill to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. IZAC:

H. R. 9829. A bill authorizing an appropriation for the purpose of providing the necessary control of fire, control of erosion, and conservation of water, by the protection of the existing vegetative cover and improvement of said cover for the control of run-off on lands lying within the Angeles, San Bernardino, Los Padres, and Cleveland National Forests, and adjacent lands in Los Angeles, San Bernardino, Santa Barbara, San Luis Obispo, Ventura, Riverside, and San Diego Counties, State of California; to the Committee on Agriculture.

By Mr. MAHON:

H. R. 9830. A bill relating to cotton-acreage allotments in counties under the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. DITTER:

H. J. Res. 547. Joint resolution making appropriations for work relief and relief, for the fiscal year ending June 30, 1941; to the Committee on Appropriations.

By Mr. HARRINGTON:

H. J. Res. 548. Joint resolution to authorize the appropriation of $100,000,000 additional funds for use by the Federal Surplus Commodities Corporation for stabilizing agricultural prices now suffering severe declines due to the emergency arising out of the European war and its repercussion upon our domestic prices for agricultural products; to the Committee on Appropriations.

By Mr. MARTIN J. KENNEDY:

H. J. Res. 549. Joint resolution creating a national defense authority to investigate and report to the President on the national-defense requirements of the United States; to the Commitee on Military Affairs.

By Mr. SHEPPARD:

H. Res. 494. Resolution authorizing the appointment of a Select Committee to Investigate Pacific Coast Petroleum Deposits; to the Committee on Rules.

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. 9831. A bill for the relief of Max J. Olshen; to the Committee on Claims.

By Mr. BARRY:

H. R. 9832 (by request). A bill for the relief of Amelia A. Mannshardt; to the Committee on Claims.

By Mr. CHURCH:

H. R. 9833. A bill for the relief of Stanislaw Kowalczyk; to the Committee on Immigration and Naturalization.

By Mr. ANGELL:

H. R. 9834. A bill for the relief of Gilbert E. Jackson and Helen Jackson, individually, and as the natural guardians of Edwin Jackson, a minor; to the Committee on Claims.

By Mr. DAVIS:

H. R. 9835. A bill for the relief of Arthur J. Ellwood; to the Committee on Naval Affairs.

By Mr. GARRETT:

H. R. 9836. A bill for the relief of Frank E. Sage; to the Committee on Claims.

H. R. 9837. A bill granting a pension to Norella Witcher; to the Committee on Pensions.

By Mr. JOHNSON, of Indiana:

H. R. 9838. A bill for the relief of B. B. Stringer; to the Committee on War Claims.

By Mr. JOHNSON of West Virginia:

H. R. 9839. A bill for the relief of Mr. and Mrs. T. Earl Rodgers; to the Committee on Claims.

By Mr. McDOWELL:

H. R. 9840. A bill for the relief of Bela Karlovitz; to the Committee on Immigration and Naturalization.

By Mr. PACE:

H. R. 9841. A bill for the relief of E. H. Watson; to the Committee on Claims.

By Mr. SNYDER:

H. R. 9842. A bill for the relief of Jozef Kvartek; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

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

8319. By Mr. MICHAEL J. KENNEDY: Petition of the Pioneer Panama Canal Builders Legislative Association of Miami, Fla., urging House consideration of House bill 1674

and its enactment; to the Committee on Merchant Marine and Fisheries.

8320. Also, petition of the Associated Cooperage Industries of America, Inc., opposing enactment of the Cummings bill as now drawn unless it is amended to restore the restrictions on the importation of islands-refined cane sugar that were in effect in the previous legislation which expired February 29, 1940, and failing such amendment recommending the withdrawal of all sugar legislation and that the industry be left entirely free from governmental control; to the Committee on Foreign Affairs.

8321. Also, petition of the New York State Society of the Cincinnati, calling upon the Government of the United States to render generous and substantial help to our Allies in the European war now in progress; to the Committee on Foreign Affairs.

8322. Also, petition of the New York State Society of the Cincinnati, calling upon the Government of the United States to render generous and substantial help to our Allies in the late war, in their present resistance to German aggression; to the Committee on Foreign Affairs.

8323. Also, petition of the Work Projects Administration Teachers Union of New York City, urging adoption of certain amendments to the Work Projects Administration bill; to the Committee on Appropriations.

8324. Also, petition of the Veterans of Foreign Wars of the United States, proposing certain amendments to the Work Projects Administration appropriation bill, providing preferences to employment of veterans, the wives of such veterans as are not employable and the unmarried widows of such veterans who are in real need; to the Committee on Appropriations.

8325. Also, petition of the United Optical Workers Union, Local No. 208, urging enactment of the Work Projects Administration appropriation bill (Walsh-Healey amendments, S. 1032), wage-hour amendments (national health bill, industrial hygiene bill), and unemployment compensation (La Follette oppressive labor practices bill, anti-poll-tax bill); to the Committee on Appropriations.

8326. Also, petition of the Social Service Employees Union, Local No. 19, urging 3,000,000 Work Projects Administration jobs and opposing defense appropriations at this time; to the Committee on Appropriations.

8327. Also, petition of the Actors Equity Association, urging passage of an amendment to the Relief Act permitting theater workers to share its benefits; to the Committee on Appropriations.

8328. Also, petition of the Metropolitan League of Savings and Loan Associations of New York, now serving over 250,000 savers and home owners in metropolitan New York, urging enactment of House bill 6971, which would permit the savings and loan associations of this country to still more effectively meet the thrift and home-financing needs of this country; to the Committee on Banking and Currency.

8329. Also, petition of H. L. Barker, Inc., New York City, urging enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads, which prevents shippers of perishable products from selecting suitable equipment for loading their products now being furnished by private-car companies; to the Committee on Interstate and Foreign Commerce.

8330. Also, petition of G. N. Savage & Co., Inc., urging immediate enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads which prevents shippers of perishable products from selecting suitable equipment for loading their products now being furnished by private car companies; to the Committee on Interstate and Foreign Commerce.

8331. Also, petition of Loyal Blanchard & Co., New York City, urging immediate enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads which prevents shippers of perishable products from selecting suitable equipment for loading their products now being furnished by private car companies; to the Committee on Interstate and Foreign Commerce.

8332. Also, petition of the Department of Agriculture and Immigration of the State of Louisiana, relative to an appropriation for the next fiscal year for the suppression of the white-fringed beetle; to the Committee on Agriculture.

8333. By Mr. KEOGH: Petition of the Wagner Baking Co., Newark, N. J., opposing the passage of the Pierce bill (H. R. 9273), income certificate plan; to the Committee on Agriculture.

8334. Also, petition of the New York State Credit Union League, Inc., New York City, favoring the passage of Senate bill 2658; to the Committee on Banking and Currency.

8335. Also, petition of the United Office and Professional Workers of America, New York City, favoring the passage of the Murray bill (H. R. 3365), the national health bill (H. R. 1620), the Walsh-Healey amendments (Senate bill 1032), and the passage of the Geyer anti-poll-tax bill; to the Committee on Claims.

8336. By Mr. PFEIFER: Petition of the Metropolitan League of Savings and Loan Associations, New York City, approving House bill 6971; to the Committee on Banking and Currency.

8337. Also, petition of the Port of New York Authority, New York City, urging amendment of the Cummings bill to include the provisions of the Barry bill (H. R. 9654) relative to existing quotas of tropical refined sugar; to the Committee on Agriculture.

8338. Also, petition of the Good and Welfare Club of Brooklyn, N. Y., requesting that the word "continuous" be stricken from the longevity bill (H. R. 3649); to the Committee on the Post Office and Post Roads.

8339. Also, petition of the Brooklyn Postal Employees Credit Union, Brooklyn, N. Y., urging enactment of Senate bill 2568; to the Committee on Banking and Currency.

8340. Also, petition of the New York State Credit Union League, Inc., New York City, urging consideration and passage of Senate bill 2568 before adjournment of Congress; to the Committee on Banking and Currency.

8341. By Mr. SMITH of West Virginia: Petition requesting support of House bill 8243, a bill providing for the equalization of pensions to dependents of officers and enlisted men of the United States Army; to the Committee on Invalid Pensions.

8342. By the SPEAKER: Petition of the United Automobile Workers of America, Anderson, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8343. Also, petition of the Society of Designing Engineers, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8344. Also, petition of the International Union of Operating Engineers, Locals 19–19A, Fort Wayne, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8345. Also, petition of the United Automobile Workers of America, Local 208, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8346. Also, petition of the Fisher Body Local No. 45, Cleveland, Ohio, petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8347. Also, petition of the United Automobile Workers of America, Local 151, Connersville, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8348. Also, petition of the International Union, United Automobile Workers of America, Milwaukee, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8349. Also, petition of the North Side Civil Rights Council, Chicago, Ill., petitioning consideration of their resolution with reference to domestic or foreign policies; to the Committee on Foreign Affairs.

8350. Also, petition of the Pennsylvania Society of Professional Engineers, Pittsburgh Chapter, Pittsburgh, Pa., petitioning consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

8351. Also, petition of the Women's International League for Peace and Freedom, Washington, D. C., petitioning consideration of their resolution with reference to the duration of this session of Congress; to the Committee on Ways and Means.

8352. Also, petition of B. B. Udell & Sons Co., Wilmette, Ill., petitioning consideration of their resolution with reference to House bill 8264, a bill to provide for national recovery and general welfare; to the Committee on Ways and Means.

8353. Also, petition of the Gaetano Pilati Fraternal Aid Club, No. 176, Arnold, Pa., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8354. Also, petition of the Detroit Fur Workers Union, Local 38, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

SENATE

TUESDAY, MAY 21, 1940

(Legislative day of Wednesday, April 24, 1940)

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

Dr. Fred Buschmeyer, pastor of the Mount Pleasant Congregational Church, Washington, D. C., offered the following prayer:

Lord God of hosts, beneath whose creative, sustaining, and merciful hand all men and nations have their being, we acknowledge the constancy of Thy concern and mercy even when the children of Thy spirit forget Thee. If Thou shouldst mark iniquities, who could stand? But Thou art the God whose property is always to have mercy. In gratitude, humility, and deep earnestness we pray for wisdom, courage, and steadfastness, that in a time of great turmoil all who serve here may seek to think Thy thoughts, to serve Thy truth, to work Thy will, for the welfare of this our Nation and all Thy people everywhere. 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 of Monday, May 20, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Andrews	Chandler	Glass	McKellar
Ashurst	Chavez	Gurney	McNary
Austin	Clark, Idaho	Hale	Maloney
Bailey	Clark, Mo.	Harrison	Mead
Barbour	Connally	Hatch	Miller
Barkley	Danaher	Hayden	Minton
Bilbo	Davis	Herring	Murray
Bone	Donahey	Johnson, Calif.	Neely
Bulow	Downey	Johnson, Colo.	Norris
Burke	Ellender	King	Nye
Byrd	George	La Follette	O'Mahoney
Byrnes	Gerry	Lucas	Overton
Capper	Gibson	Lundeen	Pepper
Caraway	Gillette	McCarran	Pittman
Radcliffe	Slattery	Thomas, Utah	Walsh
Reynolds	Smathers	Townsend	White
Russell	Smith	Tydings	Wiley
Schwartz	Stewart	Vandenberg	
Sheppard	Thomas, Idaho	Van Nuys	
Shipstead	Thomas, Okla.	Wagner	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. HILL] is detained on official business for the special committee investigating campaign expenditures.

The Senator from Colorado [Mr. ADAMS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard in Louisiana.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Ohio [Mr. TAFT], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on the business of the Senate.

The Senator from Oregon [Mr. HOLMAN] is observing the war maneuvers at Camp Beauregard.

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

PHILIP A. PENSTON

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane of September 21, 1938, at New London, Conn., which, with the accompanying paper, was referred to the Committee on Claims.

EXTENSION OF TIME FOR COMPLETION OF PROJECTS UNDER PUBLIC WORKS ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Works Agency, transmitting a draft of proposed legislation to amend title II of an act entitled "Works Relief and Public Works Appropriation Act of 1938," approved June 21, 1938, so as to extend to June 30, 1941, the time within which a project can be substantially completed, and also to extend the time for availability of the funds therefor until that same date, which, with the accompanying paper, was referred to the Committee on Appropriations.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution of the Mutual Association of Postal Employees, of Philadelphia, Pa., favoring the enactment of the bill (S. 1305) to promote the general welfare through appropriation of funds to assist the States and Territories in providing more effective programs of public education, which was ordered to lie on the table.

He also laid before the Senate a resolution of Bothwell Kane Post, No. 21, American Legion, of Fort Worth, Tex., commending the work of the so-called Dies committee, of the House of Representatives, on un-American activities and favoring continuance of the work of that committee, and also favoring the prompt adoption of adequate plans and provision for the national defense, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 7901) to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes, reported it without amendment and submitted a report (No. 1633) thereon.