Federal chain-store bill (H. R. 1), that it may be speedily enacted into law; to the Committee on Ways and Means.

8373. Also, petition of Robert Wettengel and 17 other citizens of Green Bay, Wis., asking support of the Federal chain-store tax bill (H. R. 1), that it may be speedily enacted into law; to the Committee on Ways and Means.

8374. By Mr. LYNCH: Petition of the Keystone Club of New York City, N. Y., urging that indictment against labor unions brought under the Sherman Anti-Trust Act be dismissed; to the Committee on the Judiciary.

8375. By Mr. MAHON: Petitions of Melvin Eaper, O. L. Miller, and others, and of J. M. Ables, Ben Moore, Jr., and others, and of Paul Boggan, Lee Garner, and others, and of O. E. Roberson, Bill Ellis, and others, all of O'Donnell, Tex., urging favorable consideration of the Townsend bill; to the Committee on Ways and Means.

8376. By Mr. MICHAEL J. KENNEDY: Petition of the State Council of Parks, New York City, opposing Senate Joint Resolution 92, which provides for the establishment of right, title, and interest of the United States in and to all submerged lands under the territorial waters of the United States; to the Committee on the Judiciary.

8377. Also, petition of Local No. 2, Marine Division, American Communications Association, New York City, opposing American participation in the present world conflict; to the Committee on Foreign Affairs.

8378. Also, petition of the United Office and Professional Workers of America, Local No. 16, representing 3,500 members, urging enactment of Senate bill 1620, known as the national health bill; to the Committee on Labor.

8379. Also, petition of Joseph Curran, president, National Maritime Union, urging passage of Casey amendment to Work Projects Administration bill to increase funds; to the Committee on Appropriations.

8380. Also, petition of the commissioner of docks, city of New York, opposing the Nye resolution, Senate Joint Resolution 92, which would strip States of submerged and reclaimed lands and endanger city ownership of such properties; to the Committee on the Judiciary.

8381. Also, petition of the Amalgamated Machine Shop, Local No. 475, of Brooklyn, N. Y., opposing involvement of this country in any European war; to the Committee on Foreign Affairs.

8382. Also, petition of the Amalgamated Machine and Instrument, Local No. 475, United Electrical, Radio, and Machine Workers of America, Brooklyn, N. Y., urging enactment of the Wagner housing bill, Wagner health bill, and the American Standards and Assistance Act for Work Projects Administration; to the Committee on Banking and Currency.

8383. Also, petition of the United Office and Professional Workers of America, Local No. 16, New York City, opposing Norton and Smith amendments to the Wagner Labor Relations Act; to the Committee on Labor.

8384. Also, petition of the Campbell Transportation Co. of Pittsburgh, Pa., relative to recommital of the Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8385. Also, petition of the National Society of Mural Painters, opposing any curtailment of funds on the New York City art project; to the Committee on Appropriations.

8386. By Mr. MARTIN J. KENNEDY: Petition of the New York State Society of the Cincinnati, New York City, adopted at their annual meeting held on May 10, 1940, to celebrate the one hundred and fifty-seventh anniversary of the founding of the society by their ancestors, the officers of the American Army who fought under Washington, calling upon all right-thinking Americans and upon the Government of the United States to express not in words only but in acts and deeds their indignation against the aggressors, and to render generous and substantial help to the nations engaged in defending those exalted rights and liberties of human nature for which our fathers fought, which we have ever since enjoyed and defended, and the destruction of which would be indeed a curse; to the Committee on the Library.

8387. By Mr. KEOGH: Petition of the State council of parks, division of parks, conservation department, Albany, N. Y., concerning the Nye resolution (S. J. Res. 92); to the Committee on the Judiciary.

8388. By Mr. LUDLOW: Petition of sundry residents of Indianapolis, Ind., favoring the passage of Senate bill 1776, by Senator McNARY, of Oregon, providing for an annuity of $50 per month for all blind persons; to the Committee on Pensions.

8389. By Mr. O'BRIEN: Petition of sundry citizens of Rochester, N. Y., urging enactment of the general welfare bill (H. R. 5620); to the Committee on Ways and Means.

8390. By Mr. PFEIFER: Petition of the Employees' Committee to Maintain Brooklyn's Cane Sugar Refining Industry, William P. Coster, chairman, Brooklyn, N. Y., favoring the amendment of House bill 9654, to restore limitations on tropically refined sugar and not increase beet-sugar quota; to the Committee on Agriculture.

8391. Also, petition of the State council of parks, conservation department, Albany, N. Y., concerning Senate Joint Resolution 92; to the Committee on the Judiciary.

8392. By the SPEAKER: Petition of Local No. 51, United Automobile Workers of America, Congress of Industrial Organizations, Detroit, Mich., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

SENATE

THURSDAY, MAY 23, 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:

Almighty God, who art enthroned in light eternal yet condescendest to stand at the gate of the years to guide Thy children safely through the paths of the unknown: Hold us, we beseech Thee, by Thy hand, that, with perfect trust and childlike faith, we may follow where Thou leadest; and, even though the night be dark and we seem far from home, do Thou lead on.

At the beginning of this, another day of service, we pray that to our minds Thou wilt give wisdom, to our hearts sincerity of purpose, to our wills the rapture of a high resolve to do only that which is well pleasing in Thy sight, that, when the daylight wanes and sinks under the shelter of the night, we, too, may seek our rest and find it because the day's knowledge has revealed our great concern for all God's children, and that, as we deeply care, we humbly pray for all, in the name of God's dear Son, 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 Wednesday, May 22, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

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

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Burke	Donahey	Hayden
Andrews	Byrd	Ellender	Herring
Ashurst	Byrnes	George	Hill
Austin	Capper	Gerry	Holman
Bailey	Caraway	Gibson	Hughes
Barbour	Chandler	Gillette	Johnson, Calif.
Barkley	Chavez	Glass	Johnson, Colo.
Bilbo	Clark, Idaho	Guffey	King
Bone	Clark, Mo.	Gurney	La Follette
Bridges	Connally	Hale	Lee
Brown	Danaher	Harrison	Lucas
Bulow	Davis	Hatch	Lundeen

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

McCarran	Norris	Sheppard	Thomas, Utah
McKellar	Nye	Shipstead	Townsend
McNary	O'Mahoney	Slattery	Tydings
Maloney	Overton	Smathers	Vandenberg
Mead	Pepper	Smith	Van Nuys
Miller	Pittman	Stewart	Wagner
Minton	Reynolds	Taft	Walsh
Murray	Russell	Thomas, Idaho	Wiley
Neely	Schwartz	Thomas, Okla.	

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 California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

The Senator from Alabama [Mr. BANKHEAD], the Senator from West Virginia [Mr. HOLT], the Senator from Maryland [Mr. RADCLIFFE], 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 Maine [Mr. WHITE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

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

AMENDMENT OF LAW RELATIVE TO FOREIGN MAIL TRANSPORTATION

The VICE PRESIDENT laid before the Senate a letter from the Acting Postmaster General, transmitting a draft of proposed legislation to amend section 4008 of the Revised Statutes relating to transportation of foreign mails, which, with the accompanying paper, was referred to the Committee on Post Offices and Post Roads.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of 24 executive board members representing Dodge Local No. 3 (with membership of 20,000), International Union, United Automobile Workers of America (C. I. O.), Detroit, Mich., protesting against the enactment of pending antialien legislation, which was referred to the Committee on Immigration.

He also laid before the Senate a letter in the nature of a memorial signed by Luke Gilbert, chairman; John Little Cloud, vice chairman; Joseph O. La Plante, secretary; Camille Rousseau, treasurer; officers and various members of the Cheyenne River Sioux Tribal Council, Cheyenne Agency, S. Dak., remonstrating against the enactment of the bill (S. 3083) to amend the Judicial Code in respect to the jurisdiction of the Court of Claims in certain cases, and making special reference to the matter of claims of the Sioux Nation, which was referred to the Committee on Indian Affairs.

He also laid before the Senate a resolution of 24 executive-board members representing Dodge Local No. 3 (with membership of 20,000) International Union, United Automobile Workers of America (C. I. O.), Detroit, Mich., favoring the prompt enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, which was ordered to lie on the table.

Mr. TYDINGS presented a resolution signed by Joseph Bowman, president, and other officers and directors of a farm-loan association in the State of Maryland, favoring the enactment of the so-called Jones-Wheeler bill, being Senate bill 3509, to reduce permanently the interest rates on Federal land bank and Land Bank Commissioner loans, and so forth, which was referred to the Committee on Banking and Currency.

Mr. WALSH presented a petition of sundry citizens of the State of Massachusetts praying that the United States may be kept out of war or foreign entanglements, which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Boston (Mass.) Interrace Commission, protesting against the enactment of pending antialien legislation, which was referred to the Committee on Immigration.

He also presented a resolution of Newton Post, No. 211, Jewish War Veterans of the United States, Newton, Mass., commending the public service rendered by the Director of the Federal Bureau of Investigation and his associates under the Department of Justice, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

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

S. 3808. A bill to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the United States Navy for personal property lost in the hurricane and flood at New London, Conn., on September 21, 1938 (Rept. No. 1656);

S. 4026. A bill providing for the reorganization of the Navy Department, and for other purposes (Rept. No. 1670);

S. 4027. A bill to transfer the active list of the Construction Corps to the line of the Navy, and for other purposes (Rept. No. 1671); and

H. R. 8983. A bill authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton (Rept. No. 1657).

Mr. GILLETTE, from the Committee on Naval Affairs, to which was referred the bill (S. 3594) to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939, reported it without amendment and submitted a report (No. 1658) thereon.

Mr. LUCAS, from the Committee on Naval Affairs, to which was referred the bill (S. 3608) to authorize an exchange of lands between the people of Puerto Rico and the United States, reported it without amendment and submitted a report (No. 1659) thereon.

Mr. BYRD, from the Committee on Naval Affairs, to which was referred the bill (H. R. 4229) authorizing the conveyance to the Commonwealth of Virginia a portion of the naval reservation known as Quantico in Prince William County, Va., reported it without amendment and submitted a report (No. 1660) thereon.

Mr. BARBOUR, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7078) to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J., reported it without amendment and submitted a report (No. 1661) thereon.

Mr. ELLENDER, from the Committee on Claims, to which was referred the bill (S. 3769) for the relief of Jerry McKinley Thompson, reported it without amendment and submitted a report (No. 1662) thereon.

He also, from the same committee, to which was referred the bill (S. 3903) for the relief of Maj. L. P. Worrall, and for other purposes, reported it with an amendment and submitted a report (No. 1663) thereon.

Mr. TOWNSEND, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3707. A bill for the relief of certain disbursing agents and certifying officers of the Indian Service, the United States Veterans' Administration, and the Treasury Department (Rept. No. 1664); and

S. 3748. A bill for the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department (Rept. No. 1665).

Mr. TOWNSEND also, from the Committee on Claims, to which was referred the bill (S. 3021) for the relief of A. A.

Ramsay, reported it with an amendment and submitted a report (No. 1666) thereon.

He also, from the same committee, to which was referred the bill (S. 3647) for the relief of Paul Sanford, a minor, reported it with amendments and submitted a report (No. 1667) thereon.

Mr. SMITH, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance, reported it with amendments and submitted a report (No. 1668) thereon.

Mr. HATCH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 963) providing for the refund of taxes collected under Public Law No. 169, Seventy-third Congress, known as the Bankhead Act, reported it without amendment and submitted a report (No. 1669) thereon.

Mr. BARKLEY, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 214) authorizing the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin and the beginning of university education in the United States, and providing for the representation of the Government and people of the United States in the observance of the anniversary, reported it without amendment.

BILLS INTRODUCED

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

By Mr. BYRD:

S. 4028. A bill for the relief of James A. Clary; to the Committee on Claims.

By Mr. NEELY:

S. 4029. A bill for the relief of Rudolph Farcher; and

S.4030. A bill for the relief of Mr. and Mrs. T. Earl Rodgers; to the Committee on Claims.

By Mr. McNARY:

S. 4031. A bill for the relief of Lincoln County, Oreg.; to the Committee on Claims.

By Mr. BURKE:

S. 4032. A 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.

By Mr. HOLMAN:

S. 4033. A bill authorizing the establishment of a Coast Guard air station at or in the vicinity of Astoria, Oreg.; to the Committee on Commerce.

By Mr. MALONEY:

S. 4034. A bill to amend the Agricultural Adjustment Act of 1938; to the Committee on Agriculture and Forestry.

By Mr. MEAD:

S. 4035. A bill to authorize the construction of works for navigation at Oswego Harbor in the State of New York; and

S. 4036. A bill to authorize the construction of works for navigation at Cape Vincent Harbor in the State of New York; to the Committee on Commerce.

By Mr. BARKLEY:

S. 4037. A bill to confer jurisdiction upon the United States District Court for the Western District of Kentucky to hear, determine, and render judgment upon the claim of Theodore R. Troendle for the Dawson Springs Construction Co.; to the Committee on Claims.

STRENGTHENING OF NATIONAL DEFENSE—AMENDMENTS

Mr. SHEPPARD submitted amendments intended to be proposed by him to the bill (S. 4025) to expedite the strengthening of the national defense, which were ordered to lie on the table and to be printed.

ADDRESS BY SENATOR BYRNES ENTITLED "AN ANSWER TO LINDBERGH"

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BYRNES on May 22, 1940, entitled "An Answer to Lindbergh," which appears in the Appendix.]

ADDRESSES BY SENATORS REYNOLDS AND WALSH ON WAR PLANES VERSUS BATTLESHIPS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD radio addresses by Senator WALSH and himself on the question, Are War Planes Stronger Than Battleships?, which appear in the Appendix.]

ADDRESS BY SENATOR MEAD AT NEW YORK WORLD'S FAIR

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by him at the New York World's Fair on May 22, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT AT ST. LOUIS, MO.

[Mr. McNARY asked and obtained leave to have printed in the RECORD an address delivered by Senator TAFT at St. Louis, Mo., on May 20, 1940, which appears in the Appendix.]

SPAWN OF THE TROJAN HORSE—EDITORIAL FROM PORTLAND OREGONIAN

[Mr. McNARY asked and obtained leave to have printed in the RECORD an editorial entitled "Spawn of the Trojan Horse," published in the Portland Oregonian of May 18, 1940, which appears in the Appendix.]

ARTICLE BY LOUIS AZRAEL ON BLUE RIDGE PARKWAY

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Louis Azrael with reference to the Blue Ridge Parkway, which appears in the Appendix.]

NAVAL APPROPRIATIONS

The VICE PRESIDENT. By order of the Senate, adopted yesterday, the unfinished business has been temporarily laid aside and House bill 8438, making appropriations for the Navy Department, and so forth, has been made the pending business of the Senate for this morning.

The Senate proceeded to consider 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.

The VICE PRESIDENT. The Chair understands the Senator from South Carolina [Mr. BYRNES] is in charge of the bill, and the Chair recognizes the Senator from South Carolina.

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

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. BYRNES. Mr. President, I desire to make a statement.

In the bill as now reported to the Senate, no change of any kind has been made in the bill as it heretofore passed the Senate. Because of that fact, I ask unanimous consent that the amendments which have heretofore been adopted by the Senate be adopted en bloc. Then the Senate may proceed to consider title II of the bill, in which title there are included the appropriations recommended as a result of the Budget estimate submitted following the message of the President to the Congress.

Mr. McNARY. Mr. President, I understand from the brief statement of the able Senator that no change has been made in the amendments which have heretofore been proposed and acted upon by the Senate.

Mr. BYRNES. Absolutely no change.

Mr. McNARY. I see no objection to the request.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Carolina? The Chair hears none. The amendments heretofore adopted by the Senate are adopted en bloc. The clerk will state the first amendment in title II.

The first amendment of the Committee on Appropriations in title II was, at the top of page 74, to insert:

TITLE II—EMERGENCY NATIONAL DEFENSE APPROPRIATIONS

OFFICE OF THE SECRETARY

Miscellaneous expenses: For an additional amount for miscellaneous expenses comprising the same objects specified under this head in title I of this act, $256,700, of which there shall be available not to exceed $200,000 for collection of information, $10,000

for promoting accident prevention and safety in shore establishments of the Navy, and $25,000 in the aggregate or $900 for any one person for allowances for civil employees in attachés' offices.

The amendment was agreed to.

The next amendment was, on page 74, after line 11, to insert:

BUREAU OF NAVIGATION

NAVAL RESERVE

For an additional amount for the Naval Reserve, comprising the same objects specified under this head in title I of this act, $3,425,000, of which not to exceed $34,560 shall be available for the pay of employees assigned to group IV (b), and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

The amendment was agreed to.

The next amendment was, on page 74, after line 21, to insert:

BUREAU OF ENGINEERING

ENGINEERING

For an additional amount for engineering, comprising the same objects specified under this head in title I of this act, including the acquisition and conversion or construction and repair of machinery for boom or net tenders, $5,314,500, to be immediately available, of which not to exceed $100,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department and the Secretary of the Navy is authorized to exceed the statutory limit on repair and alterations to vessels commissioned or converted to meet the existing emergency.

The amendment was agreed to.

The next amendment was, on page 75, after line 11, to insert:

BUREAU OF CONSTRUCTION AND REPAIR

CONSTRUCTION AND REPAIR

For an additional amount for construction and repair, comprising the same objects specified under this head in title I of this act, including the acquisition and conversion or construction and repair of boom or net tenders, $8,022,500, to be immediately available, of which not to exceed $100,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, and the Secretary of the Navy is authorized to exceed the statutory limit on repair and alterations to vessels commissioned or converted to meet the existing emergency.

The amendment was agreed to.

The next amendment was, at the top of page 76, to insert:

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, NAVY

For an additional amount for Ordnance and Ordnance Stores, Navy, comprising the same objects specified under this head in title I of this act, and for essential equipment and facilities at either private or naval establishments for the production of ordnance material, $31,527,200, to be immediately available: *Provided*, That the sum to be paid out of this increment for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,040,000.

The amendment was agreed to.

The next amendment was, on page 76, after line 13, to insert:

BUREAU OF SUPPLIES AND ACCOUNTS

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

For an additional amount for pay, subsistence, and transportation of naval personnel, comprising the same objects specified under this head in title I of this act, $3,350,000.

Mr. McNARY. Mr. President, I had thought the able Senator from South Carolina would briefly outline the purposes of the amendments and the additions that have been made to the bill as it passed the Senate. I think that should be done.

Mr. BYRNES. Mr. President, I shall be glad to do so.

The bill as reported to the Senate increases the appropriations for the Navy over and above the amount of the original bill by the sum of $336,485,600. The amount carried in the bill is still $69,046,539 less than the total of the estimates submitted to the Congress by the Budget Bureau.

As to the items included in title II, broadly speaking—because it will give more information to the Senate than to attempt to enumerate the specific items for the various bureaus—$100,000,000 is provided for speeding up ship construction. That does not mean additional expenditures to that amount, but it means that by reason of speeding up the construction of ships, and especially of ships which are nearing completion, payments will be required earlier, and therefore the money must be made available. The $100,000,000 does not provide for any additional ship construction other than some small craft, as in the case of the marines, for whom it is necessary to provide some small craft.

In addition to that, $100,000,000 is appropriated for aviation. The Senate will be interested in a statement which I shall ask to have included in the RECORD as a part of my remarks, showing the status of naval aircraft on May 22, 1940. This statement shows that as a result of the appropriations carried in the original bill and carried in title II of the bill as reported yesterday, there is a total of 5,888 planes. In addition to the aviation provision and the provision for speeding ship construction, $50,000,000 is appropriated almost entirely for ordnance, and is necessary as a result of the two other provisions.

For instance, in the case of ship construction, by reason of speeding up the construction of ships, it will be necessary for the Bureau of Ordnance to purchase and provide at an earlier date the armor for such ships.

That, again, does not mean an additional appropriation, but it means that provision is made for payment upon contracts at earlier dates. It does mean, however, in the case of ordnance, an additional appropriation of a considerable amount for such things as nets for submarine protection at harbors, protection against magnetic mines, and many other provisions, particularly ammunition and ordnance supplies.

Mr. McNARY. Mr. President——

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

Mr. BYRNES. I yield; yes.

Mr. McNARY. I am curious to know why such a large sum is required to pay for speeding up the construction of ships. How does that item happen to be so large, and what is the necessity for it?

Mr. BYRNES. As I stated, the appropriation is made necessary in part by reason of the earlier dates upon which payments will be required upon contracts under execution in private yards if construction is speeded up; but the greater part of it is made necessary by reason of increasing from one to two and from two to three shifts in many of the navy yards of the country. It is estimated that the requirement that the yards work on Saturday will involve a 20-percent increase in that item, and some overtime items. In the case of ships under private contract, if extra shifts are put on and overtime is paid, it will involve the expenditure of these larger amounts.

Mr. McNARY. Is the larger item the advance in the payment of costs of construction—that is, because the payments mature earlier?

Mr. BYRNES. That is correct.

Mr. McNARY. What proportion, then, is increased cost due to wages and materials?

Mr. BYRNES. If the Senator will permit me, I think this statement will give him some information on the subject.

Of a total of $65,000,000, for instance, additional equipment amounts to $6,000,000.

Additional Government equipment in private yards amounts to $3,000,000. That means machine tools which are furnished but which are the property of the Government and are returned by the private contractor when the contract is completed.

Additional expenditures for increased labor in naval establishments amount to $20,000,000.

Additional payments to contractors due to earlier dates on which payments are earned amount to $15,000,000.

Additional payments to subcontractors because of advance deliveries amount to $21,000,000.

The total of those items is $65,000,000. The other $35,000,000 is for the following purposes:

Additional costs due to extra shifts, and work in excess of 40 hours per week, $9,000,000.

Additional facilities and equipment, most of it not in private yards but in the navy yards, and some in private plants, the total of the two making $7,000,000.

Then there is an estimated increase in volume of production during 1941 of $19,000,000; that is, earlier payments by reason of speeding up labor and the employment of a larger number of men in the plants.

That is the break-down of the $100,000,000.

Mr. President, I ask unanimous consent to insert in the RECORD the statement of the status of naval aircraft on May 22, 1940.

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

The statement is as follows:

Status of naval aircraft on May 22, 1940

Types of planes	On hand	On order	Funds available to purchase	Requested			Total
				1941 Regular Navy bill	1941 emergency training program cash [1]	1941 emergency training program contract authorization [2]	
Observation scouting	302	154	146	128	107	304	1,141
Scout bombing	519	231		189	18	58	1,015
Fighting	192	123		81	42	109	547
Patrol bombing	240	226		26	40	103	635
Torpedo bombing	114			27		63	204
Utility	108			11	2	4	125
Utility transport	26			6	2	2	36
Transport, small	15				1	2	18
Transport, large	9	8		3	1	3	24
Training (primary)	230	133			526	944	1,833
Training (advanced)	58	58			69	125	310
Total	1,813	933	146	471	808	1,717	5,888

[1] $38,000,000.
[2] $100,000,000.

NOTE.—The above figures include all service airplanes, Navy, Marine Corps, and Reserve. Do not include 333 obsolete and 33 experimental airplanes now in service. Estimated 345 losses during 1940–41.

Mr. McNARY. Mr. President, a concluding question: What is the aggregate amount carried in this appropriation bill?

Mr. BYRNES. The total amount carried in the bill is $1,302,265,038. The total amount originally carried, as the bill passed the House, was $965,779,438. We have added a net $336,485,600, which makes the bill carry $1,302,265,038.

Mr. McNARY. A further question: Do the additional sums carried in the bill provide any funds for battleships?

Mr. BYRNES. Only as I just explained, in the speeding-up.

Mr. McNARY. No new construction?

Mr. BYRNES. No new battleship is provided for.

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

Mr. BYRNES. I yield.

Mr. VANDENBERG. The Senator has described the new plane construction. Is it contemplated that these five or six thousand planes will be completed within 1 year; or what is the time schedule in connection with them?

Mr. BYRNES. The statement of Admiral Towers is that under the $100,000,000 those planes would be provided. They are mostly training planes. In his presentation he called the attention of the committee to the fact that what we lacked is trained pilots. The speed with which those planes will be provided, those for which cash is provided and for which contract authorizations are provided, depends upon the construction of the new bases which are authorized in the bill, and which have been considered by the Naval Affairs Committee. As fast as those bases are completed, the planes can be used. It depends on the bases and the men, really, more than on the planes.

Mr. VANDENBERG. Taking all of those factors into consideration, can the Senator make an estimate as to what the prospectus actually is?

Mr. BYRNES. As to the time for the delivery of these planes, we have not the information. The Navy is demanding the 808 planes, which are to be provided by this cash, at the earliest possible date, and is anxious to provide every facility to hurry their immediate production. The statement of the Navy is, further, that they need more training planes, and under the contract authorization contracts will be made for training planes in preference to planes which are needed as spares. But they do not undertake to guess at when they can have them delivered.

Mr. VANDENBERG. What is the total the Senator announced?

Mr. BYRNES. I think this is a very interesting statement. In the situation existing as of the 20th, there are on hand 1,817 planes.

Mr. VANDENBERG. What kind of planes are those?

Mr. BYRNES. They are divided into 10 different groups, if the Senator wishes to enumerate them, otherwise I think he would be interested in looking at the list itself. There are observation scouting planes, scout bombing planes, fighting planes, patrol bombing planes, torpedo bombers, utility planes, utility transportation planes, transportation planes, small, transportation planes, large, training planes, primary, and training planes, advanced. The 1,817 we have on hand are divided as between those various groups. There are on order 933, and again they are divided.

Mr. VANDENBERG. Can the Senator give me the general division? How many of those 1,800 planes now on hand, speaking generally, are fighting planes, and how many are training planes?

Mr. BYRNES. The training planes, hurriedly adding, number some 288. That does not include these other planes.

I must say that according to this statement the Navy intends to buy out of the $38,000,000 cash 107 observation scouting planes, because men are trained with special types of planes. It is my understanding that during the last 6 months they have been specializing more than formerly in training flyers in observation scouting planes and in bombing planes; so that it is not fair to say that when they classify only 288 as training planes, those are all the planes used for training. They are used for general training purposes, as distinguished from special purposes.

The total number of planes acquired as a result of the appropriation and the contract authorization would be 5,888 planes.

Mr. VANDENBERG. The information I was trying to get, if it is available, is when that commitment in production will be completed.

Mr. BYRNES. I am unable to give that, and I suppose that will depend entirely upon the increase in plant production in this country, which of course is sought by the lump-sum appropriation carried in the bill, to be used in the discretion of the President.

Mr. VANDENBERG. Then, if existing facilities only were used, the Senator means we could not hope to approach the completion of the program within the year?

Mr. BYRNES. Or in 2 or 3, 2 years anyway. Considering the Army needs, we could not possibly hope for earlier completion. Of course, in the bill the privilege is given to the Department to contract until July 1, 1942, under the contract authorization. The Navy, of course, has an entirely different problem from that of the Army, in that the extent to which the planes are needed for the Navy depends upon the requirements for aircraft carriers and naval bases.

Mr. VANDENBERG. Is there any agency for the coordination of airplane purchases by the Army and the Navy?

Mr. BYRNES. I am very glad the Senator asked that question, because I asked it during the testimony before the committee. I do not know whether it is in the record or not, because I find that a great part of the testimony was deleted. I see absolutely no reason why that should not be in the record, because the statement of Admiral Towers is

that there is complete cooperation between the Army and the Navy. On the morning on which he testified he had met with General Arnold, as they had been meeting, I got the impression, nearly every morning. The purchases in behalf of the Army and the Navy are being made having in mind the more immediate demands of the one service or the other, and having in mind, too, that by placing larger orders with a factory they can secure a better price, because of the larger number of planes which are to be produced by the manufacturer. I was exceedingly happy to learn, in view of some of the statements which have been made in the press, that there has not been the slightest dissension or difference between the two services, but, on the contrary, there is complete cooperation, resulting from almost daily conferences as to the purchases of planes and material for planes.

Mr. BARKLEY. Mr. President, will the Senator yield to a question for information?

Mr. BYRNES. I yield.

Mr. BARKLEY. If I understand correctly, while any number of purchasers of airplanes from the same private manufacturer in a sense are competitive, there is no competition as between the Army and the Navy which would in any way operate against the efficiency of either in the purchase of planes from various manufacturers.

Mr. BYRNES. The Senator is exactly correct.

Mr. BARKLEY. Let me make this comment for the RECORD. I think there is a good deal of misinformation and misunderstanding in the country at large with respect to the sources of supply of airplanes both for the Army and the Navy. A great many people, I find, are under the impression that the Government has airplane plants somewhere, and manufactures some of its planes itself. As a matter of fact, the Government has no such plant, and does not produce its own airplanes, but purchases them from private manufacturing concerns.

Mr. BYRNES. That is true; and I might say that the Navy has not allowed any of its planes to be sold to any foreign government, except in one case, when the Finns were desirous of purchasing some planes which were nearly completed and the contractor advised the Navy of the development of a new engine with a speed of 31 miles greater than the engine to be placed in the planes under construction; and, at the suggestion of the contractor, the Navy proceeded to permit the contractor to sell those planes to the Finnish Government with the understanding that the contractor would furnish planes equipped with the engines with the speed of 31 miles an hour greater for the same amount of money. Those planes are now under construction and well on the way to completion, and that is the only transaction where the Navy has waived delivery of planes, but it will receive much better planes as a result.

Mr. BARKLEY. If the Senator will yield further, in yesterday morning's Washington Times-Herald there appeared an article, which is in a column the Times-Herald carries nearly every day, entitled "In the News," the subtitle being "Why Have $7,000,000,000 Not Prepared Us?" It is a three-column article, which is not signed by anyone. I do not know whether it is an editorial or whether the writer of the article knows anything about the situation or not. One reading the article would come to the conclusion that $7,000,000,000 which has been appropriated or authorized for our national defense has gone to no use. I wish the Senator, for the information of the Senate and the country, insofar as the Navy is concerned, would give us a picture of what has happened with respect to the appropriations which have gone to the Navy, in order that we may not labor under any misapprehension as to the efficiency of the Navy. I do not suppose the Senator can speak for the Army, because he is not in charge of the military appropriation bill, and the Senator from Oklahoma [Mr. THOMAS] went into some detail about that a few days ago. In the absence of any contradictory information or statement the public might be misled by an article like this, however sincere the writer may have been, and however much in good faith he may have been in picturing a very dark situation. It seems to me there must be another side to it, and I should like to have that side, if the Senator can give it so far as the Navy is concerned.

Mr. WALSH. Mr. President, will the Senator from South Carolina permit me to make reply?

Mr. BYRNES. I shall be glad to do so.

Mr. WALSH. Only a few days ago I submitted to the Navy Department a series of questions, primarily for the purpose of answering such press comments as that to which the Senator from Kentucky just referred. I have these answers in the form of tables in my hand. The first table is in reply to a question of the amount of money appropriated each year for the Navy, commencing in 1930 and continuing through 1939, and also a division of that money into what was for maintenance items and what was for new building. I shall later ask that the tables be printed in the RECORD.

I have a summary of the appropriations year by year, which I will not read. The total appropriations for these 10 years is $4,478,954,591.15. The appropriation for the first year, 1930, was $375,000,000. The appropriation for the fiscal year 1939 was $660,000,000. The amount of this money that was spent upon maintenance alone, and not for new building, was $2,994,141,521.47, leaving approximately $1,500,000,000 only for new construction or replacement of obsolete vessels.

Mr. KING. What does the Senator mean by "maintenance"? I should like an explanation.

Mr. WALSH. Maintenance means the salaries, pay to the enlisted men, the clothing and the food, and all the regular administrative items that permit the Navy to function without additions to the Navy fleet or shore establishments.

Mr. BARKLEY. Upkeep.

Mr. WALSH. Upkeep and maintenance, rather than new construction. For the maintaining of the Navy and not for new construction.

Mr. BARKLEY. If I understood the Senator correctly, $2,994,000,000 went for maintenance?

Mr. WALSH. Yes; that sum went for maintenance.

Mr. BARKLEY. Yes; but the sum of $1,500,000,000 for construction covered a period of 10 years.

Mr. WALSH. Exactly.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for a question?

Mr. WALSH. May I proceed for a few moments more; and then I shall be glad to yield to the Senator. There are some construction items in the tables.

Mr. CLARK of Missouri. I was about to ask the Senator a question about the particular figure he just gave. Does that figure include the large sums of money which were allocated to the Navy for construction purposes in various P. W. A. appropriations and other appropriations, particularly for construction purposes?

Mr. WALSH. It does not.

Mr. CLARK of Missouri. When the first appropriation was made by the Congress for unemployment relief, before the money was turned over to the Administrator of Public Works, Mr. Ickes, a sum in excess of $275,000,000 was taken out of the fund and turned over to the Navy for construction purposes. Yet 2 years later not a keel had been laid down, not a plan had been drawn, not a rivet had been tapped, and not a man employed in the United States as the result of that allocation. And there have from time to time during the course of the present administration been large sums allocated to the Navy for construction purposes and other purposes which were not carried in the naval appropriation bills.

Mr. WALSH. The Senator is correct about emergency funds being allotted to the Navy. It is true that from P. W. A. funds large sums of money each year were allotted to the Navy for improvement of the navy yards and for public works.

Mr. CLARK of Missouri. And for the construction of warships. The first allocation was for that purpose.

Mr. BYRNES. Mr. President, so long as the question has been raised, and before it is left, I should like to say to the Senator from Missouri that when the bill was under consideration the Senator from Oregon asked for that information, and I placed in the RECORD the statements of the exact amount that had been appropriated from 1929, including the amount about which the Senator from Missouri has inquired. I differ with him only in respect to the information he has as to what was done with that money.

Mr. CLARK of Missouri. That was testified to by the responsible chiefs of the Navy Department before the Munitions Committee. It was 2 years after the allocation, and that was their testimony before that committee.

Mr. BYRNES. Mr. President, during the consideration of the bill I put in the RECORD a statement only of the amount of money that was spent. I should like to put into the RECORD the number of ships that have been placed upon the sea as the result of it because, when the condition of the Navy as the result of the expenditure is discussed in the press, the writers always fail to call attention to the number of fighting ships that have been placed upon the sea. I have no objection to the efforts upon the part of the press to present their views, but they would be unfortunate if they succeeded in convincing the country that our Navy was not in first-class fighting shape today. It is not necessary for anyone to do that in order to induce us to make appropriations for national defense at this time.

Mr. CLARK of Missouri. Permit me to say one more word. I have no desire to prove that the Navy is not in first-class fighting shape. I should like to inquire as to these figures of fighting ships put on the sea, including the top-heavy destroyers, and the cruisers whose steering bases shatter every time they try to use them, and 10,000-ton cruisers which are more or less useless because of vibration.

Mr. BYRNES. Mr. President, the experts of the Navy believe there is no justification for the opinion as expressed by the Senator as to either of the last two items.

As to the first, there was so little justification that it is amazing that in this country of ours people could have given serious attention to it. During the consideration of the first supplemental appropriation bill at this session the committee went into that matter at some length. It developed that because of the tests that were applied—the very severe tests applied by the officials of the Navy to these destroyers—that in rounding in a rough sea they were top-heavy, as the Senator from Missouri calls it; they were repaired; they were changed; and it was heralded in the press as something that had never before occurred.

In the construction of ships during all the history of the Navy, especially in new designs, with the constant improvements, occasion has arisen after the ship has been constructed to make some change. Changes were made in those destroyers, and the total cost, as I recall it, was about two hundred thousand and some dollars, and a part of that was to be paid by the contractors who had the contracts, and the cost to the Navy Department was relatively small, and the ships that were delivered under the contracts and those constructed under that design are regarded by the experts of the Navy as first-class fighting ships today.

Mr. President, I understood the Senator from Massachusetts intended to give some additional data for the RECORD.

Mr. WALSH. Yes.

The next question propounded to the Navy was:

The amount of money spent each year on the building of new vessels, modernizing the old ones, the new aircraft, and the Navy's "public works"—bases, depots, yards, hospitals, and the like.

On ship construction the total amount of money spent between 1930 and the ending of the fiscal year 1939 was $1,156,295,257.05.

The first appropriation in 1930 was for $49,872,209.92.

For ship modernization during this period of 10 years, $44,898,582.93.

Aircraft construction (including airships), $152,877,454.51.

Mr. KING. Does that include aircraft carriers?

Mr. WALSH. No; it does not. They are surface naval vessels.

Public works, $130,741,775.19.

The next table gives a list of the vessels and their types that were completed during these 10 years.

In 1930 five vessels were completed, and they were all heavy cruisers.

In 1931 five vessels were completed, two being submarines and three heavy cruisers.

Mr. KING. Were they 10,000-ton cruisers?

Mr. WALSH. Yes.

In 1932 there were no vessels at all completed.

In 1933 there were three vessels completed, a submarine and two heavy cruisers.

In 1934, when we began to make substantial appropriations for building, there were eight combatant naval vessels completed, one being an aircraft carrier, four heavy cruisers, one destroyer, and two submarines.

In 1935 six vessels were completed, one being a heavy cruiser, and five being destroyers.

In 1936 there were nine vessels completed, a heavy cruiser, four destroyers, and four submarines.

In 1937 there were 32 vessels completed. We are beginning to get the effect now of the appropriations which began in 1934. One was a heavy cruiser, 24 were destroyers, 5 were submarines, and 2 were gunboats.

In 1938, 25 vessels were completed, 2 aircraft carriers, 4 light cruisers, 13 destroyers, and 6 submarines.

In 1939, 17 vessels were completed; 1 heavy cruiser, 4 light cruisers, 7 destroyers, and 5 submarines.

Nineteen hundred and forty—that is up to date—28 vessels were completed; 1 aircraft carrier, 1 light destroyer, 19 destroyers, and 7 submarines.

Making a grand total of all surface naval vessels of 138 vessels. It is to be noted that there were no battleships whatever finished during this period. Two are to be commissioned next month, one in the navy yard at Philadelphia and one in the navy yard at New York. They are the only battleships that have been completed since the naval limitation treaty in 1922.

Mr. VANDENBERG. Are those 35,000-ton battleships?

Mr. WALSH. Yes; both of them. We did not obtain authority for the larger size until last year, and 4 years will be required to build them.

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

Mr. WALSH. I yield.

Mr. WAGNER. The Senator spoke of 28 vessels being completed this year. He spoke of 28 vessels in 1940. Are they completed?

Mr. WALSH. Yes. In a moment I shall come to those in the course of construction.

The grand total is 138, consisting of four aircraft carriers, 18 heavy cruisers, 9 light cruisers, 73 destroyers, 32 submarines, and 2 gunboats.

During this period we completed 7 auxiliary naval vessels. It is a sad commentary on how lax we have been in providing auxiliary vessels, which, as Senators know, are the vessels which supply the fuel, the repair ships, and other auxiliary vessels. Not a single auxiliary naval vessel was built in 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, or 1938. One was completed in 1939, and 6 in 1940, making a total of 7.

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

Mr. WALSH. I yield.

Mr. KING. As an aftermath of the war, were there not many vessels which had served the purpose of those in the category to which the Senator has just referred?

Mr. WALSH. Since the President declared the present emergency, the patrol emergency, he has brought into commission a large number of destroyers—I think as many as

70 or 80. They have been repaired and put into usable condition, and they are now actually in service.

Mr. KING. The Senator will recall that at one time we had more than 200 destroyers, many of which were available for the purposes just indicated.

Mr. WALSH. I think the Senator is correct.

The next table shows the delivery of naval aircraft year by year for the 10-year period, and the total number. There were 10 different types, and the total number of naval aircraft delivered in those 10 years was 4,202. Some of them were replacements of obsolete naval planes. The table shows the number year by year, and the total is 4,202.

The next table shows naval surface vessels under construction and prospective completion.

The number of battleships under construction June 30, 1940, is eight; complete in 1941, none; complete in 1942, two; complete in 1943, two; complete in 1944, four. That accounts for the eight we have under construction.

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

Mr. WALSH. I yield.

Mr. VANDENBERG. How many of those are 45,000-ton ships?

Mr. WALSH. I know of only two. They will not be completed until 1944.

Aircraft carriers under construction June 30 of 1940, one. That vessel will be completed in 1942.

Light cruisers under construction June 30, 1940, six. Two will be completed in 1942 and four in 1943.

Destroyers under construction June 30, 1940, 24. Eighteen will be completed in 1941, and 6 in 1942, making a total of 24.

Submarines under construction June 30, 1940, 13; complete in 1941, 6; complete in 1942, 7.

The total number of vessels under construction June 30, 1940, is 52. Twenty-four of them will be completed in 1941, 18 in 1942, 6 in 1943, and 4 battleships in 1944.

The total number of naval auxiliary vessels under construction June 30, 1940, is 12. Seven will be completed in 1941, four in 1942, and one in 1943. Those auxiliary vessels consist of destroyer tenders, mine sweepers, repair ships, submarine tenders, seaplane tenders, and mine layers.

I find that I have the information which the Senator from Missouri requested, which I did not know was in the tables—that is, a totalization of all the funds, including the emergency funds to which the Senator has referred. The table shows that between 1934 and 1939, inclusive, $336,935,780.01 of emergency funds went to the Navy. That is broken down into "Increase of Navy," aircraft (including airships), modernization; and "Public works (direct)." In 1939 only $4,225,083.44 is under "Increase of Navy." The amount under "Public works (direct)" is $20,438,678.88, and the total is $24,663,762.32, for the year 1939.

The grand total for the Navy is $336,935,780.01, and that is broken down into the various items, the total for "Increase of Navy" being $261,613,959.24.

For the information of the Senate I think these tables should be inserted in the CONGRESSIONAL RECORD. I ask that they be printed in the RECORD at this point.

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

ANSWERS TO SENATOR WALSH'S QUESTIONS

Question No. 1: The Department's total expenditures for the 1930–40 decade, which I understand were $4,538,000,000.

Answer:

1930	$375,291,828.11
1931	357,806,219.10
1932	353,628,362.38
1933	342,176,417.52
1934	303,639,404.62
1935	440,604,669.56
1936	418,625,222.14
1937	539,030,790.85
1938	587,945,491.91
1939	660,206,184.96
Total	4,478,954,591.15

Question No. 2: The amount of this sum which was spent on maintenance items for the Navy, year by year.

Answer:

1930	$296,404,147.06
1931	286,283,543.14
1932	280,134,062.33
1933	257,237,940.68
1934	213,085,324.21
1935	281,316,628.06
1936	312,382,077.71
1937	330,340,570.96
1938	362,091,345.47
1939	374,865,881.85
Total	2,994,141,521.47

Question No. 3: The amount of money spent each year on the building of new vessels, modernizing the old ones, the new aircraft, and the Navy's "public works"—bases, depots, yards, hospitals, and the like.

Answer:

	Ship construction	Ship modernization	Aircraft (including airships)	Public works
1930	$49,872,209.92	$7,810,995.47	$14,385,563.58	$6,818,912.08
1931	37,928,742.82	7,605,862.37	13,157,747.01	12,830,323.76
1932	39,203,814.18	7,742,834.23	13,535,053.26	13,012,598.38
1933	48,251,178.78	12,349,210.16	13,123,811.62	11,214,276.28
1934	66,730,837.74	5,565,767.71	4,281,505.57	13,975,969.39
1935	132,312,739.43	2,680,864.05	10,347,261.74	13,947,176.28
1936	182,679,054.75	899,702.13	14,227,165.00	8,437,222.55
1937	181,522,074.47	243,346.81	18,315,769.00	8,609,029.61
1938	191,085,298.80	----------	27,256,163.73	7,512,683.91
1939	226,709,306.16	----------	24,247,414.00	34,383,582.95
Total	1,156,295,257.05	44,898,582.93	152,877,454.51	130,741,775.19

Question No. 4:

Answer:

MAY 21, 1940.

Completion of combatant naval vessels (by types and fiscal years to June 30, 1940)

	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	Total
Battleships	----	----	----	----	----	----	----	----	----	----	----	0
Aircraft carriers	----	----	----	----	1	----	----	----	2	----	1	4
Heavy cruisers	5	3	----	2	4	1	1	1	----	1	----	18
Light cruisers	----	----	----	----	----	----	----	----	4	4	1	9
Destroyers	----	----	----	----	1	5	4	24	13	7	19	73
Submarines	----	2	----	1	2	----	4	5	6	5	7	32
Gunboats	----	----	----	----	----	----	----	2	----	----	----	2
Total	5	5	0	3	8	6	9	32	25	17	28	138

Question No. 5:

Answer:

Completion of auxiliary naval vessels (by types and fiscal years to June 30, 1940)

	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	Total
Oilers	----	----	----	----	----	----	----	----	----	1	2	3
Fleet tugs	----	----	----	----	----	----	----	----	----	----	3	3
Destroyer tenders	----	----	----	----	----	----	----	----	----	----	1	1
Total	0	0	0	0	0	0	0	0	0	1	6	7

Question No. 6:

Answer:

Deliveries of naval aircraft

	Fiscal years											On	Total order
	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940		
VF	32	79	22	138	24	50	50	14	83	29	11	127	659
VOS-VSO	69	114	48	117	102	51	140	44	40	35	13	154	927
VPB	26	20	66	27	2	25	2	62	99	45	2	229	605
VSB-VB	----	----	9	24	2	71	116	28	228	99	105	231	913
VTB	10	----	26	----	----	1	2	2	113	2	13	2	171
VN	136	20	----	----	3	11	52	85	133	2	35	192	669
VJ	----	----	----	1	3	33	11	30	6	47	32	----	163
VJR	1	----	----	----	----	----	----	1	10	6	10	----	28
VR	----	2	4	4	3	19	5	----	6	2	----	8	53
VG	----	----	----	----	----	----	----	3	1	6	4	----	14
Total	274	235	175	311	139	261	378	269	719	273	225	943	4,202

Question No. 7:

Answer:

Naval surface vessels under construction and prospective completion, exclusive of 1941 Budget (by types and fiscal years, subsequent to June 30, 1940)

	Under construction June 30, 1940	Complete 1941	Complete 1942	Complete 1943	Complete 1944
Battleships	8		2	2	4
Aircraft carriers	1		1		
Light cruisers	6		2	4	
Destroyers	24	18	6		
Submarines	13	6	7		
Total	52	24	18	6	4

Question No. 8:

Answer:

Naval auxiliary vessels under construction and prospective completion, exclusive of 1941 Budget (by types and fiscal years, subsequent to June 30, 1940)

	Under construction June 30, 1940	Complete 1941	Complete 1942	Complete 1943	Complete 1944
Destroyer tenders	1	1			
Mine sweepers	2	2			
Repair ship	1		1		
Submarine tender	1		1		
Seaplane tenders (large)	2	2			
Seaplane tenders (small)	4	2	2		
Minelayer	1			1	
Total	12	7	4	1	

Question No. 9: No lighter-than-air craft are now on order.

Question No. 10: There are no vessels for which appropriations have been granted upon which construction has not begun.

Answer:

Naval expenditures, 1915–39

(1) Fiscal year	(2) Amount expended	(3) Increase of Navy	(4) Aircraft (includes airships)	(5) Modernization	(6) Public works (direct)	(7) Totals of columns 3, 4, 5, and 6	(8) Maintenance equals column 2 minus column 7
1915	$144, 956, 199. 41	$39, 363, 324. 69			$3, 824, 742. 41	$43, 188, 067. 10	$101, 768, 132. 31
1916	147, 598, 136. 82	37, 191, 228. 44			3, 481, 599. 46	40, 672, 827. 90	106, 925, 308. 92
1917	231, 671, 137. 47	49, 337, 963. 66			4, 168, 804. 54	53, 506, 768. 20	178, 164, 369. 27
1918	1, 169, 447, 554. 83	208, 954, 205. 74			43, 246, 332. 04	252, 200, 537. 78	917, 247, 017. 05
1919	1, 721, 098, 608. 94	263, 936, 761. 44			69, 000, 995. 11	332, 937, 756. 55	1, 388, 160, 852. 39
1920	838, 485, 576. 99	202, 139, 790. 59			38, 017, 848. 54	240, 157, 639. 13	598, 327, 937. 86
1921	963, 449, 978. 63	202, 744, 852. 87			16, 402, 476. 20	219, 147, 329. 07	744, 302, 649. 56
1922	485, 583, 028. 12	128, 862, 991. 97	$998, 462. 24		14, 124, 036. 42	143, 985, 490. 63	341, 597, 537. 49
1923	308, 943, 019. 95	46, 681, 919. 62	4, 073, 523. 76		9, 092, 933. 68	59, 848, 377. 06	249, 094, 642. 89
1924	316, 716, 719. 31	41, 696, 913. 44	7, 300, 187. 20		4, 150, 614. 44	53, 147, 715. 08	263, 569, 004. 23
1925	323, 940, 534. 15	34, 021, 549. 83	5, 295, 957. 41	$212, 832. 91	3, 816, 774. 09	43, 347, 114. 24	280, 593, 419. 91
1926	317, 495, 316. 32	25, 249, 796. 96	4, 963, 705. 63	5, 745, 280. 29	3, 561, 201. 99	39, 519, 984. 87	277, 975, 331. 45
1927	320, 553, 753. 98	27, 430, 330. 87	6, 037, 444. 10	10, 203, 283. 40	2, 617, 252. 61	46, 288, 310. 98	274, 265, 443. 00
1928	336, 441, 214. 24	36, 934, 985. 38	11, 301, 938. 52	5, 042, 288. 60	4, 436, 840. 63	57, 716, 053. 13	278, 725, 161. 11
1929	366, 443, 933. 40	46, 759, 720. 51	15, 769, 724. 54	9, 564, 567. 07	8, 584, 307. 47	80, 678, 319. 59	285, 765, 613. 81
1930	375, 291, 828. 11	49, 872, 209. 92	14, 385, 563. 58	7, 810, 995. 47	6, 818, 912. 08	78, 887, 681. 05	296, 404, 147. 06
1931	357, 806, 219. 10	37, 928, 742. 82	13, 157, 747. 01	7, 605, 862. 37	12, 830, 323. 76	71, 522, 675. 96	286, 283, 543. 14
1932	353, 628, 362. 38	39, 203, 814. 18	13, 535, 053. 26	7, 742, 834. 23	13, 012, 598. 38	73, 494, 300. 05	280, 134, 062. 33
1933	342, 176, 417. 52	48, 251, 178. 78	13, 123, 811. 62	12, 349, 210. 16	11, 214, 276. 28	84, 938, 476. 84	257, 237, 940. 68
1934	266, 581, 699. 68	43, 066, 761. 26	4, 005, 398. 00	5, 565, 767. 71	2, 532, 986. 45	55, 170, 913. 42	211, 410, 786. 26
1935	327, 554, 194. 01	38, 848, 700. 84	6, 531, 115. 00	2, 680, 864. 05	1, 396, 294. 53	49, 456, 974. 42	278, 097, 219. 59
1936	404, 702, 348. 42	81, 300, 675. 37	7, 497, 340. 00	899, 702. 13	4, 829, 497. 67	94, 527, 215. 17	310, 175, 133. 25
1937	503, 350, 016. 63	155, 008, 729. 19	10, 452, 894. 00	243, 346. 81	8, 225, 048. 99	173, 930, 018. 99	329, 419, 997. 64
1938	575, 453, 311. 07	178, 716, 262. 73	27, 168, 070. 00		7, 495, 431. 17	213, 379, 763. 90	362, 073, 547. 17
1939	635, 474, 414. 22	222, 484, 222. 72	24, 247, 414. 00		13, 944, 904. 07	260, 676, 540. 79	374, 797, 873. 43
Total	12, 134, 843, 523. 70	2, 285, 987, 633. 82	189, 845, 349. 87	75, 666, 835. 20	310, 827, 033. 01	2, 862, 326, 851. 90	9, 272, 516, 671. 80
EMERGENCY FUNDS							
1934	$37, 057, 704. 94	$23, 664, 076. 48	$276, 107. 57		$11, 442, 982. 94	$35, 383, 166. 99	$1, 674, 537. 95
1935	113, 050, 475. 55	93, 464, 038. 59	3, 816, 146. 74		12, 550, 881. 75	109, 831, 067. 08	3, 219, 408. 47
1936	113, 922, 873. 72	101, 378, 379. 38	6, 729, 825. 00		3, 607, 724. 88	111, 715, 929. 26	2, 206, 944. 46
1937	35, 680, 774. 22	26, 513, 345. 28	7, 862, 875. 00		383, 980. 62	34, 760, 200. 90	920, 573. 32
1938	12, 492, 180. 84	12, 369, 036. 07	88, 093. 73		17, 252. 74	12, 474, 382. 54	17, 798. 30
1939	24, 731, 770. 74	4, 225, 083. 44			20, 438, 678. 88	24, 663, 762. 32	68, 008. 42
Total	336, 935, 780. 01	261, 613, 959. 24	18, 773, 048. 04		48, 441, 501. 81	328, 828, 509. 09	8, 107, 270. 92
Grand total	12, 471, 779, 303. 71	2, 547, 601, 593. 06	208, 618, 397. 91	$75, 666, 835. 20	359, 268, 534. 82	3, 191, 155, 360. 99	9, 280, 623, 942. 72
Average	498, 871, 172. 15	101, 904, 063. 72	11, 589, 910. 99	5, 044, 455. 68	14, 370, 741. 39	127, 646, 214. 44	371, 224, 957. 71

NOTE.—Amounts shown in column 4 furnished by Bureau of Aeronautics. Separate expenditure figures for new aircraft not available before 1922. Does not include emergency relief funds allotted to the Navy.

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

Mr. BYRNES. I yield.

Mr. MINTON. Before the Senator proceeds, as I understood the Senator from South Carolina [Mr. BYRNES] in response to the question of the Senator from Missouri [Mr. CLARK], the matter of top-heavy destroyers was a matter which was corrected in the ordinary course, and was not an unusual experience.

Mr. BYRNES. It was not. It was given great publicity at the time, and so naturally called forth inquiries from many persons. As a result of the newspaper stories I inquired of the Chief of Naval Operations as to the matter; and when the Navy representatives came before the committee we went into it at some length. I must say that as a result of our investigation I was quite reassured. I did not blame citizens for being disturbed about the stories, because the newspaper stories greatly exaggerated an ordinary routine incident in the construction of vessels.

Mr. MINTON. The Senator from Missouri also stated that some cruisers were not serviceable because of extreme vibration.

Mr. BYRNES. I suppose the Senator from Missouri had information from somebody to that effect.

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

Mr. BYRNES. I yield.

Mr. CLARK of Missouri. I do not feel at liberty to disclose the names of the naval officers who gave me that information, because they might be subject to discipline. However, I have been told by very competent naval officers that cruisers of the 10,000-ton class were subject to such extreme vibration that it was very difficult to fire from them.

Mr. BYRNES. Everyone knows the opinion I hold of the officers of the Navy. I have heretofore expressed the opinion that we are indeed fortunate that someone suggested the method of selecting prospective officers of the Army and Navy through appointments by Senators and Representatives from each district, so as to represent a splendid cross-section of the American people. As a result we have no militaristic group among our commissioned personnel. But they differ just like Members of the House and Senate. I have friends in the Navy; and what they may say on any particular day about the condition of a ship may depend somewhat upon their digestion or their general feeling. An officer may be enthusiastic about the Navy, or he may be satisfied that if the Navy would only take his advice everything would be all right. Among my friends in the service I sometimes find that they feel that if the Navy would only take their advice things would be better.

However, the General Board, the responsible officials of the Navy, have not given us such information as to defects in our cruisers. Back in 1930 there was a defect in certain cruisers which developed in some sternposts. It was corrected more than 5 years ago by the replacement of the sternpost castings. It should be remembered that the personnel of the Navy Department in Washington changes constantly. They must go to sea after 4 years. New men come into the Department. I accept the statements of those men. They have no reason to misrepresent the actions of their predecessors in office. They are not special pleaders. I accept as true the statements of the responsible officials. We have no information as to any defect of the kind referred to in cruisers now commissioned. I am sure the Senator from Massachusetts [Mr. WALSH], who devotes so much of his time to the affairs of the Navy, would agree with that statement.

Mr. MINTON. Then the Senator himself feels assured, from his experience on the committee dealing with naval appropriations, that there are no cruisers with the defect to which the Senator from Missouri has referred? Of course, the Senator from Missouri has information which he considers to be dependable and reliable. That is how these things get to the country. That is why I am asking the Senator.

Mr. BYRNES. If the Senator from Missouri [Mr. CLARK] will give me the information in his possession, I shall be delighted to make an inquiry without disclosing the names of the officers. I should be interested to know the answer, just as he would be interested to know it. I am satisfied that the officers referred to, no matter how well-intentioned their statements, are absolutely mistaken as to any defects in the cruisers.

Mr. CLARK of Missouri. I will say that the information as to the top-heavy destroyers came from the statement of the Chief of Naval Operations, which was published in newspapers all over the country.

Mr. BYRNES. I have the statement of the Chief of Naval Operations and will put it into the RECORD because it has been referred to. I am satisfied it will give great comfort to the Senator from Missouri and convince him that there was no justification for being disturbed on that score. I found that the matter had been greatly exaggerated. Vessels, before being accepted, are subjected to severe tests. The destroyer in question was subjected to a particularly severe test, turning in a rough sea, because it was desired to determine whether or not it needed more ballast. The difficulty was corrected without lessening the speed of the destroyer and at very little cost.

NOVEMBER 21, 1939.

MY DEAR SENATOR BYRNES: The thought that many of our newest war craft have developed certain structural defects that render them less effective than originally designed has gained some currency in the press. Particularly has the stability of some recently constructed destroyers been questioned. The facts regarding these destroyers are as follows:

The original design was expected to provide ample stability under all conditions. During the course of construction of the vessels it was deemed advisable (as is often the case) to add to and improve their military characteristics and their sturdiness. These changes resulted in increased weights. Upon the completion of the first vessel of the class, the customary test conducted to show the stability of the class indicated that, while their stability was more than ample by the normal standards used for merchant vessels, it was somewhat less than has been and is considered desirable for satisfactory service operation of our destroyers under all conceivable operating conditions in peace and war.

Steps were promptly devised and are now being taken to bring the stability requirements up to that originally intended. When these steps are completed these destroyers will be superior to earlier destroyer types. Contrary to some statements which have recently been published, there has been no sacrifice in the ability of these destroyers to use every gallon of fuel oil they carry, nor has their fuel capacity been decreased.

In a recent issue of the United Services Review, a British naval publication, there appears the following statement regarding United States destroyers, "Compared to Britain's destroyers of the *Intrepid* class, the Cravens [United States destroyers] appear to possess every advantage. They are slightly faster, somewhat more heavily gunned, and carry a superior torpedo armament. They compare even more favorably, at least from the standpoint of speed and torpedo armament, to Japan's new destroyers of the *Sigure* class." This would indicate that informed foreign opinion does not concur, at least so far as destroyers are concerned, in the statement recently made by your constituent that "Our Navy is not as powerful and as efficient as the public is led to believe and as the Congress is warranted in expecting from the generous appropriations it has made for our first line of defense."

As regards allegations concerning defects in certain heavy cruisers, the difficulty which developed in some sternposts, due to cracks in steel castings, back in 1930 were all corrected more than 5 years ago by the replacement of the sternpost castings. Since that time these craft have proven to be smooth running and highly effective and satisfactory units of the fleet.

While the troubles referred to above are not of a type which are or can be investigated in a model basin or "testing tank," where underwater ship forms, and their resulting effects on ship speed, power, and maneuverability can be studied—it is worthy of note that the Navy has had for more than 40 years an experimental model basin.

This basin has taken care not only of naval requirements but also the bulk of the model testing work in connection with the construction of our merchant vessels.

The steady expansion of the Navy, the recent increase in merchant-ship construction, as well as some recent advances in testing technique, however, have necessitated additional model-basin facilities. Authorization for such facilities was obtained from the Congress in 1936.

In accordance with this authorization, there has recently been completed and there is now being placed in service a new model basin which is one of the finest in the world. This model basin, together with previously existing naval research facilities, as well as those of other governmental and industrial institutions, which are consulted freely and frequently, provides the Navy with excellent research and testing facilities.

There is, of course, no objection on my part, or on the part of the Navy Department, to your making public as much of the foregoing as you may desire.

Yours sincerely,

Admiral HAROLD R. STARK,
Chief of Naval Operations.

Hon. JAMES F. BYRNES,
United States Senate, Washington, D. C.

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

Mr. BYRNES. I yield.

Mr. KING. I have a rather indistinct recollection that the Secretary of the Navy has made some comment which might be construed as critical of some of the mechanical provisions or features or parts of some of the naval vessels. Does the Senator have in mind any of those newspaper reports?

Mr. BYRNES. I must say I do not. If I had, I would be glad to advise the Senator.

Mr. KING. While I am on the floor, may I ask another question which the Senator can answer in his own time? Did the committee take into account, in the formulation of the bill as now presented to the Senate, the recent developments in aviation overseas, the tremendous efficiency and destructiveness of aviation as it has been manipulated and employed by the Germans? And did the committee take into account the importance of aviation?

Mr. BYRNES. I can assure the Senator that the Navy Department has abroad observers of the Navy; that the Department is in daily touch with its observers; that it has first-hand information; that the best thought of the best officers in the Navy has been devoted to nothing else. Each day, as developments occur in an offensive weapon, skill and ingenuity are called upon to provide a defensive weapon to combat it. The American people can be satisfied that that is being done.

I do not know anything about the condition of the Army, but for 20 years I have served on the Naval Appropriations

Committee, first, in the House, and since my service in the Senate, and I believe that today the Navy is in better condition than it has been at any time in our history, not only in the number of ships in commission and ships under construction, not only in modern equipment, but in the morale of the Navy itself.

There have been times during that long period when that has not been true, and when such a statement about the Navy could not have been made by anyone; but we have been exceedingly fortunate in the last three officers selected as Chief of Naval Operations. Particularly during the time I have been serving in the Senate, I have seen the Navy develop until today I am satisfied of the correctness of the statement I have made, that it is today in better fighting condition than ever in its history.

Mr. BARKLEY. Mr. President——

Mr. BYRNES. One thing more, before I forget it, as to the statement with reference to press reports about the expenditure of money for the Navy. How in the world can we provide ships without spending money? Of course, consideration must be given to the fact that there are maintenance costs every year; it is necessary to provide for the maintenance of the personnel. In this bill itself we have provided for the ships of various categories.

There are 120 ships under construction for which funds are provided in this bill—not new ships, but ships which are under construction. The funds provided by the bill are necessary to complete them. It is impossible to add 120 ships to the Navy without spending money, but, as the result of the construction of those ships, the Navy is in better condition. We have to increase, in this bill, the personnel of the Navy by adding 25,000 men because of the increased number of ships in commission. It costs money to put them in commission. There has been no evidence from any responsible person as to any waste or extravagance in the Navy Department of the United States.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. I am glad to hear the Senator say that, and it emphasizes the fact that the larger and more efficient we make our Navy, aside from the cost of construction, the greater will be the cost of maintenance.

Mr. BYRNES. When a thousand men are added to the Navy it involves an expenditure of $1,300,000.

Mr. BARKLEY. I rose to thank the Senator from South Carolina and the Senator from Massachusetts [Mr. WALSH] for the information which was elicited by my question a while ago, and I wish to suggest to all Senators that they read the report submitted by the Senator from Massachusetts to accompany the naval-expansion bill, which is to be taken up in a day or so, because it is an exhaustive report upon the condition of our Navy, and in advance of taking up that bill I think it would be well worth while for Senators to familiarize themselves with the information which it contains.

Mr. BYRNES. Mr. President, before leaving the subject, I wish to call attention to a statement which I referred to in the discussion of this matter when the bill was previously before the Senate, showing the regular expenditures for the Navy and also the emergency funds provided year by year from 1915. One has to remember that when the expenditures were low, the disarmament treaty was in existence. By reason of the limitation of armaments, ship construction was not proceeded with. But, through no fault of ours, indeed, against our wishes, when the limitations of armaments treaty was no longer in force, this Government, in self-defense, was forced to increase its appropriations. That accounts for the increases in the later years. I ask permission to have the statement inserted in the RECORD in order to complete the discussion.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The statement referred to is as follows:

Naval expenditures, 1915–39

(1) Fiscal year	(2) Amount expended	(3) Increase of Navy	(4) Aircraft (includes airships)	(5) Modernization	(6) Public works (direct)	(7) Totals of columns 3, 4, 5, and 6	(8) Maintenance equals column 2 minus column 7
1915	$144,956,199.41	$39,363,324.69			$3,824,742.41	$43,188,067.10	$101,768,132.31
1916	147,598,136.82	37,191,228.44			3,481,599.46	40,672,827.90	106,925,308.92
1917	231,671,137.47	49,337,963.66			4,168,804.54	53,506,768.20	178,164,369.27
1918	1,169,447,554.83	208,954,205.74			43,246,332.04	252,200,537.78	917,247,017.05
1919	1,721,098,608.94	263,936,761.44			69,000,995.11	332,937,756.55	1,388,160,852.39
1920	838,485,576.99	202,139,790.59			38,017,848.54	240,157,639.13	598,327,937.86
1921	963,449,978.63	202,744,852.87			16,402,476.20	219,147,329.07	744,302,649.56
1922	485,583,028.12	128,862,991.97	$998,462.24		14,124,036.42	143,985,490.63	341,597,537.49
1923	308,943,019.95	46,681,919.62	4,073,523.76		9,092,933.68	59,848,377.06	249,094,642.89
1924	316,716,719.31	41,696,913.44	7,300,187.20		4,150,614.44	53,147,715.08	263,569,004.23
1925	323,940,534.15	34,021,549.83	5,295,957.41	$212,832.91	3,816,774.09	43,347,114.24	280,593,419.91
1926	317,495,316.32	25,249,796.96	4,963,705.63	5,745,280.29	3,561,201.99	39,519,984.87	277,975,331.45
1927	320,553,753.98	27,430,330.87	6,037,444.10	10,203,283.40	2,617,252.61	46,288,310.98	274,265,443.00
1928	336,441,214.24	36,934,985.38	11,301,938.52	5,042,288.60	4,436,840.63	57,716,053.13	278,725,161.11
1929	366,443,933.40	46,759,720.51	15,769,724.54	9,564,567.07	8,584,307.47	80,678,319.59	285,765,613.81
1930	375,291,828.11	49,872,209.92	14,385,563.58	7,810,995.47	6,818,912.08	78,887,681.05	296,404,147.06
1931	357,806,219.10	37,928,742.82	13,157,747.01	7,605,862.37	12,830,323.76	71,522,675.96	286,283,543.14
1932	353,628,362.38	39,203,814.18	13,535,053.26	7,742,834.23	13,012,598.38	73,494,300.05	280,134,062.33
1933	342,176,417.52	48,251,178.78	13,123,811.62	12,349,210.16	11,214,276.28	84,938,476.84	257,237,940.68
1934	266,581,699.68	43,066,761.26	4,005,398.00	5,565,767.71	2,532,986.45	55,170,913.42	211,410,786.26
1935	327,554,194.01	38,848,700.84	6,531,115.00	2,680,864.05	1,396,294.53	49,456,974.42	278,097,219.59
1936	404,702,348.42	81,300,675.37	7,497,340.00	899,702.13	4,829,497.67	94,527,215.17	310,175,133.25
1937	503,350,016.63	155,008,729.19	10,452,894.00	243,346.81	8,225,048.99	173,930,018.99	329,419,997.64
1938	575,453,311.07	178,716,262.73	27,168,070.00		7,495,431.17	213,379,763.90	362,073,547.17
1939	635,474,414.22	222,484,222.72	24,247,414.00		13,944,904.07	260,676,540.79	374,797,873.43
Total	12,134,843,523.70	2,285,987,633.82	189,845,349.87	75,666,835.20	310,827,033.01	2,862,326,851.90	9,272,516,671.80
EMERGENCY FUNDS							
1934	$37,057,704.94	$23,664,076.48	$276,107.57		$11,442,982.94	$35,383,166.99	$1,674,537.95
1935	113,050,475.55	93,464,038.59	3,816,146.74		12,550,881.75	109,831,067.08	3,219,408.47
1936	113,922,873.72	101,378,379.38	6,729,825.00		3,607,724.88	111,715,929.26	2,206,944.46
1937	35,680,774.22	26,513,345.28	7,862,875.00		383,980.62	34,760,200.90	920,573.32
1938	12,492,180.84	12,369,036.07	88,093.73		17,252.74	12,474,382.54	17,798.30
1939	24,731,770.74	4,225,083.44			20,438,678.88	24,663,762.32	68,008.42
Total	336,935,780.01	261,613,959.24	18,773,048.04		48,441,501.81	328,828,509.09	8,107,270.92
Grand total	12,471,779,303.71	2,547,601,593.06	208,618,397.91	$75,666,835.20	359,268,534.82	3,191,155,360.99	9,280,623,942.72
Average	498,871,172.15	101,904,063.72	11,589,910.99	5,044,455.68	14,370,741.39	127,646,214.44	371,224,957.71

NOTE.—Amounts shown in column 4 furnished by Bureau of Aeronautics. Separate expenditure figures for new aircraft not available before 1922. Does not include emergency relief funds allotted to the Navy.

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

Mr. BYRNES. I yield.

Mr. VANDENBERG. The Senator from Massachusetts read the schedule of the prospective dates when ships under construction would be completed. Would the dates he read be changed and advanced by that portion of this appropriation intended for speeding up ship construction?

Mr. BYRNES. That is the purpose of it. It has been my contention in the discussion of the matter with officials of the Navy that the appropriation should be used in great measure upon those ships which are 50 percent or more completed. I think it far more important at this time that what money is appropriated should be spent upon ships which can be placed upon the sea within a reasonable time and to hasten their being placed upon the sea rather than upon those that are merely in the initial stages of construction. I am glad to say I have the assurance of the Chief of Naval Operations that that is the intention of the Department, and that will be done. Therefore, the direct answer is that the dates which have been furnished our committee heretofore will no longer be considered by the Navy Department as the dates of completion. The object of this appropriation is to hasten the date of completion.

Mr. VANDENBERG. Therefore, the schedule of dates presented by the able Senator from Massachusetts would be more favorable after this bill takes effect?

Mr. BYRNES. That is exactly correct.

Mr. ADAMS. Mr. President, I should like to make an inquiry of the Senator from South Carolina. On page 73—although I fear the amendment has been passed over—there is a provision which has to do with the scale of compensation of employees on the Panama Canal Zone. As the bill came from the House there was a provision that none of the funds in this appropriation should be used for the payment of any civilian unless a citizen of the United States. The attention of the Senate committee was called to the fact that that provision was in violation of the treaty with Panama, and a modified section has been incorporated in this bill. I think similar modifications have perhaps been placed in other bills, but among the provisions is one which seems to me to be an injustice to the taxpayers of the United States. It is provided that citizens of the United States who are employed on the Canal shall be paid 25 percent more than the rate for similar employment in the United States. That is a perfectly proper provision, because these men are brought from the United States; they go to Panama; housing has to be provided, and living costs are different. So an additional wage rate for the American who goes there is proper. But in this amendment it is provided that citizens of Panama, those who live on the Isthmus, shall get 25 percent more wages than the same services would command in the United States. It seems to me that we ought to eliminate that which I think is an excessive payment to the citizens of Panama who do not come within the reason for the extra payment.

Mr. BYRNES. Mr. President, while the Senator from Colorado was out of the Chamber I think I called attention to the fact that the committee had not touched any part of the bill which had previously passed the Senate; and I asked unanimous consent that amendments heretofore adopted be considered en bloc, which was done. But I wish to answer the inquiry of the Senator from Colorado.

The language now in the bill was the language that the Appropriations Committee agreed upon in the first bill reported, the War Department civil functions bill, and was adopted by the Senate with the understanding that the same amendment would be offered to the Army bill; it was in that bill as it passed yesterday, and it, therefore, had to be made to apply to the Navy. As a matter of fact, in the Navy it does not apply to more than 50 or 60 employees. The greater number of employees, is in connection with the civil functions of the War Department, and in the Army. It was the opinion of the committee that the same amendment should apply to the naval bill; and I believe it is the spirit of the Senate that this bill should accord with whatever agreement is finally arrived at in conference as to the other bills.

Mr. ADAMS. I think that is quite true, and that if the provision is improper here it is improper in the other bills and should be corrected. I think it is an imposition on the taxpayers to have this item go into all the bills. One reason why I am making this statement is in the hope of attracting attention to the matter.

Mr. BYRNES. The Senator knows my views on the subject. I voted to report in the other two bills the provision carried in this bill because of the representation of the State Department that the treaty would be violated if the original language of the House were agreed to; and it seemed to me there was much to that argument.

Mr. ADAMS. I think it is entirely correct that the original language violated the treaty; but in correcting that we have now gone clear beyond what the treaty required. The treaty required that there should be equal opportunities for employment. It did not require that there should be paid to the man employed who lives in Panama the same wages that are paid to the man who is brought from the United States, and who had to pay transportation and increased costs, and who, in addition, had a different living standard.

Mr. BYRNES. I must say that the matter was not considered at this time, because we did not go into the first part of the bill; but when it was originally considered in the Appropriations Committee in connection with the civil-functions bill—and I think the greater part of 2 days was consumed in its consideration—there was a question as to whether or not the treaty applied. I shall not attempt to quote the language of the treaty without having it before me. My recollection is that the language used was "working conditions"; and it was held by the State Department, and finally held by a large majority of the Appropriations Committee, that that language would apply to wages. If it applies to wages, then even if the 50 or 60 employees here are paid more money, I would not want to put the Government of the United States in the position of violating a treaty with any country.

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

Mr. BYRNES. Yes.

Mr. CLARK of Missouri. I should like to ask the Senator to state, if he knows it, the recommendation of the War Department—which has jurisdiction of the Panama Canal—with regard to this extra 25 percent. Perhaps the recommendation did not come before the Senator's committee. I think the Senator from Colorado is in error in his statement that living costs in the Panama Canal Zone are higher than they are in the United States.

Mr. ADAMS. I did not mean that. I mean that the living costs of the man who moves from the United States to the zone are higher than the living costs of the man who lives in Panama. The latter's living costs are not as high as the costs in the United States.

Mr. CLARK of Missouri. But, as far as the Panama Canal Zone itself is concerned, of course every man who is employed by the Panama Canal authorities lives on the Canal Zone. Every building, every dwelling of every sort in the Panama Canal Zone, is owned by the United States Government itself, and the dwellings are rented to the employees at very low rentals. The Governor of the Panama Canal himself is not permitted to own his own home. He rents from the Government of the United States the house in which he lives. All of the subsistence of those men is bought through the Panama Canal commissary, operated by the United States Government itself; and the average costs in that commissary of everything going into the cost of living are very much less than they are in the United States. So, while I have no desire to open up the question at this time in connection with this particular bill, I do think it is unjustifiable to grant that 25-percent increase not only to the citizens of the United States but to the Panamanians who are employed in the Canal Zone. As the Senator says, as far as naval employees

are concerned, the number is probably only 60 or 70; but the same provision is in the other bills, and I think it is based on a misapprehension of the facts.

Mr. BYRNES. Of course, the 25-percent provision did not originate here. It has been paid. What inspired the Congress to provide for its payment, I do not recall at this time. I know in a general way the conditions existing in the Canal Zone; and, offhand, I do not see why it should cost a man so much more to live there than in the United States. There was, I suppose, the belief that whenever a man is in the Government service in one of the possessions, because he leaves home he should be paid a larger amount of compensation, and the Congress has provided it.

Mr. CLARK of Missouri. Is it not a fact that that provision probably is the result of a controversy which has been going on for a long time between certain labor organizations in the Panama Canal Zone and the Panama Canal authorities? The Panama Canal authorities have always maintained that in the case of certain classes of labor in the Panama Canal Zone it was necessary to employ local or native labor, because American labor could not afford to go down there and take the jobs at the price at which the authorities could get the work done; and this is simply a method of "beating the devil around the stump" by raising wages down there, to make it more attractive for Americans to go down there and do the work.

Mr. BYRNES. I do not think there is any question that the provision is due to a controversy which has existed for some time between one of the great labor organizations and the Panama Canal authorities. The Senator from Nevada [Mr. McCARRAN], who offered the amendment in the Senate Appropriations Committee, is not in the Chamber at this time; but the primary purpose of the provision, as stated by its proponents in the House and in the Senate, was to make it possible for more skilled employees in this country to get employment down at the Canal Zone. The proponents argue with considerable force that the skilled worker of the United States produces more; in fact, they claim that he does three times as much work in the same time as will the Panamanian, and that this procedure will reduce relief expenditures, and therefore is most desirable. The Senate adopted the provision in the case of the Army bill and the civil-functions bill, and whatever is done by those two conference committees will be agreed to by the conferees on this bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee on page 76, after line 13.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 76, after line 20, to insert:

BUREAU OF YARDS AND DOCKS

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Toward the following public works and public utilities projects at a cost not to exceed the amount stated for each project, respectively, $53,325,000, which amount, together with unexpended balances of appropriations herein and heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund:

Navy Yard, Pearl Harbor, Hawaii: Temporary storehouses and accessories, $1,000,000;

Naval Station, Guantanamo, Cuba: Defense facilities, including buildings and accessories, $1,500,000;

Naval Air Station, Coco Solo, Canal Zone: Breakwater, $3,000,000;

Naval Supply Depot, Pearl Harbor, Hawaii: Quay wall and unloading wharf, $500,000;

Net and ammunition storage facilities: Naval net depots and ammunition storage, including buildings and accessories and the acquisition of land, $6,262,362;

Naval aviation shore facilities, including acquisition of land, $45,000,000.

The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590-592), shall be applicable to all public works and public utilities projects mentioned in this act: *Provided*, That all contractors who enter into contracts under the authority contained in this paragraph shall, in the discretion of the Secretary of the Navy, be held to be agents of the United States for the purpose of such contracts and all purchases under such contracts shall be exempt from Federal, State, and local taxes.

The Secretary of the Navy is authorized to continue the employment, in the District of Columbia and elsewhere, of such employees now carried on the rolls as will be required for the preparation of plans and specifications and administrative work in connection with the public works and public utilities projects authorized by this act, or heretofore otherwise authorized.

The amendment was agreed to.

The next amendment was, on page 78, after line 9, to insert:

BUREAU OF AERONAUTICS

AVIATION, NAVY

For an additional amount for aviation, Navy, comprising the same objects specified under this head in title I of this act, to be immediately available, $43,850,000, which sum is hereby made available for expenditure, in the discretion of the Secretary of the Navy, for the procurement and installation of special facilities for use by contractors in manufacturing aircraft and aeronautical material: *Provided*, That existing contracts for aircraft and aeronautical material may be appropriately modified: *Provided further*, That facilities procured hereunder may be leased, sold, or otherwise disposed of, in the discretion of the Secretary of the Navy, when no longer required for use under naval contracts: *Provided further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1942, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of $100,000,000.

The amendment was agreed to.

The next amendment was, on page 79, after line 2, to insert:

MARINE CORPS

GENERAL EXPENSES, MARINE CORPS

For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

For an additional amount for military supplies and equipment, comprising the same objects specified under this head in title I of this act, $408,280.

The amendment was agreed to.

The next amendment was, on page 79, after line 11, to insert:

ALTERATIONS TO NAVAL VESSELS

On account of the major alterations to the United States battleships *New York*, *Texas*, and *Arkansas*, $6,000,000, to be immediately available and to remain available until expended.

The amendment was agreed to.

The next amendment was, on page 79, after line 16, to insert:

REPLACEMENT OF NAVAL VESSELS

Construction and machinery: For an additional amount on account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), including the necessary machine tools and other equipment in naval establishments and Government equipment in private plants required for expediting shipbuilding, to be immediately available and to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in title I of this act, $65,000,000.

Mr. KING. Mr. President, may I inquire of the Senator having the bill in charge the nature of this appropriation of $65,000,000 for replacement of naval vessels? Is it for new vessels?

Mr. BYRNES. It is the item we have been discussing at great length in response to the inquiries of the Senator from Oregon [Mr. McNARY]. It is for speeding up ship construction.

Mr. KING. It is not replacement, then?

Mr. BYRNES. "Replacement of naval vessels" is the title under which it is always carried in the naval bills. It is a technical term for ship construction. That is all it means. The item always has been carried under this heading.

Mr. McNARY. Mr. President, may I ask the Senator what amount of money is appropriated for the naval bases which were authorized in the bill of last year? I may add that I observed in the press that appropriations are carried for a number of new naval bases about the Atlantic, Gulf, and Pacific coasts. These bases, I think, were authorized last year; were they not?

Mr. BYRNES. I do not know what particular base the Senator has in mind.

Mr. McNARY. For instance, last year Congress authorized the construction of a base at Tongue Point, on the Columbia River, Oreg. I observed in the press this morning that an appropriation of $2,000,000 is carried in the bill for

that and other bases. Are those all new bases that were authorized under the bill last year, and is the appropriation for them carried at this time?

Mr. BYRNES. I do not know that all that were authorized are provided for; but all for which appropriations are included in the bill have been authorized.

Mr. McNARY. Oh, yes. May I ask the Senator from Massachusetts [Mr. WALSH] a question on that subject? The authorization of last year authorized the construction of a number of naval bases throughout the country. One of them was in my State.

Mr. WALSH. That is correct.

Mr. McNARY. Does the appropriation carried in this bill take care, by appropriation, of all those bases?

Mr. WALSH. No; I do not understand that it does. I will say to the Senator that there is now pending before our committee a bill which increases the number of naval bases, and refers to the base in which the Senator is interested, and makes a further authorization; and that is expected to be supplemented by a deficiency naval appropriation bill. One of the matters on which we had a hearing this morning, and to which we are giving very close attention, is the importance of just what the Senator has referred to—naval shore bases for airships, which we have sadly neglected, as the Senator well knows. There is to be an appropriation for the development of those bases during the present session of the Congress.

Mr. McNARY. I thank the Senator.

I now have before me the authorization of the base in which I am particularly interested. The appropriation for its construction is carried in this bill for the full amount of the authorization.

Mr. BYRNES. I must say that I am not familiar with any specific appropriation for that base. In the regular part of the bill which has heretofore passed, for all yards and docks, $49,000,000 is carried; and I assume the construction will proceed under that lump sum.

Mr. McNARY. Forty-nine million dollars for all?

Mr. BYRNES. For a number of bases. I do not know that the particular base mentioned was specified.

Mr. McNARY. I thought perhaps the Senator had the break-down. I will not pursue it further. I think I have been sufficiently advised. I thank the Senator.

Mr. KING. Mr. President, before the bill under consideration is passed I desire to submit a few observations. I intend to vote for the bill. I believe the condition throughout the world calls for further examination of the questions relating to national defense and, indeed, our relations to other nations. The ruthless and criminal warfare conducted by the Nazi regime has compelled many nations to further consider their internal affairs as well as their relations with other governments. The world is confronted with the most brutal, wicked, and destructive assaults ever made upon democratic nations—upon peace-loving peoples and upon civilization itself.

In all the history of the world there have not been greater preparations for military conquest than those made by the Nazi regime. Ever since Hitler came to power the whole economy of the German people has been devoted to the building of a conquering force that would seek the destruction of liberty-loving peoples. The developments in mechanical science have been employed in the building of a mechanized Army which seems to defy time and space, natural barriers, and opposing military forces. We may not definitely know the numerical strength of the armies of Hitler, but sufficient facts have been revealed to indicate that the armed forces of Germany consist of several million men. And the number of military forces in Hitler's various armies do not measure the effective force and power of his powerful military machine. I use the word "machine." Indeed, Hitler's Army is a vast machine; it consists not only of manpower but of mechanized units and air forces—the most formidable military power which perhaps has ever been organized in the history of the world. Hitler has destroyed Austria, Czechoslovakia, Poland, the greater part of Norway, Holland, Belgium, and Luxemburg, and is now, with considerable success, invading the French Republic. His marching hordes have destroyed cities and towns and human beings and left behind devastation and ruin, broken bodies, and unnumbered dead. Noncombatants—women and children—have been attacked and slaughtered with a fury that scarcely finds parallel among uncivilized warring tribes.

If the forces of Hitler are not checked the future of Europe will be dark; indeed, the future of many parts of the world may not be foretold. In the tragic situation which confronts the world, it is the duty of this Republic to take all necessary steps to insure its own safety, and at the same time, by its example, and otherwise encourage those who are defending their firesides and their liberty, to continue their efforts even to the bitter end, but, it is to be hoped, to a glorious end.

There are many Americans who believe that Great Britain and France are not alone defending their own territory and their own liberties, but the liberties of the peoples of other lands.

Be that as it may, as I have indicated, the responsibility rests upon Congress to enact such legislation as will afford complete and adequate protection to this Republic and to enable it to meet any challenge to the Monroe Doctrine, which has become a part of our national policy. We may not definitely know what are the ambitions of Hitler or Stalin, and we may not know what cooperation they may receive, or have received, from Mussolini or from the controlling authority of Japan.

We do know that the American people desire peace and international good will. They looked with favor upon the Kellogg-Briand Pact, and rejoiced when practically all nations of the world gave adherence to the same. They believed that a new era of peace and good will was dawning upon the world, and they were sincere in their desire to promote the material, moral, and spiritual welfare of the peoples of every land.

They have regarded with deep concern the attacks upon small nations by the Nazis and Bolshevik Governments, and they are becoming conscious of the fact that evil forces have been let loose upon the world, and that the objectives sought by a number of despotic rulers, presage further devastation or further conflicts involving further slaughter of helpless and innocent peoples and the undermining of progressive and economic forces which have brought unnumbered blessings to the peoples in many lands.

The President of the United States has taken cognizance of the assaults which are being made by powerful and destructive forces, and he has asked Congress to adopt measures deemed necessary for the protection of our country. Only yesterday the Senate, without a dissenting vote, passed an appropriation bill carrying $1,800,000,000, and the measure now under consideration calls for an appropriation of nearly $1,500,000,000.

Mr. President, for a number of years I have believed that there should be a reorganization of the War and Navy Departments; that greater attention should be given to the development of the air forces, both for the Army and the Navy. I was a member of the Committee on Naval Affairs for a number of years during, and immediately following, the World War; and I gave some attention to the questions that were under consideration in connection with the program of national defense. In my studies I was led to believe that instead of having separate departments or agencies dealing with national defense, there should be established one department dealing with national defense. In my conferences with Army officers of the United States and of various countries in Europe I found many persons who believed that all matters relating to national defense should be under the control of one department. A number of these officers emphasized the fact that there was greater reason for that course to be pursued by the United States, because the President of the United States is the Commander in Chief of the Army and Navy of the United States; in other words, that all of our organizations connected with national defense headed up, if

I may use that expression, under the President of the United States.

Without giving the many reasons in support of the view just indicated, I was of the opinion that advantages would result if we united all of our agencies employed for the national defense in one Federal organization. Immediately after the World War I suggested that that course be pursued; and in December 1925 I offered a bill in the Senate entitled "A bill to establish a department of national defense, and for other purposes." It provided for the establishment, at the seat of government, of a department of defense, under the control and direction of a secretary of defense, to be appointed by the President by and with the advice and consent of the Senate. The bill further provides that in the department of defense there should be three assistant secretaries, to be appointed by the President, to be known, respectively, as the assistant secretary for the Army, the assistant secretary for the Navy, and the assistant secretary for the air force.

I might add that several years prior to the introduction of the bill referred to I had advocated the creation of a Bureau of Aeronautics, which would have to do with the development of an adequate air force. It seemed to me that the lessons of the war, as well as the developments following the war, gave conclusive evidence of the growing importance of air forces to operate both upon land and the sea. As a member of the Committee on Naval Affairs, I had called for hearings upon measures which I had suggested, one of which was to establish a Bureau of Aeronautics and the other a bureau dealing with submarines. It seemed to me that greater attention should be given to the utilization of submarines, and that it was vitally necessary that a strong air force be utilized both upon land and upon sea. Admiral Sims, as well as another admiral, supported the views which I expressed, and contended that the World War had shown the necessity of developing submarines and of creating a strong air force.

The bill which I introduced provided, as I have indicated, that the Assistant Secretary of Air Force should have charge of the administration of all aeronautical matters of the Government pertaining to national defense. It provided for the establishment of an air force, and further that the President should be Commander in Chief of the Air Force.

I shall not further take the time of the Senate to analyze the bill to which I have referred, but I shall be glad if Senators will examine the same. I might add that I did not abandon my efforts to establish a department of national defense, and in December 1927, and again in April 1929, I introduced bills containing substantially the same provisions as the bill which I offered in December 1925.

Mr. President, in my opinion the conflicts now raging in Europe justify the views which I entertained years ago when I contended for a department of national defense, and for the development of a strong organization to provide an adequate air force. It appears that Hitler's triumphs are largely due to his powerful air fleet, which operates both upon land and upon sea. It not only destroys war vessels and land fortifications, powerful forts, cities, and substantially all forms of communications, but spreads terror and desolation over large areas, and, as I have indicated at the beginning of my remarks, becomes an engine of slaughter and destruction of every form of human life.

The President's recent message to Congress indicates that he appreciates the importance of providing thousands of airplanes as a part of the program for national defense. May I inquire of the able Senator from South Carolina [Mr. BYRNES], whether, in formulating the important measure before us, his committee considered the question of national defense in its broad sense, including, as I have indicated, the consolidation of the various agencies and departments which are required for national defense, and whether it recognized the importance of providing a powerful air force, in order that we might meet the needs of our country. I make this inquiry because the conflicts to which I have referred have demonstrated the imperative necessity of airplanes for military purposes. They have proven to be more formidable in some instances than army units, and more destructive of war vessels upon the high seas.

Mr. BYRNES. Of course, Mr. President, the subject has been under discussion for many years, but such a provision as the Senator suggests would be legislation, and it was specifically prohibited in the reorganization measure. I know there is a bill before the Committee on Naval Affairs along the line suggested by the Senator from Utah—and I think it is his bill—but I do not know what consideration has been given to it. We could not give it consideration in connection with an appropriation bill.

Mr. KING. There will be a number of bills before the Senate, before we adjourn, to which I can offer an amendment, providing for the consolidation of the instrumentalities devoted to national defense, and also to the development of an adequate air-defense program.

I have believed for a number of years that we have been deficient in the matter of airplanes, and when an appropriate bill comes before the Senate I shall offer an amendment which will deal with this important question.

Mr. WALSH. Mr. President, the Committee on Naval Affairs held a hearing this morning on a bill providing for the construction and expansion of the naval airplane force, and also for the training of 16,000 pilots. I agree with the Senator that we have been derelict in our defense arrangements, but there is in prospect a very sweeping program, of very large proportions, to build up our naval air force.

Mr. KING. As I have stated, in bills which I introduced several years ago provision was made for the creation of an efficient air service. I fear we have been derelict in our duty and have not made adequate provision for the development of airplanes and a strong air force. We have been indifferent to the great strides which have been made in the air industry, and I sincerely hope that before Congress adjourns we will rectify some of the mistakes we have made.

Mr. McNARY. Mr. President, I am merely in pursuit of information, and for that reason I renew my request and ask the attention of the able Senator from South Carolina to page 77, line 16, where this provision occurs:

Naval aviation shore facilities, including acquisition of land, $45,000,000.

I wonder whether the Senator can supply a break-down of that item.

Mr. BYRNES. I can.

Mr. McNARY. I am particularly interested in it because I am happy to assume that Tongue Point, a much needed naval base on the Columbia River, is included in the item.

Mr. BYRNES. I can say to the Senator that the item does not include appropriations for all of the air bases which I know the Navy anticipates securing, because I understand that the committee intends recommending other bases. I understand from the Senator from Oregon, however, that the base to which he refers has already been authorized, and I have instructed the clerk of the committee to inquire of the Navy Department as to whether or not it intends to continue the development at that base.

Mr. McNARY. The bill in which I am interested came out of the Committee on Naval Affairs last year. It was an authorization bill, authorizing shore defenses, or bases, and in the bill was included one very much needed development for the protection of the Northwest, in an estuary of the Columbia River, on the boundary between Washington and Oregon. I should like to know whether it is included in the $45,000,000.

Mr. BYRNES. I have asked the clerk of the committee to get the information as to that specific point.

Mr. McNARY. I thank the Senator.

The PRESIDING OFFICER (Mr. HATCH in the chair). The question is on agreeing to the amendment on page 79, after line 16.

The amendment was agreed to.

The next amendment was, on page 80, after line 2, to insert:

Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels heretofore authorized (and appropriated for in part), including the necessary machine tools and other equipment and facilities at naval or private establishments required for expediting shipbuilding, to be immediately available and to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in title I of this act, $35,000,000.

The amendment was agreed to.

The next amendment was, on page 80, after line 11, to insert:

NAVAL PERSONNEL

For an additional 20,000 naval enlisted men and naval reservists (for training), 500 Naval Reserve officers and 500 retired naval officers, on active duty, during the fiscal year 1941, under headings, and for the same objects as specified under their headings in title I of this act, as follows:

Bureau of Supplies and Accounts:
Pay, subsistence, and transportation, $20,821,100.
Maintenance, Bureau of Supplies and Accounts, $1,333,000.
Salaries, Bureau of Supplies and Accounts, $51,000.
Clothing and small-stores fund, $3,000,000.

The amendment was agreed to.

The next amendment was, at the top of page 81, to insert:

Bureau of Navigation—Training, education, and welfare, Navy:
Naval Training Station, San Diego, Calif., $11,000.
Naval Training Station, Newport, R. I., $10,000.
Naval Training Station, Great Lakes, Ill., $7,000.
Naval Training Station, Norfolk, Va., $8,000.
Instruction, $11,000.
Libraries, $40,000.
Welfare and recreation, $164,000.
In all, training, education, and welfare, $251,000.
Salaries, Bureau of Navigation, $15,000.

The amendment was agreed to.

The next amendment was, on page 81, after line 15, to insert:

Bureau of Medicine and Surgery:
Medical Department, $174,000.
Naval hospital fund, $63,000.
Salaries, Bureau of Medicine and Surgery, $12,000.

The amendment was agreed to.

The next amendment was, on page 81, after line 19, to insert:

Bureau of Yards and Docks: Public Works: Temporary hospital facilities, $400,000.

The amendment was agreed to.

The next amendment was, on page 81, after line 21, to insert:

Bureau of Construction and Repair: Construction and repair: Recruit outfits, $154,000;
Navy Department: Printing and binding, $13,000;
In all, $26,538,000: *Provided*, That the Secretary of the Navy in filling out the allowances of naval vessels above 85 percent of complement shall first assign to active duty for limited periods of training such naval reservists as will voluntarily accept active duty not to exceed 5,000, and the pay and other expenses of such reservists shall be payable out of this appropriation: *Provided further*, That to the extent that naval reservists are not available the Secretary of the Navy shall recruit regular enlisted men in the Navy to the extent necessary to provide an enlisted personnel of not to exceed 170,000 by July 1, 1941.

The amendment was agreed to.

The next amendment was, on page 82, after line 11, to insert:

MARINE CORPS

For Marine Corps personnel, including 9,000 additional enlisted men on active duty, arms, artillery, ammunition, equipment, housing and general expenses, under headings, and for the same objects as specified under their headings in title I of this act, as follows:

Marine Corps:
Pay, Marine Corps, $3,200,000;
General expenses, Marine Corps, $9,327,000;
Pay of civil employees, Marine Corps, $200,000.

The amendment was agreed to.

The next amendment was, on page 82, after line 21, to insert:

Bureau of Medicine and Surgery: Medical Department, $12,000.

The amendment was agreed to.

The next amendment was, at the top of page 83 to insert:

Bureau of Yards and Docks: Public Works, Bureau of Yards and Docks: For temporary housing, $4,500,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 3, to insert:

Bureau of Ordnance: Ordnance and ordnance stores, Navy, $4,899,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 5, to insert:

Bureau of Engineering: For radio material, $100,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 6, to insert:

NAVY DEPARTMENT

SALARIES

For an additional amount for compensation for personal services in the District of Columbia, as follows:
Office of the Secretary of the Navy, $28,860;
Office of Naval Intelligence, $25,520;
Bureau of Aeronautics, $70,000;
In all, salaries, Navy Department, $124,380.

The amendment was agreed to.

The next amendment was, on page 83, after line 14, to insert:

CONTINGENT EXPENSES

For an additional amount for contingent expenses, Navy Department, $28,000: *Provided*, That the unobligated balance on June 30, 1940, of the appropriation "Contingent expenses, Navy Department, 1940," is hereby reappropriated and made available for obligation during the fiscal year 1941.

The amendment was agreed to.

The next amendment was, on page 83, after line 20, to insert:

PRINTING AND BINDING

For an additional amount for printing and binding, Navy Department, $50,000.

The amendment was agreed to.

The next amendment was, at the top of page 84, to insert:

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For an additional amount for contingent and miscellaneous expenses, Hydrographic Office, $10,000.

The amendment was agreed to.

The next amendment was, on page 84, after line 4, to insert:

EMERGENCY FUND FOR THE PRESIDENT

To enable the President, through the appropriate agencies of the Government, without reference to section 3709 of the Revised Statutes, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the Navy Department for the fiscal years 1940 and 1941; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material and the use or operation thereof; and the procurement of strategic and critical materials in accordance with the act of June 7, 1939, $34,000,000; to be immediately and continuously available until June 30, 1942; and, in addition, the President is authorized, through such agencies, on and after the enactment hereof, to enter into contracts for the same purposes to an amount not exceeding $34,000,000: *Provided*, That an account shall be kept of all expenditures made or authorized hereunder, and a report thereon shall be submitted to the Congress on or before June 30, 1942.

The amendment was agreed to.

Mr. KING. Let me ask the Senator from South Carolina whether the bill includes anything other than the additional recommendations which have come from the President of the United States.

Mr. BYRNES. Mr. President, as I stated at the outset, the bill does not contain anything other than the increased contract authorizations for the purchase and construction of airplanes which the President advised the chairman of the committee he heartily approved of. It has nothing in it outside of the appropriations for the emergency requests, and the section just read is identical with the section contained in the Army bill, with the exception that the amount is $34,000,000 in each case instead of $66,000,000.

Mr. KING. How much has been added to the bill which passed the Senate a few days ago?

Mr. BYRNES. The bill as it passed the House originally appropriated $965,779,438. The net increase by the Senate is $336,485,600, which makes a total of $1,302,265,038. The amount appropriated is $69,000,000 less than the Budget estimates.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

Mr. WALSH. Mr. President, before the bill was passed I did want to confirm what the Senator from South Carolina said about the Navy, but I presume the Senator is in a hurry to have the bill passed, and therefore I will postpone what I have to say.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

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

The PRESIDING OFFICER. The question now is, Shall the bill pass?

Mr. McNARY. Mr. President, I observe that there are but seven or eight Senators present. This is a bill appropriating $1,300,000,000, and I think we should have a roll call on the bill. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

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

The question is, Shall the bill pass?

Mr. BARKLEY and Mr. McNARY asked for the yeas and nays.

The yeas and nays were ordered; and the legislative clerk proceeded to call the roll.

Mr. ASHURST (when Mr. HAYDEN's name was called). I announce that my colleague the junior Senator from Arizona [Mr. HAYDEN] is unavoidably detained. If present, he would vote "yea."

Mr. HILL (when his name was called). I announce first that my colleague [Mr. BANKHEAD] is necessarily absent on public business. If present, he would vote "yea."

I have a general pair with the junior Senator from Kansas [Mr. REED]. I transfer that pair to the junior Senator from Missouri [Mr. TRUMAN] and will vote. I vote "yea." I am not advised how the Senator from Kansas would vote if present.

Mr. THOMAS of Oklahoma (when Mr. LEE's name was called). I announce that my colleague [Mr. LEE] is unavoidably detained. I am advised that if present he would vote "yea."

Mr. McKELLAR (when his name was called). I have a general pair with the Senator from Delaware [Mr. TOWNSEND], who is necessarily detained from the Senate. I am not advised how he would vote if present. I transfer that pair to the junior Senator from Rhode Island [Mr. GREEN], and will vote. I vote "yea."

Mr. TYDINGS (when Mr. RADCLIFFE's name was called). I announce that my colleague is necessarily detained from the Senate. If present, he would vote "yea."

Mr. CLARK of Missouri (when Mr. TRUMAN's name was called). I announce that my colleague [Mr. TRUMAN] is unavoidably detained from the Senate. If present he would vote "yea."

The roll call was concluded.

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 California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

The Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. HOLT], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

I am advised that if present and voting, the Senators whose absences I have announced, would vote "yea."

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 Maine [Mr. WHITE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

I am advised that the Senator from Massachusetts [Mr. LODGE], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Maine [Mr. WHITE] would vote "yea," if present.

The result was announced—yeas 78, nays 0, as follows:

YEAS—78

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

NOT VOTING—18

Bankhead	Herring	Radcliffe	Truman
Downey	Holt	Reed	Wheeler
Frazier	Lee	Schwellenbach	White
Green	Lodge	Tobey	
Hayden	Lundeen	Townsend	

So the bill H. R. 8438 was passed.

Mr. BYRNES subsequently said: Mr. President, I move that the Senate insist upon its amendments to the naval appropriation bill, ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. ELLENDER in the chair) appointed Mr. BYRNES, Mr. GLASS, Mr. THOMAS of Oklahoma, Mr. OVERTON, Mr. WALSH, Mr. HALE, and Mr. LODGE conferees on the part of the Senate.

RELATIVE STRENGTH OF UNITED STATES NAVY AND OTHER NAVIES

Mr. LUNDEEN. Mr. President, the United States Navy is now the largest and best navy in the world. Information published in today's Washington Times-Herald proves that statement conclusively.

WE HAVE THE GREATEST AND MOST POWERFUL NAVY IN ALL THE WORLD

Then why all this hysterical chatter? A navy or a combination of navies attacking the United States from across the oceans must carry a striking power three times the Navy of the United States, now the greatest navy in all the world. Their lines of communication and distance from bases make such an attack madness itself and impossible against the power and might of America.

AIR POWER

Air power securely based on our shores and American islands off our coasts has a striking force sufficient to destroy any such navy or navies. All nations now engaged in war are daily weakened by colossal losses. Victor and vanquished alike require a generation to recover their full strength. In the meantime, no ruler or nation or group of nations will dare to risk the attempt. There is no such madness in the world today, hysterical chatter to the contrary notwithstanding.

WASHINGTON'S FAREWELL ADDRESS

* * * Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

AMERICANISM NOT EUROPEANISM

Mr. President, we need Americanism not Europeanism. Friendship and trade with all; entangling alliances with none. We must not lose our heads. We must remain cool and calm in the storm. Let us take our bearings from truth and experience and not from hysteria. I cannot give my support to hysterical chatter.

Let us build, and build now, our air power and our air bases for American security.

I ask that the article by Walter Trohan be printed in the RECORD at this point as part of my remarks.

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

LOSSES OF OTHER NAVIES ADD TO UNITED STATES SUPERIORITY—PERSONNEL BETTER THAN ANY IN WORLD, OBSERVERS ASSERT

(By Walter Trohan)

The American Navy today is confident it can defeat any fleet afloat. The Navy high command is certain the fleet can exercise its function of bringing an enemy to terms at a safe distance from American shores.

In his last annual report, released last November 25, Secretary of the Navy, Charles Edison, told President Roosevelt:

"I am glad to report that in my opinion the battle efficiency of the United States Fleet fully measures up to the confidence reposed in it by the citizens of our country in whose service it is dedicated."

PERSONNEL SUPERIOR

"The morale of our personnel is high. The education and mental caliber of our enlisted men are superior. The fine quality of the leadership of the officers has been again confirmed by gratifying accomplishment in the naval operations conducted during the year."

The American Fleet in numbers is larger than any afloat. War losses of other powers have made and are making it stronger. Though more of its vessels are overage than in the British Fleet, the fleet could, as it stands, hold off the British Navy, in the opinion of its officers.

BALANCED BUILDING PROGRAM

The Navy has a well-balanced building program designed to replace overage vessels. If the Navy should keep within its present limits with underage ships, it would be able to protect the United States, its possessions, and enforce the Monroe Doctrine, officers are confident. A 25-percent increase would provide a margin of safety, which may be desirable, it is felt.

The strength of the American Navy, as compared with that of other powers, is given in the following tables:

Type	Underage	Total	Building
UNITED STATES			
Battleships	12	15	8
Aircraft carriers	5	5	2
Heavy cruisers	18	18	0
Light cruisers	15	17	8
Destroyers	57	219	40
Submarines	27	95	19
Total	134	369	77
GREAT BRITAIN			
Battleships	14	14	9
Aircraft carriers	6	8	7
Monitors [1]	3	3	0
Heavy cruisers	15	16	0
Light cruisers	26	49	23
Destroyers	109	182	32
Submarines	44	56	10
Total	217	328	81
FRANCE			
Battleships	6	7	4
Aircraft carriers	1	1	2
Heavy cruisers	7	7	0
Light cruisers	11	11	3
Destroyers	72	73	32
Submarines	73	77	25
Total	170	176	65
ITALY			
Battleships	5	5	3
Aircraft carriers	0	0	0
Monitors [1]	5	5	0
Heavy cruisers	7	7	0
Light cruisers	12	14	14
Destroyers	98	130	12
Submarines	104	154	26
Total	231	315	55
JAPAN			
Following are only available estimates of Japanese Navy which has refused to exchange any data:			
Battleships	10	10	3
Aircraft carriers	11	11	2
Heavy cruisers	12	17	0
Light cruisers	15	23	5
Destroyers	75	134	9
Submarines	40	59	3
Total	163	254	22

[1] Monitors are vessels of light draft carrying guns of more than 8-inch caliber for duty in shallow waters.

Increase in submarines since the outbreak of the war unknown.

PROTECTION OF PITTSBURGH AREA

Mr. DAVIS. Mr. President, the tragic evidences of lack of fundamental military and economic preparations in the parts of Europe that have recently given way before a powerful machine of destruction have made it all the more necessary that this country shall be thoroughly prepared.

I have written to Mr. Samuel Diescher, of Pittsburgh, an eminent consulting engineer, asking what needs to be done for Pittsburgh in the way of national defense. I have received from him data of very great importance.

Since his early youth, Mr. Diescher has been connected with many of the local industries of Pittsburgh, and, together with his associates, has contributed toward the technical advancement of some of these industries, including the development of aeronautical activities. In the data which Mr. Diescher has sent me he has made clear how closely interrelated are the factories, mills, mines, and industrial plants of the Pittsburgh area and how vulnerable our Nation is at that point. He shows what will be necessary if the President's announced desire for the construction of 50,000 war planes is to be realized at this time. He shows that Pittsburgh is the very heart of our defense, and is easiest reached through Canada.

I ask unanimous consent that Mr. Diescher's letter to me be included in the RECORD as a part of my remarks.

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

The letter is as follows:

S. DIESCHER & SONS,
CONSULTING ENGINEERS,
Pittsburgh, Pa., May 22, 1940.

Senator JAMES J. DAVIS,
Washington, D. C.:

This letter provides data requested in your recent letter on the subject of defense against aerial attack in Pittsburgh as directed from Canada. In your letter you state:

(1) That your request may seem quite speculative.

(2) That you wish to know what plants would first be subject to aerial bombing.

(3) And that you wish to know what protection Pittsburgh has from such attack.

In setting up these questions I am arranging them in the order I regard their importance rather than in the order you presented them, and because of their serious character I am presenting my answers more fully than you may have expected, although somewhat curtailed in order to avoid too lengthy a response.

(1) From a national point of view your request is so far from being speculative that it may be regarded as being more than timely, for the situation seems definitely critical. The matter has been troubling me for a long time. Governmental inertia seemed to me to bar any hope of exciting any effective interest. Therefore, I am glad to learn that you have become interested in the matter of protection of the industries of the Pittsburgh district against air attack. It may be accepted that without thorough protection Pittsburgh seems more likely to become subject to air attack than to escape that experience. To make this clear, we require to recognize a number of truths, which will now be stated.

Strictly speaking, there is no World War No. 2. What the world is now and has for a quarter century been facing is the destruction which invariably follows abnormal development of but a single facet of human advancement when accompanied by relative submergence of the others. Without going into historical citations of disasters following such abnormal developments in the past, it seems enough to say that instability arising from an extreme overgrowth of but part of an epochal development must inevitably result in an upset or cataclysm in regaining equilibrium. When we realize that the trend during our epoch of civilization has been solely toward using materials of nature for the furtherance of but the sensual comfort of mankind, we ought to see that the trend is totally materialistic and must, therefore, culminate in self-seeking regimented pressure groups within rich nations and in ruthlessly selfish regimented pressure alliances among poorer nations, the paramount aim in all cases being to capture whatever may be possessed by the weaker.

The growth of pressure groups within our own Nation—which is the richest of all and has, therefore, little to seek outside its borders—is a phase of this movement directed inwardly, and the actions of Germany, whose populace is more adaptable to regimentation than any other, is a phase of this same movement, but, because of Germany's poverty in resources, necessarily directed outwardly or toward capturing resources of nations beyond Germany's borders.

Germany's fuehrer holds his place because he is emblematical of a definite and consistent externally directed German trend. Just so the President of our country can best hold his place if he is emblematical of a wavering and indefinite internally directed American trend, which changes as one or another pressure group gains even a temporary ascendency over others or over the people at large.

It might be said here that revilement directed toward either personality shows only that the reviler is capable of seeing but the surface and not the substance of a situation.

Although digressing somewhat, I would, however, like to add to this general statement that Hitler's program was rather fully disclosed in his Mein Kampf, wherein he indicated his aims, his methods, his thoughts, and his program. He had the genius to discern that in a generally unmoral world complete frankness constitutes a potent disguise. Moreover, he was not stopped, as is generally supposed, in striving to obtain the Ukraine, for he obtained still more than that. Stalin now is his vassal, and the German Empire includes Russia as a dominion. Russia lost its sovereignty by its military inefficiency in Finland. Italy is also a dominion of Germany; its abdication took place before the Austrian anschluss, but Italy has not yet become entirely reconciled to disclosing its lowered rank as a nation.

There are three things that we must firmly realize, one being that the German Empire now extends from the Atlantic to the Pacific and southwardly into the Mediterranean and that its shores are but about 50 miles from Alaska; the second being that for the past decade we have been bleeding within and have thereby become seriously devitalized; and the third being that although Germany did not recently declare that America will pay dearly if Germany becomes victorious over the Allies, she has, however, so declared 25 years ago, and as the world is still continuing with the same old bestiality and Germany has continually been gaining in strength, we may expect ultimately either to pay to Germany all that we have in gold, provided Germany still regards gold as money, and an enormous amount of other wealth besides, or to enter unaided into combat with Germany and thus possibly face a navy of far greater size than our own.

The Italian and Japanese Navies together constitute more than we could combat distant from our shores. But what in case the Allies lose and the English and French Navies are ceded to Germany? Would in that case there remain any doubt about Japan's Navy performing a role in the war? The best we could hope for would be that Japan confine her efforts to taking and holding the English, Dutch, and French territories in the Far East. Japan's Navy is about the size of ours and may soon be definitely larger. Its Navy could now make a lot of trouble for us if Japan wanted to take our Pacific possessions, and because of our hesitancy in fortifying Alaska we could readily lose that region if we had also to conduct naval warfare in the Atlantic.

If we continue to believe that Germany will stop at the completion of the present stage of devastation, we shall become, through that very continuance of belief, all the more weakened. Our gullibility has already weakened us seriously.

Certainly invasion of Alaska and Canada is sufficiently possible to give us pause. Moreover, we are bound to defend both. If we are so childish as to expect to accomplish this with our Army having only about a third of the equipment Finland had, we certainly invite being taken under the wing of a more virile and realistic people, the propagandists among whom may then announce with considerable consistency that our adoption was motivated solely by pity of our helplessness.

Further, we all realize that right now we have many of our factories making airplanes, air parts and material entering into the making of munitions for the Allies, and also that right now our country is permeated by a network of quislings.

Suppose some evening when crews are being changed and it is too dark for identifying an airplane, that from but an inconspicuous cub plane a single 30-pound fragmentation bomb were dropped, say at the Westinghouse or at the Irvin Works, and that there were casualties. Certainly the morale of the entire region would be affected. Perhaps we could stand for this kind of thing if it happened but once in a long time, for the products of the two just-mentioned plants are at the moment not so vital as those of some others, and besides in such event all but scheduled and governmental flying could be prohibited and policed.

Other plants, which are not so large but which are now far more vital, are those making machine tools. The outputs of these are way behind bookings and at this time are largely for the Allies. The way our pressure groups have planned things, the number of men capable of doing that kind of work has become less and less. One cannot expect persons to acquire through many years of intense devotion the consummate skill needed in machine tool making under the hatred long since continually inspired against employers. That type of master craftsmanship finds its recruits among persons of high native ability and these men will not risk becoming slaves. Moreover, the work requires intense concentration. Such men may not be hurried nor disturbed in any manner whatsoever without loss in quality of product. Their kind of product is now the bottleneck of not only much of our own meager defense measures but also of those of the Allies, the supplying of whose needs is obviously very vital to us. A small bomb dropped at any such plant, even though remote from any important center, would be seriously destructive of morale, and therefore of efficiency, throughout that key industry.

Now, approaching more closely the nubbin of the matter, many of our citizenry have become quite relieved over the announcement of plans to build 50,000 war planes. But the matter is not so simple as the statement implies. This many planes cannot be built without first building many machine tools, nor without a herculean effort to train artisans, nor also without building extensive factories or plant extensions. Are we to concentrate on these airplanes when we are still farther behind in small arms, munitions, ordnance, mechanized equipment, training of pilots and soldiers, and above all, training of the commanding staffs? Besides, where would we house the airplanes if we had them? Later on in this letter the rather vital matter of bombproof hangars will be discussed.

Outside the mentioned training, many items of war needs will require continually more steel, much of which must be made with consummate care. Operating a steel mill requires a high order of talent and managerial training and, like the skill in machine-tool making, requires many years of close application for its mastery.

Of course, when the bottleneck shifts to this phase the Government will fly to the aid of the steel makers, but do you know of any individual anywhere in the governmental gamut who is possessed of as much resourcefulness and ingenuity as was exhibited by the unknown ancient who devised the first wheelbarrow? Many thousands of truly gifted individuals may soon be required to be hard at work in the Pittsburgh district alone, regardless of the outcome of the instant phase of world bestiality, now acute in the Low Countries.

If you add to these things the fact that we must depend upon the Pittsburgh district for, say, half of all our steel, can there remain any doubt that aerial attack should be expected against Pittsburgh in case Canada is invaded, or any doubt that Canada may be expected to be invaded as a stage in any attack on the United States?

The killer stabs directly at the heart. In war, Pittsburgh is the heart of our defense and is easiest reached through Canada.

(2) The following pertains first to the need of establishing near Pittsburgh an airplane base for national-defense purposes, and second to a manner of providing such a base.

That there is a need for such an airplane base ought to be obvious to any person familiar with the steel industry and with those other activities which are conducted in the region, the functioning of which is vital to national defense. As an example of how vulnerable these are it can be said that should there be an air attack which resulted in no more than crippling the Clairton Coke Works, not only would many of the local steel plants, depending upon Clairton for blast furnace coke, have their production seriously impaired, but also a drastic curtailment of coal mining would result. Moreover, the damage done would likely be of a character that would require a long time to repair.

The local steel industry comprises many plants, each apparently nondependent on the others. The true situation is, however, that generally these plants are interdependent. There is an integration among them which creates an interdependence to such extent that the destruction of even a part of one plant may cause the shut-down of other plants located miles away. Their relationship extends from the ore pile through many stages until there results finally the many highly finished products essential to winning a war. In many instances their integration might be likened to the links of a chain. A broken link may mean a totally useless chain.

The mills in the Pittsburgh district, because of their being so numerous, so highly productive, and so elaborately and extensively integrated, seem more vulnerable to bombing than can readily be described. Another weakness is the apparent improbability of camouflaging or hiding steel operations from the enemy. For instance, no Bessemer plant can operate without there arising from its converters flames of great volume and of intense luminosity which are visible many miles away.

The importance of an adequate supply of steel during war ought to be apparent to all, as ought also the importance of Pittsburgh as a steel center. The measure of Pittsburgh's predominance seems demonstrated by the United States Steel Corporation's recently centralizing in Pittsburgh the operating control of all its major branches, no matter where these may be located.

In this district almost all steel mills are located on lowlands along the rivers, as are also all of the principal public utility electric power plants, upon which latter the entire public and many of the steel plants depend. No easier guide for enemy bombers can be imagined than these rivers.

During the spring of 1936 the rivers became flooded to such extent that great loss of money and a stoppage of steel, power, and other production resulted. Air defense cannot stop natural floods, but it seems reasonable to expect that with the presence, at the headwaters of both the Monongahela and the Allegheny Rivers, of the recently constructed flood-retaining dams and with the construction of the contemplated additional ones in both these drainage systems, the devastation of floods might be added to by bombing the dams. An attack timed with a heavy thaw and rain might prove very disastrous.

A blueprint of a sketch map is attached hereto. This shows the navigable streams of the district and their principal tributaries.

These navigable streams are the Ohio, the Monongahela, the Allegheny, and the Youghiogheny Rivers. The map also shows the locations of the 12 dams comprising the Pennsylvania State flood-retaining project, of which 2 dams have already been constructed. Those already constructed are the Tygart River and the Pymatuning Dams. Besides these there is a privately owned dam on the Cheat River near the Pennsylvania-West Virginia border line. The water impounded by this is comparable in volume with that to be impounded in some of the projected flood-prevention basins. The map also shows the location of 44 of the navigation dams of the region. Additional navigation dams exist in the Ohio River beyond the limits of the map. Therefore the map does not show these. However, it shows all those which are in the Monongahela and the Allegheny Rivers. All such navigation dams have lockage facilities through which river craft pass from pool to pool. The river traffic is heavy. For example, during 1937, 22,000,000 net tons of coal and other products passed between the third and fourth pools of the Monongahela. Any of these navigation-dam locks could readily be destroyed by bombing. The manner of the construction of their gates seems to invite such attack.

The shaded portions of the map show where the more important of the heavy industries are located. These locations alternate from one to the other side of the rivers and in many cases are connected by interdepartment railroad bridges, some of which carry ladle cars filled with molten metal, which can easily be seen by night. The bombing of any of these bridges would shut down important production facilities for making war materials. The shaded portions also show the regions where large power plants are located, but include only such among these which furnish electric power used in driving steel mills. Also at Cumberland, Md., and Akron, Ohio, important rubber tire making plants are located. These locations, of which Akron is vitally important, are also shaded. No railroad, freight yard, or highway locations are shown, nor are any of the locations of the extensive mining facilities shown. These are numerous and their safeguarding is essential to winning a war. The reason they are not shown is because showing them would complicate the presentation given on the map. Locations where extensive building of railroad cars is conducted are shown by the tinted areas. Those indicated are at Altoona and at McKees Rocks, Pa.

The industrial activities in outlying districts, as at Youngstown, Ohio, at Wheeling, W. Va., and at places between these and Pittsburgh, are much the same as just described and all belong within the Pittsburgh district.

The just given description of what needs be protected from aerial attack in the Pittsburgh district seems complete enough to provide an idea of the vulnerability of the region. Next there is required a description of what seems to be needed for aerial defense.

First of all, a site must be selected for an air base having sufficient area for virtually simultaneous take-off and ready landing of a large fleet of high-speed aircraft, not only for combat but likewise for bombing; also for housing the fleet in a manner to protect it from destruction by enemy bombing; for housing a large number of pilots, mechanics, and attendants under bomb-proof conditions; for housing spare parts, airplane engines, emergency power equipment together with fire-fighting and also repair equipment, all under bomb-proof conditions; and for storage of gasoline, oil, and supply water, likewise under bomb-proof conditions.

The selection of the site should be by United States military men, expert in aerial defense and attack and in the needs involved. There will not be many areas among which these experts require to make a selection, for the terrain about Pittsburgh affords but very few suitable areas. Time seems of the essence in making this selection.

My own idea of some features of this phase is that the field should have a circular area of not less than a mile in diameter, that all hangar facilities should be at a locality about a mile from the boundary of the field and in line with the least prevailing winds, that all hangar, shop, power, and other vital facilities be housed in aisles separated by concrete walls sufficiently thick to bear above the roof plates a load of about 2 tons per square foot and that the roof structure be of steel girders, one next the other, and amply strong to carry not less than 30 feet of earth covering on the structure, or perhaps less earth and high physical steel plate, as embodied in designs of the gate protection at the Panama Canal. Any such structure must be supported by walls resting on bed rock, and the hangar area may have had no coal ever mined underneath. Wide ramps must be provided at both ends of the aisle systems to give access and egress to the aisle adits and exits. The ramps should be at field level and so should be the aisle floors. A cross aisle should be provided giving access for shifting planes from aisle to aisle for repair and also for egress in case bomb effects should interfere with the use of any exit. Gasoline and oil should be stored away from the hangar area and should be underground sufficiently deep not to be affected by bombing, and so should also the piping for carrying such fluids to the hangar system and also to the field.

It seems that a construction of the very massive character described and of liberal ramp widths and field area would have to be attacked with hundreds of the very heaviest bombs to be made even partially ineffective. If such a field is built, the enemy will know of it and may therefore hesitate to plan an attack on Pittsburgh's industrial facilities. It seems also that such a field ought to be not much farther than 30 miles from the junctions of Pittsburgh's rivers.

In the recent invasion of Poland, the Polish air fields and aircraft were quickly made useless by German attack. The need of bomb-proof hangars is thus definitely indicated. With the increase of wing span and of height of newer bombers it seems that aisle space for such craft must be comparatively wide, even if but a single line of such craft is to be housed in an aisle. Should still newer developments require wider aisles, these may later on be added to the group.

It seems that providing for bombers as well as for fighting planes is necessary, for both may be needed in attack on enemy bases to forestall an attack on Pittsburgh industries.

There requires next to be dealt with the kinds of facility in the district that would be most likely first to be attacked. It seems that the main municipal waterworks, the large public utility, as well as the large industrial powerhouses, the railroad yards, and the river locks above Clairton and the Clairton Coke Works would be attacked as easiest to dispose of and as promising greatest effect; also, the railroad bridges crossing the Monongahela, especially those for transporting hot metal, the larger groups of blast furnaces, and also Bessemer and open-hearth plants seem especially vulnerable. If not promptly combated, it seems that most of these could be put out of commission by a single flight of a large fleet of bombers.

(3) As far as I know, Pittsburgh has no protection from air attack. At Harrisburg, Pa., in Washington, D. C., and at Old Point Comfort, Va., Dayton, Ohio, Detroit, Mich., Chanute, Ill., and Belleville, Ill. (near St. Louis, Mo.) there are fields at which military planes are flown. All of these fields are, however, too far from Pittsburgh to permit of intercepting an attack from Canada by a fleet that has passed over Lake Erie, say, at a point somewhere west of Buffalo and thereupon reported to the air defense authorities. Such an enemy fleet would likely be on its way back before a defense fleet could be apprised of the danger, be manned, and, in addition, be in the neighborhood of Pittsburgh. Also the first three of these fields are across the Allegheny Mountains from Pittsburgh. Moreover, any of these fields might be attacked by a separate enemy fleet and in that manner be kept from providing aid for Pittsburgh. None have underground hangars, either of the kind proposed herein or of any of the other kinds that have been proposed. Germany is said to have underground hangars.

I hope the information herein given will prove useful in your studies and also that you will not hesitate to ask for anything additional you may think I can provide.

I will obtain the ideas of some of my friends who have more knowledge of air defense than I have and if any better ideas regarding the type of field that should be provided develop from such sources I will write you further on the subject.

As a final statement in this rather long letter there needs be said that I do not pretend to qualify as being able to provide the final word in the many technical fields that play their roles in the just given presentation. No person is so versatile as that. You know, however, that I have been connected with many of our local industries since early youth and have contributed toward the technical advancement of some and, moreover, with associates, have had responsibility for operations in several of them as well as in aeronautical activities of the district.

With very best regards, I am,

Sincerely,

SAMUEL E. DIESCHER.

Mr. DAVIS. Mr. President, I have just received from Mr. John H. Bradfute a telegram calling attention to the importance of Pittsburgh as a center of national defense. I ask that the telegram be included in the RECORD as a part of my remarks.

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

The telegram is as follows:

PITTSBURGH, PA., *May 23, 1940.*

Hon. J. J. DAVIS,

United States Senator, Senate Office Building:

The Allegheny County council of organizations representing between 25,000 and 30,000 business and professional men offer their services in carrying out the national-defense program in western Pennsylvania. Our subsidiary organizations are set up to immediately make available almost any data or surveys needed. We want the workshop of the world prepared, but desire your instructions to permit a uniform and coordinated plan.

JOHN H. BRADFUTE, *President.*

Mr. DAVIS. Mr. President, in view of these outstanding needs, I believe the material presented by Mr. Diescher is vital to the understanding of the national-defense needs not only of Pittsburgh but of the Nation as a whole. Action is now being taken by Congress on this all-important development.

I ask that Mr. Diescher's statement, together with the telegram of Mr. John H. Bradfute, be referred to the Committee on Military Affairs.

The PRESIDING OFFICER. Without objection, the letter and telegram will be referred to the Committee on Military Affairs.

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. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAY, Mr. THOMASON, Mr. HARTER of Ohio, Mr. FADDIS, Mr. ARENDS, Mr. MARTIN of Iowa, and Mr. ELSTON were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

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

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order Numbered 7194 of September 26, 1935, to June 30, 1941;

S. 3402. An act to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Kentucky, in exchange for the release of property rights in and to a certain road on said reservation; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

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. In order that the parliamentary situation may be understood, the Chair will state that the question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. REYNOLDS].

Mr. TAFT. Mr. President, I was not able to be present when the bill was debated, but I have read with interest the remarks of the Senator from Wisconsin [Mr. LA FOLLETTE] and of other Senators who participated in the debate. Since I am a member of the Committee on Education and Labor, which reported the bill, I wish to discuss it briefly and give the reasons why I am opposed to it. I filed no minority report, but at the time the bill was reported about a year ago I reserved the right to state my objections to the bill on the floor.

In my opinion the bill aims at certain abuses which are real abuses, and which should be dealt with; but the terms of the bill are so broad, and it goes so far beyond the necessities of the particular case that in my opinion it would do far more harm than good.

The bill itself is an extremely complicated one. It is a bill which one must read over and over again to understand what it means. It is primarily intended to prohibit certain acts, and establish criminal penalties for certain definite acts of employers. The actual criminal section seems to be section 4, which provides that:

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;

The bill is so broad that it covers almost everything in any kind of employment. So far as I can see, it covers every business, every business office, and every office building in the United States. Its scope is exceedingly broad, far beyond any of the necessities of the case, far beyond the places where any of the abuses which are referred to in the committee report occurred.

To find out what an oppressive labor practice is, which is prohibited on page 11, one must go back to page 8. On page 8 he finds that one of the oppressive labor practices is:

To employ or utilize any labor spy.

Then, to find out what a labor spy is, one must go back to page 5, where labor spy is defined. A labor spy is defined as any person who engages in industrial espionage. Then one must turn to a fourth place to find out what industrial espionage is. That definition is set out at the bottom of page 5. So we must go to four different places before we can discover what is the actual crime which is supposed to be condemned and penalized.

When we finally get down to industrial espionage, the term is so broad that it goes far beyond any possible labor spying. As I understand, labor spying is the employment of a man to go into a plant and pretend to be a workman and, by circulating among the workmen, find out things which he could not otherwise find out and report back to his employer. It seems to me we ought to be able definitely to make a criminal act of trying to obtain information by pretending to be someone else. That is what labor spying is. I do not understand why we cannot say that in about 6 words instead of putting it in 4 different places in a bill which is some 20 pages long.

The result of this long series of definitions and these broad terms is that as we go on we find that:

(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.

I do not think that makes very much difference. I do not think it is a very important matter one way or the other.

The second item, however, is much broader:

(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.

One is forbidden to employ anybody—one of his regular employees who is engaged in other work or a plant superintendent or other personnel officer—to seek 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.

Of course, the express consent could never be obtained. The idea of asking a man whether or not he will give his express consent is absurd. Incidentally, one would have to obtain it in writing, because it would have to be proved in court. So an oral statement would not be acceptable. One would have to hand a man a blank and ask him, "Do you hereby give your consent that I may investigate into your whole past?" Ordinarily a man would say "No." Why should he give any such consent?

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

Mr. TAFT. I yield.

Mr. LA FOLLETTE. There is nothing in the bill which makes it an offense, or interferes in any way with the employers' right not to employ a person who refuses to give such consent, or to discharge any person who refuses to give such consent. Will the Senator permit me to explain, or would he prefer that I wait?

Mr. TAFT. I should prefer to wait, but I do not care. I yield.

Mr. LA FOLLETTE. The only thing I wish to point out is that in the committee's investigation we found that it was the universal practice of detective agencies, as well as of their client corporations, to allege upon all their books and records that the investigations were for the purpose of investigating communism, radicalism, sabotage, and theft. But when the committee got down underneath these pretenses, invariably it found that the actual process which was going on was industrial espionage, spying upon the activities of employees, and reporting those who were engaged in union activities. After all this overwhelming evidence the committee felt that such was the usual practice, and that it was only fair, first of all, that the employee or the prospective employee should know that he was to be under investigation, so that he might have an opportunity to refute the allegations in the reports upon his activities; and secondly, that the practice of utilizing information of this kind to impede and break down labor-organization activities should be stopped.

Mr. TAFT. Mr. President, the Senator says that if a prospective employee refuses to give his written consent the employer does not have to employ him, and that the employer may discharge any employee who refuses to give his consent. Of course, what will happen will be that a union will come in and tell all its men, "Do not give any written consent." Why not? That is what I should do if I were the head of a union. That is the business of the union. The union will say, "Do not give your employer any written consent." He cannot discharge all the union men in his plant. He does not want to do so.

This "express consent" business does not mean anything. It is the intent to prohibit any investigation, not only by labor spies but by anyone else. That is my objection to this kind of a law. It purports to prevent industrial espionage, and when they attempt to cover that subject they are apparently unable to devise any language which does not also prohibit employers from looking into Communist activities, background, political activities, criminal records, and so forth. The bill is so broadly drawn that it prohibits investigating anything. That is why I object to it.

I have given only one example. There are ten other examples of the same thing in the bill. In order to reach one thing we proceed to put in a vast prohibition, which prohibits anybody from doing anything.

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

Mr. TAFT. I yield.

Mr. LA FOLLETTE. I must disagree most emphatically with the Senator's interpretation that there is anything in the bill which prohibits any employer from spending any sum of money or utilizing any agency or any device which he deems necessary to investigate theft, sabotage, the competency of his employees, the type of work they perform, or anything else which is not related to the activity of a union, or to ascertaining the union activities or the political affiliations or activities of the employee. As I have repeatedly said on the floor, many corporations make elaborate investigation a condition precedent to employment. Their employees must be thoroughly investigated. There is nothing in the bill which would force any employer to employ anybody whom he did not want to employ.

Mr. TAFT. Mr. President, the Senator from Wisconsin says that the bill really means nothing, because the employer can obtain the express consent of the man who is being investigated, and therefore can investigate him. Assuming that the employer cannot obtain his express consent—and he cannot if the union advises its members not to give it—then the bill does not prohibit labor spying. After the express consent has been obtained the employer may employ a man to go out in the plant and pretend to be a laborer, investigate everything he wishes to investigate, and make all the reports he wishes. So, if the Senator's argument is that the express consent takes away all the harm, then the bill accomplishes nothing whatever. It does not even prohibit the actual practice which the Senator is trying to reach.

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

Mr. TAFT. I yield.

Mr. LA FOLLETTE. The point is that, so far as labor espionage is concerned, once the employees are put on notice, labor espionage comes out into the open and the principal evils and abuses are eliminated.

I should also like to point out to the Senator that not only is industrial espionage carried on by operatives of detective agencies but the more usual practice is for the managers of detective agencies or their field representatives to secure the cooperation or activity of someone who is already employed in the plant to act as a labor spy.

Usually this is accomplished by deception. The employee is told by the representative of the detective agency, who conceals his connection with the agency, that he is making the investigation for minority stockholders or is making it for a group of financial interests who are anxious to ascertain whether the labor policy of the plant is fair to the employees. They offer sums of money, of course, for such reports. Once the employee has been "hooked," however, it is soon disclosed to him what it is they are after, and the person is caught because he is threatened with exposure.

So in the last analysis what this comes down to is the corruption of individuals. They are caught in a situation which ultimately forces them to act as spies upon their fellow employees. In every instance which the committee investigated it found that the investigation of political activities was only a front, and even the managers of the detective agencies had to admit on the witness stand that it was a front.

Mr. TAFT. The Senator from Wisconsin has pointed out again the evils, but he has not answered my argument in one single respect. My argument concerning the language used in this bill is that, as a matter of fact, it is so broad that it prohibits the owner of any plant if a man applies for work in his plant from asking him, if you please, what his particular activities are, whether he has ever been a

Communist, or whether he has ever been convicted of a crime. The bill does not even stop there, for, under the proposed act, he cannot send anyone to find out whether the applicant for work has been convicted of a crime. That certainly is very broad and it would bring about a very dangerous condition if a group of Communists or a group of Nazis could be given employment and the employer's hands were tied.

Mr. LA FOLLETTE. Mr. President——

Mr. TAFT. I would rather finish my remarks on this subject.

Mr. LA FOLLETTE. Very well.

Mr. TAFT. As I understand, the answer of the Senator to that argument is that because of the use of the words "without his express consent" an employer can get around the act by getting the employee's express consent. I say once the employer has his express consent, he can employ a labor spy; he can send people out into the plant and have them pretend to be workmen; he can have men apply for work—and that is the way it is usually done, according to the reports—and a detective agency can send a man who pretends to be a workman, who can enter the plant and circulate among the workmen to try to pick up information. Once the employer has the employee's express consent he can do that. The union officials, of course, will advise their members not to give the consent for the employee cannot give consent to a particular man asking a particular question but must give general consent to the employer. If such consent is given, then labor spying can go on just the same as it is going on today.

I say as a matter of fact, for that reason, the consent will never be given. The bill is so broad as to prohibit any employer from finding out anything about any of his employees or any man who chooses to come to apply for work. I say that particularly in wartime that is a very dangerous condition, because there are many thousands of members of the Communist Party in this country; there are many people associated with the bund. I see no reason why a deliberate effort will not be made to get such people into plants. It would be a natural part of any sabotage program, anyway, and I say when you pass this bill you give notice to anybody who may be interested in sabotaging our plants that they can get in without any inquiry whatsoever. It certainly opens up a field of which they will at once avail themselves in time of war or threatened war.

The other crime which I should like to discuss is the prohibition of an oppressive labor practice which is defined in paragraph (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.

In the first place, that is obviously a one-sided provision. The bill provides that for the purposes of the proposed act it shall be an oppressive labor practice for any person to possess industrial munitions in or about any place of employment. What are industrial munitions? When one looks up the definition of that on some other page of the bill, he finds it is intended to include machine guns, automatic rifles, sawed-off shotguns, gas of different kinds, including tear gas.

In the first place, of course, there is nothing here that would prohibit any number of employees of a plant from having sawed-off shotguns in their homes, possessing them, whereas the employer cannot possess them. In other words, a discrimination is immediately created, for one man can do something and the other cannot. It seems to me that all our legislation should be scrupulously two-sided, that we should not pass an obviously one-sided bill such as the National Labor Relations Act as it was and as it has been enforced. It seems to me that all provisions ought to cover equally both the employer and the employee.

The actual prohibition against industrial munitions, of course, extends to every office building and every office. It extends to every place where people may be keeping money which may be subject to robbery and theft.

The fact that it extends to such places is shown by the express exception:

> *Provided further,* That the possession of industrial munitions by banking institutions or trust companies shall not be deemed to be an oppressive labor practice.

But there may be an administration building at a plant where large sums of money are kept in a safe; there may be in the city an office where, in a safe, large sums of money are kept and where no manufacturing of any kind is conducted. There is a prohibition against engaging in "any oppressive labor practice affecting commerce."

Of course, what is done in an office building affects commerce just as much as what is done anywhere else in an industrial plant.

We have in our State many building and loan associations which certainly need the protection of this exception exactly as much as any banking institutions; and if it once be admitted that banking institutions need this protection, certainly it is a protection which all other institutions likewise need. So it seems to me the remedy provided again goes away beyond the necessities of the particular case.

As a matter of fact, of course, it also advertises the fact that all plants are open to attack. All the blame in labor strikes and hardship cannot be placed on the employers. The La Follette committee investigated and found many cases where the employer was to blame, probably more than where the employees were to blame; but there have been other cases in which plants have been attacked by mobs. Certainly the preservation of law and order is as essential as is the protection of civil liberties. It seems to me the bill has been framed entirely with a one-sided view, without giving any consideration whatever to the question of maintaining law and order. As a matter of fact, the bill is unnecessary.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. TAFT. I prefer not to yield until I have finished. I will be glad then to answer any questions.

As a matter of fact, in time of war these plants are subject to seizure if they have no means of defense. Apparently the German attack on various countries consisted in landing troops, surrounding and seizing the airport, seizing the radio station; and we propose to announce to them again that all our industrial plants are to be left without any protection of any kind. We cannot have the Army defending every plant in the United States. It seems only reasonable that there should at least be an exception for the protection of these plants in time of war against the possible attack of people who might land from abroad or may be interested in sabotage in this country. There is nothing in the bill, so far as I can see, if a plant is defenseless, to prevent a group of men, Communists or anybody else, organized or not, suddenly attacking and completely wrecking the whole plant before anybody could protect it. The bill would make these plants defenseless against anything in the way of such an attack.

Mr. LA FOLLETTE. Mr. President, will not the Senator yield on that one statement?

Mr. TAFT. I yield; yes.

Mr. LA FOLLETTE. I do not see how the Senator can say that this bill proposes to leave a plant defenseless. An industrial plant may have all the munitions which it wishes to have, with the exception of the specified industrial munitions. It may have all the revolvers and rifles, automatic rifles, and shotguns which it desires as a means of protection.

Mr. TAFT. Then, what is the use of the bill?

Mr. LA FOLLETE. Because, Mr. President, we found that the industrial munitions which are prohibited by the bill result in use on the part of company police and strike guards in a way which is detrimental to the community and to peaceful labor relations, but there is nothing in this bill——

Mr. TAFT. What is the difference, then? If an automatic rifle is not detrimental to labor relations, according to the Senator's own argument, if it can be used to defend against possible attack of men who are armed, what is the difference?

Mr. LA FOLLETTE. The difference is that the offensive gas equipment are types of weapons which are dangerous in character and are easily utilized. The testimony before the committee is replete with instances of company guards or police outside of plants, off from company property, using such long-range offensive weapons against, not only strikers, but also against persons not involved in the dispute.

Mr. TAFT. They would be very effective, then, against the attacking forces of enemy sympathizers?

Mr. LA FOLLETTE. They would not be any more effective than the ordinary munitions, but let me give the Senator, if he will pardon me, as an illustration—a strike in his own State—the Berger strike. The company police left the property of the Berger plant in armored trucks armed with high-velocity gas weapons. They cruised about the streets of the community firing high-velocity gas projectiles—long-range projectiles, as they are called. They even shot at a woman two and a half miles from the nearest entrance to the plant. The company ultimately paid $46,000 in damages to persons injured by the company police.

Mr. TAFT. But, if I may interrupt for a moment, that is all prohibited by another section of the bill to which I do not object, providing that armed guards shall not be employed outside the plant. It is not necessary to have this section on industrial munitions in order to take care of such a situation.

Mr. LA FOLLETTE. The unanimous testimony of the municipal authorities and those charged with enforcing law and order was that the disorder and the rioting was occasioned by this action of the company police. I do not say that that is an example which should perhaps be governing in framing legislation, and I do not want to trespass further on the Senator's time; but I do say that in the committee's testimony there was instance after instance in which the evidence was conclusive that the possession of these offensive gas weapons in the hands of company police is a menacing thing to labor relations because of the temptation to use them on the theory that they are not lethal weapons, and therefore that they may be used in an irresponsible manner.

Mr. TAFT. Mr. President, again I do not think the Senator has answered my criticism of the particular part of the bill which provides that no man shall have any industrial munitions on his place of business at any time, although any labor man or any other individual may have them in houses or other places a few miles away from a particular plant. I do not think the Senator answers my objection that the plant is subject and open to attack by anybody who chooses to attack it, and that in wartime we cannot properly protect plants against sabotage unless we give employers a free hand to defend themselves and defend their plants against anybody who may attack them, whether they be Communists who have gotten in as their own workmen, or whether they be persons who are organized and deliberately going out to commit sabotage, or whether they be members of a force landed from the air in the neighborhood of some industrial plant. Certainly the Senator should have a complete exception of such conditions, or a license provision, or something to permit the possession of such munitions in time of war, or in time of threatened war.

I do not see that there is any hurry for the enactment of this bill. The practices which are now being made criminal are practices which can be and have been prohibited to a large extent by the National Labor Relations Act and the National Labor Relations Board. All of them are undertaken for the purpose of discouraging unionism. So far as they actually affect unions, so far as they are at all effective, the National Labor Relations Board may prohibit them and may issue orders against them.

The remedies are extraordinary. We used to enact criminal laws and say that a man should not do something, and if he did it we sent the police out to arrest him, and they took him into court, and he was convicted; but this bill, like some of the other bills that have been enacted, provides all kinds of additional remedies, all kinds of persecutions. Although the provisions of this act are not clear, the bill proceeds on the assumption that if a man is charged with any of these acts he is presumptively guilty, and so the Government agencies may do anything they please to him. They may regulate his business. They may tell him what he shall do in every other field of his activities, because he is presumptively guilty. Instead of just providing for sending a man to jail or fining him for carrying out one of these acts, the list of remedies in the bill is made up of about four different things.

In the first place, under the provision on page 11, every person is prohibited from discharging or in any other manner discriminating against an employee or prospective employee because he has made any statement with respect to purported violations of the act, or has made any complaint on the subject to his employer. Incidentally, the provision covers even a prospective employee. The employer cannot discriminate against him. I do not know whether that means that the employer has to employ an applicant if he is employing anybody, or exactly what it means; but he cannot discharge or discriminate against an employee or prospective employee because he has made any statement with respect to purported violations of the act. It may be proved that the man perjured himself. The man may have made a statement which was subsequently proved to be complete perjury; but after it has been found to be perjury, if he is discharged, the employer discharging him is subject to the penalties of this particular act.

The second remedy is that if there are on the plant any of these industrial munitions—and the definition of them is not perfectly clear, so we cannot be perfectly certain about the automatic-rifle question—if there are any such munitions in the plant, then the bill says that it shall be unlawful to transport in commerce "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." If any industrial munitions at all were in the plant, then any goods that happened to be in course of production during the time the munitions were there are immediately barred from interstate commerce. That seems to me not only a very unreasonable penalty but a penalty which would be exceedingly difficult to enforce. It will require a complete investigation by another Government bureau of all the activities of the business, and subject the employer to regulations in addition to all the regulations which every businessman already has.

The third remedy is that no Government contract shall be made with an employer unless he agrees in the contract that he will not engage in any oppressive labor practice. The idea of the United States prohibiting an act, making it a Federal crime, and then saying to a man, "We will not make a contract with you unless you agree that you will carry out the laws of the United States and will not be a criminal," seems to me utterly ridiculous. It is no way to enforce a criminal law. It simply imposes another obligation on another Government bureau to make another investigation of that particular business, and subject that man to more reports, and more Federal employees running around his plant.

Finally, the fourth remedy is that if the employer has any loans from the R. F. C., the loans shall be immediately called. We make the R. F. C. an enforcement agency, and the R. F. C. has to investigate whether or not the employer has industrial munitions. We have about four different Government bureaus investigating all the industrial plants in the United States and hampering them with regulations and reports and expense; and that is just exactly the kind of regulation that has interfered with the development of private industry in the United States.

I do not see why we cannot draw a simple bill which will prohibit in a few words the acts which are to be prohibited, whatever they may be. It seems to me the committee ought to reconsider the bill. As I look back over the regulatory measures we have passed, in every case exactly the same condition exists. There is an abuse, and the Senator from Wisconsin can eloquently set forth that abuse; and then, because of that abuse, we enact a law which not only meets the abuse but hampers all kinds of other activities on the

part of other persons who never have engaged in the abuse and never would engage in the abuse. If we are going to prohibit acts, I believe we ought to prohibit them by simple language, as the criminal laws used to prohibit them, and then turn over to the Department of Justice the enforcement of the criminal laws of the United States.

The regulatory feature is the thing which has brought about the adverse reports on this bill which have been submitted by the Army and the Navy. At this time we are asked to appropriate a billion and a half dollars extra for defense on the recommendation of the Army and Navy; and one of the difficulties those Departments have encountered has been the slowing up of contracts on naval vessels and the slowing up of contracts for Army munitions. Let me read what the Army and Navy say.

The Secretary of War says:

The above-quoted provisions of section 5—

That, I think, is the one about transportation—

in effect would lay a permanent embargo upon the disposition in or affecting interstate or foreign commerce of all goods produced at a plant during any oppressive labor practice, and would make it difficult if not impossible to procure goods from a plant while its operators are under suspicion or complaint of engaging in such practice and while proceedings are pending to determine that question or to ascertain the particular goods affected, if any. Under such circumstances, if an issue should arise as to the existence of any oppressive labor practice in the plants involved—

And that is the point "if an issue should arise." The assumption of a bill like this is that if you are accused, that settles it; there is an oppressive labor practice, and all the other remedies follow. If the question arises, you have just as much trouble and just as much inspection and expense as though you were guilty.

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.

The War Department is also of the opinion that the liability for heavy damages to be imposed under title II of the bill, on Government contractors in addition to their customary liability for breach of contract and in addition to the criminal penalties prescribed, will render Government contracts less attractive and will tend to discourage bidding thereon, with resultant decrease of competition and increase of prices, which will tend to burden and obstruct the War Department in the exercise of its procurement functions.

In spite of those words of the War Department, we are asked to go ahead with a bill which has been pending here for over a year, for which there is no particular pressure today. It is not concerned in any way with the particular emergency with which we are asked to deal.

The Navy Department report is somewhat similar:

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.

It seems to me obvious that today we should move carefully. I do not say that we should not continue the work necessary to the protection of employees who are at a disadvantage in dealing with their employers. We should go ahead, as far as I am concerned, with legislation, but it seems to me we should be very careful to restrict it to particular abuses. We should not spread out another regulatory agency all over the United States and all over the industrial area of the United States, because the time is coming when we may well need the full productive force of the Nation. There is no doubt that the industrial production of the United States is an essential part in our national defense; probably the most essential part. If there is one thing in which the Germans have succeeded, one thing responsible for their success, it is the organization of their industrial production. They have disregarded some rights we do not have to disregard.

I should like to read an editorial from the Omaha World-Herald, which deals with the general situation and the necessity for carefully considering any measure which is calculated to hamper further the industrial production of the United States. The editorial says in part:

For years France, England, and the Scandinavian countries, like the United States, have been concentrating on "the more abundant life, with mandolin accompaniments." They have been struggling to achieve a 40-hour week, 3 weeks' vacation with pay, unemployment insurance, pensions, and housing projects.

That is all very pleasant. But it happened that the natural enemy of those countries was engaged in other pursuits. Germany wasn't on a 40-hour week. It wasn't even on a 50-hour week. People worked until the fuehrer said they could quit—or until they dropped.

As a result, Germany is today, without doubt, the most productive nation on earth. If it is beaten in war it will be only after other nations have matched its productivity.

For in these days of mechanized warfare it should be plain to anyone that no country can be stronger than its productive industries.

It has already been proved that a nation which works—under whatever compulsion—is stronger than a nation which dreams about living without work.

In this country we have taken it for granted that our way of life would not be challenged, that we would never again have to exercise our national strength in a physical encounter. We have turned soft. Our Government has spent tremendous sums for various good purposes, but still our industry staggers. There is still unemployment, still overproduction in some lines, underconsumption in many. Even if our coasts were lined with forts we could not say that our Nation is strong, for we are not using our strength.

If we are to meet that test successfully we will need not only a first-rank Army and Navy, but a hard-hitting industry capable of matching any in the world. That can't be obtained by passing a bill. It can come only from the friendly, effective cooperation of an intelligent Government with a patriotic people.

The time has come to examine not only our national practices but also the frame of mind into which we have drifted in recent peaceful years.

I believe that whenever we take up again a regulatory measure we should define specifically and in very limited terms the particular thing we are trying to prohibit. If it is desired that we prohibit labor spying, then why do we not refer to one who employs a man, or himself undertakes to find out any of these things about an employee by representing himself to be someone other than he is? That is what labor spying is. It is not necessary to have a provision making prohibitions against making inquiry as to what a man's background is. It seems to me it is possible to see that the prohibition extends only to the cases where it is actually needed.

Mr. President, because I feel that the provisions to which I have referred are defects which should be remedied; because I feel that the bill goes far beyond any reasonable purpose; because I feel that it would deliberately hamper the preparation of the United States for war; because I think it would open industrial plants to sabotage, I move that the bill be recommitted to the Committee on Education and Labor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio.

Mr. LA FOLLETTE. Mr. President, the Senator's first criticism of the bill is as to the method in which it is drafted. I can only say that the bill is the product of the work of the legislative counsel in putting the measure into final form, that it follows their procedure, and that it has the customary separation of definitions and prohibited acts which is to be found in practically every comprehensive measure with which they have had anything to do in the drafting of proposed legislation.

The Senator has made some very sweeping statements about the bill. He says, among other things, that under the bill an employer could not investigate as to whether his employee had been guilty of any crime or not. I wish to repeat what I have said several times during the period when the bill has been before the Senate, that there is not to be found in the bill a single line which would prohibit any employer from making an investigation which he desired to

make as to the fitness or record of an employee, so far as his having been convicted of a crime was concerned. There is not a line to be found in the bill which would prohibit such activity.

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

Mr. LA FOLLETTE. I yield.

Mr. HOLMAN. Under the bill how could an employer defend the occupancy of his plant from trespass by a sit-down strike?

Mr. LA FOLLETTE. He could defend himself against such an action after the bill was enacted just as well as he could before it was enacted.

Mr. HOLMAN. But how?

Mr. LA FOLLETTE. By the use of the power of the authorities within his community, or by the use of his own company police, so long as they operated on the property of the company. An employer can have as many police as he likes; he can have them armed with any and all weapons except machine guns and offensive gas guns. These police could perform any acts on the property of the company after the bill was enacted which they could perform prior to its enactment.

The Senator from Ohio says that the bill is sweeping in some of its terms. Insofar as industrial espionage is concerned, I may say that the committee found that this business—for it is a business in and of itself in the United States—operates in the dark. It is the type of business which cannot stand the light of day, and for that reason the procedures under which it operates are for the most part designed to conceal the real objectives and the real activities of industrial espionage.

As stated in an interruption while the Senator from Ohio had the floor, we found, I think without exception, that in each and every instance there appears upon the records of the detective agencies, in their invoices, in their ledger accounts, the "cover" for industrial espionage by designating it "investigation of radical or communistic activities." This was the statement made by all of the representatives of the big detective agencies when they first came on the stand. But by going back of these ledger accounts, by going out into the field and ascertaining what these specific operations were for, by securing the testimony of the operatives themselves, it became evident that this was merely a "cover," and it became so evident that even the managers and officers of the detective agencies themselves, and their clients, the industrial companies which employed them, had to admit, in the light of the force of the evidence which the committee presented in the testimony, that it was a "cover."

The Senator says it is no protection to the employer to provide that he may investigate the political affiliations or activities of his employees if he secures their consent.

Mr. President, it is the practice of many industrial corporations to make a most exhaustive investigation of their employees, and there has been, so far as I know, no objection, no resistance to such investigation by those seeking employment, or by those organizations representing employees seeking employment.

The Senator from Ohio thinks that it will not accomplish any purpose, so far as the employee is concerned, to notify him that he is to be investigated. There again, Mr. President, I think it is clear from the committee's record that one of the evils of this whole practice is the fact that employees are made victims of the practice without notice that such inquiry is going on.

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

Mr. LA FOLLETTE. I will yield in just a few minutes.

Take for example the union in the Fisher Body plant in Flint, Mich. The union was affiliated with the American Federation of Labor at the time in question. It had several thousand members. The Fisher Body division of the General Motors Corporation put the Pinkerton Detective Agency to work on this union. The agency did not operate as the Senator assumes that detective agencies operate. The agency "hooked" men in this union through its respective "hookers." The agency got men under false pretenses to agree to accept money for making reports to a blind post-office box. Once the men were "hooked," once they had given a receipt for the money which they had received for these reports, and were in a position where exposure would have brought upon them the ostracism of their fellow employees, it was revealed to these men what they really were supposed to do—that they were to report the names of those who were in the union, those who came to the meetings, those who were active in union organization or work. These reports, of course, went back to the personnel department of this particular plant. Discharges began to take place. Suspicion was created. One man could not trust another. The men could not place their finger on it, but they knew what was going on. As the result of that activity this union ultimately was reduced to the point where there were but a few members left, and each and every officer of the union was, without knowledge of the other officers, in the employ of the Pinkerton Detective Agency.

So, Mr. President, if we are going to stamp out this evil which has been a menace to the right of labor to organize and bargain collectively ever since labor organization started in this country, we have to draw a measure which will be effective. As a matter of fact there are those who are in the detective-agency business who have told representatives of the committee, after seeing this bill, that they do not think any bill could be drawn to stamp out their business; that they would find some way, by hook or by crook, by some devious means, to circumvent the statute.

Mr. President, we cannot stamp out these practices by some simple expression of policy by Congress. We must draw an effective statute, and it must be implemented by effective remedies.

The Senator from Ohio has said that in these times, we ought to have all the investigations which could be made of the activities of subversive elements, such as Communists, and members of the bund, as he put it.

Mr. President, I agree with the Senator about that. In the first place, if any reliance is placed upon the effectiveness of these detective agencies in ferreting out subversive activities in the United States, all that I can say is that this country is in a very vulnerable and helpless position.

The testimony taken before the committee is replete with admission after admission on the part of operatives, on the part of regional managers, yes, even on the part of heads and principal officers of detective agencies indulging in industrial espionage; that it was a common practice for them to falsify, to build up their reports, to use their imagination in order that they might convince the client that the continuation of this lucrative service was well worth while.

Mr. President, if the activities against subversive activities of the Federal, State, and local agencies of government are to be predicated upon the type of report received from the detective agencies in this situation, their efforts and time will be largely frustrated and wasted.

Let me quote briefly from the testimony of Mr. Hoover when he appeared before the House committee in relation to the appropriation bill. He said:

> One thing we have tried to avoid is to encourage or accept aid from self-constituted groups throughout the country, some of them superpatriotic in character, some very well-meaning, and again some selfish in that they have a desire to secure personal aggrandizement or financial gain.
>
> We have found that these investigative activities cannot be properly or effectively handled by either inexperienced or self-serving groups; we think that they should be handled by regularly constituted law enforcement authorities, Federal, State, or local, and they should not be delegated or assigned to groups of individuals who may be thoroughly sincere in their motives, but who are not trained in handling work of this character.

Mr. President, effective investigation of subversive activities and subversive agents will have to be carried on by duly constituted authorities of Government at the various levels. Reliance, as I have stated, upon the detective agencies and their operatives, who are schooled in "cooking up" their reports, will be utterly worthless, and will result in wasting the time of investigators who are trained and who can properly handle the situation.

If a situation develops in any plant in the United States where such activities are going on, they should be investigated by trained and responsible investigators of local communities, county or State, or of the Federal Government.

Mr. President, with regard to industrial munitions, I wish to repeat that the use of offensive gas weapons is a constant source of agitation and aggravation of peaceful relationships between employees and employer. One of the most experienced employers in the country, when questioned about the use of industrial munitions, stated unequivocally in his testimony that he thought it was nothing short of murder to place these high-powered gas weapons in the hands of company police or strike guards untrained in the use of gas munitions.

The Youngstown Sheet & Tube Co. had a veritable arsenal at the time of the Little Steel strike. Mr. Purnell, president of the company, testified that one of the first things he ordered done was to bury the machine guns which they had in their plant in order that they might not get into the hands of some itchy-fingered member of the company's police force or some of the guards which they had employed in connection with the strike.

Mr. President, there is nothing in the measure, as I have said, to prevent the arming of as many armed guards or company police as a corporation may desire to employ, and they may be armed as adequately as the employer deems necessary. But he may not arm them with offensive gas weapons, with machine guns, or with submachine guns. There is nothing in the measure to prevent the installation of stationary gas protective equipment.

Mr. President, the Senator then turns to title II of the bill. I should like to point out that the committee gave very careful consideration to the letter of the Secretary of War and the letter of the Secretary of the Navy; and the committee authorized the elimination—and it has already been eliminated from the bill—of the provision for a penalty of $1,000 a day for violation of the act. This was the penalty particularly pointed out in the letter of the Secretary of War.

Mr. President, the utilization of industrial espionage, the use of company police off company property, and the hiring of professional strikebreakers are not factors which enter into the cost of production in a plant. They are not like the ceiling on hours and the floor under wages provided in the Healey-Walsh Act. Personally, I am opposed to the relaxation of those provisions, but at least, so far as they are concerned, it can be said that they do enter into the cost of production. The elimination of vicious labor practices would not add one penny to the cost of a single article produced for the Government, or for anyone else. All that would be required of the contractor would be that he stipulate in his contract not to indulge in oppressive labor practices. Even if he should do so, Mr. President, under the Healey-Walsh Act, the Department may elect to continue the delivery of goods under the contract, and the only penalty, so far as the Walsh-Healey provision is concerned, would be the right by the Department, if it should elect to do so, to cancel the contract and purchase in the open market.

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

Mr. LA FOLLETTE. I yield.

Mr. DAVIS. The Senator was pointing out what a strikebreaker is. As I read the bill, the term "strikebreaker" is considered in a definite technical sense. It refers to a man who regularly goes from place to place where labor disturbances are created. He goes with a blackjack in one hand and a club in the other. He is paid to create trouble. He is not on the job to do regular work, but to cause difficulty. That is the way a strikebreaker operates.

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

Mr. LA FOLLETTE. I yield.

Mr. TAFT. As a matter of fact, there is no such definition of "strikebreaker" in the bill. He may be a man living next door, who has never worked anywhere else in the world. The only definition of "strikebreaker" is a man who takes the place of another at a slightly higher wage than that paid the man who is there already. That is the only definition of "strikebreaker." The Senator is mistaken.

Mr. DAVIS. I was giving my interpretation of the term "strikebreaker."

Mr. TAFT. Yes.

Mr. DAVIS. There is nothing in the bill to prevent anyone from going into a factory and taking a job, but there is something in the bill to prevent a professional strikebreaker from coming in to take another man's job.

Mr. LA FOLLETTE. The Senator from Pennsylvania will remember that the first atempt of the Federal Government to deal with the problem of the professional strikebreaker was the Byrnes Act, prohibiting the transportation of strikebreakers in interstate commerce. The strikebreaker is usually recruited along the "grapevine" in industrial centers. Usually he follows no other line of work than strikebreaking. He is often vicious in character. We found that many of those whom we examined had criminal records as long as one's arm.

Mr. President, the records of the committee conclusively show that ways and means have been found to get around the Byrnes Act. Therefore the committee sought to accomplish the purpose of eliminating the professional strikebreaker by prohibiting the employment of persons to take the places of regular employees if they are offered a higher wage—either in the form of wages or in the form of board, room, and transportation—than the employer paid to his employees prior to the strike; or, as the bill has now been amended on the floor, if the employer decides to pay a higher wage, he may pay it to anyone, provided he first offers it to his former employee.

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

Mr. LA FOLLETTE. I yield.

Mr. TAFT. I have no great quarrel with the definition of "strikebreaker," but it is another illustration of the same point I have been making. The definition is not confined to the professional strikebreaker at all. It may apply to anybody. It may apply to men who have worked at the plant all their life, but who do not happen to have worked during the previous 6 months. The definition is not confined to anything like a professional strikebreaker.

Mr. LA FOLLETTE. No.

Mr. TAFT. I think the definition is rather clever, and I have no great objection to it, but it goes far beyond the great evil of professional strikebreakers, which we should all like to get rid of.

Mr. LA FOLLETTE. The experience under the Byrnes Act is exactly what the Senator recommends doing so far as other oppresive labor practices are concerned. He recommends a somewhat simple declaration that it is the pious wish of Congress that these things shall not be done; and he then expects these obnoxious practices, which have fastened themselves upon industry for generation after generation, to be eliminated. There is a big profit to be made by the agencies which furnish such services. It is all well and good for the Senator to criticize the manner in which the bill has been drafted; but it has been drafted in the full light of our investigation, and in full appreciation of the ramifications of these practices, and of the incentive which there is to make money out them, and the absolute conviction that we must draw an effective statute if we are to eliminate them.

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

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

Mr. BROWN. As I stated in my telegram to the Senator from Kentucky [Mr. BARKLEY], which was read to the Senate day before yesterday, I think the Senator is striking at an evil which should be legislated against. I am in agreement with the general purpose of the bill. However, I think a few sections could be improved, and I shall call attention to them section by section and page by page.

Mr. LA FOLLETTE. Before the Senator does so, will be permit me to finish what I was saying?

Mr. BROWN. Yes. The Senator was talking about the manner in which the bill was drawn, and I thought that was the proper time to bring out my point. I shall wait until the Senator finishes his statement.

Mr. LA FOLLETTE. Mr. President, in the light of the vicious character of these practices, I think the Federal Government should say that it will not spend the taxpayer's

money and give the benefit of Government contracts, loans, and subsidies to concerns which indulge in these practices.

The Senator said that we shall have many agencies investigating. Nothing could be further from the truth. All investigations of violations under both titles of the bill will be carried on by the Department of Labor, and all prosecutions will be carried on by the Department of Justice. Instead of being attacked for the way in which we have drawn the bill, Mr. President, I am proud of the fact that we did not set up any new agencies. We did not provide for new bureaus.

We were urged to do so. We were asked "Why do you not set up a new bureau in Washington to license the various agencies which carry on this type of work?"

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

Mr. LA FOLLETTE. I shall be glad to yield in just a moment.

On the contrary, we have utilized the existing agencies of Government, and we have drawn the legislation upon the pattern of legislation which has been sustained by the Supreme Court.

I now yield to the Senator from Wisconsin.

Mr. WILEY. My distinguished colleague says he has not set up another bureau. If the bill should become a law, I am wondering how big a legal force would be required in addition to the present legal force of the Labor Department, which is very unsympathetic toward industry. How big an additional force will be necessary to collect the fines and paralyze industry?

Mr. LA FOLLETTE. Mr. President, nothing in the bill gives any agency of government or any employee of government the right to collect fines to paralyze industry, as the Senator from Wisconsin suggested.

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

Mr. LA FOLLETTE. Just a moment. Let me finish my statement.

Under the provisions of the bill the Department of Labor will carry out whatever investigations are necessary. The Department of Justice will prosecute whatever criminal proceedings may be undertaken. I wish to point out that the then Attorney General of the United States appeared before the subcommittee considering the bill and, after having given it careful consideration, stated that he thought the bill was workable and enforceable, and that he saw no difficulty in carrying out its provisions.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

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

Mr. LA FOLLETTE. I yield.

Mr. TAFT. Section 203 provides that the loan shall be conditioned on a stipulation that the borrower will not engage in any oppressive labor practices and that upon any breach of the stipulation the loan shall become due and payable.

Mr. LA FOLLETTE. Mr. President, if the Senator will yield at that point, I wish he would get a copy of the amendment which has been adopted in lieu of that section.

Mr. TAFT. Even under the amendment, is it not true that the R. F. C. would have to make an investigation if the Labor Department said that the concern had violated the law, and if the company should say, "We have not violated it," would not the R. F. C. have to send out a man to find out for itself, and would it not be responsible itself, even under the amendment?

Mr. LA FOLLETTE. If the Senator will look at section 204 of the bill he will see the language:

> The provisions of sections 2 to 6, inclusive, of the act of June 30, 1936, as amended, shall be applicable with respect to any breach or violation of any stipulation required by sections 202 and 203—

Which means that it comes under the Healey-Walsh Act.

Mr. TAFT. Do I understand, then, that the R. F. C. must accept the certification of the Labor Department, and if the Labor Department says the borrowers have violated the act the R. F. C. must cancel and call the loan? Is that the interpretation the Senator puts on this particular provision?

Mr. LA FOLLETTE. Here is the provision:

> *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.

Mr. TAFT. As I understand, if the Secretary of Labor finds that a corporation has violated the provision as to oppressive labor practices, then all loans are called without any resort to court or any other remedy which the particular concern may wish to apply for? Is that the Senator's interpretation?

Mr. LA FOLLETTE. My interpretation is that the act is similar in its provisions to the Walsh-Healy Act and that we are simply extending the provisions of the Walsh-Healy Act to cover these oppressive labor practices, first, insofar as Government contracts are concerned, and, secondly, insofar as loans or grants under the R. F. C. or the Maritime Commission are concerned.

Mr. TAFT. So, on the arbitrary fiat of the Secretary of Labor, the company's loans may be canceled? Of course, naturally, the company will at once agree to any interpretation of the law the Secretary of Labor may impose upon it, for it cannot afford to have the loans called and be forced into bankruptcy. To my mind, that provision of the amendment gives even more arbitrary power to the Secretary of Labor to wreck any industry in the United States.

Mr. LA FOLLETTE. Of course, the contractor would have his remedy at law. The Senator knows that.

Mr. TAFT. He could not wait for that remedy when his loan was called and he was in a bankruptcy court.

Mr. LA FOLLETTE. Once his bill goes on the statute books and the employer stipulates that he will not engage in any of these oppressive labor practices, I think we can rely upon the Labor Department not to make a finding which is not substantiated by the facts and which ultimately would be tested in the courts. That is the process under the Walsh-Healy Act, and, so far as I know, no such difficulties have been encountered.

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

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I yield.

Mr. GEORGE. It seems to me that the bill goes beyond anything the Congress has passed in that under the stretched—and I use the word advisedly—under the definition of interstate commerce the Supreme Court has given to it in these latter days which, in my opinion—and I have never hesitated to say so—is not sound and will not stand the long time test of judgment in this country, the bill would make criminal offenses of acts that are only rather remotely related to interstate commerce. In other words, it provides, for instance, what kind of weapons one may have in his place of business. If it be a plant where articles are produced that enter into commerce, the bill makes a violation of that provision a criminal offense. I know what the Supreme Court have held; I know very well they have, in logical effect, held that the man who plants the seed and cultivates the tree which subsequently enters into commerce is engaged in interstate commerce, or they have gone dangerously near that point. Therefore the bill is setting the precedent of prosecuting a man who plants a seed and cultivates a tree, on the broad, untenable theory that the tree or the lumber made from it may sometime enter into interstate commerce.

Mr. LA FOLLETTE. On that score, Mr. President——

Mr. GEORGE. I wish to call the Senator's attention——

Mr. LA FOLLETTE. Let me say there is nothing in this bill that broadens that concept of power over interstate commerce. If it has been broadened, it has been done by decisions of the Court.

Mr. GEORGE. Yes, I know it has. But now the Senator in his bill is making criminal any act which remotely affects goods or articles made under this stretched definition of

interstate commerce. So, under this theory of legislation, the man who plants the seed and who cultivates the tree which ultimately becomes a part of interstate commerce could just as well be prosecuted.

I have no hesitancy in saying that the decisions of the Supreme Court upon that question have been stretched beyond reasonable bounds. Carried to logical conclusion they transfer, in the last analysis, the entire criminal or police power to the Federal Government; it is taken out of the States and vested in the Federal Government.

Not only that, but the Senator has incorporated in this bill another provision which seems to me to be one of its most offensive provisions. I have full sympathy with outlawing certain acts, if it can be done under the stretched interpretation of interstate commerce which the Supreme Court has given in its definition of interstate commerce in these latter days; but in section 8 (c), on page 16, it is provided:

> The Secretary of Labor may transmit such evidence as may be available concerning such acts—

And so forth. To district attorneys, and to the Attorney General.

There is no objection to that, but it is provided further in section 9 (a):

> The Secretary of Labor or his duly authorized representative may investigate any facts, conditions, practices, or matters, the investigation of which may be necessary or proper to aid in the enforcement of the provisions of this title.

Stop right at that point. The bill not only makes certain acts criminal offenses and subjects the doers of such acts to a $10,000 fine, plus 6 months' imprisonment in a jail, if the court wishes to impose both penalties conjointly, but it gives—I do not know how else to characterize it—the most terrorizing power to the Department of Labor. It gives the present Department of Labor the power to cancel any contract that any concern has with any governmental lending agency. If it borrows money, or if it expects to borrow money, it must become subservient to the Department of Labor, or it cannot get it, and, if it gets it, it cannot keep it.

In the case of an industry that has a large loan with the R. F. C., it is useless to say that if that loan is arbitrarily called by the action of the Department of Labor, the industry has a cause of action at law. It does not have any effective cause of action against the Government; it has no adequate protection against the arbitrary use of such discretion as is lodged in the Department of Labor, and if it did have an action at law its action at law would not be worth anything when the calling of the loan sends the concern into bankruptcy.

Now I wish to call the Senate's attention to another provision of section 9 (a).

The Secretary of Labor may not only investigate any facts which he or any duly authorized representative may wish to investigate, but he may investigate either directly or through anybody he selects for the sole purpose of securing information to serve as a basis for recommending further legislation concerning the matter to which this title relates.

That is to say that the Secretary of Labor can invade any private home in these United States; she can go into any place of business which is engaged in State or purely intrastate commerce and make an investigation. Why? For the purpose of recommending to Congress something else to be provided along this line of legislation.

I wish to call the Senator's attention to another fact. I know that this power is in the Securities and Exchange Act; and I understand it is in other acts, but I want to call attention to the fact that the Securities and Exchange Commission has abused its powers by investigating concerns over which it has no possible jurisdiction; that it has violated the civil rights and political rights of citizens of this country concerning which it has no possible jurisdiction. Why? Under the flimsy pretext of gathering information on which it may base subsequent recommendations to the Congress of the United States.

Mr. President, the Senator is pressing this bill in his commendable zeal to forestall certain evil practices, which, however, are not widely existent in American industry. There are whole States in which nothing of this kind has ever occurred; or, if it has occurred at all, it has occurred in remote sections of the State, or in isolated instances which are of no great consequence. The bill, however, makes a sweeping definition of these evil practices, makes them crimes, and gives the Department of Labor punitive power absolutely to crush and destroy every industry in this Nation by not letting it have a Government contract, by withdrawing from it a Government contract, by foreclosing its loans, by separating it from the Federal Treasury, coupled with the power to go into my home or the Senator's home and investigate conditions which, in the opinion of the Secretary of Labor or her attorney or her agent, may be helpful in recommending future legislation to the Congress.

Mr. President, I do not think the Senator from Wisconsin has thought through that phase of this bill, because I know what has happened under other Federal agencies which have been created, which were given the power to investigate something over which the Congress of the United States has not the remotest shadow of jurisdiction, and I know how that power has been abused.

Here is the Secretary of Labor, who not only may investigate a crime committed if somebody has a gun of the kind that he ought not to have, or somebody has done something which this bill forbids, but who is given the power to punish the industry by canceling all Government contracts it may have, by throwing the industry into bankruptcy; the power not only to investigate the acts themselves but to investigate wherever she pleases, in whatever direction she wishes to proceed, for the sake of recommending to Congress future legislation. I say now that if some things which have been written into other laws which have good purposes, even as this bill has, are not repealed, then anything like freedom of elections, freedom of enterprise, anything like liberty of action upon the part of the individual and upon the part of the industries of the country, is wiped out.

Another thing, Mr. President, I call the Senator's attention to this fact, and it is not farcical, nor is it whimsical: One reason why France is not prepared today is because she had a nationalized and a communized industry under which she was helpless to move, and helpless to prepare.

I do not say anything about Miss Perkins. She is the present head of the Labor Department. I do not know who will be its head tomorrow, but I know that this is a power which should not be given to any executive agency in this Nation, and I know that it is a power which has been abused. In my own State, acting under this language, men have been sworn and asked, "For whom did you vote in the last election?" And now it is sought to give this power to Miss Perkins—a power to crucify industry; a power to destroy liberty of action; a power to destroy the industries of this country; and unless the productive capacity of American industries is kept up, there is no possible hope of preparation to meet any enemy, domestic or foreign.

Mr. President, I shall vote for the motion of the Senator from Ohio [Mr. TAFT] to recommit this bill to the Committee on Labor, because it cannot be, I think, that the committee has given to it the careful consideration which ought to be given to a bill of this character.

Let me repeat, we now come face to face with one thing—that with a stretched definition of interstate commerce which includes practically all commerce, we are making criminal simple acts which are only remotely related to the production of goods for commerce. If this bill be valid, and if the theory on which it is based be sustained by the courts, the man who plants an orange tree in Louisiana may be subjected to a Federal criminal offense whenever the Congress of the United States wishes to impose it, on the theory that the tree will grow under his husbandry and cultivation, and finally will produce an orange that will cross a State line.

Mr. President, I beg the pardon of the Senator from Wisconsin for taking so much of his time, but I am so thoroughly convinced that there is here given to a Federal executive agency a power that the Congress of the United States ought never under any circumstances to consider for one moment delegating to such agency that I have been moved to say what I have said at this time.

Mr. LA FOLLETTE. Mr. President, I listened, of course, as I always do, with a great deal of interest to the address of the Senator from Georgia; but the Senator from Georgia, as I suggested at the outset of his remarks, it seems to me, is inveighing against the decisions of the Supreme Court more than he is against the terms of the pending bill.

It is the firm conviction of the committee, and I think a perusal of its testimony will clearly demonstrate, that the practices here sought to be eliminated do bear upon interstate commerce, because they affect the relationship between employee and employer who are jointly engaged in manufacturing goods for interstate commerce or that bear upon commerce; and, it seems to me, the Senator is arguing against the decision of the Supreme Court in the Jones & Laughlin case.

This bill is drawn upon the same principle as the wage and hour legislation and the other legislation predicated upon the power of Congress to regulate the conditions under which goods are manufactured which are manufactured for or have a direct bearing or influence upon interstate commerce.

I cannot agree with the Senator from Georgia that it is wrong for the Federal Government to deny the benefit of its contracts, or of its credit in the form of loans, to those who are found to have indulged in practices which the Government has designated by statute to be oppressive labor practices. It seems to me perfectly logical to do that in this case just as we did under the Healey-Walsh Act. If it is proper under the Healey-Walsh Act to provide that persons receiving Government contracts shall agree to pay minimum wages and to work their employees no longer than the maximum hours set by the Secretary of Labor, then it seems to me it is likewise proper, when we are seeking to bar these oppressive and vicious labor practices which have contributed so much to industrial strife in this country, that we should take a logical step, and provide that beneficiaries of Government contracts or recipients of Government loans or credits should stipulate in advance that they, too, will not indulge in these oppressive labor practices.

I thought it was a shocking thing when the committee found that millions of dollars of contracts in the United States were going to corporations which the records of this committee demonstrated were indulging in these oppressive labor practices.

Mr. President, labor has been pleading for the elimination of these practices for more than 30 or 40 years. They have been the victims of the practices, and one only has to read the testimony taken by the committee to become convinced that the four oppressive labor practices sought to be barred and prohibited by the bill are the most effective weapons which an employer who does not desire to see his employees exercise the right of collective bargaining can utilize.

So I say, Mr. President, that the proposed legislation has ample precedent. If the decisions of the Supreme Court will result in the legislation being carried further than the Senator from Georgia thinks sound public policy, there is nothing, so far as I know, the committee can do or the Congress can do concerning that situation. If we are to exercise the power at all, it will have to extend to the point where the Supreme Court has said the power of Congress goes when it is exercising its right to control or to regulate interstate commerce.

Mr. President, I think it would be a tragic mistake to recommit the measure. It is predicated upon 2½ years of work of the subcommittee of the Committee on Education and Labor. It is predicated upon a most voluminous record and the most exhaustive investigation ever conducted prior to the introduction of a piece of legislation. In its drafting the measure has had the careful consideration of the subcommittee and of the legal experts of various agencies and departments of the Government, as well as the able assistance of the legislative counsel's office, who were relied upon in drafting the final form of the legislation.

To recommit the bill after this recitation of its legislative history, in my opinion, would be to defeat it, and I feel certain that that will be the reaction of those millions of wage earners in this country who are looking to Congress for relief from these vicious practices. This measure has the enthusiastic endorsement of the American Federation of Labor, of the 21 standard railway-labor organizations, and of the Congress of Industrial Organizations. In short, it is the only piece of legislation I know of pending in either House of Congress upon which organized labor in America is united. These are not casual endorsements. If Members of the Senate will take time to refer to the hearings before the subcommittee on the bill they will find upon perusal of the testimony of Mr. Joseph Padway, chief counsel for the American Federation of Labor, that he has given the bill a most careful analysis from a legal standpoint.

Mr. PEPPER. Mr. President——

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

Mr. LA FOLLETTE. I yield.

Mr. PEPPER. I have not had the privilege of hearing all the discussion of the bill on the floor, but I am a member of the Committee on Education and Labor, and the impression I got was that the bill was designed primarily to avoid civil war in the field of capital and labor relationships, where one side, particularly by the employer side, became pretty much an armed citadel, and, generally speaking, civil war prevailed, with arms sometimes on both sides, and at least most of the time on the side of the employer. Is the bill primarily calculated to prevent that sort of thing?

Mr. LA FOLLETTE. It is primarily calculated to eliminate these practices which the overwhelming evidence before the committee will indicate, to any fair-minded person who will take the pains to read the testimony, have for generations in our industrial relations been provocative not only of disharmony and distress, but have been provocative of violence of the most flagrant character, because when one side yields to violence so does the other. Therefore the elimination of these practices will, in my considered and deliberate judgment, do more to advance the cause of industrial peace and harmonious relations between employer and employee than any other single piece of legislation ever enacted by the Congress.

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

Mr. LA FOLLETTE. I yield further.

Mr. PEPPER. If these arms on the part of the employers, these weapons of modern warfare, are not to be used offensively by the employer, the only possible legitimate use they might serve would be for defense, would it not?

Mr. LA FOLLETTE. Yes, Mr. President, and there is no restriction in the bill upon an employer arming his plant to the teeth, providing he does not utilize offensive gas weapons and machine guns.

Mr. PEPPER. Even if they were designed primarily for defensive purposes, would it not be more appropriate, and, in the opinion of the Senator, more conducive to civil peace, if the person attacked called upon the forces of law for protection, rather than turned his plant into an armed citadel?

Mr. LA FOLLETTE. Mr. President, the whole purpose of the bill is to restore to the duly constituted peace officers of the local units of government, the counties, the States, or their joint and combined law-enforcement agencies, if the situation requires it for the preservation of law and order, the job of restoring order. The committee recognizes the right of an employer to provide himself with weapons and with a police force for the purpose of protecting his plant and his property.

Mr. PEPPER. If an employer and his plant and property were unlawfully attacked, and he did call upon the ordinary

forces of law for his defense, and they did not respond to his call, would not that, more than anything else, focus the spotlight of public opinion upon the delinquent officers of the community, and in a democracy stimulate, we hope, a form of indignation which might give the employer protection?

Mr. LA FOLLETTE. That would certainly be true. If the bill becomes law, and the plant or the property of an employer is invaded or trespassed upon, there will be nothing to prevent the employer from utilizing his armed police force or his company guards to defend the property against trespass and against destruction of any kind or character. All the bill does is to confine the utilization of private police forces and private armies to company property and to restore to the local, duly constituted officers of the law the power to enforce the law, or, if they are incapable of meeting the situation, to the county officers, or, if they are incapable of meeting the situation, to the National Guard of the State.

Mr. PEPPER. In other words, to restore democracy to the local communities in which the plants may happen to be established?

Mr. LA FOLLETTE. Yes, Mr. President; and to put under restraint private armies off company property.

Mr. PEPPER. Is the Senator aware of the fact that at least the Senator from Florida has been favored with telegrams from a large number of people, who have been admonishing him, and I assume his colleague, in this troubled time immediately to kill the La Follette bill and to pass the Walter-Logan bill? I wondered whether the Senator was aware of how many chambers of commerce and employers' associations had favored their Senators with communications of this character.

Mr. LA FOLLETTE. I have no doubt that that has been true; but I say now that it is my firm conviction that those expressions do not represent the expressions of a majority of the employers of this country. They are prompted and they are produced by that powerful but recalcitrant minority of employers who refuse to accept in good faith the enacted labor policy of this Nation, and who have used with deadly effectiveness the oppressive labor practices which the pending bill seeks to eliminate, in order to frustrate the efforts of their employees to exercise rights guaranteed to them by the labor legislation of this Nation and by the Constitution itself.

Mr. President, I am ready and willing to give my wholehearted support to whatever is necessary to make this Nation and this hemisphere impregnable against attack by any and all nations. It will be of benefit if the Members of this body and if the people of this country learn something from what has happened to nations in Europe. Sound national defense, Mr. President, consists not only of instrumentalities of war. The first requisite of a sound nation prepared to defend itself is that it be composed of a contented and united people. The unity which comes from fear of attack or aggression has been demonstrated in Europe to be a unity which is utterly worthless. The only type of unity which makes a nation strong and powerful is the type of unity which comes from a people united and living in a dynamic economy for which they are willing to give up their lives and to make the supreme sacrifice.

Mr. President, I say that the elimination of the nefarious labor policies sought to be done away with by the bill will do much to take off of the backs of the wage earners of the country the heavy hand of these recalcitrant employers who seek to take the law into their own hands.

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

Mr. LA FOLLETTE. I yield.

Mr. HILL. I did not have the privilege of hearing the testimony given before the subcommittee, but the Senator seems to have gone to the heart of the whole proposition when he says that the purpose of the bill is to keep the employers in question from using the power that alone belongs to the State, to take from the employees the very rights and privileges guaranteed them by the State. That is the very practice the Senator's bill would put an end to. As the Senator has so well suggested, there is nothing which makes more for discontentment and dissatisfaction and unhappiness under our institutions than to have those institutions violated by having certain persons set themselves up, so to speak, as a super-government, to take away the rights and the privileges and the liberties guaranteed under our Constitution.

Mr. LA FOLLETTE. I agree with the Senator from Alabama. Mr. President, there are ominous signs in this country today that because of the situation which has developed in Europe, and because of the wave of hysteria which has swept over the United States—there are ominous signs, I say, that interests which have opposed the social legislation and the advances which have been made during the last 10 years in the United States will now seek to abrogate them and to wipe them out.

Mr. President, I wish to say that instead of turning in that direction we should turn our attention to the solution of this problem of unemployment in America, and the solution of this problem of low farm income, and the solution of the problem of foreclosure upon farm mortgages, and the growing problem of migratory workers, two and a half million of them, in agriculture alone, who are living in hopeless squalor and traveling about the country seeking a meager subsistence to keep body and soul together.

Mr. President, it will not be enough to appropriate billions of dollars for national defense. It will likewise be necessary to solve the problems which confront the Nation from a domestic standpoint. It will be necessary to regain that dynamic quality of life which characterized this Nation in its early development. Thus, and only thus, can we make America strong.

Mr. President, I think it would be a tragedy, in the light of the testimony which has been spread upon the records of the committee, 51 volumes of testimony and exhibits—it would be a tragedy in the light of the legislative history of this measure and the care with which it has been drawn, for the bill to be recommitted to the committee. I wish to say here and now that such action, as every Senator here who is about to vote well knows, will result in the defeat of this legislation so far as the present session of Congress is concerned.

Mr. President, I think my colleagues know me well enough to know that I have no false pride of authorship. I have tried to show in the conduct of this bill a willingness to accept any amendment tendered in good faith and designed not to cripple the measure.

Mr. President, to recommit the bill now would be to sound its death knell, so far as the present session of Congress is concerned, and I hope every Senator will realize that when he casts his vote.

Mr. TAFT. Mr. President, would the Senator be willing to eliminate title II altogether?

Mr. LA FOLLETTE. I would be willing to consider amendments to title II, but I will say again, as I said in my statement a moment ago, if you are going to eliminate these practices at all, why should we extend the benefit of Government contracts or the benefit of Government loans at low rates of interest in the form of outright subsidy, for example, to these shipbuilding and ship-operating companies, and not require a stipulation that they shall not indulge in these practices?

Mr. TAFT. Because those provisions give arbitrary power to administrative officers to subject industry to anything they choose to subject it to, as was so eloquently set forth by the distinguished Senator from Georgia [Mr. GEORGE].

Mr. LA FOLLETTE. The next thing that the Senator would do, if he is logical, would be to vote to repeal the Walsh-Healey Act.

Mr. TAFT. Yes; that part of the Healey-Walsh Act which gives that power to the Secretary of Labor.

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

Mr. LA FOLLETTE. I yield.

Mr. BROWN. The Senator will recall that I interrupted him some time ago, and he asked me to defer my question for a few moments, which I did.

Mr. LA FOLLETTE. Mr. President, I am sorry I caused the Senator to defer his questions so long.

Mr. BROWN. I wish to call Senators' attention to page 9 of the bill, line 11, which defines various oppressive labor practices. On page 11, under the heading "Prohibited acts," there are set forth the acts which are subject to criminal punishment under the bill. I should like to inquire why in lines 10 to 11 there is not included the same qualification as to the place of employment which is provided on page 11. It seems to me that to make the bill read logically to cover the point I raised the other day, namely, that the possession of firearms within a store or within a house, my own home, for instance, might be considered to be an oppressive labor practice, there should be added on line 11, after the word "employment", the words "in which goods are produced for commerce."

I wonder whether or not the Senator would be willing to accept such an amendment?

Mr. LA FOLLETTE. It is my contention, Mr. President, that the Senator has correctly stated the effect of the section, but if the Senator thinks otherwise, his suggested amendment would simply be a statement of what I think is the intendment of the section, and I would be perfectly willing to have it inserted.

Mr. BROWN. I do not desire to put useless language in the bill, but it seems to me that, as the Senator from Georgia pointed out, unless the oppressive labor practice covered by the paragraph is defined as being the possession of industrial munitions in and about a place of employment in which goods are produced for commerce, the paragraph is not within the provision of the Constitution. Such wording should be in the bill. As I stated a moment ago, the present definition makes the possession of firearms in my home an oppressive labor practice, and I do not think the Senator from Wisconsin wants so to define it.

I have an amendment which would cover the situation, on line 11, page 9, after the word "employment," to insert the words "in which goods are produced for commerce."

Mr. LA FOLLETTE. I shall be very glad to consider that with the Senator after the pending motion shall have been disposed of.

Mr. BROWN. Very well.

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

Mr. LA FOLLETTE. I yield.

Mr. TAFT. I do not quite understand the importance of subsection (a), because it seems to me that subsection (b) is so much broader that it covers any possible case, including the home. Subsection (b) provides that it shall be unlawful "to engage in any oppressive labor practice affecting commerce." Almost anything can affect commerce.

Mr. BROWN. To which subsection (b) is the Senator referring; the one on page 9 or the one on page 11?

Mr. TAFT. The subsection just below the language which the Senator seeks to amend.

Mr. BROWN. No; I think subsection (a) on page 11 is all right. What I am objecting to is subsection (4) (A) on page 9, in which the possession of industrial munitions in any place of employment is condemned as an oppressive labor practice. I wish to call the attention of the Senator, if he desires to defer that matter for the time being, to the provision beginning in line 16 on page 11.

Mr. LA FOLLETTE. I should be very happy to go on and consider these matters, but I know that the Senator from New Mexico [Mr. HATCH] wants to speak. Furthermore, I do not think it would be useful to consider the amendment if the Senate is going to recommit the bill.

Mr. BROWN. Am I to understand that the motion of the Senator from Ohio [Mr. TAFT] takes precedence over anything else at the present time?

Mr. LA FOLLETTE. Yes.

Mr. BROWN. As one who favors the general purpose of the bill, I had hoped to do my part toward putting it in what I consider to be better shape before voting upon the motion made by the Senator from Ohio. I think there are serious objections to the bill as it now stands, one of which I was about to take up. I think it could be cleared up.

Mr. LA FOLLETTE. I shall be glad to have the Senator point it out.

Mr. BROWN. On page 11, in subsection (c) of section 4, the bill makes it unlawful, and subject to criminal penalties, for any person:

> 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.

It seems to me it should not be made a crime unless the person who furnishes the supplies or services does so knowingly, knowing that the supplies or services are to be used for an oppressive labor practice. If it were confined to the furnishing of industrial munitions, there would be no object to subsection (c), but many supplies which are not industrial munitions, but which are merely ordinary supplies, such as food, drugs, and so forth, which might be taken into a plant might be furnished, which would aid an industrial corporation in fighting a strike. I fear that any person who would furnish such supplies would be a criminal under the provisions of subsection (c).

The same thing is true as to subparagraph (1) of subsection (a) of section 5. I think it could be cleared up by inserting the word "knowingly" so as to read "knowingly to furnish any person with supplies or services," or to furnish—not necessarily knowingly—industrial munitions for the purpose of engaging in an oppressive labor practice. If such an amendment is not adopted, it seems to me that any person who supplies drugs, medicine, food, or any other supplies which happen to get into the industrial establishment, would violate the act.

Mr. LA FOLLETTE. Mr. President, those are not oppressive labor practices. The bill applies only to the practices which are defined.

Mr. BROWN. No. It applies to the furnishing of supplies to a person who is engaged in oppressive labor practices.

Mr. LA FOLLETTE. For the purpose of engaging in oppressive labor practice.

Mr. BROWN. I agree with the Senator; but the person should know that the supplies which he is putting into the hands of the other persons are to be used for engaging in oppressive labor practices. In other words, there should be the element of knowledge on the part of the person charged with a crime, both in subsection (c) of section 4, and in subparagraph 1 of subsection (a) of section 5.

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

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. The language is "to furnish any person with supplies or services for engaging in any oppressive labor practice." The object of furnishing supplies or services applies only to the first person, and fixes the conditions under which the supplies or services might be furnished. It makes it unlawful to furnish those things for the purpose of enabling another to engage in oppressive labor practices.

Mr. BROWN. It does not say "for the purpose of."

Mr. BARKLEY. The word "purpose" is not there.

Mr. LA FOLLETTE. The language is "for engaging in any oppressive labor practice."

Mr. BARKLEY. "For engaging in any oppressive labor practice." So knowledge must be imputed to the person who furnishes the supplies or services, that they are furnished for that purpose. Otherwise, he does not know whether or not they are furnished for that purpose. I think the language might be somewhat clarified.

Mr. LA FOLLETTE. I have no objection to clarifying it, because that is clearly the intent of the language.

Mr. BROWN. This is a criminal statute, and I think it would be much better if it were clarified.

The Senator and I have discussed at some length the provisions on page 13, with particular reference to the matter in line 3, after the "(A)", and the matter in subsection (b) on page 13. After full consideration and conference with the legislative counsel and the Senator, it seems to me that there is still the implication that a person with no knowledge of the existence of an oppressive labor practice would be charged under subsection (b) with the duty of overcoming the presumption, or undertaking the burden of proof to show that he did not have knowledge of the existence of an op-

pressive labor practice in a certain plant. I wonder if the Senator would accept this language——

Mr. LA FOLLETTE. Mr. President, did the Senator consider the language which Mr. Wood suggested? I have stated again and again that it is not the intent of this paragraph to place the burden of proof upon any innocent person.

Mr. BROWN. I know that the Senator's purpose and mine are the same.

Mr. LA FOLLETTE. The innocent person in this instance could not have access to the facts with which to refute the presumption or sustain the burden of proof. It has been suggested that in line 22, on page 13, after the word "paragraph" there be inserted, "and who would be liable thereunder."

Mr. BROWN. I think that would improve it somewhat, but certain language has been suggested to me—in fact, I wrote it myself, but I consulted with the Legislative Counsel. In line 16, after the word "employment", I suggest the insertion of the words "by a person who has knowledge or notice of an oppressive labor practice in such place of employment." I should like to have the Senator consider that language, realizing that the amendment cannot be taken up at the present time. I ask him to consider the language and see if it would not make perfectly plain what both the Senator and I mean.

Mr. LA FOLLETTE. So far as I am concerned, I have stated again and again that I think the burden of proof is not thrown on an innocent person; but I will accept that language, or any language which makes it any more certain than it now is, if Senators think a clarifying amendment is needed.

Mr. BROWN. I think that language is necessary to clear up the situation.

Mr. LA FOLLETTE. Very well. I shall be glad to accept it.

Mr. BROWN. I thank the Senator, and at the appropriate time I shall offer various amendments.

Mr. WILEY obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield to me for a moment?

Mr. WILEY. I yield.

Mr. HATCH. I appreciate the attitude of the Senator from Wisconsin in yielding to me. I shall detain the Senate for only a moment.

My observations are prompted by the remarks of the Senator from Florida [Mr. PEPPER] a moment ago. He injected into the debate another bill, which I had not heard mentioned in the course of the debate.

First, Mr. President, I desire to say that I hope the motion to recommit will be defeated. I express that hope because I believe that the authors of the bill, who have spent 2½ years in working on the bill, taking evidence, and preparing it, are entitled to a vote on the merits of the bill, whether it be a good bill or a bad bill.

I say this particularly because of some experiences at this session with motions to recommit. I believe that after a bill has had the consideration of a committee, as this bill has had, no useful purpose would be served by sending it back to the committee. Further, I believe that the Senate ought to vote on the merits of the bill, and should have the opportunity to vote on the merits of the bill.

That brings me to the bill which the Senator from Florida mentioned. He stated that he had received telegrams in vast numbers—apparently from chambers of commerce—asking that this bill be defeated and that the Logan-Walter bill be passed.

Mr. President, I have received no such telegrams, and know nothing about them. I do know something about the Logan-Walter bill. I know that it does not conflict with this measure in any degree whatever. There is no connection between this bill and the Logan-Walter bill, and I am at a loss to understand just why that bill was brought into this debate.

Mr. President, that brings me to this point: I have said that the Senate should have the opportunity of voting on the pending bill. I also think, Mr. President, that the Logan-Walter bill, which has passed the House of Representatives by a 3-to-1 vote, and which has been reported by the Judiciary Committee of this body, is entitled to receive the consideration of the Senate. I hope we may have an opportunity also to vote on that bill before the session adjourns.

Mr. WILEY. Mr. President, the days of American leisure are vanishing. Yesterday we pledged this country to a $1,800,000,000 preparedness program. Today we pledged an additional $1,300,000,000.

These figures stagger the imagination. The vote taken in the Senate was unanimous. It seem that every Senator saw the need, and felt that it was imperatively necessary that this country immediately put its house in order.

I rise to congratulate the Senate on its quick action. I rise also to say that appropriating the money does not finish the job. Too many Americans are still in need for us to vote for appropriations without being certain that the money will be spent wisely. We must see that America receives full value for every dollar spent. To many this is a very important angle of our preparedness program. We do not begrudge money spent for defense but we cannot tolerate a repetition of the fruitless spending which has characterized some of our previous defense appropriations. I repeat, we must see that America receives 100-percent value for every dollar spent. This administration has apparently spent its previous defense appropriations for defense "boondoggling." That must not happen again. The administration must not be permitted to again play horse with the safety of our people and our freedoms.

Now, Mr. President, I desire to discuss the pending motion to recommit the bill. We know not by whom the bill was drawn; but we heard today that both labor organizations were behind it, probably because of an honest misinterpretation of what the bill means. The bill went into the committee; it was amended a number of times in the committee, and since it has reached the floor it has been amended. It was amended following several suggestions made on the floor by me several days ago.

With each amendment the bill has been slightly more workable. That, however, is not the issue. The issue is something larger. In every lawsuit the inquiry is made, "What is the issue?" The issue in this instance is, Does the bill do what it is claimed it will do? I remember once working in a lumber mill in northern Wisconsin in the early days when the lumberjacks first heard about the germ theory. One day a lumberjack came in and said he had been told the reason he was sick was that he was infected with some germs. He was told that this information was correct. He then wanted to know what was the best germ killer. Someone said, "The best germ killer, of course, is carbolic acid." He took it, but there was no life in that lumberjack after taking it.

I say, advisedly, after studying this bill and after listening to the exceedingly consistent and American argument of the distinguished Senator from Georgia [Mr. GEORGE], and after listening to the patriotic and logical argument of the Senator from Ohio [Mr. TAFT]—and thank God that there are still men who can rise in the United States Senate and speak their minds without thought of political expediency—that, in my humble opinion as a laboring man, the laboring men would not be in favor of this bill if they understood it. Why? Because it will not, if it becomes law, do the job it is supposed to do. It will do more harm than good.

Mr. President, in addition to the laborer there is someone else in this great Nation of ours entitled to consideration. He is the average middle-class American who is neither laborer nor capitalist. He, too, will oppose this bill when he understands its provisions.

My distinguished colleague spoke of the need of unity. Yes, unity; and unity means unity of all the factors in this Government of ours and unity of all human and economic factors in our social structure.

Something has been said about an inflow of telegrams. I do not know anything particularly about telegrams from any special groups, but if they are coming from chambers of commerce those who send them are representing some interest in America; if they are coming from business interests,

the authors are representing someone. I have not, incidentally, received a single telegram from a labor union in my State. I know them. I have talked to and with them. I repeat what I said the other day: The State of Wisconsin sent me to the Senate, just as in other States Senators were elected, because labor and capital voted together and not apart, and if labor and capital and management will get together we can create such unity in this Nation as will meet the emergency which has arisen because of conditions overseas.

The Senate has heard what has been said about this bill. I have analyzed it since the other day when I said I had had a brief opportunity to review it after it had suddenly been brought up for immediate consideration. On that occasion, coming to Washington from my own State on the train, I scanned it in the short time which its sudden presentation left us, and so I rose in the Senate last Monday and made certain suggestions.

I remember a judge in my own State who said to a jury, "You have heard these lawyers get up and impassionedly make pleas, but this is the issue you have to decide." As we take the bill and analyze it, provision by provision, we can see that it will not do the job that it is intended to do; and, what is more, it will, in my judgment, detrimentally affect the public interest. The public welfare, which is so often neglected in our legislation, is not served by this bill.

It may be said that its purposes are beneficent. I agree with the Senator from Georgia when he said that he approved the zeal of my colleague. Zeal, however, is not sufficient; hell is paved with good intentions. America has a job to do at this critical period, and there is now brought forth this proposal which would open up the factories and open up industry to more persecution. I am glad to repeat the sentiment of my distinguished colleague from Georgia when he told how Government agencies, in the name of some law passed hurriedly, snooped into industry and crucified initiative and damaged that which has made America great, namely, the vision and the cooperation of the laboring men and the leaders of industry who work together for a common purpose. We cannot now sabotage that common purpose by a hurried and ill-timed passage of this measure, even if its sponsor attempts to cloak it in the mantle of labor.

This bill has been in the committee for about a year or so. Now it is brought into the open in an election year. The ostensible reason it is being brought into the open is that now we must immediately affirm its opening sentences where it provides:

> 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—

I repeat what I said last Monday: I am against labor spies; I am against strikebreakers, the kind so eloquently described by the distinguished Senator from Pennsylvania [Mr. DAVIS]. He described a strikebreaker, but that is not the definition that is in the bill. He did not go far enough; he did not tell about the strike begetter, be he the labor racketeer, frowned on by honest labor or the industrialist racketeer frowned on by honest industrialists. This bill does not prohibit strikebreakers from coming in; in fact, it does not even exclude the groups coming from other alien counties and from other far-flung States.

They can come in and create a strike condition, damage property, and ruin morale. To inform the laborer otherwise is to deliberately delude him—to lead him up a blind alley for political purposes on the pretense of leading him out onto the highway.

The laborer should know that what is actually provided are provisions which, instead of protecting him from the professional strikebreaker, might expose him to the menace of the professional industrial "fifth columnist." The laborer should know that this bill might make it possible for the newly hired worker at the next lathe to be an unchallenged Communist whose entire philosophy was a potential menace to the security and happiness of both the American laborer and his family. And, again, in considering the possible injury which might be done labor we must also consider the possible injury to the public.

If we stop and think—and I know whereof I speak, for I have settled strikes; I have sat between labor and management and talked with them, as should be done, around the table—in every strike, who is it that gets hurt the most? Is it the property owner? No. It is the little community; it is the community whose economic life is contributed to by the pay roll, but the community is ignored in this bill. This bill would have us believe that the thing to do is to preserve the racketeers' right to break up the economic life of a community by opening the factory gates to any "fifth columnist" who cared to enter.

Who is next injured by the illegitimate strike which might result from an infiltration of unchallenged alien agitators under the terms of this bill? The laborer himself, who does not receive his pay, and his family is injured with him. The third one who is injured is the stockholder.

We are talking now not about the legitimate strike which is a fair and just protest by honest labor, but about any strike foisted upon unwilling laborers by unscrupulous leaders of the type which might flourish under the provisions of this bill.

Let us analyze the bill briefly. Title I, section 1, paragraph (a) reads:

> 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.

Also

> (2) Causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce.

The undisputed evidence, according to my colleague, is that but a very small percentage of employers have used these destructive means.

No one approves such methods, but we must be realistic. We are living at a time when we have seen nations go down, due to the infiltration of the "fifth column," and now we would reach out and make it easy for "fifth columnists" to come into our industries, into the business life of this Nation. We already have legal redress for the unholy activities of the gangster type of strikebreaker, but we have no such ready redress from the more unholy activities of the professional labor racketeer who might seek to exploit labor under the immunity which this bill implies.

Let me read into the RECORD a few paragraphs from two letters which I received today:

> It is our belief that this bill is unnecessary inasmuch as the practices prohibited are already covered by the National Labor Relations Act in any case where the employer interferes with the employees' right of self-organization.

If that be correct—and I said as much the other day—any real interference is already taken care of by the National Labor Relations Act.

I continue reading from the letter:

> This measure is also unfair to the employer, as it does not give him an opportunity of protecting himself in any labor dispute. With the exception of the very largest employers in the country, who have ample reserves, the average employer, such as ourselves, is under a tremendous handicap in any labor disagreement. We know of companies that have been forced to go out of business because of the demands that they necessarily granted when faced with a strike or other labor trouble. This bill will make it even more difficult for the small companies.
>
> It will also make it possible for aliens and spies of other nations to operate in plants that are making Government materials, as the employer will have no means of discovering which of the men are loyal and which are trying to tear down the organization in order to assist some foreign power aiming at the overthrow of our Government.
>
> Labor organizations will also be permitted to carry on without any publicity. This will not only be bad for the public and for industry but also for the union members themselves.

I digress here to say that I believe I know what the rank and file of union men in my State think. Unless they have a legitimate grievance they merely want to be left alone and be allowed to work. If there are oppressive methods, and if an adjustment cannot be brought about peacefully, they

are willing to exercise the right to strike; but they do not want to be dominated by labor racketeers or to have spurious labor leaders imported from outside the State tell them, as American citizens, what rights they have or what they should do under given circumstances.

Let me continue reading the letter:

You are, no doubt, familiar with the methods that many union leaders have used in the past and the fact that their activities are most harmful to the honest and sincere individual union member.

I repeat that language; and I also say that in the investigation by the Civil Liberties Committee, of which my distinguished colleague is a member, they investigated but one side of the case. They have always found that the employer of labor is the one who is to blame, when you and I know, as common-sense individuals, that there are mistaken men in the employer class and mistaken men in the labor class; but nothing has been said by this committee about the mistaken group in the labor class. In the Senate of the United States, do we stand as men or do we stand as tools representing one small group purporting to represent one class?

Mr. President, like most Senators here today, I am here to represent all the people, not only in the State but in the Nation. This is a time, as my colleague has said, for unity; and the way to get unity is to unify, and not to create any crack in the structure.

I continue quoting this letter:

Our company is interested in maintaining close cooperation between employee and management and is willing at all times to consider making changes which will improve the status of its employees. We believe that the interests of labor and capital are mutual and that they will both progress if they cooperate, but a bill of this kind will encourage the corrupt, dishonest union leader—

Who is, I believe, in the small minority—

and will make it impossible for small companies to continue in business.

That letter is from a small company.

I happen to have here a letter which starts out:

I noted from the papers last night that you had made some remarks in the Senate.

Now I am going to read from this letter:

It is common practice in industry, when a workman does not show up for his shift, to send out for a substitute, or to shift another workman already in the plant. This is essential where the particular absence exists in a position which precludes operation without the position being filled, and is a situation which happens frequently in continuous-process industries.

Now, listen to what this man says:

Under the language of the bill defining the terms "strikebreaker" and "labor dispute," any employer could be prosecuted under this proposed statute if a single workman went on strike, and, to fill his place, the employer shifted another workman from a higher-paid position to fill the vacancy temporarily, continuing this other workman at a higher rate of pay.

I may say to you that it is customary in many situations in our mills to shift the workman for a temporary period to a lower-paid job without reducing his rate of pay. However, if this bill is passed, and the particular vacancy occurred because of a one-man strike, we could no longer continue this practice. This is an illustration of the shotgun tactics of this bill, based upon the alleged necessity of protecting workmen from a few employers in this country. The extremes to which the proposed legislation goes in dealing with a problem which is extremely minor, if, in fact, it deserves the appellation "problem," makes me think of the use of a "big Bertha" loaded with shrapnel for the purpose of shooting a sparrow.

Mr. President, on Monday, in a rather hurried debate, I presented my objections to Senate bill 1970. On that occasion I stated that I had only had an opportunity to look over the bill briefly, and I made certain suggestions as to how I thought the bill could be improved without damage to the rights of labor, but rather to benefit labor. I stated that to pass the bill as it was, I felt, would be very prejudicial to the cause of labor and to the safety of the country.

Let us analyze the bill a little more specifically than we did the other day.

Title I finds that the utilization of labor spies, strikebreakers, strike-breaking agencies, oppressive armed guards, and industrial munitions, first, violates the right of employees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; second, causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; third, leads to labor disputes, burdening and obstructing commerce and the free flow of commerce; fourth, 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; fifth, burdens and obstructs commerce and the free flow of commerce; and, sixth, interferes with the United States and its agencies in obtaining goods and services pursuant to contract.

In subsection (b) of title I of the bill Congress is asked to find 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.

Congress, in subsection (c) of title I, would declare it 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.

If Congress feels that to make this general statement or finding would benefit labor, benefit the employer, and benefit the forgotten middle class, I have no objection to that part of the bill.

Section 2 of the bill defines certain terms; and it is important, in analyzing this piece of legislation, to comprehend the added meaning given to certain words by the bill. We will refer to some of them more specifically later on.

Section 3 defines "oppressive labor practices" as follows:

(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.

Let us turn back to page 5 and get the definition of the term "labor spy." Bear in mind, you and I would be in favor of that, if the definition is a fair one—that any employer should not be permitted to use a labor spy—but we had better find out what we are talking about. A Frenchman once said, "Before we start an argument, define your terms"; so we turn back to find the definition of terms.

The term "labor spy" means any person who for any compensation—

Get that—

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—

And so forth. As stated by the distinguished Senator from Ohio [Mr. TAFT], we now have to find out how the bill defines "industrial espionage."

You will notice the all-inclusiveness of this term.

Subsection (m) of section 2 provides that—

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

What?

(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.

That provision emphatically prohibits the obtaining of such information by the employers, the men who own industry; and by that I mean you, and you, and you, who have insurance policies. There are 60,000,000 Americans who have

insurance policies, and there are about 82,000,000 policies, and these insurance companies have the bonds of the big industries, and the bill provides that you cannot find out anything in relation to the matters I have here stated; but listen to this:

Section 2 provides that you cannot get information with respect to the political or economic views or activities of any employees. That is bad enough. If you own one of these big industries, you cannot find out what your politically minded employees feel. In other words, it is perfectly all right to have in your employ, under this provision, a bunch of Nazis, or a bunch of Communists. I suppose nazi-ism or communism would not be classified as political beliefs under the bill; but listen to this: the bill goes further. You cannot get information in relation to a prospective employee.

Think of that. You cannot find out, without violating this law, nor can you ask anyone to find out, how a prospective employee feels on political views or activities, and by political views I am referring to alien, subversive political views. Yes; you of the middle class, who let groups in this country control this Government, I ask you to wake up. There are a hundred million of you who are directly interested in insurance—and insurance is what some persons in government want to take over—and I am asking you whether or not you have any interest in this bill. No; it is put forward on behalf of a small congressional group claiming to speak for four or five million laborers, and they have not been consulted. If they had been consulted, I would have heard from the laborers of my State. Not one letter has come to me from a labor union in Wisconsin for or against this bill.

Under this prohibition the employer could not even ask a foreman of his shop, or another employee, to guard his interests against insidious and revolutionary forces without violating the provisions of the bill. I do not think 99 percent of organized labor would be in favor of this kind of thing, and I know the public would not be in favor of it. Anyone who wants to benefit labor does not want to do anything that would further arouse the antagonism of the public against labor unions, because they know that if you swing the pendulum too far one way it will swing equally far in the other direction.

It is about time for us to ascertain what we are doing before we pass a bill of this kind just because there are political pleas for unity, ostensibly speaking, for labor. When my colleague talks about labor, and makes an appeal to the farmer class, let me say that in my State farmers who have worked all their lives accumulating farms which a few years ago were worth fifteen or twenty thousand dollars are making from $300 to $500 a year out of their farms, and have to pay taxes, and these farms have now little or no value, and members of unions, because they are united, make from $5 to $18 a day for their labor—the farmers are not swayed by such talk.

Yes; you out there on the prairies, you in the cities who are paying the taxes—and you have not begun to pay them yet—I am asking you to wake up and realize what this bill would do to you.

Mr. President, it will be noted that the remarks I just made had reference to the fact that subsection (m) provides that—

> The term "industrial espionage" means reporting * * * information with respect to the political or economic views or activities of any employees or prospective employees, or any organizer, officer, or member of a labor organization.

Let us stop and think what that means. Here is proposed special legislation providing that any labor organization, good or bad, can have its way in a plant which you people own, you bondholders, you insurance company policyholders. In other words, you can not investigate any organizer, even if he is one of a minority of labor racketeers.

Let us be frank. There are a number of great labor organizers, men who understand the labor movement, men who comprehend that labor must be fair. But we have seen, especially since this New Deal legislation, which has been praised so much, has come into existence, that labor itself has admitted in this country that they have had organizer after organizer who has been a "misfit"—and I use the word advisedly—men who have caused trouble, who have not had vision. I am happy to state that labor has been weeding them out, and they have admitted that they have weeded them out.

My distinguished colleague says that the justification for the proposed legislation is that the employee under the bill will have knowledge of any proposed investigation. The language is that this cannot be done without the express consent of such employee or prospective employee.

How is the consent of the prospective employee to be obtained? A prospective employee is being investigated to find out what kind of a workman he will make, whether he will be a saboteur, whether he will be one who thinks differently from the American concept of Government, whether he will be a Marxist who believes that all property should belong to the State; or whether he is an American in thought and action, and if he is an American, is it right that the employer should find it out. And is it not right for the owner of property, the mortgagor or the bondholder, and the community to have this information?

I could tell my colleagues of a community where a strike took place, and it was not a strike of honest labor. The life blood of that community depended on the factory there running, because without the pay checks at the end of the week the community could not exist. What caused the strike? It was outside interference.

Then the citizens awoke; and that is what I am asking the citizens of this country to do now. The great middle class should awake and speak their voice here, and speak to their representatives, without any soft soaping, either, and tell them that this Nation wants legislation designed to bring about the welfare of all.

In this connection the proposed legislation provides that you cannot find out anything about the labor organizations. Now, get me straight. I claim, standing in the Senate, that with my hands I have worked as hard as most of you, and I know labor; and when I say I know labor, I know the heart of labor. Laboring people are just like the rest of us. They want their rights, and no more. Ninety-nine percent are truly American, 99 percent are for the welfare of their country. In a few instances they have made serious mistakes, even as employers have, but the evidence coming to us is that the employer is cleaning house, and there is very little necessity for such drastic legislation as that proposed, even if it were to effectuate the purposes set out, and which we deny it will accomplish.

It will be recalled that I stated a few days ago that under the provisions of the proposed law the sponsors of the bill would have Congress find that it was an oppressive labor practice for an employer to seek information, directly or indirectly. What information? As to the political or economic views or activities of an employee or a prospective employee.

In order that there may not be a misunderstanding of my position, I propose to say something else. While the Wagner Act is not involved in this debate, and while it has no particular bearing on the issue here involved, I am glad of the opportunity to make a statement on the subject, which may help clarify the atmosphere—to get rid of all the fuss and feathers, the prejudice, and the venom which have been engendered on this subject.

The Wagner Act was an attempt to bring into operation a legal piece of machinery, something that would administer justice between labor and employer. Its sponsor I think had in mind that it would also do justice to the public generally, the public which pays the bill. It recognized the right of the employees to strike. After all, when a strike occurs, the public is the one most damaged—the storekeeper, the butcher, the tax collector, the householder. The next group that is injured, statistics show, is the employee group. In fact, a strike generally results in great financial loss to every party concerned. Consequently, there has grown up in this country a great feeling that legislation, in the interest of all concerned, should be so framed that the danger of unwar-

ranted strikes would be reduced to a minimum. Why? Because, generally speaking, when as sometimes happens, an unfair and unwarranted strike occurs, it not only disrupts the community life but in my opinion it does much to turn back the hands of the clock, jeopardizing the advance labor has made. In both management and labor, under the new concept of our obligation to the community, our philosophy in relation to property is being changed.

Crudely stated, we can say that if a man owns property that affects his neighbor or the public he is trustee of that property, and that is especially true in critical times. There is a correlative of this proposition in relation to all the rest of us if we are doing work, engaged in some employment or activity that affects the public—we are trustees.

We have gone off at a tangent in this debate, and yet now that we are on it I want to clarify my position in relation to the Wagner Act and the National Labor Relations Board. I am doing this because, as I said, there has been so much said in the matter that everyone is confused. Practically all the trouble that has arisen has been due to the administration of the act and not the law itself.

In other words, you have had a bunch of file examiners in your review section—reviewers who have had no or little experience as lawyers; men without judicial background or experience—and you accept these people as the arbiters between labor and capital. In a good many instances these arbiters have been biased, prejudiced, and unjudicial, with the result that government, through its agents, has cut scars that do not easily heal. The Wagner Act, in my opinion, could be clarified with but few amendments, but there must be a housecleaning in the administration thereof.

Recently I wrote a letter to a distinguished department head in Washington, in which, among other things, I said:

> Not so long ago, before I was in public office, I had an occasion to tell a little whiffet of a tax collector from the Internal Revenue Office that if he didn't change his approach, I would knock his head off, that he was my servant, and I told him to get out of my office and if he came back and approached as a servant should, he could come back. I expected it was going to cost me something, but it did not.

In a couple of weeks he came back and acted as a gentleman.

I continued in my letter:

> If I had a position with many subordinates under me, I would for the sake of my country impress upon them that they were the servants of the people.

Mr. President, since President Hoover's time the bureaucracy in this city alone has risen from 28,000 to 140,000.

> I know that this criticism does not apply to you or to any of those to whom you give leadership—

This criticism does not apply to many of our public servants who are performing their services well.

I shall begin the paragraph again:

> If I had a position with many folks under me, I would for the sake of my country impress upon them that they were the servants of the people. I know that this criticism does not apply to you or to any of those to whom you give leadership, but I know from my personal experiences that there are many folks here in Washington, and many out on the countryside, who represent this Government, who walk and act and talk with the airs of omniscience and omnipotence, that do not contribute toward harmony or stability in public relations.

This is as true in our governmental labor set up as it is elsewhere.

And now let us revert to the bill we are discussing. I call to the Senators' attention again that on page 8 of the bill, under the provision that makes it an "oppressive labor practice" to employ or utilize any labor spy, the employer is prohibited from getting information as to the political and economic views or activities of any of his employees or prospective employees. He cannot get any such information in relation to any organizer, officer, or member of a labor union without the consent of the employee.

Under paragraph (1) on page 6, he cannot—no matter how innocent he is—the employer cannot hire another person at an increased wage when there is a labor dispute, although now there has been an amendment tacked thereon permitting the hiring of such labor after offering the increased wage to one of the strikers.

I call the attention of the Senate to the fact that section (4) (a), on page 9, provides that it is an oppressive labor practice for any person to possess industrial munitions in or about any place of employment or to furnish industrial munitions to any person or any law-enforcement officer. Then there is the exception that banking institutions shall be excepted. In the exception the bill recognizes that a bank has to have guards properly equipped to take care of the bank. In these feverish times this provision would prohibit any property owner who employs labor from having adequate arms and munitions to protect his plant. Have we no eyes to see with or ears to hear with? Do we not know what is going on elsewhere in the world? Do we not know that these are inflammable times? Do we not know that fifth columnists are at work in America?

A bank can protect its property and the lives of its employees, but an industry has no rights. A mob can burn a great factory, put thousands out of employment, disrupt the economic, social, and political life of the community, but we should ignore that fact.

Take a simple instance in any small or large town where there is one industry that contributes most of the economic load to the current—has not the public an interest in seeing that this plant is not destroyed? Has not labor itself an interest? Destroy the plant and you destroy the community life, and yet we know that mobs—maybe a mob in which even the employees are not concerned, a mob in which some foreign agent of a "blitzkrieg" group is the moving factor—are we to say that the property owner, and the public have no right to protect their own interests?

The instances cited by my colleague are no justification for creating a situation where property and lives can be destroyed.

Those instances cited by my colleague and now in the RECORD undoubtedly indicate that some employers have lacked vision, but is that any reason why we should lose our own vision and permit opportunity for a greater evil?

Mr. President, I do not want to seem to be overagitated about this situation, but, like many another Senator, I do know something about what is going on in this world. I know what happened to Norway. Have we forgotten what happened in America in the years between 1914 and 1917?

Do we know what happened? Well, we have reams and volumes already written into the RECORD to show what happened.

Two wrongs never make a right. This paragraph prohibits the possession of defensive weapons and even prohibits the owners of property from furnishing weapons to any law-enforcement officer, no matter what the situation is, no matter how critical conditions are.

And that is all done with the idea that it benefits labor. I can show Senators letters which I have in my office that have come from labor, from mothers and wives of laborers, not in relation to the pending bill, but in which they have told of the breach of civil liberties where their husbands and fathers were whipped into line. No investigation has been made of those cases, and I concede they are isolated instances and not approved generally by labor. There has simply been a one-sided investigation; one angle has been investigated by the Civil Liberties Committee. And that angle is here used as a reason, as a basis, to put upon America in this time of her trial and trouble an act that might mutilate her.

This paragraph contains a provision that it is an oppressive labor practice to utilize industrial munitions in connection with any labor dispute. The term "labor dispute", on page 4 of the bill, is defined to include 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.

Listen. The term "labor disputes" means—and get this now—it is defined to include any controversy concerning terms, tenure, or conditions of employment, regardless—now get this—regardless of whether the disputants stand in the proximate relation of employer and employee.

Mr. President, think of that. That means that if someone claiming to represent labor, someone from out of the State, someone who is neither employee nor laborer, someone from any alien labor office, comes in and represents labor with the employer, that makes a labor dispute. Here we enact in this bill special legislation which would afford sanctuary for the unscrupulous labor racketeer.

I know what someone will say—"He is against labor." I am for labor and for honest labor leaders. I say "No." I say to labor, "Do not support such a provision in the law. Do not ask the Government of the United States to say, as between you and the owner of property, that someone else, some outside agitator may negotiate for you. Negotiate for yourselves or have your own representatives do it."

Is it not strange that the same bill which prohibits the owner of property from having someone in his factory to find out the political activities or the sabotage activities of his employees, gives someone who may misrepresent labor, someone who is not an employee, protection and gives him an official legal status. Why should the Senate pass a bill which extends in that direction? Of course, the argument is—and if I were a laboring man I should take exception to it—"You laborers are not able to deal for yourselves. You are not competent to look after your own interests. You must have someone from outside your local organization to represent you."

When we read section 4 (A), on page 9, in conjunction with subparagraph (g), on page 4, we see that the bill specifically provides that during any labor dispute, regardless of whether the disputants stand in the proximate relation of employer and employee, if the disputants are seeking to arrange terms or conditions of employment for employees, the property owner may not possess modern methods, such as tear-gas bombs, to repel any mobs which might want to destroy his property.

I ask again, Is this the kind of legislation which fair labor wants? Is this the kind of legislation which would meet with public approval? Is this the kind of legislation which would benefit labor? In the troublesome days ahead, if factories are burned and property in the community is destroyed because there is not sufficient protection, will that benefit labor? It is blindness to ask for such legislation. Such legislation would put labor in a pocket. It would put labor in a position where it would eventually feel the brunt of government, as labor in England today is feeling it because of the necessity of the situation. Dictatorship exists in England. We do not want a dictatorship for labor. We do not want the clock turned back. We want labor to retain the rights which it has. We want labor to be in a cooperative mood, as I believe it is for the most part. We do not want legislation which will reach out and "termite" the rights of labor.

Pages 8, 9, and 10 define oppressive labor practices. However, in order fully to understand what they are, we must refer to pages 3, 4, 5, 6, and 7 of the bill. Section 4, on page 11, is entitled "Prohibited Acts." It provides that:

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 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.

Section 5, on pages 12 and 13, provides that:

(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.

Section 6 provides that—

Any person who violates any of the provisions of section 4 or 5 shall upon conviction thereof be subject to a fine of not more than $10,000 or to imprisonment for not more than 6 months, or both.

In other words, if an employer should employ his son—although he would not be very effective—his foreman, or a coemployee to try to ascertain whether (a) there is incompetency, (b) his men are Communists, or (c) his men are saboteurs or agents of a foreign government; or if in a strike in which he was not to blame he offered others more wages than his striking employees received; or if he sought to find out, without the express consent of the employees or the organizer or officer of the union, the political or economic views or activities of any of his employees—or even prospective employees—or of any organizer, officer, or member of a labor union—if he did any of these things, he would be subject to a fine of $10,000 or imprisonment for 6 months, or both.

But, Mr. President, I am not through. Under subparagraph (3) of subsection (a) of section 3 on page 8, if an employer should agree to pay a private guard or a peace officer, he would also be subject to the same penalty. If, recognizing the needs of his community, his institution, and the country, he should have the courage to arm his guards with what the bill calls "industrial munitions," modern means to repel mobs to save his own property, then he would be subject to the penalty.

Subparagraph (d) of section 4 also subjects the employer to a fine of $10,000 or imprisonment for 6 months, or both. What does it provide? It provides that it shall be unlawful:

(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.

What is the need of this provision? Has the employer no rights at all in relation to prospective employees? And yet if it should be found—as it would be found under prosecution, and especially persecution—that the employer did not employ the prospective employee for any of the reasons enumerated, then the employer would be subject to a fine of $10,000 or imprisonment for 6 months, or both.

Under the Wagner Act, if an employee is discharged without cause there is a remedy. Why pile on this duplicating penalty? Is there some ulterior purpose back of the whole bill? This paragraph was not included in the original bill. The original bill has been pretty much doctored. Here is a new amendment. With the Labor Department sympathetic toward the idea of crucifying business—as it has been—this one paragraph would give opportunity for that very thing, as was so eloquently said by the Senator from Georgia [Mr. GEORGE]. It would, of course, also give opportunity for the extension of governmental bureaucracy. I inquired about that from my distinguished colleague [Mr. LA FOLLETTE]. This provision would probably result in the employment of thousands of lawyers to persecute business, especially if the head of the Department should feel as this administration has felt at times during the past 7 years.

The bill provides, under sections 7 and 8 on pages 14 and 15, that the Secretary of Labor is to bring all the actions to collect all the fines. I thoroughly agree with the sentiments of the distinguished Senator from Georgia [Mr. GEORGE] when he told what that provision would do. Have we sunk so low in this country that we must think about mutilating the great business interests of the country because in the past a small percentage of men have sinned? And we already have legislation to protect us from further sins.

I notice from the report that the Secretary of Labor seems to approve the bill, but I notice it has been shown that neither the War Department nor the Navy Department is so favorably inclined.

As an instance of how the public is neglected, I have heretofore called attention to the fact that the bankers of the Nation, through their organization, obtained an exception. It was not in the original bill; but because there was someone to look after the banking interests, they obtained the exception.

No one was looking after business of the general public. No one was looking after the middle class interest. No one was looking after the interests of those whose insurance money is invested in bonds, secured by mortgage on the plants of the country—so they were left out, forgotten. Here is another instance of the forgotten man.

I call attention to another fact. The Farm Credit Association was consulted, and, as was said by the distinguished Senator from Ohio [Mr. TAFT], it wrote in this amendment:

> 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.

Mr. President, as the report shows, this bill has been allegedly drafted with the sole idea of striking at sinister methods. It is said that the bill strikes only at spy agencies, strike-breaking organizations, and munitions companies.

Mr. President, I have consumed a great deal of time. I have but one concern—that is the general welfare of my country. That embraces labor. I represent no group in this legislation. I do represent the people. This kind of legislation is made for a special purpose. I am convinced there is a greater possibility for harm in it than good for labor. If it would cure the patient, we might give it consideration; but if it would do what the carbolic acid did to the lumberjack, we had better be careful.

I conclude with the idea that, as far as recommittal is concerned, I shall vote for it.

I should much prefer to vote down the bill, and then if there is to be revised legislation that will affect and cure the ills, as suggested by the distinguished Senator from Ohio, I shall support it. I again praise the Senator from Ohio for his courage. I praise him for getting up and saying what he said. Apparently, it has taken some intestinal fortitude for men to rise and speak their minds on this bill, but in the interest of the public welfare the bill should not become law.

Mr. WILEY asked and obtained leave to have printed in the RECORD an article from the Washington Evening Star referring to Federal strikes, which appears in the Appendix.

During the delivery of Mr. WILEY's address,

Mr. CHANDLER. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. CHANDLER. I did not wish to interrupt the very fine speech of my distinguished friend from Wisconsin, but in 1919 I became a member of an organization known as the American Legion. I have been a member of the American Legion since 1919, actively interested in the aims and ambitions of a group of men who were in the Army during the last war.

During most of the time that has intervened between the organization of the Legion and this day, the boys of the Legion have sought to take care of their own. Some of those boys were shell-shocked and shrapnel-wounded, and there are the dependents of soldiers who, through no fault of their own, lost in those dreadful years the ones upon whom they could rely to care for them. The Legion has rarely departed from its program of looking out for its own people in matters which have affected them. But last year they were so concerned with respect to the passage of the bill now pending that at the Chicago national convention the American Legion went on record—and I say such a thing has rarely occurred in all the years of the Legion's history—by adopting a resolution as being unalterably opposed to the passage of the pending bill.

It is my firm belief and conviction that if this bill were enacted, one of my fellow citizens back in the hills at home could not take a shotgun and shoot a parachutist in his yard if he landed there suddenly.

I am tremendously interested, as is the Senator from Wisconsin, in the defense of this country. There is no one in the United States who does not recognize the right of any man to join any union he desires to join, to remain in it as long as he wants to, to get out of it when he wants to, and to pay dues to it. But there are very drastic penalties provided in the pending bill. If one violates section 4 or section 5 of the bill, he may be punished by a fine of $10,000, or by a sentence of 6 months in jail, and the Secretary of Labor will have the say and will make the investigation.

Mr. President, I do not wish to take the time of the distinguished Senator from Wisconsin, but with the approval of the senior Senator from Vermont [Mr. AUSTIN], I should like to have included in my remarks a letter which came to him this morning from the department adjutant of the American Legion of the State of Vermont. The Legion is so exercised over the prospect of not being able, under the terms of the proposed law, perhaps to provide adequately for the defense of this country in case of an emergency, that they have asked that we who are interested in defending the country vote against the pending bill.

I believe that at the present time we do not need any new acts such as this. Our States have pretty well taken care of the labor problem. Capital and labor must join and work together in order to meet emergencies which may arise in the future, and I think the passage of this bill would cause trouble, and interfere with and perhaps interrupt a unity we must have now in order to back the President of the United States in his appeal to the country to get America ready to meet any emergency, no matter whence it comes.

I ask unanimous consent, with the approval of the distinguished Senator from Vermont, that the letter from the American Legion of the State of Vermont be included in my remarks.

Mr. AUSTIN. Mr. President, I have no objection. I shall be pleased to have the letter inserted in the RECORD.

The PRESIDING OFFICER. Is there objection?

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

> THE AMERICAN LEGION,
> DEPARTMENT OF VERMONT,
> *Montpelier, May 22, 1940.*

Hon. WARREN R. AUSTIN,
United States Senator,
Senate Office Building, Washington, D. C.

DEAR SENATOR AUSTIN: Last September at our national convention held in Chicago our organization went on record as being unalterably opposed to Senate bill S. 1970, known as the La

Follette bill, and I sincerely request that when it comes before the Senate for a vote, that you oppose it in every possible way.

Sincerely,

LESLIE E. WILSON,
Department Adjutant.

After the conclusion of Mr. WILEY's speech,

Mr. TAFT. Mr. President, I desire to withdraw the motion to recommit the bill to the Committee on Labor, because of the fact that some Senators have indicated their desire to offer amendments to the bill before it is considered as a whole. I think that is a valid request; and I shall renew the motion later, when the time is more appropriate.

I wish to say, however, that I do not recognize the validity of the argument of the Senator from New Mexico [Mr. HATCH] that the bill should not be voted on in that way, because I am not opposed to prohibiting labor spies. In my speech I made very clear the fact that I am willing to prohibit labor spies and industrial espionage in strike-breaking; but I think it ought to be a clear, compact, distinct law, doing nothing but making a crime of the thing we want to prohibit. I think the bill ought to go back to the committee; and, if it does, I think such a bill can be drawn and reported to the Senate.

The PRESIDING OFFICER. The Senator from Ohio having withdrawn his motion to recommit, the question before the Senate is on agreeing to the amendment heretofore offered by the junior Senator from North Carolina [Mr. REYNOLDS].

Mr. REYNOLDS obtained the floor.

Mr. BARKLEY. Mr. President, the Senator does not desire to proceed today; does he?

Mr. REYNOLDS. I do not. I desire at this time to ask unanimous consent to have certain data published in the Appendix of the RECORD.

(At this point Mr. REYNOLDS asked and obtained leave to have printed in the Appendix certain articles which appear therein.)

Mr. PEPPER. Mr. President——

Mr. REYNOLDS. I am now very happy to yield to my distinguished friend from Florida. However, before so doing I give notice that I shall ask for the floor tomorrow for the purpose of further discussing my amendment, which I understand is now pending.

THE UNITED STATES AND THE EUROPEAN WAR

Mr. PEPPER. Mr. President, this afternoon's edition of the Evening Star has a huge headline:

Nazis pour through gap in British line, threaten Isles.
Reich making ready to attack Britain directly.

Another headline:

English Army fights for life near Brussels.

On the second page of the same publication I see the following headline:

Thunder of big guns rolls across graves of 30,902 Americans.
Several United States cemeteries lie athwart lines of battle in France.

On page 3 of the same newspaper is the following:

DAMN THEM! THEY MACHINE GUN US; WRITES UNITED STATES GIRL

PROVIDENCE, R. I., May 23.—A letter from an American girl ambulance driver in France brings from the war front a tale of the machine-gunning of refugees.

The story was told by Elizabeth F. Adams, of Providence, in an air-mail letter to her parents.

"No one smiles," she wrote. "Life is just one long hell."

Miss Adams, who spent weeks in a grease pit here preparing for service with the American Friends of France, was rushed with the Anne Morgan unit to land "between the Maginot Line and Belgium" on May 10, she wrote in her letter dated May 14, and helped evacuate refugees under fire.

"It was terrible. I have been bombed—oh God—if you knew how it felt to have a plane go over you like a dark vicious shark and see it drop its bombs," she wrote.

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

Mr. PEPPER. No; I am sorry—not until I finish.

Bombs dropped even as she penned the letter, she said, adding:

"I know what it is like to be driving 20 people in a truck—see the planes—because when planes are coming people's faces turn upward to look and the truck makes so much noise I can't hear them—so I watch the refugees' faces on the roadside. Anyway, it is hell to get those 20 people out of the truck and into a ditch and lie down and wait. We are often machine-gunned, too. The planes come so close down. Damn them.

"* * * The Germans don't want them to get away safely. They machine-gun them in the roads, those poor, poor people without homes, without food."

Miss Adams wrote she was "in a constant sweat of fear," but added, "I am content, because I am doing useful things. * * * I've been, and am, right in the middle of it, in the thick of it, and I'm proud."

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

Mr. PEPPER. I am sorry; not for the time being.

Mr. President, at a time when civilization hangs in the balance, when all that we have salvaged from the sacrifices of the past is in jeopardy, the Government of the United States and the Congress of the United States are not taking an affirmative stand that is vindicating the spirit and traditions of our country and of democracy. I say that another day toward what I fear is an irreparable "too late" is about to end.

I want to speak a word about the national defense.

Down in my part of the country, Mr. President, if you are in a quarrel with a foe, and he draws his gun or even puts his hand to his pocket, you do not have to wait until you have been shot to defend yourself. And that is good law.

I think I see what is ahead of our country, with all the horrible implications which are involved; and what I see cannot be avoided alone by voting an extension of our Navy and an extension of our Army and an extension of our air forces. What I see demands immediate action, courageous, fearless, determined, unequivocal action of a kind that will be characteristic of a country which God has singularly blessed, and which has a chance to speak the only surviving democratic sentiment on the face of the earth.

Mr. President, if we are to sit here day after day and content ourselves only with trying to build some kind of protection around our own territory, or even around this whole hemisphere, we will commit a grievous tragedy in the history of our country.

Mr. LUNDEEN. Will the Senator yield?

Mr. PEPPER. I am sorry; not now.

At a time when we have the opportunity perhaps to turn the scale of battle by something less than war, by something less than sending troops, by something less than sending a fleet, for us to sit idly by and just sympathize with the champions of decency and democracy and civilization is not enough to vindicate the traditions of America.

We today appropriated over a billion dollars for our national defense; and God speed it. I would be willing to vote another billion dollars every day this week, and next week, and, if necessary, the week thereafter. We cannot build our defense too fast, so far as that is concerned. But I am not going to let a day pass when I do not raise my voice against the folly of sitting back wishfully hoping that the enemy will not attack us or may not attack us, and not doing something while it will be effective, and before it is too late. Now, we can turn the scale of battle by goods and by money and by airplanes, and perhaps even more, Mr. President, by a straightforward, manly declaration that we have enough self-respect and enough affection for the institutions of democracy to tell Hitler and Hitlerism that we are his eternal and mortal enemy, and that it is our will that as a political power he shall be destroyed from the face of the earth, and that every item of our strength and every bit of our courage and all of our resources we dedicate to the honorable cause of his destruction as the arch foe of decent men.

Mr. President, I would be ashamed of myself if I did not express some remonstrance, which I propose to make more than a gesture, against what Hitler is doing in the world today. Do not our people see that ahead of us lie untold agony and incalculable expense if we do not keep this war in Europe? I do not believe there is a Senator on this floor who does not know that if Hitler wins the war and reduces Great Britain and France to fifth-rate powers, to serfdom, it

will cost this country at least $50,000,000,000 in the next 5 years to make anything like adequate preparation for our national and hemispheric defense against our known enemy and his allies.

Mr. President, I say that the chief state of totalitarianism, Germany, personified by Hitler, and the chief democracy in the world, personified in this country in its institutions, each as the master of a continent, cannot live without inevitable conflict. I say only uncertainty will be the day it breaks forth in all of its agony, and horror, and heinous character. But from the day those who are in tradition in mind and spirit our allies are crushed by every form of perfidy that modern ingenuity has been able to conceive, from that day, "Der Tag," "Der Tag," "Der Tag" will mean the day when the western hemisphere shall also come into Hitler's slavery. From that unhappy day every energy of this great Republic, instead of being devoted to the improvement of our economy, giving jobs to our unemployed, education to our citizens, better health to our people, instead of being directed toward a greater happiness for our Nation will be under an authoritarian government, which we will have to create, to be directed toward the single inquiry, "When will the war come?"

Not only that, Mr. President, but for the first time in the history of the United States the dark cloud of war will hover in every sky that is made by the coming day's sun. Living under the psychology of fear, which we have never done in all our history, the psychology of inevitable war will become engrained into the fabric of every man, woman, and child's thinking.

Mr. President, I say let us do something effective, if it be only to declare ourselves, before it is too late. To fail is forgivable, but to fail to try in a contest like this is unthinkable for this generation of Americans.

If our people had an opportunity to speak on this floor, I believe they would favor doing something affirmative in Europe. They at least are not afraid to say, "We have a place and a stake in this war, and we are willing to back it up with a clear-cut, unequivocal declaration that it is our sentiment that democracy shall survive, that Hitler totalitarianism shall be destroyed, and that ruthless international banditry shall be punished and driven from the face of the civilized earth. Therefore we are body and soul opposed to what is going on in Europe and will indicate the degree and the intensity of our opposition by doing something more than just talking about it, or hiding behind the fragile cloak of international law, careful of this and careful of that lest we offend Hitler."

Mr. President, I offered a resolution day before yesterday in which I contemplated the possibility of this Government making advances of a certain number of airplanes which belong to the armed forces of this country so that there might be a gesture which would indicate to the people in Europe that we were not, like Uncle Sam in the cartoon in yesterday's Evening Star, sitting away over on an isolated bit of territory, far away from the conflict, saying:

> Lafayette, we are here.

Gentlemen have said, sincerely, of course, that we cannot afford to do what I have suggested, because it would be a breach of international law. I reply, breach of international law against whom? I am talking about sending airplanes to the Allies to fight Hitler. Is there any such principle as estoppel in international law? Can Hitler, who has raped every sentiment of civilization, claim the benefit of international law?

Can a bandit hold you up on the highway, club you over the head, and then criticize you because you strike below the belt in trying to defend yourself?

Mr. President, there are some words a court will not allow in private controversy to fall from a party's lips. The sentiments of the law estop him from saying them. And I say to Senators that the institutions of civilization, the spirit of decency in the universe, close Hitler's mouth in eternal silence to protest against anything that is necessary in the realm of brute force to counteract the ravages which he has visited upon civilization and the helpless citizenry of the earth.

When men are so archaic, so outmoded in their thinking as to think that international law has anything to do with this controversy, I am troubled, Mr. President, because it is the same folly and fallacy that Belgium and Holland and the Scandinavian countries were guilty of. They said:

> If we will just be scrupulously neutral, if we not let a plane of our would-be friends come to protect us against our known enemy, if we will not let a soldier of our friends come on our territory to defend against the inevitable day, we may hope that the sentiments of decency will find lodgment even in Hitler's heart, and that he will respect the institutions of the civilized states of the world.

On the very day preceding the German attack upon Holland Dr. Goebbels, the German Propaganda Minister, issued a profuse statement charging the British and the Allies with some more of their lying propaganda because some of their press had said the Germans were expected to attack Holland.

And then talk to me about international law in combating a mad dog like that! Why, one would think some of these gentlemen would expect some poor Belgian peasant whose beautiful little plot of earth, cultivated for generations by his family's toil, had been destroyed, would in his indignation go to a Belgian magistrate and swear out an affidavit "trespass vi et armis" against Hitler, and summon Hitler to appear before the magistrate's court and defend himself!

Such persons are still thinking in the time of a civilization that is dead, of a society that has collapsed, and a law that has been trampled under ruthless feet. They might as well be talking about international law in the Dark Ages as to talk about international law and justice to Hitler.

Mr. President, I call on our countrymen and I call on our colleagues to find out what the interest of America is, and what the interest of the Western Hemisphere is, and let us strike as our will decrees before it is too late. Every boy that dies in this war, Mr. President, may rise some day in the silhouette of the dead to challenge this land and ask why it did not do something earlier to stop the march of Hitler upon his bloody path across history.

The Allies let Hitler go into the Rhineland and they still appeased him and whetted his appetite for more. They let him stay in the Rhineland. They let him build a navy. They let him build an army. They finally let his country grow to a great military power. They let him take Czechoslovakia and they still believed in his assurances. Chamberlain, pathetic soul that he is, believed Hitler when he said that was all he wanted in Europe. Hitler was the head of a great state, and he was giving his solemn pledged word. Many of the British ruling class, fearing perhaps some bogeyman in Russia or somewhere else, fearing some form of imaginary attack from communism, said, "Let him grow stronger and yet stronger," and said, "He will be a gentleman. Surely he will be reasonable. Let him get approximately what he wants and everything will be well with the world."

And then when Chamberlain returned to Godesburg, after having met the conditions laid down at Munich, and finding himself faced not by a statesman but a conqueror, who wanted to rise to a greater height than Napoleon ever scaled, who wanted to live by the ruthless philosophy of force advocated by Nietzsche, who wanted to be a strong man—not the great exponent of the sentimental values of life, but the strong man of the world—then I think was the first time that tragic fear and doubt ever got into the consciousness of the pathetic Mr. Chamberlain.

And so all this sad sequence of events has followed in the train of Mein Kampf's declared purposes. Yet, Mr. President, each country while awaiting the coming tragedy, said, "Perhaps he will feast so fully off of the others that he will not desire me." Not a nation which has come within the reach of his ravenous appetite has been spared. Are Senators then to sit here in the richest territory that the world offers, a prize greater than that coveted by all the conquerors of the ages, upon which the hungry eyes of every conqueror of the past would have feasted—are we to sit here and talk about international law and about it being a violation of international law to do something to stop Hitler's

march and the crushing of those who stand for what we stand for in the world?

That is archaic and outmoded thinking, Mr. President, and I beg Senators to remember that we are not living in that kind of a world.

Mr. President, we have the Johnson Act, forbidding us to lend money to the Allies who have not repaid the war debts. When the judgments of men are written, Mr. President, all of us will be held accountable for what we have done on this earth. The zeal of those who uphold that act, and so-called isolationists' policies, I admit has been honest, and their determination laudable and characteristically American, but I wonder at whom the finger of absolute justice is going to point when it writes in blood the responsibility for the death and suffering that is going on today in the world.

We retain the Johnson Act, which says we cannot even lend to the Allies any money to carry on this war, and yet we have just appropriated over a billion dollars for our defense over here. Where could that billion dollars, or even $2,000,000,000 best be spent? By the Allies over there, or by us over here now? And we have spent several more billion dollars for defense in the last 2 years. Why? Because of Hitler. If Hitler were crushed tomorrow we would not spend even the billion dollars we have voted today.

If Hitler were crushed tomorrow we would have more than an adequate national defense. Yet this agitation and hysteria, justified as it is, stems from one source—Hitler, Hitler, Hitler. "Hitler, Hitler, Hitler" is pounded into the consciousness of every man, woman, and child on earth.

If Hitler were crushed tomorrow where do Senators think braggadocio and purchaseable Mussolini would be the next day? Do Senators think he would be apt to declare war against somebody? Where would the swashbuckling Japanese be the next day? Do Senators think they would be talking about taking the Dutch East Indies and depriving us of the manganese and tin and rubber which we must have? No; they would run back to their stolen Manchuria, and be glad to be let alone by the retributive justice of the world.

But let Hitler live and grow into a giant, more and more colossal, and every one of them sneaks out from under his doghouse and begins to bark at an intimidated world.

Behold the spectacle, Mr. President. The battle of Armageddon wages and America is virtually a timid spectator, almost afraid to utter a manly sentiment because it might make Hitler angry.

Do Senators think, do citizens think, that if we shall only be good, if we shall not violate any neutrality laws, if we shall not violate the Johnson Act, if we shall not violate international law, Hitler will say, "Uncle Sam, I am pleased to observe your conduct, which I hereby pronounce above reproach. Having seen how scrupulously you have lived up to the code of decency, I spare you my wrath"?

Does anybody really believe that? If Hitler wanted anything we have, he would take it regardless of what we did. Does anyone think that Hitler makes and distinction between our sending airplanes which belong to the United States Army to fight him, to drive his Messerschmidts down, to kill his soldiers, and sending planes from our factories over in Maryland, or from the west coast? Does anyone think he cares any less because they come out of a private factory rather than out of our Army stores? What difference does it make on the front where they come from? They are American, and America is helping to defeat him to that degree. His anger would be just as great whether we did anything else or not.

So Mr. President, another day has passed, drawing now to a sad close. We know not what the next hour, what tomorrow may bring, except that we know that more rivers shall run with more blood, and that the soil shall soak up the life of humanity which is the sole defense of democracy in the Old World. Yet we, a giant, the fabled Atlantis which God has spared through every vicissitude and danger, to be the refuge of Christian sentiments the world over while Armageddon is being fought, talk about international law and about unpaid war debts. And Hitler marches over the graves of 30,000 boys from American homes—boys who gave their lives that this thing might not happen again.

They did not succeed. Neither did Christ, and neither did the martyrs; but I thank God that the example of Christ and of the martyrs has found willing apostles in every succeeding generation. I yet believe—I hope not too late—that the righteous indignation of our country, God's democracy, the defender of God's faith, will throw itself out into the front and say, "I do stand for something in the earth, and I will do something now to crush the enemies of all that I hold dear."

[Manifestations of applause in the galleries.]

APPROPRIATIONS FOR WORK RELIEF AND RELIEF

Mr. MURRAY. Mr. President, the House joint resolution making appropriations for work relief and relief for the fiscal year ending June 30, 1941, will soon come before the Senate for consideration. In view of the serious disturbances which the World War is creating in our American economy and the persistence of widespread unemployment in the country, a very critical relief problem is before the Congress. Because of this situation it is my intention to introduce an amendment to the House joint resolution appropriating funds to the W. P. A. for the coming fiscal year, raising the amount available to W. P. A. to the sum of $1,488,000,000.

Under the terms of the joint resolution as passed by the House, the amount appropriated is made available for expenditure in 8 months at the discretion of the President. The amount provided by my amendment, if spent in 8 months, will provide 3,000,000 jobs on W. P. A. at current rates. Today there are more than 11,000,000 unemployed in the country, and under existing conditions this unemployment will likely increase. Of these unemployed, about 1,900,000 are now enrolled on W. P. A. At least 1,100,000 more have been certified as in need of work on W. P. A. The sum which I propose would therefore just meet this urgent need of the country.

As the President has already stated, the national-defense program which he has set forth will not substantially lessen the plight of those who are eligible for W. P. A. It has been estimated by Government experts that at best the national-defense program called for by the President last week would employ about 700,000 for a year. Most of the 700,000 would not be taken from the ranks of those eligible to W. P. A. The President has also indicated in a press conference that the amount provided by the House resolution is, if anything, inadequate. The additional funds to be made available under my amendment to the W. P. A. will act as a substantial supplement to the national-defense program. Airports, roads, and other works of profound importance to national defense can be built by the W. P. A.

Finally, it is of the utmost importance that in a period of great international crisis seriously threatening our country we should strengthen our democracy at home by giving some minimum of aid to those who are without work and who, through no fault of their own, cannot get jobs. We need the loyalty of every American citizen, however humble he may be. Unemployment and destitution certainly do not contribute to patriotic devotion to our country. We can assure that loyalty by demonstrating that this Nation can meet its obligations to those citizens who are without jobs and who are anxious and willing to play a part in a great national-defense movement.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

EXECUTIVE REPORTS OF COMMITTEES

Mr. GUFFEY, from the Committee on Finance, reported favorably the nomination of 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.

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.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

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

That concludes the calendar.

RECESS

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

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 24, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 23 (legislative day of April 23), 1940

POST OFFICE DEPARTMENT

Ambrose O'Connell, of New York, to be First Assistant Postmaster General, Post Office Department, vice William W. Howes.

Smith W. Purdum, of Maryland, to be Second Assistant Postmaster General, Post Office Department, vice Ambrose O'Connell.

TERRITORY OF HAWAII

Mr. Charles M. Hite, of Hawaii, to be Secretary of the Territory of Hawaii. Reappointment.

COAST GUARD OF THE UNITED STATES

The following-named officers in the Coast Guard of the United States:

TO BE CHIEF BOATSWAINS, TO RANK AS SUCH FROM MAY 11, 1940

Boatswain Lee R. Scott
Boatswain George V. Stepanoff
Boatswain Otto Bentz

TO BE CHIEF GUNNERS, TO RANK AS SUCH FROM MAY 11, 1940

Gunner Linford H. Hines
Gunner Dellworth Ballard

TO BE A CHIEF RADIO ELECTRICIAN, TO RANK AS SUCH FROM MAY 11, 1940

Radio Electrician Carl E. Roberts

TO BE CHIEF CARPENTERS, TO RANK AS SUCH FROM MAY 11, 1940

Carpenter Albert L. Trucker
Carpenter Lloyd L. Dough

TO BE CHIEF PAY CLERKS, TO RANK AS SUCH FROM MAY 11, 1940

Pay Clerk Joaquin Tormos
Pay Clerk Hyman G. Gottlieb

TO BE A CHIEF BOATSWAIN, TO RANK AS SUCH FROM JUNE 1, 1940

Boatswain Richard S. Tewksbury

TO BE A CHIEF GUNNER, TO RANK AS SUCH FROM JULY 1, 1940

Gunner Robert E. Barber

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23 (legislative day of April 24), 1940

POSTMASTERS

ARKANSAS

Virgil J. Butler, Batesville.
Philip G. Gates, Crossett.
Kay D. McNeely, Dermott.
Thomas C. Hagins, Fordyce.
William Angus Biggers, Hampton.
Claiborne V. Wagley, Harrison.
William B. Martin, Mena.
Gladys L. Hobgood, Monette.
Ross M. Harris, Mount Ida.
Monroe R. Hughes, Nettleton.
Percy V. George, Ola.
Joseph M. Eckart, Subiaco.
Joe Davidson, Winslow.
Clarence J. Coffin, Wynne.

MASSACHUSETTS

James Leo Mack, Ashburnham.
Richard Mullen, Athol.
Stephen W. Bartlett, Barnstable.
Mary G. Hanifin, Belchertown.
Hazel M. Cairns, Bernardston.
John J. Downey, Blackstone.
Michael J. Moriarty, Bondsville.
Fred C. Small, Buzzards Bay.
Patrick H. Haley, Chelmsford.
James R. Delaney, Dedham.
James W. Evans, Fairhaven.
Eugene J. LeMaire, Fisherville.
Joseph A. Morgan, Gilbertville.
Gilbert W. O'Neil, Gloucester.
Edward F. X. Jalbert, Grafton.
James B. Kennedy, Greenfield.
Alfred L. Little, Marion.
Karl F. Koch, Montague City.
James A. Murphy, New Bedford.
Louis H. Chase, Norfolk.
Clement J. Coughlin, North Easton.
Thomas W. Curran, Norton.
Mae E. McLaughlin, Onset.
Thomas F. Welch, Rutland.
Roy Seward Campbell, Rutland Heights.
Ethyl M. Duffey, Scituate.
Alfred J. Peloquin, Southbridge.
Frank M. Merrigan, South Deerfield.
Robert A. Glesmann, Jr., South Hadley.
John J. Nolan, Spencer.
Maryetta Browne, State Farm.
Alice Fitzgerald, Sterling.
Thomas Leo McCarron, Taunton.
John R. Walsh, Topsfield.
James Everett Marvelle, Wareham.
Thomas E. Hynes, Wayland.
Alexander Wylie, Webster.
Thomas H. Hackett, Westboro.
Raymond L. Soule, West Boylston.
Edward J. O'Day, West Brookfield.
Patrick John Hanberry, West Hanover.
Mary E. Cooney, West Newbury.
Joseph J. Baron, West Warren.
Vincent C. Ambrose, Winchester.
William P. Hatton, Woronoco.

MICHIGAN

Theodore M. Lampert, Ada.
Frederick H. Smith, Jr., Arcadia.
James A. Maxwell, Auburn.
Arnold C. Misteli, Baldwin.
Harold P. Snyder, Bear Lake.
Sebastiano C. Camilli, Bessemer.
Earl B. Sill, Cassopolis.
Frank Mandigo, Centerville.
Joseph M. Foster, Charlevoix.
Samuel Robinson, Charlotte.
Elizabeth H. Ronk, Clarkston.
Margaret Ackerson Rush, Clarksville.
Gordon C. Eldred, Climax.
Edward Nelson, Coleman.
John E. Morris, Comstock Park.
Arthur J. Price, Comstock.
Irving L. Dixon, Concord.

George W. Pidgeon, Constantine.
Roy A. McLellan, Coopersville.
Donald P. Rivard, Daggett.
Laura J. Diver, Deerfield.
James Kent Torrey, Dowagiac.
Frank H. Crowell, East Jordan.
Regina W. Cleary, Escanaba.
George C. Du Vall, Fennville.
Bernard R. Micks, Gladstone.
Homer Fisher, Grand Haven.
Frank L. Friend, Harbor Springs.
Kathleen B. Slattery, Hillman.
James O. Peet, Ithaca.
Bert A. Dobson, Jonesville.
Harry A. Newcomb, Kalamazoo.
George H. Walters, Laingsburg.
Paul Doud, Mackinac Island.
Gerald P. Riley, Mendon.
Matthew O'Toole, Merrill.
Alfred C. Maurer, Monroe.
William A. Seegmiller, Owosso.
Thomas W. Jackson, Pontiac.
Neal D. Potter, Quincy.
Alonzo A. Strong, Reed City.
Edith B. Kleiber, Rock.
Arthur C. Cook, Ruth.
Helen MacMillan, St. Clair Shores.
Archie G. O'Neal, Saugatuck.
Adelbert L. Stebbins, Sheridan.
Lewis L. Peterson, Springport.
John F. Cross, Three Rivers.
William Stahl, Van Dyke.
Morris R. Ehle, Wayland.
Francis E. Benjamin, Whitehall.
Robert H. Peacock, Yale.

MISSISSIPPI

Luna C. Davis, Belmont.
Amos W. Sugg, Jr., Eupora.
Marguerite C. Johnson, Greenville.
Isaac M. Jackson, Iuka.
Roy S. Burroughs, Kosciusko.
Charles M. Jaco, Winona.

OHIO

Clifton L. D. Hartsel, Ashland.
Robert C. Young, Bucyrus.
Herman J. Kightlinger, Caledonia.
Earl L. Heck, Englewood.
William V. Goshorn, Galion.
Clare Trent, Leesburg.
Clyde L. Weiser, Orrville.
Emmett Lewis, Osborn.
Harry C. Stratton, Piney Fork.
Orion W. Kerschner, Trotwood.
George W. Kinzey, Wayne.

TENNESSEE

John W. Nicholson, Ashland City.
Elbert D. Corlew, Charlotte.
John S. McBride, Covington.
Harry B. Cunningham, Ethridge.
Thaddeus C. Haley, Friendship.
George A. McAdams, Greenfield.
William W. Turner, Jasper.
Monie Orth, Loretto.
Allen N. Williams, Newbern.
Robert W. Simmons, Sr., Sharon.

TEXAS

Maggie P. Rhew, Anderson.
Ernest F. Pearcy, Bastrop.
Olive P. Jordan, Beckville.
Charlie B. O'Bryan, De Berry.
Jesse J. Newman, Denver City.
Oscar S. Cousins, Devers.
Andrew F. Hester, Donna.
Arthur B. Hobbs, Edgewood.
Addison Lysander Lincecum, El Campo.
John Richard Folkes, Giddings.
Samuel G. Hampton, Goree.
John C. Clayton, Kerens.
Crown Dickson, Kilgore.
Carl Little, Ladonia.
James S. Colley, Legion.
Rufus R. Eddins, Marlin.
W. J. Smith, Montgomery.
Thomas C. Murray, Sonora.
William R. Baker, Strawn.
William A. Trotman, Trinidad.
Oliver Lee Lowry, Valley View.
Clara M. Bean, Van Horn.
Mary Foster, Waelder.
Rudolph J. Marak, West.
Chester L. Lewis, Wheeler.

WEST VIRGINIA

Rufus L. Keel, Coalwood.
Harper H. Hudson, Durbin.
Arling C. McGe, Elkins.
Patrick J. Burke, McMechen.
Claude E. Mills, Newell.
George A. Brooks, Pineville.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 23, 1940

The House met at 12 o'clock noon.

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

Our Father in heaven, we thank Thee that Thou art patient and willing to hear our prayer. Awaken in us a strong sense of those mercies with which Thou art blessing our beloved country. Because of Thy wonderful providence we are achieving the great tasks of our national life. We earnestly pray for our President, our Speaker, and the Congress. Grant that the spirit of Jehovah may rest upon them; the spirit of wisdom and understanding; the spirit of counsel and might; the spirit of knowledge and the fear of the Lord. Let Thy blessings be upon the youth of our land. May they grow up to all truth, to fidelity, to industry, to temperance in all things, to purity of thought and feeling, to reverence our Republic, and to a belief in God our Father and in His Son, Jesus Christ our Lord. May they know the wealth and the commonwealth of Thy heart. O Thou who dost fulfill world-old dreams and hopes, let woven calms smite the breaking strings of the world's heart. Humanity is passing through a travail of tears and death; it is between two worlds, one dying and the other struggling to be born. Grant, Almighty One, that the cry of world dominion or death may soon be changed to God dominion and life. In our Redeemer's name. Amen.

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

MESSAGE FROM THE SENATE

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

H. R. 9209. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. SHEPPARD, Mr. TOWNSEND, and Mr. BRIDGES to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9243. An act to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 255. An act authorizing the Secretary of War to convey to the Port of Cascade Locks, Oreg., certain lands for municipal purposes;

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes;

S. 3402. An act 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; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

REORGANIZATION PLAN NO. V

Mr. COCHRAN, from the Select Committee on Government Organization, submitted the following privileged joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V, which was referred to the Committee of the Whole House on the state of the Union and ordered printed:

House Joint Resolution 551

Resolved, etc., That the provisions of Reorganization Plan No. V, submitted to the Congress on May 22, 1940, shall take effect on the tenth day after the date of enactment of this joint resolution, notwithstanding the provisions of the Reorganization Act of 1939.

SEC. 2. Nothing in such plan or this joint resolution shall be construed as having the effect of continuing any agency or function beyond the time when it would have terminated without regard to such plan or this joint resolution or of continuing any function beyond the time when the agency in which it was vested would have terminated without regard to such plan or this joint resolution.

Mr. COCHRAN. Mr. Speaker, the report I have just submitted is a privileged report, unanimously reported by the committee. I ask unanimous consent that when it is called up for consideration debate be limited to 1 hour, one half to be controlled by the gentleman from New York [Mr. TABER] and one half by myself.

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

There was no objection.

THE RELIEF BILL

Mr. LEWIS of Colorado. 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 Colorado?

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, I shall offer an amendment to section 10 (a) of the pending relief appropriation bill for the fiscal year beginning July 1, 1940 (H. J. Res. 544), to increase the limit of total allocations to Federal projects from $20,000,000 to $60,000,000. This latter figure is the amount for Federal projects in the appropriation act for the present fiscal year.

The purpose of the pending appropriation bill for work relief and relief is to furnish employment to those employable persons who are out of work and who are in dire need of work in order to live. It is not a "pork barrel" or a means of promoting any of our individual pet projects. Therefore, I heartily approve and am supporting the action of the Appropriations Committee and of the leadership of the House in resisting any efforts to earmark funds for any individual projects.

But it is well to keep constantly in mind that this is Federal money and that if the same number of unemployed can be put to work on necessary and useful projects which are being carried on by regular Federal agencies we can to that extent reduce the necessity for Federal appropriations in the future.

This is particularly true of projects which are now under way at those Army and Navy stations which are near the large centers of population where the density of unemployment is greatest. If, in such localities, we can furnish employment to the needy unemployed and can also promote preparation for national defense, we shall be accomplishing a double purpose.

[Here the gavel fell.]

PROMOTION-LIST OFFICERS OF THE ARMY

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? (After a pause.) The Chair hears none, and appoints the following conferees: Messrs. MAY, THOMASON, HARTER of Ohio, FADDIS, ARENDS, MARTIN of Iowa, and ELSTON.

NATIONAL DEFENSE

Mr. THOMASON. 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 Texas?

There was no objection.

Mr. THOMASON. Mr. Speaker, the so-called national-defense bill which has been reported by the House Committee on Military Affairs, and which, I understand, will follow the relief bill, contains a provision that the employment of any additional personnel shall be without regard to civil-service requirements and restrictions of law relating thereto.

I just want to give notice that when this bill comes up for consideration I shall offer an amendment to strike out that language, because I believe it ought to be stricken, and also because General Gasser, Deputy Chief of Staff, testifying before the committee said that it was his opinion and request, as well as that of the Secretary of War and the War Department and also the Civil Service Commission, that that language should be deleted. At the proper time I shall offer you my reasons for the support of the amendment I propose to offer. I am the friend of civil service. More than that I am for national defense. Politics and logrolling to get jobs should be adjourned. Merit and patriotism should be the test.

Mr. Speaker, I ask unanimous consent to extend my remarks at this point to include a letter I have received on the subject from Mr. Arthur S. Flemming, one of the Commissioners of the United States Civil Service Commission, explaining the attitude of the War Department and the Civil Service Commission. These two great branches of the Government are in complete accord and we should back them up.

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

There was no objection.

The letter referred to is as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., May 22, 1940.

Hon. R. E. THOMASON,
House of Representatives, Washington, D. C.

DEAR MR. THOMASON: I appreciated very much your telephone call relative to the exemption from civil service that has been made a part of the War Department bill dealing with the national-defense program as reported by the Military Affairs Committee to the House of Representatives.

In the first place, the Civil Service Commission is in complete agreement with the War Department and with the members of the Military Affairs Committee that in recruiting civilian personnel in an emergency such as this country faces at the present time speed should be and must be the primary consideration.

The Commission does not believe, however, that the exemption from civil service which has been incorporated in the bill as reported by the Military Affairs Committee is necessary in order to achieve this objective.

Our reason for this belief is that the President of the United States already has complete authority to exempt positions from the competitive or any other provisions of the Civil Service Act. This authority is contained, first of all, in section 1753 of the Revised Statutes as enacted on March 3, 1871. This section reads as follows:

"Revised Statutes, section 1753: The President is authorized to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age,

health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties, and establish regulations for the conduct of persons who may receive appointments in the civil service (16 Stat. 514, Mar. 3, 1871; 5 U. S. C. 631)."

In the second place, section 2 of the Civil Service Act provides, "And among other things said rules shall provide and declare as nearly as the conditions of good administration will warrant."

Acting in pursuance of this authority, the President, on September 21, 1939, issued Executive Order No. 8257, which reads as follows:

"By virtue of and pursuant to the authority vested in me by the provisions of paragraph 8 of subdivision 2 of section 2 of the Civil Service Act (22 Stat. 403, 404), it is hereby ordered that, subject to appropriate noncompetitive tests of fitness, the Civil Service Commission is authorized to permit an immediate appointment without regard to the competitive requirements of the Civil Service Rules in any case in which it appears that a public exigency exists which is directly connected with the neutrality of the United States or the preparedness program of the Federal Government. This authority may be used only under most unusual and compelling circumstances, and the person or persons so appointed will not thereby acquire a classified civil-service status."

In conformity with this order, whenever the Commission is not able to provide immediately eligibles from its competitive registers, it will proceed to provide the War Department with qualified persons under the terms of the Executive order. If any further exemptions are necessary in connection with any particular types of positions, the President has the authority to make those exemptions.

Furthermore, the Commission now has the power, whenever it is unable to take care of the needs of the War Department, to authorize the Department to do anything that it can to find persons for its own positions. The Commission will not hesitate to exercise this power whenever it is necessary to do so.

The Civil Service Commission has gone very thoroughly and carefully into this whole problem with the War Department. It has explained to the Department the extent of our present resources, and it has also indicated to the Department that when it is unable to render prompt service that it will not stand in the way of the Department's taking whatever steps may be necessary to expedite its program.

On the basis of these conversations, the War Department has arrived at the conclusion that its own time, energy, and money can be conserved, and at the same time that it can obtain better service, if the recruiting responsibility in connection with its program rests with the Civil Service Commission. Under the circumstances, it would seem to be very unfortunate for the Congress to hamper the War Department in its national-defense program by putting the Department in a situation where it would have to open up civilian recruiting offices of its own and where it would be subject to all kinds of pressures in the interest of particular individuals obtaining jobs. This would seem to be particularly unfortunate when, over a period of 50 years, the United States Government has made a tremendous investment in the Civil Service Commission as the central recruiting agency and when the Commission is in a better position than ever before in its history to render the kind of service to the War and Navy Departments which should be rendered in a time such as this.

All of the worth-while objectives which might be accomplished through placing an exemption in the bill such as the one proposed can be accomplished without such an exemption by reason of the authority now resting in the President of the United States. At the same time all of the unworthy objectives which many persons would attempt to realize once such an exemption is placed in the bill can be avoided by utilizing the recruiting machinery of the Civil Service Commission, with its central office, its 13 district offices, and its 5,000 local boards.

The Civil Service Commission appreciates the importance of making careful character investigations of persons who are appointed to civilian positions in connection with the national-defense program. In this connection, the Commission hopes that its own resources for making these investigations will be enlarged, and at the same time it has reason to know that it will obtain the cooperation of other law-enforcement agencies in making these investigations. The Commission is in a position to prevent sabotage, and it will do everything within its power to discharge this responsibility in the proper manner.

At a time when the whole Nation is thinking in terms of putting its defense agencies on an emergency basis, there is no reason why the agency which has primary responsibility for the recruiting of civilian personnel cannot be placed on a similar basis; and certainly there is no reason whatsoever for asking the War Department to start building up a recruiting machinery which it does not have at the present time and which it could not possibly obtain without diverting funds which should be spent on the national-defense program.

If I can provide you with any additional information on this matter, I shall be delighted to do so. Thank you for asking me to write you relative to what the Commission believes to be a very important matter in connection with the desire of everyone to "adjourn politics in the interest of national defense."

Very sincerely yours,

ARTHUR S. FLEMMING,
Commissioner.

DISTRICT OF COLUMBIA CODE

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

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

There was no objection.

Mr. KEOGH. Mr. Speaker, as chairman of the Committee on Revision of the Laws, whose function it is to prepare and edit the Codes of Laws of the United States and of the District of Columbia, I am deeply grateful to the gentleman from Texas [Mr. LUTHER A. JOHNSON] for the interest manifested by him in the District of Columbia Code, as shown by his remarks extended in the Appendix of the RECORD, page 9860. It is gratifying to realize that the Members are accepting the invitation of the committee—which I have on several occasions voiced on this floor and which is contained in the preface to the annual supplements of both codes—to offer any suggestions or criticisms which they may have or which may be brought to their attention, with a view that the codes may be made as complete and as nearly perfect in all respects as is possible.

The Committee on Revision of the Laws is presently engaged in the preparation of a new edition of the Code of Laws of the District of Columbia, which, it is hoped, will contain all the laws, general and permanent in their nature, relating to or in force in the District of Columbia, except such laws as are of application in the District of Columbia by reason of being laws of the United States, general and permanent in their nature.

In connection with the preparation of such new edition a complete and detailed survey is being made of all the laws enacted since the enactment of the 1901 Code of the District of Columbia, so that any omission from the 1929 edition of the code may be discovered and all such laws which should properly be a part of the code will be included.

May I say, in passing, that all the statutes contained in the list submitted by the gentleman from Texas [Mr. LUTHER A. JOHNSON] have, among numerous others, been the subject of study by us for some time and it is our intention to include each and every act coming to our attention, either as a result of our own survey or suggestion by others, which properly belongs in the Code of the District of Columbia.

Without expressing an opinion at this time concerning the desirability of including in the District of Columbia Code those statutes listed by the gentleman, inasmuch as these very statutes are still being considered by us along with many others, I should like to point out that the Code of the District of Columbia is confined and limited by law to those laws—

> Relating to or in force in the District of Columbia, except such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in their nature.

May I again express the thanks of the committee to the gentleman and renew our solicitation of suggestions or criticisms relating to both the United States Code and the District of Columbia Code. I urge the gentleman and the other Members not to hesitate to make any suggestions merely because they feel that our own survey will discover what they have in mind. We would greatly prefer to have many duplications of suggestions or criticisms than to omit a single statute that should be included or to leave unrectified a single error existing in the current edition of the code. It is only by such helpful interest on the part of the Members and other users of the codes that that degree of perfection which is our aim can be attained.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a paragraph from Mrs. Roosevelt's column.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Mr. Fleming, Administrator of the Wage and Hour Division, to Mr. J. S. Capper, president of the Toro Manufacturing Co., of Minneapolis, Minn.

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

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from this morning's New York Times relating to the influx of Germans into Mexico.

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

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter on the Bituminous Coal Act.

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

There was no objection.

Mr. FENTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Pottsville (Pa.) Republican.

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

There was no objection.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a recent interview in the New York Sun.

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

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short letter and a short editorial.

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

There was no objection.

REORGANIZATION PLAN NO. V

Mr. MASON. Mr. Speaker, I ask unanimous consent that I may proceed for 1 minute and revise and extend my remarks.

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

There was no objection.

Mr. MASON. Mr. Speaker, I am opposed to the President's order transferring the Bureau of Immigration and Naturalization to the Department of Justice. I am opposed to this order on the following grounds:

First. It will cover up and protect Mme. Perkins' mismanagement of this Bureau and the fact that she has coddled, sympathized with, and protected these so-called "fifth-column agents" that the President is becoming worried about.

Second. The results desired by the President can be much more quickly and effectively secured by demanding the resignation of Mme. Perkins and appointing a competent administrator in her place.

Third. The transfer would disrupt and throw into turmoil some 3,000 well-trained high-grade employees of the Bureau by dumping them willy-nilly into a new Department not organized for that particular work at a time when we need and must have effective action.

Read my extension of remarks for further light on this matter.

NATIONAL AVIATION FORUM

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

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

There was no objection.

Mr. MAAS. Mr. Speaker, in view of the great importance and interest in the development of aviation, I want to call attention to one of the great events relating to the progress of aviation which will take place in Washington next week.

The great National Aviation Forum will again be held in Washington May 26 to May 29, inclusive. Hundreds of private planes will converge on Washington to participate in this forum. There will be more than 350 private planes taking part.

There will be activities, displays, lectures, and demonstrations all during this period at Bolling Field, at the auditorium of the Department of Commerce, at the auditorium of the Department of Labor, and in the sky itself.

The opening day, Sunday, May 26, has been designated as Model Exhibition Day. Exhibits at Bolling Field that day will be opened with appropriate ceremonies. The aeronautical exhibit at Bolling Field will be open to the public from 3 p. m. to 11 p. m. The most comprehensive exhibition of aviation history will be on display, with exhibits from the Army, the Navy, the Coast and Geodetic Survey, the Post Office Department, the Weather Bureau, the Civil Aeronautics Authority, the W. P. A., the Office of Education, the Air Transport Association, the National Advisory Committee on Aeronautics, the air lines, and the leading manufacturers of airplanes and accessories in the aviation industry. There will also be model-plane contests. At the Department of Commerce Auditorium there will be talks on the latest phases of aviation by leading figures of the industry representing all of the Americas. At the Department of Labor Auditorium there will be free motion pictures covering the drama and development of flight from Icarus to the flying fortresses. These will be open from noon to 5 p. m. and from 6 p. m. to 9 p. m.

In the sky will be a great cavalcade of private flyers from all parts of the country, the giant new Boeing stratoliner just unveiled this month by T. W. A., a parade of naval and commercial blimps, and demonstrations and formation flying exhibitions.

Exhibits will also be available to the public in the Department of Commerce lobby and in the various hotels.

Transportation to Bolling Field will be available by busses at regular intervals.

The program for the 3 days in addition to the first day as Model Exhibition Day will be as follows: Monday, May 27, Private Flyers' Day; Tuesday, May 28, Air Line Day; Wednesday, May 29, National Defense Day. There will also be demonstrations on the final day by military and naval units and demonstrations of the operation of an antiaircraft unit by the District of Columbia Guard.

The forum will be climaxed by a "dinner aloft" banquet, attended by 1,100 prominent guests, in the ballroom of the Willard Hotel.

This Aviation Forum, started last year, is becoming a great factor in the development and coordination of all phases of aviation in the United States, and is making a most valuable contribution to the progress of private, commercial, and military aviation.

The detailed program for the forum at the Department of Commerce is:

Monday, May 27, 1940

MORNING SESSION

1. Representative JENNINGS RANDOLPH, District of Columbia Commission, American Aviation Moves Forward. (Greetings to the forum.)
2. Ruth Nichols, Rye, N. Y., Woman's Place in Aviation.
3. J. B. Hartranft, Jr., executive secretary, Aircraft Owners and Pilots Association, Flying Clubs and Group Flights.
4. Oliver Parks, president of Parks Air College, East St. Louis, Ill., How You Can Get Into Aviation.
5. Helena Mroczkowska, of Hofstra College, What the Civilian Pilot Training Program Has Meant to Me.
6. Mrs. Louise Thaden, veteran woman pilot, The Ninety-nines and the Future of Women in Aviation.
7. Dr. Edward C. Elliott, president, Purdue University, Civilian Flight Training in National Service.
8. Gordon M. Curtis, president, Aviation Funding Corporation, How to Buy Airplanes.
9. Haven B. Page, Washington representative of the Private Flyers Association, A New Status for Private Pilots.
10. Grove Webster, chief, Private Flying Development Division, C. A. A., As We See It.
11. William B. Stout, president of Stout Laboratories, Inc., Flivvers of the Future.

AFTERNOON SESSION

1. W. W. Brinckerhoff, secretary, Private Fliers Association, The Insurance Status.

2. Rudolph Loening, president, Seaplane Flying Association, What the Seaplane Offers.
3. Fred E. Weick, chief engineer, Engineering and Research Corporation, Simpler Flying.
4. C. G. Taylor, president, Taylorcraft Aircraft Corporation, The Light Plane.
5. Arlene Davis, Cleveland, Private Flying as I See It.
6. Alfred L. Wolf, secretary, Association of Aircraft Owners and Pilots, What Are You Waiting For?
7. A. I. Martin, Watkins Glen, N. Y., Ox Team to Airplane.
8. Alfred Brokaw Bennett, Hightstown, N. J., Merchandising Light Planes for Defense.
9. Hon. Robert M. Hinckley, Chairman of the Civil Aeronautics Authority, Nonscheduled Civil Aviation and Government.

Tuesday, May 28, 1940

MORNING SESSION

1. Capt. Robert Dawson, United Air Lines, What Are We Going To Do About the Weather?
2. Al Near, Bowman Field, Louisville, Ky., the Importance of Aviation in the Small Town.
3. Roger M. Combs, Jr., New York, Why It Pays To Fly.
4. Norman Bel Geddes, New York, Tomorrow's Airways.
5. Mrs. Ogden Reid, New York, Air Transport From the Passenger's Viewpoint.
6. Charles A. Rheinstrom, American Airlines, When the War Is Over, Then What?
7. F. W. Reichelderfer, Weather Bureau, Department of Agriculture, International Character of Airways Weather Service.
8. Col. Edgar S. Gorrell, Air Transport Association, the Civil Aeronautics Act of 1938 and Reorganization Act of 1940.
9. Grover Leening, New York, Cargo by Air in War or Peace.

AFTERNOON SESSION

1. Maj. R. W. Schroeder, United Airlines, Behind the Scenes of Safe Air Transportation.
2. Devon Francis, Associated Press, News Is Where You Find It.
3. Richard duPont, All American Aviation, Inc., Feeder Lines.
4. Dr. Alfred N. Goldsmith, New York, Radio and Aviation.
5. Kinsey N. Merritt, Railway Express Agency, Progress in Air Express.
6. Roscoe Turner, Indianapolis.
7. H. M. Bixby, Pan American Airways.
8. T. B. Wilson, T. W. A., Public Relations in Air Transport.

SPECIAL FEATURE

Lowell Thomas, broadcasting on the subject of the forum at 5:45 p. m.

Wednesday, May 29, 1940

MORNING SESSION

1. Gill Robb Wilson, National Aeronautic Association, Forecast of the Flying Forties.
2. Ralph McClarren, Franklin Institute, An Action Story of Aviation.
3. Charles H. Babb, Los Angeles, Air Freight.
4. Ernest R. Breech, General Motors Corporation, Outlook for Civil Aviation.
5. Rear Admiral R. R. Waesche, United States Coast Guard, Aviation in the Coast Guard.
6. Zack Mosely, New York, Aviation in the Comics.
7. Dr. Vannevar Buch, National Advisory Council for Aeronautics, Aeronautical Research: A Vital Link in Our National Defense.
8. Col. John H. Jouett, Aeronautical Chamber of Commerce, Industry's Position in Accelerated National Defense.

AFTERNOON SESSION

1. C. S. (Casey) Jones, Newark, N. J., South American Sidelights on National Defense.
2. Capt. A. L. Patterson, New York, Flying in China and Its Lesson to Us.
3. Rear Admiral J. H. Towers, United States Navy.
4. Harold Montee, Aero Insurance Underwriters, Insurance and Its Part in the Development of Aviation.
5. Commander C. E. Rosendahl, United States Navy, The Case for the Airship Today.
6. Jacqueline Cochran, New York, Women in Air Defense.
7. Maj. Gen. H. H. Arnold, United States Army, The Army Air Corps.
8. Hon. F. H. LaGuardia, New York, Let's Tell the Truth.

In addition to the two main features of the Forum and its exhibition, thousands of visitors and residents of Washington will have an opportunity to see many of the following features in the realm of aviation:

One hundred and eight Army planes taking part in maneuvers over the city.

Approximately 500 private planes flying in cavalcade.

Films depicting the development and drama of aviation, free to the public, in the Department of Labor auditorium, noon to 5 p. m., and 6 p. m. to 9 p. m.

Lowell Thomas broadcast Tuesday, 5: 45 p. m.

American Forum of the Air, Sunday night, May 26, Mutual, coast-to-coast.

Winthrop Rockefeller and T. H. Beck will speak on Air Youth of America, Monday, 6 p. m., N. B. C.

Postmaster General Farley is, among others, on the banquet program, Wednesday, 10 p. m.

Model flying on Sunday at Bolling Field from 3 to 6 p. m.

A Pan American clipper ship in the Potomac River.

Pan American also will have a DC-3 Douglas, of the latest type, on exhibition.

The air-mail-stamp collection of the President of the United States on display in the Department of Commerce.

Exhibits by the Patent Office and Library of Congress, in addition to those of 12 Government agencies already announced.

An aviation fashion show, with beautiful models, at the Raleigh Hotel, Saturday at 1 p. m.

Visits especially arranged for Forum guests to the Federal Bureau of Investigation.

Formation flying by Navy blimps from Lakehurst, N. J.

The stratoliner, recently acquired by Transcontinental & Western Air, Inc., is flying in for the show.

Maj. Roscoe Turner will exhibit his Thompson record-holding racer, arriving at Bolling Field about 11 a. m., Monday, May 27.

Jacqueline Cochran, famous woman flyer, has promised to show her Seversky (Republic) pursuit plane in which she set recent international records.

Forty members of the Aviation Writers Association are coming to Washington and will make the Forum the occasion of their annual convention.

I want to invite all the Members of Congress to take advantage of this great forum and to participate as extensively as possible in the forum activities.

COALITION IN GOVERNMENT

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

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

There was no objection.

Mr. RICH. Mr. Speaker, we hear a great deal today about coalition. The President has invited prominent Republicans to come to Washington and to the White House to make preparations for war. Preparations for what war? Who wants to get into a war? Is it possible that this Congress or this Nation is going to permit our country to get into any kind of war where we will have to send our boys across the sea? God forbid that that time should ever come, and I say to the Republicans, let us have no coalition for war of any kind or whereby we are going to put the President back in the White House for a third term. Nothing would be more disastrous to America, America's civilization or to American form of life, or to American liberty. God forbid that that time should ever come. We want no dictatorship here in America, and that is what war coalition or third-term coalition means. We want none of it. We will all get together when America is in danger of aggression by any foe. We will know no party, we will have no foreign entanglements, we will be one for America, for American tradition, American freedom, and the American flag.

[Here the gavel fell.]

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

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

There was no objection.

Mr. FADDIS. Mr. Speaker, with all due respect to the gentleman from Pennsylvania [Mr. RICH] who just preceded me, I wish to present my compliments to the House and to say that as a Democrat I also hope we shall have no coalition Cabinet. The Democratic Party is in control of the Government of this Nation, and I hope and trust they have the courage to accept the responsibility of it. I, for one who is well acquainted with our present Secretary of War, am sure he is a man as well qualified for this position as is any man

in this Nation and, I feel sure, enjoys the full confidence of the Congress. [Applause.]

There is another thing that I want to say to the gentleman. Nobody in this Nation wants war, but neither did Holland, Norway, nor Belgium want war. They were not going to war, but war was brought to them with all of its horror of death and destruction. All their determination to keep out of war availed them nothing in the face of the crisis. In such a time as this we must depend upon factors more tangible than mere wishes to insure the security of this Nation. [Applause.]

CHARLES A. LINDBERGH

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to insert in the RECORD a short letter from a member of the Kansas Legislature.

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

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, again I want to direct the attention of the House and the country to the continued efforts to discredit Col. Charles A. Lindbergh merely because he has advised the country to know what it is doing before billions are wasted in abortive efforts at national defense. It has become a habit with the new dealers to take the position that no one has the right to go on the air who happens to disagree with the autocrat in the White House. Colonel Lindbergh advised against hysteria, which was the sanest thing that has been said in all the jumble of bunk that has been peddled on the air about the dire danger of invasion of this country. If we get into this war it will be on a wild wave of hysteria and hysterical chatter about dangers that do not exist.

Colonel Lindbergh would have been most useful as a technician and adviser on air defense. He is an expert without competition and not merely a flyer of intrepid courage. But the new dealers will not use him because he is no "yes" man—no "rubber stamp." I am heartily in favor of President Roosevelt on preparedness, but I would like to know more of what became of the seven billions we have already spent during his administration and yet we are led to believe we are naked to our enemies. I do not have to change my attitude, for in 1939 I was the only one from my State who voted for the air program, but I want it done by those who know their job. Colonel Lindbergh is one who does know and for that reason he will not be used by this New Deal administration. [Applause.]

I ask unanimous consent to insert a letter from Hon. O. P. May, a member of the Kansas Legislature and an eminent lawyer of the Kansas bar, upon this subject:

ATCHISON, KANS., *May 21, 1940.*

Hon. U. S. GUYER,
Member of Congress, Washington, D. C.

MY DEAR MR. GUYER: Colonel Lindbergh has expressed my sentiments exactly on this war situation.

We should, under no circumstances, send troops to Europe. We have no business in these European troubles. No other country in the Western Hemisphere is trying to intermeddle and neither should we.

In the World War, Russia and Italy were alined with the Allies. In this war they are alined with Germany. In the World War Turkey was alined with Germany, but in this war Turkey is alined with France and England. Why should we mess in such a tangled situation of European politics as that?

I am for preparedness, but for defense against invasion of the Western Hemisphere only, but such an eventuality is not likely at least for another generation. In other words, even if Germany should conquer France and England, she will be so exhausted that it will be another generation before she could even think of invading the Western Hemisphere. I am out of patience with this hysteria mongering, which is the next thing to war mongering, coming from high places.

Yours very sincerely,

O. P. MAY,
Commander, Fleming-Jackson-Seever Post, No. 6, the American Legion.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address by the Assistant Secretary of War, Mr. Louis Johnson.

The SPEAKER. Is there objection?

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to extend my remarks and insert some excerpts from speeches and reports of a brief character.

The SPEAKER. Is there objection?

There was no objection.

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

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a newspaper article on industrial sabotage.

The SPEAKER. Is there objection?

There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a telegram from the New Jersey State Chamber of Commerce.

The SPEAKER. Is there objection?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARTER of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article by Boake Carter.

The SPEAKER. Is there objection?

There was no objection.

DICTATORSHIP

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

The SPEAKER. Is there objection?

There was no objection.

WHY DESERT?

Mr. HOFFMAN. Mr. Speaker, my remarks are addressed to the Republicans of the House. Many of us in the past have charged the present administration with being wasteful, extravagant, incompetent, and with having failed in some instances to prevent the use of money appropriated for relief for political purposes.

A week ago today, in this Chamber, the President told us, in substance, that we were not secure from foreign invasion; that our Nation was wholly unprepared to meet such an emergency; that we were confronted with a great and imminent danger; that it was necessary for us to at once embark upon a program of national defense which would require the expenditure of billions of dollars, tax our ability, and our resources.

Our charge that the administration has been wasteful, extravagant, and lacking in ability to solve even our domestic problems is more than justified by the record. If we were sincere in making those charges, and we know the record substantiates them, should we now, as representatives of the people, desert our post of duty here in Washington; go home to mend political fences, promote our own reelection, and leave the President, whose adherents in high Federal positions are now insisting that he be elected for a third term, not only in a position where he and they can use the program for national defense to further his political interests but where he and those whose political positions depend upon his continuance in office can use the emergency to establish a dictatorship here in America?

As the people's representatives we have a duty to perform. If, in ordinary times, our duty requires our presence here in Washington, how much more essential is it that, in these days when dictators abroad are carrying on their war of destruction, we, the people's representatives, should remain faithful to our trust and refuse to adjourn until we have

made an effort to solve the domestic problems which confront us; until this Nation is adequately prepared to meet all enemies, whether they come from without or from within.

Let us keep faith by remaining on duty, true to the confidence reposed in us. [Applause.]

The SPEAKER. The time of the gentleman from Michigan has expired.

COALITION GOVERNMENT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks by including an editorial from the Philadelphia Inquirer.

The SPEAKER. Is there objection?

There was no objection.

Mr. GROSS. Mr. Speaker, I am opposed to the reckless expenditure of money by this administration. I am opposed to the third-term idea or a coalition of these two great parties. I cannot understand why, after the President refused to cooperate with former President Hoover when we had a banking calamity, he now wants the Republican leaders to cooperate with him and so get them into a jam, when he thinks there are war clouds over the country. I cannot understand the procedure of that gentleman in the White House. I believe in adequate national defense, but I think 50,000 planes sounds foolish. The President should also tell us where to get the money. The President should not be given a blank check for $200,000,000. This is wasteful and dangerous.

AMENDMENTS TO THE HATCH ACT

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

The SPEAKER. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Speaker, I rise to inform the House that I have been besieged by letters of inquiry from every State in the Union as to when the amendments to the Hatch Act will be brought to the floor. These letters, to say the least, have been most critical in condemning the delay in bringing up this legislation.

I have sought on the basis of information which I deemed to be reliable to advise my correspondents, and, in fact, the public in general, that I believed the Committee on the Judiciary would report it out shortly. After 2 months have elapsed and the committee has failed, despite semiweekly meetings, to take any positive action, I can no longer honestly and conscienciously state that as my belief.

It must be apparent, Mr. Speaker, to the great majority of the Members of the House—just as it is apparent to the people of this country—that failure to bring this legislation to the floor is prompted largely by the instinct of fear—fear that when this measure eventually comes up for action it will be passed. I can assure you this fear is well-founded. Recent developments have served to focus the attention of the entire Nation on these amendments, and the demand by the public for the passage of this legislation has grown apace. I do not believe the membership of this body is desirous of permitting obstructionist tactics any longer. I believe the great majority of this membership is sincere in support of this legislation and agrees with me that it should be brought up for full consideration in this session of the Congress.

If the incentive to prevent action on the amendments to the Hatch Act is based upon political expediency, as has been frequently charged, I would like to point out that from the purely political viewpoint it is extremely hazardous for any group of Members of the House of Representatives to take such action as will bring down upon it further condemnation by a public which is, putting it mildly, in a most uncertain political temper at this time.

There is a discharge petition on the Speaker's desk, the purpose of which is to bring this legislation before the House. The eyes of the public are upon the signatures appended to that petition and it is being considered a veritable roll of honor of names of Members of Congress who stand for honesty and decency in politics.

So that this entire House may not be held responsible for sabotage of this worthy legislation, I urge the membership to sign this petition immediately, because I feel that is the surest way in which this measure will be brought up for full consideration, and one way in which the people of this Nation will have a fitting reply to the charges that are being made through the press and over the radio that the House of Representatives does not have the courage to go on record for or against the bill.

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

The SPEAKER. Is there objection?

There was no objection.

Mr. WALTER. Mr. Speaker, the gentleman from New Mexico [Mr. DEMPSEY], for whom I have a very high regard, is sponsoring a piece of legislation that is more far reaching than even he suspects. The Committee on the Judiciary has been very carefully considering the matter and is very carefully considering all of the aspects of this legislation now, and let me say to you Members of the House that had the gentleman from New Mexico given full consideration to all of the effects of this bill he would not have urged that the House, without considering its effects, sign the roll that he is erroneously, in my judgment, describing as an honor roll.

CRITICISM OF THE ADMINISTRATION

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and at the same time I ask unanimous consent to insert a portion of an article from the Chicago Tribune.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I am not a bit surprised at the remarks of the gentleman from Michigan [Mr. HOFFMAN], but I am at the extent that he so freely admits he has been criticizing and criticizing and attacking the administration. He omits to say, however, that he has been doing so unfairly and unjustly. This administration and each and every member of it can be proud of its achievements, and I compare this administration with the administration of Mr. Harding or Mr. Hoover at any time. Some of you gentlemen are willing to stand here and make unfair charges and political bunk speeches to the country, but they will not help you in any way.

I know you do not care for my advice, as you have so frequently disregarded it, but if I could advise you, because some of you mean well, I would advise you to change your tactics and cooperate with us on the constructive and needed legislation that is before us instead of wasting your breath, killing time, and delaying this legislation, because tomorrow we will take up the military and on Saturday the great naval-defense bills.

Mr. HOFFMAN. Is the gentleman in favor of a dictatorship?

Mr. SABATH. Oh, no, and the gentleman knows better than that.

Mr. Speaker, the gentleman from Michigan [Mr. HOFFMAN] and the gentleman from Pennsylvania [Mr. RICH], as well as other Members of the House, have again, as is their daily custom, seen fit to criticize President Roosevelt and the administration and once more have harangued us with their old threadbare cry of inefficiency. As I suggested before, I presume they prefer the kind of efficiency we had under Harding and Hoover.

Personally I do not object to honest criticism. But to willfully continue these attacks with accusations not based on facts is most deplorable. I feel especially keen about it at this time, because as everyone knows we are passing through a great crisis, and it is no time for anyone to be attempting to assail, attack, and try to embarrass the President.

Several gentlemen on the Republican side of the aisle oppose the idea of a coalition Cabinet. So do I. And so does the country, for it has complete confidence in our great President and his Cabinet.

Having served under seven Presidents and, therefore, under seven different Cabinets, I am satisfied that the present

Cabinet has demonstrated and proven itself to be more efficient than any other. It is true that one Cabinet member—Mrs. Perkins, Secretary of Labor—has been continuously assailed, and not because of inefficiency, by vicious vested-interest publicists. I recognize that some of our great industrialists, in spite of the fact they are making more money than ever, do not like our efficient and respected Secretary of Labor. This is easily understandable. It is because they cannot control her; it is because she stands for justice and fair play for the workers. This is something that large employers like President Tom Girdler, of Republic Steel, and Ernest T. Weir, of the Weirton Steel Co., the "dough" man and treasurer of the Republican National Committee, the two outstanding labor-oppressing steel corporations of the United States; William S. Knudsen, president of General Motors, and others of their ilk, just cannot seem to understand. Nor are Franklin D. Roosevelt's policies to their liking. Their first choice, if they could only put him across, would be Wendell L. Willkie, one of the bright boys of the House of Morgan, and now official spokesman for the Power Trust. Or possibly they would accept Herbert Hoover, Frank Gannett, the rich back-actionary newspaper publisher; the prosecuting attorney, Thomas E. Dewey, of New York; or the boy Senator, Taft, of Ohio, son of William Howard Taft, whom Teddy Roosevelt made President and was later obliged to repudiate. The fact that the big moguls of American finance and industry prefer one of these birds to Franklin D. Roosevelt is illuminating because it shows just how much sense—or how little—they really possess. The people want F. D. R. to remain in the White House, and they will not accept anyone in his stead, least of all any Republican.

Many of the Republican Members of the House would like Congress to remain in session indefinitely, and thus be able to use this floor as a sounding board for their bunkerino attacks on the administration. But the people rightfully have the fullest and most complete confidence in Franklin D. Roosevelt. Not a few newspapers that once assailed the President now recognize his resourcefulness, sagacity, level-headedness, and ability, and want him to remain at the helm while the Nation is passing through perhaps the greatest crisis of its history.

Mr. Speaker, this is no time to fling unjustified criticism at the President or the Government—no time to rock the boat—and especially for purely partisan purposes. In this connection, to show the unfairness of some of the President's severest critics, I am asking permission to extend my remarks for the purpose of reproducing extracts from two articles on preparedness from the pages of my great admirer, the Chicago Tribune.

I am giving this recognition to the Tribune because on May 13 it published an editorial in large type on the first page attacking the administration and declaring the Nation had nothing "tangible" to show in the way of preparedness for the huge sums expended for that purpose, and that "each day finds us falling further behind."

The Tribune, "my friend," then proceeded to have one of their star investigators, Mr. Walter Trohan, make a thorough examination of the state of our preparedness, and he did. Well, he reported that the United States has the largest and best Navy in the world, and proved it. He reported that the Navy high command is satisfied that it can defeat any fleet afloat, and thus exercise its function of bringing an enemy to terms at a safe distance from American shores. I submit, Mr. Speaker, that in all fairness the largest Navy in the world—and it wasn't the largest under any President in our history but Franklin Roosevelt—is something definitely "tangible."

But what I am wondering is how Mr. Trohan's articles ever "got by" the Tribune editorial desk, for it puts the lie to nearly every important representation set forth in the Tribune editorial of a week previous.

In view of the fact that there is a mad man running loose in Europe today, and no one knows what he may attempt next, I realize we must greatly increase our state of preparedness. But the President realizes it, too, and already has asked Congress for big increases for both the Army and the Navy and especially for aviation. This to keep us out and not to put us in the war—as falsely charged by you Republicans.

I well remember that when the President in a speech in Chicago 2 years ago pointed out the need of increased preparedness he was criticized in many quarters. When he said the same thing just a few months ago it was charged that he was trying to put us in war. Nothing was further from his mind. He was simply trying to do his duty to see that we were so prepared as to be able to meet every possible emergency. He has been building up and strengthening our defenses every year that he has been in office, this in contrast to the anti-Navy policies of Coolidge and Harding. As a result we today have a great Army and a great Navy, and that is the real answer to the Tribune's charge that the American people have nothing tangible to show for the expenditures for preparedness.

Mr. Trohan's first article is, in part, as follows:

SURVEY REVEALS STRENGTH OF UNITED STATES ARMY AND NAVY

(By Walter Trohan)

WASHINGTON, D. C., May 20.—How strong is America? How strong is our Navy? How can we resist on land? What have we on land, sea, and in the air?

These questions are an important factor in the controversy over rearmament. One faction contends a Nazi "blitzkrieg" is on its way to America and the United States should build a gigantic defense establishment, no matter what the cost. The opposing faction, while recognizing the need for expansion, cautions against hysteria in the interest of building an efficient, adequate protective force.

Amid the sound and fury of oratory over the wisdom of spending billions for national security, the Navy contends the American fleet is the finest afloat and the Army asserts the land forces are at their greatest peacetime strength.

NAVY SURPASSES BRITAIN'S

The American Navy numbers a total of 369 men-of-war—41 more vessels than its nearest rival, Great Britain, which has 328 as nearly as can be ascertained. Italy has 276, largely destroyers and submarines; Japan, 254; France, 177, and Germany, 149. The naval figures are as of May 1, 1940.

It is true many of the American Navy's vessels are over-age, but no more so than those of the other great naval powers. The Navy has in its enlisted ranks 135,000 sailors, 25,000 marines, and almost 12,000 officers, making up the best personnel in the world in health, training, and education.

The Enlisted Naval Reserves total about 70,000 officers and men. In addition, there are almost 200,000 men with sea experience in the merchant marine and other craft, including yachts and motorboats.

PEACETIME ARMY A RECORD

On land America has 228,000 officers and men in the Regular Army—the largest peacetime force in the Nation's history, and only about 50,000 short of the minimum defensive force set by experienced generals after the World War and still regarded as an ideal strength today.

In the National Guard are 235,000 officers and men. In the officer and enlisted reserve are almost 150,000. Citizen's military training camps and reserve officers' training units have a total enrollment of almost 200,000, which could be expected to volunteer in the event of war.

Altogether these would provide an additional protective force of almost 800,000 men. In addition, the Nation has a reserve well of more than 4,000,000 men who have received some form of military training or disciplined camp life, who could be readily whipped into an army.

In resistance against attack America still has the most favorable geographical position of any large power in the world. It is still protected by oceans on the east and west.

And in his second article, he states:

The American Navy today is confident it can defeat any fleet afloat. The Navy high command is certain the fleet can exercise its function of bringing an enemy to terms at a safe distance from American shores.

In his last annual report, released last November 25, Secretary of the Navy Charles Edison told President Roosevelt:

"I am glad to report that in my opinion the battle efficiency of the United States Fleet fully measures up to the confidence reposed in it by the citizens of our country in whose service it is dedicated.

"PERSONNEL SUPERIOR

"The morale of our personnel is high. The education and mental caliber of our enlisted men are superior. The fine quality of the leadership of the officers has been again confirmed by gratifying accomplishment in the naval operations conducted during the year."

The American Fleet in numbers is larger than any afloat. War losses of other powers have made and are making it stronger. Though more of its vessels are over-age than in the British Fleet, the fleet could, as it stands, hold off the British Navy, in the opinion of its officers.

BALANCED BUILDING PROGRAM

The Navy has a well-balanced building program designed to replace overage vessels. If the Navy should keep within its present limits with underage ships, it would be able to protect the United States, its possessions, and enforce the Monroe Doctrine, officers are confident. A 25-percent increase would provide a margin of safety, which may be desirable, it is felt.

The SPEAKER. The time of the gentleman from Illinois has expired.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an editorial from the Evening Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter written by one of the most prominent Republicans in my State to the chairman of the Republican National Committee, in which he advises the Republican convention to nominate Franklin D. Roosevelt for President. [Applause and laughter.]

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, reserving the right to object, any man that calls himself a Republican and comes out and recommends anything like that, we do not want in the Republican Party. He ought to get out. [Applause and laughter.]

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

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article in the current issue of the magazine Asia, one by Felix Morley and the other by Col. Morris Martin.

The SPEAKER. Is there objection?

There was no objection.

Mr. MYERS. Mr. Speaker, I ask unanimous consent to extend my remarks by including a letter from the State legislative chairman of the American Legion Auxiliary.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FLAHERTY. Mr. Speaker, I ask unanimous consent to extend my remarks and insert a letter I have sent to be read at the thirty-fourth annual convention of the Boys' Clubs of America.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, making appropriations for work relief and relief for the fiscal year ending June 30, 1941; and pending that, may I express to the Members of the House, especially to the Members on the other side of the aisle, the appreciation of the committee for their cooperation in expediting the consideration of the bill yesterday. It is a difficult bill, in that it is of interest to every section of the country. It reaches into every congressional district, and there is not a Member of the House who has not had urgent representations from his district relative to matters affected by the provision of this bill. And yet in the entire discussion yesterday there was hardly an amendment to strike out the last word and no discussion of irrelevant matters. From the beginning debate has been reduced to a minimum on every amendment and on every section of the bill. I do not think any bill this session, subjected to such a heavy barrage of amendments, has been advanced more expeditiously than this bill up to the present time. And out of 30 amendments offered up to this time, only one amendment has been agreed to, and that by general consent.

We deeply appreciate the cooperation of the Members on both sides of the aisle.

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

Mr. CANNON of Missouri. I yield to the majority leader.

Mr. RAYBURN. Is it not the desire of the committee that we finish the bill before we adjourn today?

Mr. CANNON of Missouri. Mr. Speaker, it is imperative that we stay tonight until we dispose of this bill, and we hope that we will have today, as yesterday, the assistance of the entire membership to that end.

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

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. FISH. Could the majority leader state what he proposes to bring up tomorrow if we finish this bill today?

Mr. CANNON of Missouri. The gentleman from Texas can best answer that.

Mr. RAYBURN. We intend to call up the so-called May bill, and on Saturday the bills from the Naval Affairs Committee.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, the relief bill, 1941, with Mr. LANHAM in the chair.

The Clerk read the title of the House joint resolution.

The Clerk read as follows:

GENERAL AND SPECIAL PROVISIONS

SEC. 8. Funds appropriated in this joint resolution to the various Federal agencies shall be so apportioned and distributed over the period ending June 30, 1941, except where a different apportionment is specifically permitted by this joint resolution, and shall be so administered during such period as to constitute the total amount that will be furnished to such agencies during such period for the purposes herein set forth.

SEC. 9. The funds made available by this joint resolution shall be used only for work relief or relief for persons in need except as otherwise specifically provided herein.

SEC. 10. (a) The Commissioner is authorized to allocate not to exceed $20,000,000 to other Federal agencies for the operation, under such rules and regulations as the Commissioner may prescribe, of projects of the type specified in subsection (b) of section 1 which are within the scope of the functions usually carried out by such agencies, including administrative expenses of such agencies incident to such operation: *Provided*, That not to exceed 4 percent of the total amount so allocated to any such agency shall be used for such administrative expenses: *Provided further*, That no project shall be prosecuted under any allocation under this subsection upon which the percentage of nonrelief persons employed exceeds 10 percent of the total number of persons employed.

(b) No Federal construction project, except flood-control and water-conservation projects authorized under other law, shall be undertaken or prosecuted under the appropriations in this joint resolution unless and until there shall have been allocated and irrevocably set aside Federal funds sufficient for its completion.

(c) No non-Federal project shall be undertaken or prosecuted under appropriations under this joint resolution (except under section 3) unless and until the sponsor has made a written agreement to finance such part of the entire cost thereof as the head of the agency, if the agency administers sponsored projects, determines under the circumstances is an adequate contribution taking into consideration the financial ability of the sponsor. The head of the agency shall prescribe rules and regulations relating to the valuation of contributions in kind by sponsors of projects through furnishing the use of their own facilities and equipment and the services of their own employees, which shall represent an actual cash value, and such rules and regulations shall also allow credit only to the extent that the furnishing of such contributions represents a financial burden which is undertaken by the sponsors on account of Work Projects Administration projects, or other sponsored projects.

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: Page 15, line 1, strike out "$20,000,000" and insert "$40,000,000."

Mr. CANNON of Missouri. Mr. Chairman, this amendment provides for Federal projects and proposes to increase the amount in the bill to the amount provided for the current year. The $40,000,000 for 8 months is, of course, equivalent to $60,000,000 for a full year.

Money disbursed under this item provides both relief and Federal improvements. Under non-Federal projects the

only advantage accruing to the Federal Government is the effect on the unemployment situation. The structures, roads, buildings, and other improvements go to the States and to the municipalities sponsoring them. But under Federal projects the material benefits inure to the advantage of the Federal Government.

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

Mr. CANNON of Missouri. I yield to my friend the gentleman from Kentucky.

Mr. MAY. Would the gentleman consent to a modification of his amendment so as to provide $50,000,000 for flood control and navigation purposes, rivers and harbors, and make it $90,000,000?

Mr. CANNON of Missouri. The committee has not considered such amendment. We have been more than generous in doubling the amount for Federal projects.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. The amendment which the gentleman from Missouri has just offered is somewhat less than the amendment which I send to the desk, which provided for $60,000,000. I brought this matter up before the Appropriations Committee at the hearings, and I think that is a very reasonable compromise. Therefore I want to thank the chairman and the committee for having raised the amount to $40,000,000.

Mr. CANNON of Missouri. I am very glad to have the gentleman approve it. In view of the fact that the appropriation of $40,000,000 is for an 8-month period, equivalent, at that rate, to $60,000,000 for the 12-month period, we feel that the committee has been more than liberal.

Mr. LEWIS of Colorado. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. LEWIS of Colorado. The amendment which I intended to offer and the amendment which the gentleman from Missouri [Mr. CANNON] has just offered—which makes my proposed amendment unnecessary—each of these authorizes an increase in the total amount which may be allocated to all Federal agencies. I hope the gentleman's amendment will be adopted.

My amendment sought to raise the total of allocations which might be made during 12 months to all Federal agencies from $20,000,000, as provided in the bill as introduced, to $60,000,000. The gentleman's amendment would raise this limit to $40,000,000 for 8 months. As the gentleman from Missouri [Mr. CANNON] has just stated, his amendment of $40,000,000 for 8 months is at the rate of $60,000,000 for the 12-month period.

In those localities where there is much unemployment and therefore the necessity exists for Work Projects Administration expenditures, and where also there are stations of the Army, I am convinced that it is in the public interest to employ relief labor on Federal projects under the supervision of the Army. Where the above conditions just stated exist I am also convinced that there should be direct allotments of relief funds from the W. P. A. to the Army, and that such projects should be conducted as Federal projects. The Army should not be required to secure its allotment of funds through the various State administrators.

My conviction as to the greater advantages, in economy and efficiency, of carrying on W. P. A. projects at Army posts as Army projects is based upon my personal and careful observation of W. P. A. work done at three Army stations in the vicinity of Denver, namely, Lowry Field, Fort Logan, and Fitzsimons Hospital. Therefore, I shall confine my statement to what I have personally observed of the greater economy and efficiency of the method of direct allotment to the Army of procurement of materials and of supervision by the Army in the case of W. P. A. work on Army posts.

I know the House is deeply interested in economy and in efficiency. We are all interested in making every dollar appropriated for the W. P. A. go as far as possible for the employment of unemployed citizens. We all are interested in employing as many citizens as possible at the security wage and in spending no more than is necessary for the employment of supervisors, some of whom cannot be secured from the certified lists of the W. P. A. and all of whom command wages higher than the security wage. The more money spent on administrative personnel, the less is available for relief labor.

Although W. P. A. labor necessarily is not as efficient as work done under contract, I am sure we are all interested in securing the greatest possible efficiency from work done with W. P. A. labor—the greatest tangible results for very dollar expended. I believe we all are interested in having money appropriated for the W. P. A. expended so far as possible in such a manner that regular appropriations for essential Federal agencies may be reduced presently or in the future. The suggestion which I am making will, I am sure, tend at least to attain each of the desirable objectives which I have just mentioned.

My understanding is that Work Projects Administration favors the policy of requiring all other Federal agencies, including the Army and Navy, to secure their allotments of funds through the various State W. P. A. administrators, and to have each project administered and supervised by the W. P. A. and to have all materials necessary in carrying out such projects requisitioned and procured by the W. P. A.

It is my further understanding that the W. P. A. is of the opinion that they should go on the property of the other Federal agency, as, for example, the Army, and operate in the capacity of a contractor—the Army outlining specifically what is to be done and the W. P. A. supervising and doing the job.

I submit that such method of operation is more expensive both in time and money and far less efficient than the method by which the W. P. A. merely turns over certified relief labor to the Army and then the Army prepares the plans, buys the materials, supervises the work through its Quartermaster Corps, and makes the pay rolls.

To the extent that allotments are made directly to the Army, the W. P. A. is relieved from the responsibility of administering or supervising that number of relief workers. It saves the Federal Government overhead; it takes advantage of the already existing organization of the Army; it assures supervision by qualified personnel with long experience in handling men; it fixes responsibility.

On the other hand, if a project on an army post is carried on through an allotment of funds from the State W. P. A. administrator, the direct supervision of the work is given over to W. P. A. supervisors; and then, in order to be sure that the work is carried out in accordance with Army requirements, it is necessary for the Army to employ its supervisors to supervise and inspect the work of the W. P. A. supervisors. There is thus a duplication of overhead. If the method of direct allotment to the Army is followed, the entire work is planned, carried out, and supervised by experienced men in the Quartermaster Corps in accordance with Army requirements. There is thus saved a duplication of supervisors and more of the money allotted to such project on an army post can be used in putting to work unemployed men on the security wage, and less money is devoted to the wages of W. P. A. supervisors, many of whom are not on relief and all of whom necessarily must be paid more than the security wage.

Furthermore, the Army, and I understand some other Federal agencies, have their own purchasing departments. Therefore, if an allotment is made directly to the Army, work can start more promptly upon the approval of the project. In some cases, I am informed, there has been considerable delay in procuring the necessary materials for W. P. A. projects solely under the supervision of the W. P. A. In some instances, I understand, it has taken the W. P. A. 4 to 6 weeks, after approval of a project, to get materials on the ground and start the employment of relief labor; whereas the Army has materials available with which to start such work immediately after approval of a project.

In short, the method of making direct allotments to the Army employs Federal funds on Federal property with a minimum of overhead and of supervisory personnel. It assures supervision by experts already on the Army pay roll, familiar with the Army's requirements, instead of supervision by W. P. A. supervisors hired for a job with which they are not thoroughly familiar and who in turn must necessarily be supervised by the Army's supervisors.

I wish to make it very clear, indeed, that what I have stated is not in any sense a criticism of, or a reflection upon, any of the officials of the W. P. A. We have in Colorado an outstanding W. P. A. State administrator in Mr. Paul D. Shriver. I have the highest regard for all other W. P. A. officials with whom I have come in contact. It is significant, however, that every one of these officials with whom I have talked—and I have, over several years, talked with many—tell me that the efficiency of work done on Army projects under Army supervision is much greater—in some cases at least 10 or 15 percent greater—than that done on other projects. The reasons for this are very clear.

To summarize, by making direct allotments to the Army for projects for work at Army stations and having them conducted as Army projects, there is no duplication of supervisory personnel. The supervision is carried on by experienced men long familiar with work on Army stations and thoroughly familiar with handling men. In some cases I believe there is a substantial saving, both in time and money, in the procurement of materials. There is less delay in starting the job, because the necessary materials are immediately available through the Quartermaster Corps of the Army.

Still further, it accomplishes work of rehabilitation and minor construction which, if not done with relief labor, must necessarily be done, now or at some time in the future, with money which otherwise must be included in the regular War Department appropriation bills.

The primary object of W. P. A., of course, is to give employment to citizens who are desperately in need of work in order to live. The object of appropriating billions of dollars of Federal money is not primarily to improve America's towns and cities—although I represent a city where excellent W. P. A. work has been done, which has enhanced the convenience and beauty of Denver. But, after all, these are Federal appropriations. I submit that, so far as practicable, we should try to allot this money directly for work to be done for agencies of the Federal Government.

In that way we shall anticipate or render unnecessary in the future appropriations for much useful and necessary work for Federal agencies or for current work for such agencies. I have spoken of the Army because, as I said at the outset, I am personally familiar with their work at stations near Denver and am speaking of my own knowledge of the relatively more efficient W. P. A. work done at those Army stations. So far as it is practicable to furnish the same amount of employment to those on relief in any locality, I am convinced this Federal money should be spent for Federal purposes by Federal agencies.

Of course, I am speaking of where there is a real necessity for work to be done for a Federal agency, as in the case of improvements at an Army or Navy station. I do not mean that a Federal project should be set up where there is no need for it. But many of our Army and Navy stations are near larger centers of population where there is a congestion of the unemployed. Furthermore, for many years some of the Army and Navy stations were sadly neglected. There is still much work necessary to be done about them which could be done with W. P. A. labor. Adoption of my suggestion would not exclude other projects for cities and towns. But, so far as is practicable, I believe employment on useful and necessary Federal projects for Federal purposes and under the supervision of Federal agencies should be the means of providing work for those on the W. P. A.

I would allot a certain amount to the Army. I would allot it out of this appropriation and turn it over to the Army. It should be given to the Army for use on projects in localities where there is unemployment and where they can usefully employ men out of work on projects which are needed.

Of course, I do not recommend this except in those localities where there is large unemployment. There are some Army posts in localities where there is no relief load to amount to anything. It would not be practicable there to carry out my suggestion. Certainly I do not recommend this procedure in the case of an Army post in a community where there is no large unemployment. Many of our Army stations are, however, near the larger centers of population where the density of unemployment is greatest.

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

The amendment was agreed to.

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

Mr. Chairman, in view of what transpired yesterday when I offered an amendment to take care of recreational park areas operated under the National Park Service of the Department of the Interior, I wish to make a statement.

Mr. Chairman, I am happy to announce that everything has been ironed out. I asked the Secretary of the Interior to send his representative to my office, and Colonel Harrington to send his representative. Then the gentleman from Missouri [Mr. CANNON] and myself sat around the table this morning for about three-quarters of an hour and reached an agreement with both the National Park Service and Colonel Harrington. They gave us not only assurance but double assurance that the projects will be operated during the coming fiscal year as they have been in the present fiscal year, that none of them will be closed down.

Yesterday some misunderstanding and confusion existed as to the intention with respect to the projects and their management. There is now a clear understanding for the first time between the Park Service and W. P. A. as to how this is to be handled, and that the present program and projects will be continued under the relief program as the bill is now before the House, and will be taken care of in a way that will be more satisfactory than ever before.

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

Mr. SNYDER. I always yield to my distinguished friend from Kentucky.

Mr. MAY. I would like to ask the gentleman from Pennsylvania what he thinks about the method of calling up the heads of bureaus or agencies to have them promise to do something with public funds that are appropriated for a specific purpose. What assurance has the gentleman that they will carry out what he has in mind? Why not make it definite and put it in the law so they will have to carry it out?

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

Mr. SNYDER. I yield.

Mr. WALTER. Do I understand that under this agreement the program that has been constituted will be carried out and that there will be no cutting down of personnel or activities?

Mr. SNYDER. They will be carried out in every detail. Really, we gained something.

Mr. WALTER. Does not the gentleman think it would be safer to have it put in the law?

Mr. SNYDER. I think not.

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

Mr. SNYDER. I yield.

Mr. NELSON. I wish to congratulate the gentleman on the plan that has been worked out.

Mr. SNYDER. I thank the gentleman.

Mr. NELSON. As I understand it, funds equal to what we have had for the present fiscal year will be available for the next fiscal year.

Mr. SNYDER. And I think a little more than we had last year.

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

Mr. SNYDER. I yield.

Mr. THOMASON. I did not hear all of the gentleman's statement, but are we to understand that the W. P. A.

authorities have agreed to grant the request that allocations be made to the National Park Service in this matter?

Mr. SNYDER. Yes.

Mr. THOMASON. The gentleman has their assurance?

Mr. SNYDER. Yes; and I have confidence that it will be done.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I will gladly yield to my friend from Pennsylvania.

Mr. VAN ZANDT. The gentleman understands my great interest in these recreational areas, since one of the larger areas is located in my district. Now, do I understand that as a result of this morning's conference an amount of the relief appropriation for 1941 is definitely available for the operation of these areas for another year?

Mr. SNYDER. Yes; not only that, but I wish to say to my friend, the gentleman from Pennsylvania [Mr. VAN ZANDT], that this is the first time there was an harmonious understanding between the Park Service and W. P. A. as to just who would be the supervisory head and who would not.

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

Mr. SNYDER. I yield with pleasure.

Mr. STEFAN. Was the Director of National Parks, Mr. Arno Cammerer, called in on this conference?

Mr. SNYDER. He sent Mr. Worth, his representative.

Mr. STEFAN. The plan is entirely satisfactory to Mr. Cammerer?

Mr. SNYDER. My understanding is that he delegated Mr. Worth to act in his place.

Mr. STEFAN. I have a high regard for Mr. Cammerer. He is one of the finest officials we have in the employ of our Government. I am sure that whatever is done under his supervision will be done right.

Mr. SNYDER. I am glad to inform the gentleman that Mr. Cammerer is in entire agreement with the plan.

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

Mr. SNYDER. I yield.

Mr. ALEXANDER. Has the gentleman any objection to putting in the RECORD at this point the debate we carried on in connection with the gentleman's amendment yesterday?

Mr. SNYDER. I have not.

Mr. ALEXANDER. Then I would like to ask permission to have the gentleman insert in the RECORD at this point in connection with his remarks the telegram which I read yesterday from our commissioner of conservation.

Mr. SNYDER. I shall be pleased to do that.

Mr. ALEXANDER. The telegram I refer to reads as follows:

ST. PAUL, MINN., *May 21, 1940.*

Hon. JOHN G. ALEXANDER,
House Office Building, Washington, D. C.:

Urgently request your opposition to withdrawal from relief bill of $450,000 for administering R. D. P. areas, operation of underprivileged group camps in the St. Croix area in Pine County will be curtailed if funds are withdrawn.

WILLIAM L. STRUNK,
Commissioner of Conservation.

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

The Clerk read as follows:

Amendment offered by Mr. MAY: On page 15, at the end of line 12, add the following proviso: "*Provided further*, That notwithstanding any other provision of this act the sum of $30,000,000 for flood control and $20,000,000 for river and harbor improvement, of the funds herein appropriated shall be made available to the Chief of Engineers, United States Army, under the direction of the Secretary of War for the prosecution of flood control and river and harbor projects on navigable streams and their tributaries, said funds to be expended for relief of unemployment under the same laws and regulations relating to the expenditure of funds regularly appropriated to the War Department for the same purpose."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 10 minutes.

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

Mr. MAY. Mr. Chairman, reserving the right to object.

Mr. CANNON of Missouri. How much time does the gentleman want?

Mr. JENKINS of Ohio. I will ask for 5 minutes.

Mr. STEFAN. I want 2 minutes.

Mr. MAY. I ask 5 minutes for the gentleman from Mississippi [Mr. RANKIN] who asked me to make the request.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 35 minutes.

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

There was no objection.

Mr. CANNON of Missouri. I understand that will allow 10 minutes for the committee.

Mr. MAY. Mr. Chairman, I have offered this amendment, and it is so simple that it hardly needs discussion. My idea about it is that since we were given $130,000,000 for flood control last year and since the Bureau of the Budget has cut the flood-control allowance this year down to $70,000,000, which is a reduction of $60,000,000 on flood control alone, and in view of the fact that the President has just sent to the House of Representatives a veto message vetoing $130,000,000 worth of rivers and harbors projects, it looks like the subject of flood control and our domestic activities for rivers and harbors is going to go on the beggar's list.

We need flood-control projects throughout the country. They are particularly valuable in every river in this country, and I call attention to the fact that my amendment provides for the expenditure of this fund under the same rules and regulations that these funds are appropriated to the War Department, but with due regard to the activities of the relief undertaken. Seventy-five cents out of every dollar expended in flood-control construction in rivers and harbors activities goes to labor and for employment of the unemployed.

I take the position that this is not increasing the appropriation in any sense, and, of course, it is not. This is merely providing that only $50,000,000 out of $975,000,000 of expenditures in 8 months shall be made available for substantial, worth-while public-works projects.

Mr. WARREN. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from North Carolina.

Mr. WARREN. Does the gentleman provide in his amendment that the expenditure shall be made on projects already approved by Congress or on projects approved by the engineers and not yet approved by the Congress?

Mr. MAY. The amendment provides for projects existing on navigable streams of the United States, the idea being that the matter would be left to the Board of Engineers to determine the feasibility of these projects under the existing Flood Control Act.

Mr. WARREN. I am afraid I did not make myself clear. Of course, no expenditures can be made on rivers and harbors or flood-control projects under existing law until the project has been adopted by the Congress. Is the gentleman referring to projects that have in the past been adopted; that is, several years back, or does he include projects approved by the engineers, like those in the veto message sent here the other day?

Mr. MAY. The language of the amendment is as follows:

For the prosecution of flood-control and rivers and harbors projects on navigable streams and their tributaries, said funds to be expended for the relief of unemployment under the same laws and regulations relating to the expenditure of funds regularly appropriated.

Mr. WARREN. I suggest to the gentleman that he reframe his amendment.

Mr. MAY. I shall be glad to accept the suggestion of the gentleman, and I will offer as a reframed amendment one which will provide for projects heretofore authorized by the Congress.

Mr. WARREN. No; approved by the engineers.

Mr. MAY. Or approved by the engineers.

Mr. WARREN. We did that once before in a former relief bill.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. MAY, as modified: On page 15, at the end of line 12, add the following proviso: "*Provided further*, That notwithstanding any other provision of this act, the sum of $30,000,000 for flood control and $20,000,000 for river and harbor improvement, of the funds herein appropriated shall be made available to the Chief of Engineers, United States Army, under the direction of the Secretary of War, for the prosecution of flood control and river and harbor projects authorized by the Congress or heretofore approved by the Chief of Engineers on navigable streams and their tributaries, said funds to be expended for the relief of unemployment under the same laws and regulations relating to the expenditure of funds regularly appropriated to the War Department for the same purpose."

Mr. MAY. Mr. Chairman, in view of the modified form of the amendment, I do not believe I care to say anything further on it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, this is the first real attempt to make this a bill for the relief of contractors rather than a bill for the relief of the needy unfortunate citizens of this country who cannot secure work with private industry. [Applause.] This amendment provides for the Army engineers to spend this money, and under the law they are compelled to let this work to private contractors. Remember this amendment says, "notwithstanding any provisions in this bill." That eliminates relief labor of such projects. Do you want to pass a relief bill for contractors or do you want to pass a bill for the relief of these unfortunate constituents of ours who cannot get a job in private industry? That is the question before you now. If you adopt this amendment, you are just taking away from the needy $50,000,000 that should go to the needy people throughout the country, to carry on the general relief program. Do not forget that the President of the United States in vetoing the rivers and harbors bill—and I may say that for the first time in 15 years I had a project in that bill—said that in view of the situation confronting us at the present time, referring to national defense, we should not saddle any additional work upon the Army engineers. He needs the Army engineers to carry out his program of national defense.

I favor providing work for skilled labor. Do not forget it is skilled labor, not relief labor, that secures employment at union scale of wages on Federal Housing Administration projects, United States Housing Authority low-cost housing projects, on all the improvements at our navy yards and Army posts. We have not overlooked them. Skilled labor received the benefits of P. W. A. I have and will continue to help you take care of skilled labor but I will not assist you to do so in connection with this relief bill. Do not forget there are bank clerks, accountants, railroad clerks; in fact men and women who had fine office positions with large corporations who now find it necessary to accept work on W. P. A. as laborers. You make no provision to pay them the wages they formerly received. Treat all alike when it comes to this relief bill and keep it a relief bill, not a contractors' bill.

I hope this committee serves notice now that no amendments of this character, that are amendments for the relief of contractors, that take work away from the needy, are going to be adopted by this committee. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I rise in support of this amendment and especially to answer the argument, if it was an argument, advanced by my very good friend the gentleman from Missouri [Mr. COCHRAN]. When he says that this amendment is an amendment purely for the benefit of contractors he is just as wrong as can be. He is absolutely wrong. He says that if this amendment is passed it will be of no benefit to the poor people. How is any poor man expecting a benefit from any part of this bill if he does not work? This bill is not a dole, this is a work-relief program. This is a program for people who are going to work for relief, and they are going to work because they are going to get paid for it.

As far as contractors are concerned, although the gentleman lives on a river, he apparently does not know from a practical point of view how they conduct this kind of work on a river. These projects have a very large percentage of employment. This does not benefit my town one penny, but if the gentleman will come down to my district and see the flood-control work that has been put in he will find that all the work except that done by a few of the superintendents and officials is done by men taken from the relief rolls.

If this bill is passed it will help a city like Cincinnati, for instance. Cincinnati has introduced a special bill in Congress asking leave of this Congress to permit her to spend her own money in anticipation of the Federal Government coming on in future years to repay her, so that she can go ahead with her relief work in order to put people to work in her city. If the Congress had included a sufficient amount in the regular appropriation bill the work at Cincinnati and other places could go right on. That is the way it is along the river everywhere. It does not apply only to the Ohio River, it applies to every place where there is going to be public work of this kind on the rivers. We made this kind of an arrangement last year. The President has approved this kind of program on three or four different occasions.

If you want to take the position that this bill should not be amended by earmarking, that is one thing. If you want to go along blindly and say that this bill shall not be earmarked at all and stand on this floor and give some other sort of spurious excuse, that is up to you, but they ought to be good excuses that you give us, not an excuse such as the gentleman from St. Louis has offered.

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

Mr. JENKINS of Ohio. I yield to the gentleman from New York.

Mr. CELLER. As far as the contractors are concerned, I would suggest that the gentleman read pages 977 and following and 750 and following of the hearings as to the unfair lobby of the Associated Contractors in support of this bill, endeavoring to put one over on the administration.

Mr. JENKINS of Ohio. If I had any idea this money would go to contractors, I would be against it; but I know the contrary is true, because I have been in the fight here for years on this proposition. The President has stood with us time after time, and I say that to his everlasting credit.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. The gentlemen on the other side of the aisle are objecting to earmarking, but I should like to refer to the section that was kept in the bill yesterday which earmarked $500,000 for the Office of Government Reports, and, incidentally, I call the attention of the House to the fact that that certainly is not relief of the poor or the indigent.

Mr. JENKINS of Ohio. No; this amendment does not earmark a single dollar for a single city in this country. All it does is to earmark money for the working people; that is all. The amendment does not say where the money is going to be spent, whether in the district of the gentleman from Kentucky [Mr. MAY] or the gentleman from North Carolina [Mr. WARREN], or any other district. It simply proposes to keep going a well-recognized endeavor, the value of which is recognized by everyone who knows anything at all about flood-control projects. The project they completed in Huntington, W. Va., this past year more than paid for itself in preventing one flood. Just think of that. You talk about these other projects being for contractors when there is no better class of project anywhere than this kind of project.

Mr. LEWIS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Ohio.

Mr. LEWIS of Ohio. Does not the gentleman know that this is one of the most productive of work activities available for the unemployed of this country, and does not the House realize that this program is one that is not only giving immediate work to those who are employed on it, but it is saving tens of millions of dollars every year in the saving of property that would otherwise be destroyed by flood, as well as the saving of untold numbers of lives every year?

Mr. JENKINS of Ohio. There is no question about it. The percentage of labor is high against the percentage of material and the percentage of common labor is almost the total percentage. The amendment should carry. [Applause.]

[Here the gavel fell.]

The CHAIRMAN (Mr. COOPER). The Chair recognizes the gentleman from Nebraska for 5 minutes.

Mr. STEFAN. Mr. Chairman, I want to ask the gentleman from Kentucky [Mr. MAY], the author of the amendment, if his amendment were to pass, would it be applicable to erosion-control work on rivers, projects which have been recommended and approved by the Board of Army Engineers?

Mr. MAY. It would in connection with the provision of law that relates to the activities of the Department of Agriculture that may cooperate with the Board of Engineers.

Mr. STEFAN. I have a condition in my district along the Missouri River which is a very serious one insofar as floods are concerned.

Mr. MAY. We all have them.

Mr. STEFAN. A large amount of valuable agricultural land has been destroyed or is being destroyed along that river as a result of erosion and floods. The Army engineers have made a survey and have recommended and approved an erosion-control program along that river on the Nebraska side. If this amendment is passed, perhaps we will have an opportunity there to do some valuable permanent work to protect the banks of the river and save the people of the Nation hundreds of dollars' worth of valuable agricultural land and, perhaps, some town property which the engineers say is in danger of future floods. This project would provide a lot of work for our unemployed people.

I understand that, as a result of the President's veto action in connection with our river program, there is no possibility of carrying out the engineers' recommendations. We now have no opportunity in my district to give any assurance to the farmers who own property along the Missouri River between South Sioux City and Niobrara that we will be able to give them assistance to protect their property unless we do something about it here. I hope this amendment is applicable to the conditions that now exist in my district.

I would like to give some assurance to my constituents now that something will be done for them. They are worried about this condition and had hoped, because the Army engineers did approve and recommend the project, they would get some protection from the Federal Government. Now that the Executive has disapproved river and harbor work we must look elsewhere for assistance.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. There can be absolutely no question about the fact that this is a step directly toward the gentleman's project. It may not reach your project because the money is not appropriated for any particular project, and that is the fairness about the matter, but there is no question that if they want to do so they can use the money for that purpose.

Mr. STEFAN. Heretofore I was unable to get relief work to build some riprapping or some protective dikes to protect this land I have in mind, but if you say this is applicable to this particular case in my district, it is the only avenue of assistance I can see that is available or that will give any encouragement to my people who own property along this river, and therefore I shall naturally support the amendment.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. I yield to the gentleman.

Mr. VORYS of Ohio. Let me make this observation to the gentleman. I have a flood-control project in my district and I appreciate the long-time value of such work. I do not know whether this amount will reach my district, but I am going to vote for this because I think it is a sound way to spend this part of the money, whether it reaches my own district or not, and I think the gentleman ought to do so also, regardless of whether the money comes into his particular district.

Mr. STEFAN. I am going to do all I can to get something done to save some of that valuable land in my district, and I shall take advantage of all present opportunities.

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

When the river and harbor appropriation bill, officially known as the appropriation bill for the civil activities of the War Department, was up, that was the opportunity to increase the regular appropriations for flood control and for river and harbor work. No such amendment was adopted. The effect of the operation of an earmarking proposition on this bill is a direct taking of more money out of the Treasury for this item of alleged relief, because it will simply result in the President allocating more money to the first 8 months, to the extent of this earmarking, and we will have done the same thing as if we had increased the appropriation for rivers and harbors and for flood control under the regular civil-functions bill. I do not think we ought to do that.

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

Mr. TABER. I yield.

Mr. MAY. This amendment, as the gentleman understands, expressly provides "that of the funds herein appropriated," which does not increase them; and does not the gentleman think it would be more objectionable to leave it entirely to the President so that he could handle it in any way he desired?

Mr. TABER. The trouble is it does increase it, because the minute $60,000,000 of these funds is earmarked for rivers and harbors and flood control, they will figure it will take just that much more for W. P. A. and they will crowd that much more of the money into the first 8 months of the fiscal year. That is the trouble about the matter.

Mr. MAY. That would have to come back to the gentleman's committee.

Mr. TABER. Oh, no; because if the money is all used up the first 8 months, some Congress, not this one, next winter, would have to take care of the relief problem in some fashion with less money left out of the $975,000,000. That is what the result of this thing would be. I don't like to see folks vote on it not understanding it thoroughly that it is just the same thing as if we have voted to increase the civil functions of the War Department bill.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CANNON of Missouri. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Missouri has 3 minutes allotted to him. The gentleman from Mississippi [Mr. RANKIN] appears on the list, but he does not appear to be present.

Mr. ALEXANDER. Mr. Chairman, I believe I have 3 minutes allotted to me.

The CHAIRMAN. The gentleman is entitled to recognition for 3 minutes. The gentleman from Minesota is recognized for 3 minutes.

Mr. ALEXANDER. Mr. Chairman, I have a telegram from Mayor George E. Leach, stating that the city of Minneapolis, and the officials of that city, are opposed to this amendment offered by the gentleman from Kentucky [Mr. MAY]. I am in sympathy with the objectives sought to be obtained in this amendment, but, in view of the opposition of the city that I have the honor to represent, I shall have to vote against it unless the gentleman from Kentucky can assure us in Minneapolis that we will get a part of this fund which is sought to be earmarked and allocated for river and flood-control work.

As the gentleman knows, and as the gentlemen on the subcommittee know, I appeared before them several times in connection with the need for funds to start building of locks at the Falls of St. Anthony, in order to extend the 9-foot river barge line into the Minneapolis upper river harbor. A request was made by the Army engineers for that and other upper river projects in the sum of $22,809,000, which request was cut down to $2,788,500, which is just the amount I believe which was adopted in the House. In the $22,809,000 request there was $3,845,000 to be allocated for the purpose of starting the building of the locks in the falls of St. Anthony, but not a penny can be had out of the $2,788,500 appropriated. Now, if we can get a part of this money covered in the May amendment allocated for starting that project, I will be inclined to be favorable to this amendment.

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

Mr. ALEXANDER. Yes.

Mr. MAY. The gentleman understands that this money is not allocated to any particular project, but is made available to the Board of Engineers, to be used on projects heretofore authorized by the Congress or heretofore approved by the Board of Engineers. Therefore, if the gentleman's project has been approved, as the gentleman says it has, it is eligible for a part of this money.

Mr. ALEXANDER. Has not the gentleman some understanding with the Army engineers as to how they are going to utilize this money?

Mr. MAY. Certainly not. I would not ask for such an agreement. I am only asking they apply it on the general projects of the country as their judgment deems proper.

Mr. JENKINS of Ohio. Furthermore, the gentleman from Minnesota [Mr. ALEXANDER] can lay this down as a proposition, regardless of the remarks of the gentleman from New York [Mr. TABER] that this does not increase this matter one single penny.

Mr. ALEXANDER. In view of the statement of the gentleman from Kentucky, and in view of the telegram that I have received to which I have referred, I shall have to oppose the amendment. The telegram reads as follows:

Hon. JOHN G. ALEXANDER,
House of Representatives, Washington, D. C.:

We are advised that there is a proposal made with reference to the W. P. A. appropriation bill now under discussion in House earmarking a portion of the minimum amount recommended by both the President and the House committee for other than W. P. A. purposes. If this proposal is effected the appropriation would be reduced for next year to an impossible figure, reducing present W. P. A. employment in this city by over 50 percent. Minneapolis must be given every available benefit and therefore recommend that you use every means to defeat said proposal.

MAYOR GEORGE E. LEACH,
Chairman of the Board of Public Welfare, Minneapolis, Minn.

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

Mr. ALEXANDER. Yes.

Mr. MAY. The gentleman has already stated that his project has been approved by the Board of Engineers. This money is made available only on projects heretofore authorized by Congress or heretofore approved by the Board of Engineers.

Mr. ALEXANDER. We can take no chances, as our financial situation makes it essential that we have the use of all W. P. A. funds which will be available under this bill.

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

Mr. CANNON of Missouri. Mr. Chairman, if no one desires to speak, I shall close the debate.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Missouri who has 3 minutes allotted to him, whether he desires to use all of the 3 minutes on the pending amendment, or by the gentleman from Kentucky, or does he desire to use a portion of it on the other amendment?

Mr. CANNON of Missouri. I shall use it on this amendment.

The CHAIRMAN. The gentleman from Missouri is recognized for 3 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I must confess to some disappointment at my good friend the gentleman from Kentucky [Mr. MAY] having offered this amendment. I appreciate his deep interest in flood control, but I am afraid that he has permitted his deep interest and the interest of his locality to overpersuade him in the present case. What is the proposition presented by the gentleman's amendment? The proposition is to take $50,000,000 which would otherwise be expended for work relief and sink it in a project for which they are not required to spend $1 for work relief. As the amendment reads, there is no requirement to employ a single relief laborer. That means that $50,000,000 must be taken from your project or your State or your district and given to this one favored purpose for which Congress has already made ample provision.

Let us suppose that this amendment is agreed to and you go to W. P. A. with a meritorious application, and you say, "Here is a worthy project. It complies with every requirement. It is in a locality where there is need, suffering, and no opportunities for employment. We must have W. P. A. assistance at once."

The director of W. P. A. replies, "I fully agree with you. There is great need. The money would be wisely expended. You ought to have the project, but Congress has specifically directed us to spend the money for this purpose. The law is mandatory. It leaves us no option. W. P. A. has no choice. The Administrator has no choice. This amendment directs '$50,000,000 shall be.'" So the director says, "I am sorry, but $50,000,000 has been taken away from you and other districts, from other States, from other projects, in order to comply with the terms of the amendment presented by the gentleman from Kentucky."

Mr. MAY. Will the gentleman yield?

Mr. CANNON of Missouri. Now this amendment further provides that the money shall be spent in accordance with the law providing for the expenditure of other funds under the jurisdiction of the War Department. What does that mean? That can mean only one thing. Money expended by the War Department under the law cited is customarily expended under contract. So in adopting such an amendment you would be turning this bill from a relief bill to a project bill, a contractor's bill.

It is an earmarking proposition. The House has so often expressed its disapproval of earmarking amendments I trust it will consistently vote down this one also. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

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

The CHAIRMAN. The gentleman from New York [Mr. TABER] reserved 2 minutes to speak on the other amendment that was pending.

Mr. TABER. I yield it to the gentleman from Michigan [Mr. ENGEL].

The CHAIRMAN. Does the gentleman from Michigan want to use that time now or save some for the other amendment?

Mr. ENGEL. I will use it on this amendment.

The CHAIRMAN. The gentleman is recognized for 2 minutes.

Mr. ENGEL. Mr. Chairman, when the Labor-Federal Security appropriation came before the Appropriations Committee I opposed the earmarking of $50,000,000 for the C. C. C. out of relief funds. At that time I pointed out the fact that of the two and one-half billion dollars appropriated for the C. C. C. since the beginning of that organization only 23 percent went to the relatives of the C. C. C. enrollees.

I believe we should stop making appropriations for various purposes under the name of relief and at the expense of those on relief. If we want $30,000,000 or $60,000,000 for river and harbor or flood control, let us get it through a regular appropriation made for that purpose. [Applause.]

I have 15 harbors in my district. Twenty million dollars will be earmarked for rivers and harbors if this amendment

is agreed to. Nevertheless, I am opposed to it, because I know from experience that you cannot construct harbor and flood-control projects and use very much relief labor.

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

Mr. ENGEL. I yield.

Mr. COCHRAN. The gentleman knows that this amendment specifically states that the money can be expended, notwithstanding any provisions in this law, which means that they do not have to hire relief labor?

Mr. ENGEL. River and harbor and flood-control money is spent usually by contractors for work done by machinery. Army engineers tell me only a small percent of relief labor can be used. If we are going to make appropriations for river and harbor or flood control, let us do it in the regular way and not under the guise of relief. I happen to be a member of the War Department subcommittee of the Committee on Appropriations, which handles river and harbor and flood-control money.

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

Mr. ENGEL. I yield.

Mr. MAY. What do the words "to be expended for the relief of unemployment," in plain English, mean in this amendment?

Mr. ENGEL. How can you spend money and hire relief labor to build docks or harbors or flood-control projects, when the greater part of the labor required is of a technical nature? I know it cannot be done. We have had the matter up before our committee time and time again, and I have come to the conclusion that the money does not go to relief labor in the proportion it should go to relief labor.

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There being no objection, the Clerk again reported the amendment offered by Mr. MAY.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. MAY].

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 49, noes 117.

So the amendment was rejected.

Mr. HARTER of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARTER of New York: Page 15, line 12, insert a new subdivision (a-1):

"For the purpose of qualifying needy persons for work in private industry and to help place such persons in private employment and to further the national-defense program of the United States of America, from the funds appropriated under this section, the Commissioner is directed to allocate $60,000,000 to the Army and $20,000,000 to the Navy and Marine Corps, which funds shall be expended for projects of training persons qualifying for Work Projects Administration employment, upon condition that such persons shall be selected by the representatives of the Army, Navy, or Marine Corps located at the respective plants hereinafter referred to, in training schools heretofore or hereafter furnished, equipped, and conducted by and at the expense of manufacturing plants located within the continental United States of America carrying out contracts for the furnishing of materials to the Federal Government paid for through appropriations for the Army, Navy, or Marine Corps."

Mr. HARTER of New York. Mr. Chairman, the chairman of the subcommittee will again say that this is another earmarking proposition, but it is different. It merely earmarks to Federal agencies the Army, Navy, and Marine Corps, and for the benefit of all of the country—no particular or single district. In this instance we are trying to do something for the needy people so that we can put them into private employment.

Now, what is the situation? Airplane manufacturers and shipbuilders are finding a complete shortage of men that can do work in building up our much-needed defense. They do not have qualified men. In my own area in Buffalo at least one of the plants has set up a training school at their own expense, but they are limited in the number they can take care of. Naturally, people who are on relief cannot attend that school, because there is no compensation with which to keep their families together while they are learning.

This amendment simply attempts to rehabilitate some of the needy people who have accumulated as unemployed in this country over the last 10 or more years.

May I say right here that this idea came to me as the result of a letter I received yesterday from a young man who has traveled from plant to plant trying to get a job. In each instance he was turned down because he lacked experience. Why can we not take some of this money we are providing for W. P. A. employment and use it to rehabilitate these men so that in a few weeks they can get a private job?

What I attempt to do by this amendment is to allocate $60,000,000 to the Army and $20,000,000 to the Navy and Marine Corps—and that is the division the President indicated in his speech last Thursday—and have that money used to pay these people while they are in these training schools in different plants throughout the country which have contracts with the Government to furnish supplies to the Army, the Navy, and the Marine Corps.

The plants must furnish the quarters, their foremen as teachers, and everything else in conducting the school. The Government will merely pay these men so that their families can be kept together while they are learning a job with the definite knowledge that when they get through that course at the end of 6 or 8 weeks, they will have a job in private employment and will not longer be a charge upon their community. I have had word from two plants in my area stating that they are mighty interested in the idea behind this amendment in order to get men qualified to work in the plants. The plants would get nothing out of it except that at the end of the training course they would have somebody qualified to come in and help turn out the products that we are going to spend more billions for in the future.

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

Mr. HARTER of New York. I yield.

Mr. STEFAN. Does the gentleman realize that if the Commissioner or Administrator has the power to do it, it is not necessary to put legislation on an appropriation bill?

Mr. HARTER of New York. Yes; but I take it that the plants and Army, Navy, and Marine Corps would object to having the W. P. A. come into the picture because of the particular nature of the contracts. I am asking that this money be turned over to the Army, Navy, and Marine Corps, respectively. The officers of these services who are assigned to the various plants would pick from qualified, certified W. P. A. employees proper men for training in the plants. I believe there is complete cooperation between the plants and the military and naval officers assigned to the plants. That method of selecting students would do away with the objectionable feature of having other departments of the Government entering the picture. If you want to do something progressive and beneficial I feel you should adopt this amendment. [Applause.]

[Here the gavel fell.]

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

The amendment was rejected.

The Clerk read as follows:

Page 16, line 11:

"SEC. 11. None of the funds made available by this joint resolution shall be expended on any project for the construction of any building, bridge, viaduct, stadium, underpass, tunnel, or other structure (1) the total estimated cost of which, in the case of a Federal project, exceeds $50,000, or (2) the portion of the total estimated cost of which payable from Federal funds, in the case of a non-Federal project, exceeds $50,000, unless the project is one (a) which has been approved by the President on or prior to May 15, 1940, or for which an issue of bonds has been approved at an election held, on or prior to such date, or for which a State legislature has made an appropriation on or prior to such date, or (b) for the completion of which funds have been allocated and irrevocably set aside under prior relief appropriation Acts: *Provided*, That in the case of a project for the construction of any non-Federal building to cost more than $52,000 from Federal funds, the date 'May 15, 1940' in clause (a) shall be 'July 1, 1939.' "

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On pages 16 and 17, strike out all of section 11.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto be limited to 1 hour and 30 minutes, 10 minutes of the time to be reserved by the committee.

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

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. JOHNSON of Oklahoma. Mr. Chairman, as Members will recall, the relief bill last year contained a restriction providing that no funds should be expended on any Federal building the total cost of which exceeded $50,000, or on any non-Federal building payable from Federal funds costing in excess of $52,000. Let me emphasize the fact that the restriction in last year's bill applied only to buildings. The pending bill, however, provides a much more stringent and far more drastic provision. If you will examine the language of section 11 of the bill, you will find that in addition to buildings, bridges, viaducts, stadiums, underpasses, and tunnels, that the very broad and significant words "and other structures" have been inserted. It is generally conceded that these words are so broad as to include almost any possible construction which might be desired.

The words "and other structures" apply to the entire construction program of W. P. A., so I am advised as applied to the projects exceeding $50,000. The construction program of W. P. A. constitutes more than 75 percent of the total W. P. A. program, and projects having an estimated cost of $50,000 or more constitute 80 percent of the construction program of the W. P. A. So it is perfectly obvious that the practical effect of such language if permitted to remain in the bill would mean returning the W. P. A. to a leaf-raking program. This impossible requirement, if permitted to stand, would destroy and wreck the building program of W. P. A.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. WOODRUM of Virginia. Would the gentleman be satisfied to strike out the phrase "and other structures"?

Mr. JOHNSON of Oklahoma. Answering the gentleman, I would say I am personally of the opinion that the three words "and other structures" are extremely objectionable; in fact, the most objectionable part of the entire section; and certainly ought to be stricken. Let me say to the gentleman, however, that striking this very objectionable language would not cure the situation entirely, but would merely make section 11 less objectionable.

Mr. WOODRUM of Virginia. The gentleman's amendment would strike out the whole section and take off all limitations.

Mr. JOHNSON of Oklahoma. Yes; and there is a particular and important reason for so doing. In these perilous times, with war spreading all over Europe, we know not when a grave emergency might arise. God forbid that war will ever in the future blight our own beloved America. But in this international crisis certainly Congress does not wish to tie the hands of the President of the United States by incorporating these drastic restrictive provisions in the bill. Under the provisions of the present act it would be impossible to build cantonments, regardless of the emergency, or even roads to such cantonments, or other urgently needed improvements in connection with national defense if these words "and other structures" are permitted to remain in the bill.

On the other hand, I will say that it has never been my thought that the W. P. A. should indulge extensively in the heavy-construction business, and under ordinary conditions there undoubtedly should be a ceiling above which the W. P. A. could not go. But these are not ordinary times, and when the committee goes so far as to include "and other structures," no one can seriously contend that such language would not force the W. P. A. program into a boondoggling program, which none of us desire. [Applause.]

It has been suggested that the President of the United States is especially interested in the enactment of this amendment. Since the question has been raised, I might say that I was called to the White House today by the President and discussed this and other matters with him. I personally know that the President is deeply concerned about the effects of this drastically restrictive language.

As Members know, the President has sent to the gentleman from Missouri [Mr. CANNON] a letter calling his attention to the restrictive language in section 11 and asking that same be removed from the pending resolution. The letter of the President appears in full on page 9919 of the CONGRESSIONAL RECORD of May 21. It contains facts which Members cannot ignore. The President, in his letter, makes it plain that "the limitation would have a disastrous effect upon the W. P. A. construction program." Continuing, the President says:

> It would prevent the employment of many needy employable persons at their regular occupation; it would force the operation of numerous small projects of doubtful value, with resulting complications in operation and administration; and would prevent the execution of much work that is greatly needed and which would produce results of great public value and benefit.

This statement of the President of the United States is clear, plain, and to the point. I sincerely trust that the pending amendment will be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I want to remind the members of the committee what the President said with reference to section 11. He said:

> The limitation contained in section 11 would have a disastrous effect upon the construction program of the Work Projects Administration. It would prevent the employment of many needy employable persons at their regular occupations; it would force the operation of numerous projects of doubtful value with resulting complications in operation and administration; and would prevent the execution of much work that is greatly needed and which would produce results of great public value and benefit.

Now, we are flying in the face of the objections voiced by our President. The mayor of New York City similarly voiced objections to the limitation, and he represented not only himself as mayor of New York but the United States Conference of Mayors. I have before me a similar telegram received from the borough president of the Borough of Brooklyn, Hon. John Cashmore, my dear friend and a very worthy and distinguished official. Brooklyn has 2,000,000 inhabitants and there is a great deal of work that ought to be done for needy employables in that borough. Our borough president of Brooklyn inveighs against this limitation. He knows what he is talking about. He states that if we keep this limitation in we will force these employees on inconsequential projects of real doubtful value and we will place them in the park to prune trees, prune bushes, and rake leaves. We do not want that. His telegram is as follows:

BROOKLYN, N. Y., *May 21, 1940.*

Hon. EMANUEL CELLER,
House of Representatives, Washington, D. C.:

If the provision in section 11 of W. P. A. appropriation bill limiting buildings, bridges, viaducts, stadia, underpasses, tunnels, or other structures to $50,000 is included, it will disrupt the work we are doing with the W. P. A. in Brooklyn and I am afraid will create a serious situation for the unemployed. We have tried to develop plans and advance worth-while improvements, and we think we have succeeded in doing effective work with the W. P. A. in Brooklyn. If the proposed limitation is incorporated into the law, our work will be confined to minor repairs and alterations and it will be difficult to create jobs for which the city would be justified in contributing 25 percent of the cost. I hope you will do your utmost to have this provision stricken from the bill before it is passed.

JOHN CASHMORE,
President, Borough of Brooklyn.

I call attention to the fact that on page 430 of the hearings Colonel Harrington testified that even the limitation in the present bill where you limit the construction of buildings to $50,000 of Federal funds there were thousands and thou-

sands of dollars lost to employables because you could not and you would not erect a building if it cost more than $50,000. What kind of a building, what kind of a project, can you construct in any large city, or in any city of any consequence, that costs less than $50,000, less than $60,000, or even less than $75,000? Because of such limitation 260 buildings were, the past year, lost to W. P. A.; that is, 260 buildings under contemplation by Federal authorities and sponsored by States could not be built because of the present limitation in the present bill. According to Colonel Harrington, there resulted a loss of thousands of dollars to unemployed in 38 States, including the District of Columbia. These projects involved schools, hospitals, college buildings, armories, and county buildings, and there was local sponsorship in many instances up to 40 percent. In California 56 buildings were lost, involving an estimated cost of over $14,000,000. In Georgia the limitation barred erection of 10 buildings costing over three and one-half millions; in Indiana, 8 buildings costing almost three millions; in Kentucky, 15 buildings; in Minnesota, 13 buildings costing $1,672,000; in New Jersey, 13 buildings costing three and one-half millions; in New Mexico, 11 buildings costing over two millions; in New York, 8 buildings costing over three millions; in Pennsylvania, 28 buildings costing almost five millions; and so forth. That is great loss of purchasing power.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. May I call the gentleman's attention to the fact that the $50,000 limitation is not a limitation on the cost of the building? It is a limitation on the amount of Federal funds. You could build a hundred-thousand-dollar building and the Federal Government could pay half, or you could build a $200,000 building and the Government could put up 25 percent, or $50,000.

Mr. CELLER. I am aware of that. But we should not have that limitation in the bill. There should be some discretion left to the W. P. A. officials. Those officials have indicated to you the great number of projects which could not be undertaken because of the limitation in the present law. Now you wish to add many more absurd limitations. I cannot review all the figures, but it is interesting to note that the estimated cost of the buildings that could not be erected and for which there was local demand and sponsorship was upward of $55,000,000. These buildings could not be undertaken because of the limitation that we now have in the current bill, namely, $50,000 of Federal funds. I want to take out that limitation. In addition, I want to take the unreasonable conditions of section 11 of the pending bill. There should be no limitation at all.

When you use the words "viaducts, underpasses, bridges, and other structures" you have something as wide open as a barn door. What is meant by "other structures"? Would a road be included? There is great apprehension on the part of the experts that you will not be able to construct a road of any real consequence or of any real value under this bill. Structures are of all sorts, above and below the ground, and may be of any size and kind. You would prevent all kinds of structures. That is wrong. That is absurd. You would thereby wreck W. P. A. You would consign workers, skilled and unskilled, to inconsequential work mostly in parks.

The W. P. A. projects now permissible do not come in general competition with the work of general contractors. Without W. P. A. those structures would never be set up. There is no competition.

Seventy-five to eighty percent of the W. P. A. program involves constructions considerably above $50,000. What are you going to do with the workers now on some 1,700,000 construction projects? Would you drown them? Would you shove them down a sewer? Would you place them in the Army or a concentration camp? Mr. Zachary, of the Associated Contractors, said, "Put them in the Army or put them on a dole." I would put them to work—self-respecting work, honorable tasks.

SHOULD W. P. A. CONTINUE IN CONSTRUCTION?

With regard to unemployment the American people are overwhelmingly committed to the proposition that work and wages on socially useful improvements and services are far preferable to a dole. The Federal work program is the concrete expression of this belief. Through a partnership arrangement with States and local communities who sponsor and help finance work projects for their own unemployed, the W. P. A. in the past year provided socially useful work for an average of 3,000,000 needy unemployed. In so doing it vastly enriched the communities, poured purchasing power into the economic stream, and conserved our human resources against the day when they will be needed in private industry.

In operating this program every effort has been exerted to cooperate with private industry not to compete with it. The unemployed, for example, could have been set to work producing goods for themselves or for sale in the open market. Instead, except in one case, that of women's sewing and canning rooms, whose products are distributed free to relief families, they were put to work on public projects, creating community improvements and social services.

NO PRIVATE COMPETITION

The W. P. A. wage scale is an additional safeguard against competition with private industry. The W. P. A. does not pay its workers normal wages, but pays them so-called security wages which are about one-half the corresponding earnings in private industry.

This prevents the W. P. A. from bidding workers away from private industry, and creating an artificial labor shortage. W. P. A. workers are also compelled to accept any jobs offered in private industry, except when they are offered on manifestly unreasonable terms. Furthermore, the legislation recently enacted, appropriating funds for the W. P. A. for the 12 months beginning July 1, 1939, contained a provision requiring that all Work Projects workers shall be required to work 130 hours per month to earn the security wage. This is a salutary requirement which will provide a further safeguard against competition by the W. P. A. with private industry.

AS MUCH CONTRACT WORK AS EVER

Despite all precautions, there are certain sections of business that still complain of W. P. A. competition. Among those who have most frequently expressed this complaint are the construction contractors. According to some of their spokesmen every dollar of W. P. A. work is a dollar taken away from contract work.

It is true that a large percentage of W. P. A. work is in the field of construction. This, however, is not enough to establish the case for W. P. A. competition with contractors. Let us look at the record. Recently the Associated General Contractors, Inc., appeared before the House Appropriations Committee to testify on the relief bill. They submitted detailed figures on private and public construction over a period of years. What do these figures show? They show that in the boom period 1925 to 1929 public contract construction averaged $2,292,000,000 a year. During the 3 years 1936 to 1938, inclusive, when the W. P. A. was in operation, public contract construction averaged $2,168,000,000. In other words, private contractors are getting practically as much public construction as they got in the boom years before the depression of 1929.

The contractors' figures do show that there has been a very serious curtailment in private construction. But the W. P. A. does not build private houses, factories, or office buildings. It does not interfere with private construction.

W. P. A. PROVIDES JOBS MORE QUICKLY

Our experience during the last 6 years shows that while contract public works have a definite place in a recovery program they cannot be relied upon as the principal means of dealing with mass unemployment. They do not provide employment either as cheaply or as quickly as the W. P. A. method of Government-operated projects.

Nor does such contract employment reach the classes that are most desperately in need of help and in the seasons when they most need that help. Thus W. P. A. figures show that W. P. A. construction work tends to be contra-seasonal. When private contractors lay off workers, W. P. A. takes them on; when private contractors ask for workers, W. P. A. lays

them off. It is also a fact that the contract public-works program voted last year has yet to reach its peak of employment. On the other hand the W. P. A. can reach any reasonable peak of employment within a few weeks after Congress appropriates the funds.

REASONS FOR FORCE-ACCOUNT WORK

There has been some misunderstanding as to the reasons why the W. P. A. carries on the bulk of its construction work by the force-account method. This is principally due to two factors. The first and most important one is that, since the W. P. A. program must be expanded and contracted to meet current unemployment conditions, it has to be conducted with sufficient flexibility to enable this to be done. Therefore, the rigidity that would result from the adoption of the contract method of construction is not suited to the character of the program. The second factor is that difficulty has been encountered in attempting to enforce requirements that contractors shall take labor from the relief rolls.

However, the W. P. A. encourages sponsors of projects to enter into contracts in the largest degree possible. These contracts often provide that the contractor shall furnish supervision, equipment, and materials, and shall be the sponsor's representative on the job. The W. P. A. then furnishes labor to work under the contractor's supervision. The use of this method has proven very satisfactory in many places and is being adopted in an increasing degree throughout the country.

It is entirely proper that contractors' organizations should carry on a campaign to increase the work and profits of their members. But in the presence of our staggering unemployment problem, it is necessary to put aside private interests and take a public view of the problem.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Chairman, I think this is a very important amendment and I hope the committee will ponder it very carefully before adopting the amendment offered by the gentleman from Oklahoma. Let us clear up just for a moment, if you please, what the effect of the language carried in the bill is.

In the first place, it has no limitation whatever upon road or highway construction, upon sidewalk or sewer construction, or anything of that kind. There is no limitation in the bill as to the size of those projects.

Mr. MURDOCK of Utah. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Utah.

Mr. MURDOCK of Utah. I have been informed that the word "structure" has even been construed to apply to a fill on a road.

Mr. WOODRUM of Virginia. I do not know who would put such a crazy construction as that on it, but take out the word "structure."

Mr. MURDOCK of Utah. I do not know whether they are crazy or not, but that is the construction that has been put upon it.

Mr. WOODRUM of Virginia. Take out the word "structure" if that solves it. Here is the proposition sought to be reached by this language. If you have a copy of the hearings before you, turn to page 1033 and read the statements of Mr. John P. Coyne, president, and Herbert Rivers, secretary-treasurer, Building and Construction Trade Department, American Federation of Labor, and note what they say about this proposition. After telling the disastrous effect upon the building-trades industry, not only on the industry but on the people who work for it, of the large heavy construction projects of W. P. A., Mr. Coyne states as follows:

> And now, for the past 5 years, in an ever-increasing degree we are faced with yet the most serious threat of all—competition of the Federal Government of the United States for the work upon which the contractors of the Nation ordinarily would bid and upon which we as workers would be employed by the contractors. The whole future of the building and construction industry is threatened if such a move should be successful. I cannot impress upon you gentlemen too emphatically the real, far-reaching effect of such competition.

Mr. Coyne went ahead to point out to us how, for instance, in Los Angeles the W. P. A. sent their representatives, negotiated with the city, and bid and secured the contract for a $2,500,000 underpass in Los Angeles, where a large percentage of the men employed were skilled workmen. W. P. A. then put workmen on that job from the relief rolls, and the skilled workmen in Los Angeles could not get jobs in the building and contracting industry and they themselves then had to go and take a place on the relief rolls.

The purpose of this provision is to take W. P. A. out of the heavy-construction program, and it ought to be done. You who are interested in the relief proposition in the cities, it seems to me, would want to spread this money.

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

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

Mr. CELLER. What are you going to do with the workers on these present projects?

Mr. WOODRUM of Virginia. There are plenty of small projects—sidewalks, sewers, plenty of things of that sort, and buildings up to $200,000. Under this provision you can erect a building costing $200,000, the Federal Government paying 25 percent of the cost. The $50,000, bear in mind, is not the cost of the building or the structure but the amount of Federal funds which can be used. So you can build a $200,000 courthouse, post office, school building, tunnel, viaduct, or underpass, and have the Government pay 25 percent of it, even under the language here, and it ought not to pay more than that and the size of the structures ought not to be greater than that. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, if I were interested in putting the stamp of approval on boondoggling I would certainly be against the amendment offered by the gentleman from Oklahoma, because under the decisions of the courts no worth-while projects can be undertaken by the W. P. A. unless this amendment is adopted. Let us briefly refer to some of these decisions.

> We are accustomed to think of a structure as something above ground, in the nature of a building, but this is not necessarily the meaning of the word (286 Pacific 157).
>
> A structure may be below the surface of the ground as well as above (137 N. Y. 1024).
>
> A structure means any construction (69 N. E. Reporter 980).

The supreme courts of several States have held that "structure" includes an aqueduct, building, canal, derrick, electric power line, driveway, walk, retaining wall, ditch, drain, embankment, road, mine or mine pit, and poles planted in the ground.

What sort of worth-while work could be undertaken by the W. P. A. with this language in the bill? The distinguished gentleman from Virginia has said the purpose is to take the W. P. A. out of heavy construction. I say that the purpose of this language is to take the W. P. A. out of any worth-while work. The projects in the district I have the honor to represent are viaduct projects; projects that have provided sewers and have provided water for many thousands of our people; projects that have reflected great credit on this great program; projects that have been devised by cautious, patriotic citizens; projects that have not only added much to the wealth of my community but have provided thousands of hours of work for fine hard-working citizens who, through no fault of their own, can otherwise earn a living. None of this work could be done unless the amendment offered by the gentleman from Oklahoma is adopted, and I sincerely trust that the Members will not take any chance on what the courts may do in the future, because we know the construction that has been placed on this language heretofore. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, this amendment, if adopted, would be a long step in the direction of the socialization of America. Are we ready to take that step? Both business

and organized labor oppose this amendment, because they believe it leads to evil implications and tendencies.

If we want to project the W. P. A. with a vengeance further into the construction field in competition with private industry, and entrench it there, this amendment will do it. I do not think we want to do that.

I have never felt that it was our purpose in creating the W. P. A. to set up a giant construction activity, the largest perhaps in the history of the world, but that is what the W. P. A. has grown to be. I have always thought that the W. P. A. was intended to be a humanitarian relief agency, temporary in character, to minister to human needs and not an activity that would preempt and permanently take possession of the construction field, driving private builders to the wall and spreading bankruptcy and ruin throughout the building industry.

It has grown until it is destroying one of the greatest industries in the country because private unsubsidized employers cannot compete with the Federal Treasury, and at the same time it is forcing hundreds of thousands of skilled craftsmen onto the relief rolls.

If you want to get an idea of how the W. P. A. is encroaching upon the field of private construction turn to page 413 of the hearings on this bill. You will find there a list of construction projects undertaken and completed by W. P. A. from the start of the W. P. A. program.

It is an amazing list from which I quote just a few of the main items:

Public buildings constructed, 23,003.
Public buildings reconstructed, 62,468.
Additions to public buildings, 2,784.
Educational buildings constructed, 4,095.
Educational buildings reconstructed, 28,416.
Additions to educational buildings, 1,533.
Schools constructed, 3,985.
Schools reconstructed, 27,664.
Additions to schools, 1,480.

The list of new construction includes 11,704 recreational buildings, 318 auditoriums, 848 gymnasiums, 1,063 office and administrative buildings, 1,739 garages, 1,479 storage buildings, 7,488 other public buildings, 1,640 stadiums with a seating capacity of 2,742,069; 2,140 fair grounds and rodeo grounds; 2,490 athletic fields embracing 14,198 acres in area; 1,365 hand-ball courts; 1,751 horseshoe courts; 7,759 tennis courts; 629 swimming pools, 207 golf courses with 2,287 holes; and so forth.

The figures showing the vast and varied construction activities of W. P. A. are stupendous.

Now reference has been made in a disparaging way to the Associated General Contractors of America, Inc., who sent a delegation to advise our subcommittee how the W. P. A. is boring into the construction industry. The fact remains, however, that these gentlemen represented 2,500 employers and 3,000,000 workingmen, scattered from the Atlantic to the Pacific. Surely that is a section of our industrial fabric of sufficient importance to merit a hearing. At their head was H. B. Zachry, president of the Associated General Contractors of America, Inc., who explained impressively how the expenditure of appropriations made to the Work Projects Administration has affected private construction. I quote from his testimony—pages 973 and 974 of the hearings—as follows:

We believe that the relief problem can be solved only by the accomplishment of full recovery of all lines of industry and agriculture. We maintain that this goal cannot be achieved by displacing those already employed in a given occupation. The construction industry has viewed with increasing alarm the activities of the Work Projects Administration in the construction field. It first witnessed undertakings of minor consequence during the depth of the depression. To a large extent these operations were not in direct competition with construction. However, this has since been changed to a radical degree, and W. P. A. is now deeply entrenched in public construction and is making every effort to expand its activities in this field and to program its work for years ahead.

Not only is W. P. A. absorbing the present market in the public-works field, but it is reaching out in every direction to assure itself a continuing program in this field.

Labor, which has heretofore been self-sustaining on the pay rolls of private employers, now finds the only outlet for its services through the relief lines. The tragic part of the whole procedure is that this cycle can produce but one result, a permanent ever-increasing relief roll. There cannot be any other prospect for the simple reason that these processes of displacement permanently dry up the opportunity for employment with private employers in this field. The movement is, therefore, to the relief rolls and not from them.

It was Mr. Zachry's opinion, positively asserted, that the adoption of an amendment to the W. P. A. law, such as is now before us, would send half a million men to the relief rolls. I quote from the hearings, page 995, as follows:

Mr. LUDLOW. What would be the effect on the construction industry if that limit were removed entirely, and W. P. A. were given carte blanche to enter the construction field?

Mr. ZACHRY. They would do the construction work, and all the other workers would go on the relief rolls; 500,000 men would go on the relief rolls.

Mr. LUDLOW. All of them?

Mr. ZACHRY. Yes, sir; 500,000.

Mr. TABER. Over what territory would that extend?

Mr. ZACHRY. Over the United States.

The gentleman from New York [Mr. CELLER], in speaking on this subject, paid his compliments in none too complimentary terms to the contractors who are opposing the W. P. A. intrusion into the construction field but he overlooked entirely one other potent opposition to this proposed amendment which would let down all of the doors and allow the W. P. A. to invade the construction field. The element opposing W. P. A. construction activities which he strangely overlooked is the American Federation of Labor.

That great and sound labor organization is unalterably opposed to this amendment. It sent John P. Coyne, president, and Herbert Rivers, secretary-treasurer of its building and construction trades department, to testify before our subcommittee, and Mr. Coyne announced that he represented 19 national and international unions affiliated with the American Federation with a total membership of 1,100,000. There is a widespread complaint, heard everywhere in the ranks of union labor, that the infiltration of unskilled W. P. A. labor into construction activities is breaking down the union ranks and forcing trained and skilled craftsmen into the bread lines. My Coyne did not mince words. He said that when the construction industry prospers the Nation prospers, and that when it suffers the whole Nation is affected, and he added:

For the past 5 years, in an ever-increasing degree, we are faced with the most serious threat of all—competition of the Federal Government of the United States for the work upon which the contractors of the Nation ordinarily would bid and upon which we, as workers, would be employed by the contractors. The whole future of the building and construction industry is threatened if such a move should be successful. I cannot impress upon you gentlemen too emphatically the real, far-reaching effect of such competition. It even threatens in a vital and fundamental way the very democracy of our country.

The adoption of the pending amendment would give the W. P. A. carte blanche authority to erect monumental structures, regardless of size and cost. It could repeat over and over again what occurred in New York, where the W. P. A. started to erect a building on the World's Fair grounds at a cost of $150,000 and ended by erecting a palatial edifice at a cost of $720,000, presenting it with the compliments of the American taxpayers to the city of New York. That city has the largest per capita wealth of any city in the world, and it irks me to think that the people of my city, many of whom are hard pressed and some of whom are half starving, have to be taxed along with similar folks all over the country to erect this building and present it to the richest city on the globe. The policy of projecting the W. P. A. into the construction field to the ruination of private industry and the injury of organized labor is a fatuous, un-American policy, and in my opinion this amendment should be defeated overwhelmingly.

I plead with you, let us not fasten such abnormal and unsound recovery methods permanently upon the country. We should seek to bring about recovery by a revival of business and industry and not by the destruction of business, industry, and organized labor. [Applause.]

I want to call attention before I sit down to an amendment which I propose to offer. I shall offer an amendment, to which I invite the attention of the Committee, on page 16, line 14. I propose to insert "or" preceding the word "tunnel",

and after the word "tunnel" strike out the words "or other structure." The elimination of these words would permit the use of W. P. A. funds in any amount for national defense construction operations. It would remove all possible objection to the limitation which the bill proposes to place on W. P. A. construction work.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman.

Mr. WOODRUM of Virginia. Why does not the gentleman offer the amendment now as a substitute and then the matter will be before the Committee?

Mr. LUDLOW. I offer the amendment at this time, Mr. Chairman. This would take out the words which, I think, are most objectionable to the opponents of this provision in the bill, and I hope that we will all be able to get together on the perfecting language which I suggest.

The CHAIRMAN. The Chair will state with respect to the amendment being offered by the gentleman from Indiana that there are two other amendments on the Clerk's desk and the Chair would like to reserve some time for the consideration of those amendments.

Mr. LUDLOW. Mr. Chairman, in order to clarify the parliamentary situation, I now offer the amendment as a substitute for the Johnson of Oklahoma amendment.

The Clerk read as follows:

Amendment offered by Mr. LUDLOW as a substitute for the amendment offered by Mr. JOHNSON of Oklahoma: Page 16, line 14, insert the word "or" preceding the word "tunnel" and after the word "tunnel" strike out "or other structure."

Mr. MURDOCK of Utah. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I find in my State this situation. The most worth while and the most valuable projects that we have out there and the projects that will do the most permanent good are small reservoir projects.

I want to read to the House here today this statement. There are 30,696 farms in my State. Of this number, 1,440 farms comprise less than 3 acres; 5,000 farms less than 10 acres; 8,000 farms, or 27 percent, less than 20 acres.

Now, what we are doing in the State of Utah and what they are doing in all of the irrigation States today is trying to conserve every drop of water we can conserve to keep farmers like I have described here on little farms on the farms instead of putting them on the relief rolls. Under the present language of this bill there is not one small reservoir project in my State that has been surveyed that can be constructed if any W. P. A. labor is to be used on it. The result is simply this, that instead of employing your W. P. A. labor on projects that are worth while, they can only be employed on what have been termed "boondoggling projects." It is a nice thing and an easy thing for some contractor or for skilled labor to say that the W. P. A. should be kept out of the building industry. I agree with that, but, on the other hand, when the restriction is so severe that it prohibits the building of worth-while projects, then, in my opinion, it should be eliminated from this bill.

I also want to call your attention to another project. The State Legislature of Utah appropriated money enough, if supplemented by W. P. A. funds, to build armories in every city in Utah where there was a National Guard unit. We have built a National Guard armory in every city in Utah that has a National Guard unit with the exception of Salt Lake City. There we find the National Guard housed in an old college building. Inadequate, it has been condemned as unfit for use; and we find their equipment over 3 miles away, housed in an old shack of a building down at the State fairgrounds, an invitation to sabotage by any subversive influence in the United States. The legislature has tried to cooperate, they want to cooperate, and they want an armory and an adequate armory in every city in Utah where there is a National Guard unit, but they find that under the restrictive language of this bill and the one that preceded it they cannot construct this building in Salt Lake City.

I ask that the amendment be agreed to, Mr. Chairman.

Mr. WIGGLESWORTH. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I hope the Ludlow substitute will be agreed to. I think the substitute should meet any justifiable criticism of the section as worded by the committee.

Mr. Chairman, W. P. A. was created as a relief agency. It was not created with the intention, in my judgment, of becoming a giant construction industry in competition with legitimate private industry in America.

Now, what is the situation today? If you will look at the hearings or at my remarks of Thursday last you will find a table furnished your committee showing the percentage of the total public-construction work in America which has been taken over by W. P. A. It starts in 7 years ago at 8½ percent, and it gradually increases until in the calendar year 1940 it is estimated that W. P. A. will actually take over 54 percent of the entire public-construction work in this country.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield.

Mr. WIGGLESWORTH. I yield briefly.

Mr. CASEY of Massachusetts. I wonder how the statement just made by the gentleman could be so, if the statement issued by the Associated General Contractors of America is correct, which shows that in the boom period, 1926 to 1929, public-contract construction averaged $2,292,000,000 a year, and when the W. P. A. was in operation, 1936 to 1939, public-contract construction averaged $2,168,000,000.

Mr. WIGGLESWORTH. If the gentleman will refer to the hearings he will find a table that purports to set out specifically in dollars and in percentages the picture from 1932 to 1940, inclusive.

The result in a word is this, that we have set up an enormous construction agency, that threatens to take over 54 percent of all public construction in America, and in so doing to keep out of employment thousands, if not hundreds of thousands of skilled workers in the building trades in this country. The construction work is done at a labor cost about double the cost which would be required if the job was done under contract labor by our skilled workers qualified to do the work.

The gentleman from Virginia [Mr. WOODRUM] has referred to the statement of Mr. John P. Coyne, president of the Building and Construction Trades Department of the American Federation of Labor, a statement made on April 15, 1940, on behalf of 1,100,000 building and construction tradesmen. I commend the statement in its entirety to the consideration of the members of this Committee.

Speaking on behalf of the workers whom he represents and on behalf of the entire industry, Mr. Coyne stated that he appeared to add his voice to the plea that Congress give this industry—second only in size to agriculture—an opportunity to attain the complete recovery which it has been struggling, against great handicaps, to achieve since 1929.

Tracing the difficulties by which the industry has been confronted as the result of governmental policies pursued in recent years, he made the following statement, a part of which has been quoted by the gentleman from Virginia:

And now, for the past 5 years, in an ever-increasing degree, we are faced with yet the most serious threat of all—competition of the Federal Government of the United States for the work upon which the contractors of the Nation ordinarily would bid and upon which we as workers would be employed by the contractors. The whole future of the building and construction industry is threatened if such a move should be successful. I cannot impress upon you gentlemen too emphatically the real, far-reaching effect of such competition. It even threatens, in a vital and fundamental way, the very democracy of our country.

And note this:

This perhaps has to date been the most drastic and bold thrust of this administration to socialize any industry.

Mr. Chairman, the eloquent appeal by Mr. Coyne as president of the Building and Construction Trades Department of the American Federation of Labor was reinforced among others by the Massachusetts State Building Trades Council,

by the Building and Construction Trades Council of Boston and vicinity, both affiliated with the A. F. of L., both not only opposed to the removal of the present limit but in favor of a reduction of that limit to at least $25,000.

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

Mr. WIGGLESWORTH. Mr. Chairman, I hope the Ludlow substitute will be adopted, and that we can all go along on that basis.

I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. Two or three amendments have been sent to the Clerk's desk, and, in the judgment of the Chair, the amendment offered by the gentleman from Indiana [Mr. LUDLOW] is a perfecting amendment, rather than a substitute. The Chair makes the suggestion in the interest of orderly procedure that gentlemen who are offering amendments have their amendments read for information, and then amendments which are perfecting amendments can be passed on before the amendment of the gentleman from Oklahoma to strike out the paragraph is voted upon.

Mr. LUDLOW. Mr. Chairman, would the vote not first come on my perfecting amendment?

The CHAIRMAN. The vote would come first on perfecting amendments, and then on the amendment offered by the gentleman from Oklahoma to strike out the section. The Chair suggests that gentlemen who have amendments to offer may offer them from the standpoint of information, and perfecting amendments will be voted on before the amendment of the gentleman from Oklahoma to strike out the section.

Mr. TERRY. Mr. Chairman, I have an amendment on the desk which is not a perfecting amendment, and which strikes out section 11, but places in its stead the old section 12 of last year's bill. I desire to have 5 minutes of my own on my amendment. It is not connected with the Johnson amendment.

The CHAIRMAN. In the opinion of the Chair, the amendment suggested by the gentleman from Arkansas could be voted on before the vote on the amendment of the gentleman from Oklahoma to strike out the section.

Mr. TERRY. That was not my understanding with the Chairman of the Committee. It is my understanding that my amendment would be voted on after the Johnson amendment is disposed of.

The CHAIRMAN. It could be voted on either before or after, as the gentleman may elect.

Mr. TERRY. I prefer to vote on it after the Johnson amendment is disposed of and take my time then.

The CHAIRMAN. The gentleman may refrain if he wishes until the vote is had upon the Johnson amendment.

Mr. TABER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Is it not the proper thing at this time to vote on the Ludlow amendment?

The CHAIRMAN. It is entirely parliamentary. The question is on the perfecting amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. COCHRAN) there were—ayes 44, noes 40.

Mr. COCHRAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. CANNON of Missouri and Mr. LUDLOW to act as tellers.

The Committee again divided; and the tellers reported there were ayes 104 and noes 34.

So the amendment was agreed to.

Mr. KELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KELLER. I understood when the gentleman from Indiana [Mr. LUDLOW] offered his motion it was offered as a substitute.

The CHAIRMAN. But the Chair ruled that the amendment was not in the nature of a substitute, but in the nature of a perfecting amendment, inasmuch as it merely struck certain words from the section.

Mr. KELLER. Then are we in this position: That we come now to a vote on the Johnson amendment as amended by the amendment offered by the gentleman from Indiana?

The CHAIRMAN. We will come to a vote on the Johnson amendment to strike out the section after perfecting amendments have been disposed of.

Mr. MURDOCK of Utah. Mr. Chairman, inasmuch as the Ludlow amendment was adopted and that accomplishes the purpose of my amendment, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman has not yet offered his amendment It was simply on the Clerk's desk. Consequently it may be withdrawn.

Mr. COCHRAN. Mr. Chairman, a parliamentary inquiry. Is the vote now on the Johnson amendment?

The CHAIRMAN. The vote will recur on the Johnson amendment to strike out the section when perfecting amendments have been submitted.

Mr. COCHRAN. In other words, a vote for the Johnson amendment is supporting the President of the United States?

The CHAIRMAN. That is not a parliamentary inquiry.

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

The Clerk read as follows:

Amendment offered by Mr. LEAVY: Page 16, line 11, strike out section 11 and insert a new section, as follows:

"SEC. 11. None of the funds made available by this joint resolution shall be expended on the construction of any building (1) the total estimated cost of which, in the case of a Federal building, exceeds $50,000, or (2) the portion of the total estimated cost of which, payable from Federal funds, in the case of a non-Federal building, exceeds $52,000, unless the building is one (a) which has been approved by the President on or prior to July 1, 1939, or for which an issue of bonds has been approved at an election held on or prior to such date, or for which a State legislature has made an appropriation on or prior to such date, or (b) for the completion of which funds have been allocated and irrevocably set aside under prior relief appropriation acts."

Mr. LUDLOW. Mr. Chairman, will the gentleman yield that I may propound a parliamentary inquiry?

Mr. LEAVY. I yield.

The CHAIRMAN. The gentleman will state it.

Mr. LUDLOW. I would like to know whether the amendment is offered as a perfecting amendment or as a substitute amendment.

The CHAIRMAN. This amendment is to strike out and insert.

The gentleman from Washington is recognized.

Mr. LEAVY. Mr. Chairman, I find myself in a somewhat difficult position due to the parliamentary situation. It is not my desire that the amendment I have now offered should be adopted if the Johnson amendment is adopted. I feel that the Johnson amendment ought to be adopted; but if it fails, then an amendment of the character that I have here offered ought to be adopted.

I understand the gentleman from Arkansas [Mr. TERRY] has a similar amendment to the one I have just submitted.

If the Johnson amendment is adopted I shall ask unanimous consent to withdraw my amendment.

The amendment here offered is the identical language to that found in the current act. There is only one change, and that has to do with a situation where an appropriation was made by the State of Iowa by its legislature. That language is included in the bill we have under consideration; but otherwise, by my amendment, we are reenacting section 12 of the current act of last year's W. P. A. Act.

Now, I want to explain to the House why I think the Johnson amendment ought to prevail, irrespective of the amendment I have offered here. The Johnson amendment is interwoven with national defense. This question of national defense is not a partisan question. This question of national defense identifies itself with the Johnson amendment, and I will show you why.

The President sent a message to this House day before yesterday in the form of a letter addressed to the chairman

of this committee, the gentleman from Missouri [Mr. CANNON], which appears in the CONGRESSIONAL RECORD on page 6514, and here is the request of the President in reference to section 11. I shall read that message, which is as follows:

THE WHITE HOUSE,
Washington.

Hon. CLARENCE CANNON,
House of Representatives, Washington, D. C.

MY DEAR MR. CANNON: My attention has been called to section 11 of the House Joint Resolution 544 now under consideration in the House of Representatives, which provides funds for the Work Projects Administration for the fiscal year 1941. Section 11 in general prohibits the expenditure of these funds on any project for the construction of any building, bridge, viaduct, stadium, underpass, tunnel, or other structure, if the total estimated cost in the case of a Federal project exceeds $50,000, or if the portion of the total estimated cost payable from Federal funds in the case of a non-Federal project exceeds $50,000.

The report of the Committee on Appropriations concerning this section merely states:

"It is believed that this is a sound limitation, for the joint resolution is designed to give work relief and it has been demonstrated that the larger the structure the lower the proportion of relief labor used on it."

The Commissioner of Work Projects informs me that the proportion of relief labor on large construction projects is in many cases greater than on small projects, and, furthermore, that the over-all proportion of relief labor on all construction projects now in operation is between 96 and 97 percent.

The limitation contained in section 11 would have a disastrous effect upon the construction program of the Work Projects Administration. It would prevent the employment of many needy employable persons at their regular occupations; it would force the operation of numerous small projects of doubtful value with resulting complications in operation and administration; and would prevent the execution of much work that is greatly needed and which would produce results of great public value and benefit.

The limitation would have a particularly harmful effect upon the attempt which is being made to use the program of the Work Projects Administration to further national defense. That administration during the next year proposes to give preference and priority to projects which have a value from the national-defense standpoint, and the prohibition which is contained in section 11 would operate to prevent the approval and operation of the great bulk of such projects.

In view of the reasons set forth above, it is my opinion that the limitation contained in section 11 should be removed from House Joint Resolution 544.

Very truly yours,

FRANKLIN D. ROOSEVELT.

P. S.—I am reminded that in the first year in which the Government set up relief projects there was a good deal of fun poked at raking leaves, cleaning up parks, and so forth, and at that time the word "boondoggling" became part of our political vocabulary. It is true in those days, when the emergency of relief was great and the machinery new, there was a certain proportion of projects which did not have any particular permanent value.

I think that people who insist on the limitations in section 11 may, with some justification, be charged with a desire to return to boondoggling.

F. D. R.

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

Mr. LEAVY. No; I do not have time. I am sorry.

If we in this House do, as the other body did yesterday, vote for a national-defense program that will run into billions of dollars, and then deny the Chief Executive his specific request with reference to the free use of W. P. A. funds for use, in whole or in part, for the Nation's defense during the next year, it seems we are most inconsistent. When this bill was written 3 weeks ago the situation was entirely different. I am satisfied, and I am sure you all are—and I say again, irrespective of political affiliations—had this request which I have just quoted come from the Chief Executive to the committee when they were framing this bill, section 11 would never have appeared in it. To be consistent and to do that which undoubtedly is at this time of major importance, and in my judgment is for the best interests of our country in this critical period, we should now follow the recommendation of the President and that irrespective of how we may differ with him in political matters. We should not strait jacket the expenditure of these W. P. A. funds if any part of them are to be spent for national defense. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair will state to the gentleman from Washington that in order for his amendment to be voted on after the vote on the Johnson amendment he would have to procure unanimous consent to withdraw it and resubmit it at that time.

Mr. LEAVY. Mr. Chairman, I ask unanimous consent to withdraw my amendment and resubmit it after the vote on the Johnson amendment.

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

There was no objection.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

THE W. P. A. $50,000 LIMITATION AND SPONSORS' CONTRIBUTIONS

Mr. ALEXANDER. Mr. Chairman, in view of the letters, telegrams, and other requests I have had in the past few days from mayors of villages and cities in my district in Minnesota expressing opposition to the $50,000 limitation on W. P. A. projects, I shall have to represent their views and support the Johnson amendment now under consideration. My own home city of Minneapolis has on frequent and repeated occasions expressed disapproval of the limitation as it eliminates practically all worth-while projects which might be undertaken in a city the size of ours.

In addition I have had messages from many smaller towns and cities of which I have several here in my hand and select two from the group as being representative. From Ben B. Moore, recorder of the village of Edina, in which is located the excellent country club district with its hundreds of new residences, I have the following message:

MINNEAPOLIS, MINN., *May 20, 1940.*

JOHN G. ALEXANDER,
Third Minnesota Congressional District,
House of Representatives, Washington, D. C.:

Regarding work-relief bill coming up House Tuesday, May 21. All members Edina Village Council believe the $50,000 limitation amendment as well as sponsor's 25-percent mandatory contribution be left to discretion of W. P. A. While believing construction belongs to the construction industry there are cases where proposed amendments would work hardship on communities having high relief and W. P. A. loads. Believe best to handle by permitting W. P. A. discretion in deserving and unusual cases.

BEN B. MOORE,
Village Recorder, Village of Edina, Minn.

And from the fast-growing suburban city of Robbinsdale I have the following message calling attention to their $180,000 project:

ROBBINSDALE, MINN., *May 22, 1940.*

JOHN G. ALEXANDER,
Congressman, Washington, D. C.:

Have $180,000 sewer, water, and street project in Washington for O. K. Will appreciate your opposing limitation clause of $50,000 in work-relief bill. Clause eliminating sponsor's contribution is favorable.

CITY OF ROBBINSDALE.

Mr. TABER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. TABER. In opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

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

Mr. TABER. I yield to the gentleman from Indiana.

Mr. LUDLOW. The House a while ago, by an overwhelming majority adopted the amendment which I offered striking out the words "or other structures." The point I wanted to bring out when I asked the gentleman from Washington to yield to me was that this amendment having been adopted, W. P. A. had been thrown open for use in connection with the national defense in almost any way that might be practical. So the argument he made that section 11 of this bill would interfere with national defense is without foundation. The adoption of my amendment opens the way for the use of W. P. A. funds in construction work for national defense. That is certain.

Mr. TABER. I think the gentleman is correct, and I believe the amendment he offered removes any legitimate objection that anyone might have to this section. It certainly opens it up so that it unquestionably permits water mains to be built; it unquestionably permits sewers to be built; it unquestionably

permits almost any other type of construction to be engaged in.

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

Mr. TABER. Briefly.

Mr. MURDOCK of Utah. In connection with the armory at Salt Lake City, we have tried for a year to build it with some W. P. A. funds, but found that we cannot. As a matter of national defense it should be built. It could not be built, however, without striking out section 11 of the bill.

Mr. TABER. I do not think that would be a matter of national defense at this time. I think the spending of large sums of money on armories at this time would be just the reverse of national defense. The money should be spent for something immediately effective.

I feel that it is absolutely necessary unless we are going to destroy entirely our construction industry and throw on relief all of those masons, carpenters, painters, and other workmen accustomed to work on large governmental, municipal, and State projects, that we keep W. P. A. out of such projects. One of the worst troubles with W. P. A. projects—and I think some of you gentlemen upon my right might have an influence in clearing it up—is that we are going ahead to make new construction propositions, new pavements, new roads, instead of spending the time and attention we should upon the maintenance of the structures, roads, pavements, and streets that we have. I think the W. P. A. should authorize as projects major repair jobs on such things as I have described. That would help keep people at work, it would really give them something to do along the lines for which their labor is fitted.

I hope, now that the Ludlow amendment has been adopted, the Committee will refuse to adopt the Johnson amendment, and that we can go along through with this section. I can see no possible disadvantage to W. P. A. in doing it. It will keep them out of too many large projects which are a menace to them and a menace to the public.

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

Mr. TABER. I yield.

Mr. LEAVY. Does not the gentleman feel, however, in view of the tremendously changed conditions in the last 10 days, when the Chief Executive of the United States asks this Congress in the interest of national defense that we do something, that we ought to go along with him? He asks that section 11 be stricken.

Mr. TABER. I think the President made that request not understanding in full the situation. I say this believing that the gentleman in the White House has so many things on his mind at the moment that it is impossible for him to go into all of them completely. I say it without any disrespect whatever.

I hope the Johnson amendment will be defeated.

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

The CHAIRMAN. The gentleman from Ohio is recognized for 4 minutes.

Mr. BENDER. Mr. Chairman, the building industry is one industry that still has a surplus of skilled labor unemployed. Because of the short-sighted policy of the administration during the last 7 years, many industries find themselves without a sufficient number of skilled workers; for example, the airplane industry and allied industries manufacturing airplane parts today find themselves without a sufficient number of skilled workers.

The President only a week ago at almost this very hour asked for 50,000 additional airplanes. As a matter of fact, the airplane industry is finding it difficult to produce 8,000 to 10,000 airplanes today with the facilities they have and the number of skilled laborers available. I do not see how we shall be able to produce an additional 10,000 planes during the next year even if we vote up all the funds the President has asked for because of the shortage of skilled labor.

In voting for the Johnson amendment we are voting to lessen the incentive for training of skilled labor in the building industry.

It is essential, of course, to keep people on W. P. A. who need employment. It is essential to provide an incentive for private industry to keep the skilled labor in this country employed and to lessen the danger to national defense and national security.

If you will examine the statements made by experts in the airplane industry, and in the manufacturing industry generally, you will find they cannot get a sufficient number of skilled workers to carry on in their plants. The greatest difficulty we have in producing airplanes in this country is through lack of skilled labor. Here you have the building industry asking for protection. Let us give them the protection they ask for and not put them in competition with W. P. A. and unskilled labor when they need this protection so sorely today. Every labor organization throughout the Nation joins in this appeal. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, I want to call the attention of this body to the following facts: The first duty we owe to the American people at the present time is to give those men a chance to work who are out of work. The gentleman who just preceded me has pointed out that most skilled laborers are not out of work, which is according to the record. Our difficulty is putting to work and keeping at work our unskilled workers. Everyone knows that the proportion of skilled workers to unskilled workers is very, very small. No matter what their previous work has been, we still ought to stick by the fact that we have to give work to the largest number we can. If we want to put to work the skilled workers of the building-trades industry, and I think that would be wise, we ought to do the logical thing, and that is reestablish the P. W. A., which does provide exactly that sort of work. You gentlemen who are fighting this proposed amendment ought to turn around and be for the reestablishment of the P. W. A., and give work to the skilled workers of the building-trades industry, the very thing you are asking for. The P. W. A. would do that. That amendment will be offered, as I understand, and those who are in favor of putting the skilled workers in the building trades to work ought to be the first to support it.

Mr. GROSS. Will the gentleman yield?

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

Mr. GROSS. Is it true that we are short of skilled help now?

Mr. KELLER. That is what the gentleman who preceded me said, and I am taking his word for it. He speaks apparently with authority and I accept it as being authoritative.

I call attention to another thing, and that is that the person who has asked for this amendment is not to be accused as a rule of not knowing what he is talking about. That may be a good way to camouflage the question, but it does not answer it. The President has not written a letter along that line without knowing exactly what he wants, and there ought not to be any limitation to the thing that he asks for under present conditions.

Mr. Chairman, it seems to me that the men who have been principally against the W. P. A. along every line, are the ones who are against this amendment. I want to point out there are many men in this body who would destroy the W. P. A. if they could. Everyone of them, so far as I know, are against the Johnson amendment. That ought to receive the attention of the rest of us, who are for the W. P. A. and who know the requirements of this country, to stand up for the amendment to strike off the limitations contained in section 11 of the bill. That is what we ought to do and I call on the men who believe in the W. P. A. and the necessity for it, to vote for the Johnson amendment, as I am going to do.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. EDELSTEIN.]

Mr. EDELSTEIN. Mr. Chairman, the opposition to the adoption of the Johnson amendment has primarily been based upon what I consider an undue concern for the interests of one small special group—the general contractors—whose cause was ably presented to the House subcommittee which considered this bill. Although ably presented, I do not believe that they presented sufficient justification for the enactment of a limitation upon W. P. A. projects of $50,000. Certainly, they presented no case for extending last year's limitation, which applied only to buildings, to construction projects of all types. The reason why I believe that the contractors did not establish their right to receive special consideration at the hands of the House is to be found in what they said and left unsaid before the subcommittee.

The Members who have spoken in opposition to the Johnson amendment and who have favored the granting of what is a special privilege to this small and select group have forgotten that the purpose of this bill is to provide work for the unemployed and not contracts for the contractors. These contractors at no time have come to Congress and asked Congress to grant aid for the benefit of the men whom they discharged when they had no work for them. These contractors did not refrain from investing heavily in labor-saving machinery which enabled them to make more profit through human misery, resulting from unemployment which they caused. These contractors were not concerned with the plight of the unemployed building and construction workers in the cities. They did not come forward and support W. P. A. at any time.

This is what they left unsaid when their representatives, who were able and skillful pleaders, appeared before the House subcommittee. They said they wanted W. P. A., primarily intended to supply work for people who want work, restricted from engaging in construction of buildings, streets, roads, highways, sewers, viaducts, and bridges. They asserted that this restriction was necessary if they were to continue getting contracts. They did not tell the committee that the granting of contracts to them as a result of this restriction would provide as much employment for men as would be provided if W. P. A. were to engage in these projects.

I am not one of those who believe that the only solution for unemployment is to destroy machinery but I am amazed at the callous indifference of those whose heavy investments in machinery caused them to lobby against continuation of the salutary program intended to find work for many hands made idle by machinery. What the real purpose of these gentlemen who are grieved at their inability to continue offering employment if they could not get contracts for public works was revealed by the very clever cross-examination of their representatives by the gentleman from Missouri [Mr. CANNON]. Reluctantly they were forced to admit that they had greatly diminished their working forces by heavy purchases of labor-saving machinery. It was this idle machinery which really bothered them.

Almost 80 percent of the projects carried on by W. P. A. are construction projects of one kind or another. There can be no denial that all of them are necessary and desirable. There can be no assertion made supported by facts and figures that if it were not for W. P. A. most of these would never get beyond the dream stage. If there were a $50,000 limitation on such construction work there can be no doubt that W. P. A. would not be able to offer employment to almost 80 percent of the people of its rolls. Certainly very few of the projects in and around large cities would be possible. I doubt whether there are many projects in the City of New York that could be undertaken if section 11 were retained in this bill. Perhaps the General Contractors of America are simply seeking to find contracts for themselves but if they succeed in that purpose they will also succeed in ending W. P. A. whether they intend to or not.

The committee report with respect to section 11 stated that "it has been demonstrated that the larger the structure the lower the proportion of relief labor used on it." There may be a demonstration to that effect, but it is not contained in the hearings on this bill. It is disproved by the projects which W. P. A. has undertaken and successfully completed. Perhaps the general contractors of America could do the same work at less cost, but it would only be upon the basis of the extensive use of labor-saving machinery. That would pervert the purposes of W. P. A., which is to increase employment of idle labor rather than extend the use of machinery. The very fact that W. P. A. spends more on construction projects shows that it is using relief labor in large numbers on each project.

Mayor LaGuardia of New York City, who as head of the Conference of Mayors has been most active in endeavoring to secure larger appropriations for W. P. A., feels most strongly against the inclusion of section 11. In a telegram sent to the dean of the New York City delegation, the gentleman from New York [Mr. CULLEN], the mayor stated his opinion that the inclusion of section 11 in this bill would effectively destroy W. P. A. The President also in his letter indicated his strong opposition to the enactment of section 11 if the W. P. A. program is to be an effective program. Those of us who believe in supporting the President can have no objections, therefore, to voting for the Johnson amendment, which would strike out section 11. That is my opinion, and I therefore urge the adoption of the Johnson amendment, which would strike out the pernicious provisions contained in section 11 of this bill. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, this matter of relief labor on large public works came to my attention last spring, when a young man from my district wrote me a very strong letter saying that he was unable to obtain employment on a certain Public Works project, to wit, a flood-control dam, because there was a paragraph in the contract under which that dam was being built which required that all except the most skilled labor be taken from the relief rolls. I had an investigation made of that clause and found that it was in the contract because a certain proportion of the money was allocated to the construction of that dam from the relief funds. Consequently, when the flood-control appropriation came before us last year, I joined with certain others to strike out any possibility of relief funds being applied to flood-control work, and aided in the addition to the flood-control appropriation of an equivalent amount, so that no one need go on the relief rolls in order to obtain employment on such contracts but those who seek employment can get it when it is available at full wages and full time. There are thousands of people who need jobs but either refuse to go on relief or have not yet been forced on relief.

This afternoon we have been hearing discussion about the general contractors wanting this provision in the bill. I have a number of letters in my hand from several divisions of the American Federation of Labor—namely, the State of California Federation of Labor, the Central Building Trades Council of the city of Los Angeles, and others—very strongly in favor of limiting the value of construction work as the bill now provides with the Ludlow amendment. These are the people who first brought it to the attention of the contractors, in my belief. I know I brought it to their attention and I believe they brought it to the attention of the contractors. I believe the contractors hold a secondary position here, and the prime interest is on the part of the skilled worker who cannot get a job unless he goes on relief.

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

Mr. HINSHAW. I yield to the gentleman from Illinois.

Mr. KELLER. I wish the gentleman would tell us just how the contractors expect to get the contracts in those sections of the country where unemployment is rife, as it is in many places.

Mr. HINSHAW. I may say to the gentleman that I am a firm believer in a balanced program for the rehabilitation of our country. I am a firm believer that we must have a certain amount of W. P. A. I also believe we must have some P. W. A., the P. W. A. to take care of the skilled labor on the larger construction projects and the W. P. A. to take care of the unskilled and semi-unemployable labor on projects suitable to their abilities. I do not believe that skilled labor has any place on the W. P. A. They should have jobs at their

trade at full wages and full-time employment as nearly as possible.

Mr. KELLER. I am for that.

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

Mr. HINSHAW. I yield to the gentleman from Missouri.

Mr. COCHRAN. I fully agree with the gentleman in his statement that the skilled labor should have no preference under W. P. A. It is only reasonable that this be so because we have working on W. P. A. accountants, bank clerks, and other persons who would like to get private employment just as much as skilled labor, but we do not pay those persons the amount of money they were getting when they were working for private interests. Let us treat all alike.

Mr. HINSHAW. Whenever we start a project on P. W. A. it requires some of the services of the catagories that the gentleman mentions, accountants, bookkeepers, and so forth, and on such projects any of them are liable to get jobs. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON] to strike out section 11.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 83, noes 78.

Mr. TABER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. JOHNSON of Oklahoma and Mr. CANNON of Missouri.

The Committee again divided; and the tellers reported that there were—ayes 134, noes 107.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 12. (a) The various agencies for which appropriations are made in this joint resolution are authorized to receive from sponsors of non-Federal projects contributions in services, materials, or money, such money to be deposited with the Treasurer of the United States. Such contributions shall be expended or utilized as agreed upon between the sponsor and such agencies.

(b) All receipts and collections of Federal agencies by reason of operations in consequence of appropriations made in this joint resolution, except cash contributions of sponsors of projects and amounts credited to revolving funds authorized by this joint resolution, shall be covered into the Treasury as miscellaneous receipts.

(c) Except as authorized in this joint resolution, no allocation of funds shall be made to any other Federal agency from the appropriation in this joint resolution for any Federal agency. No such allocation shall be made for the exercise of the functions of the Radio Division or the United States Film Service transferred to the Office of Education of the Federal Security Agency.

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

Mr. Chairman, in the report of the W. P. A. investigators who were sent to Massachusetts, found on page 14 of the hearings, part 3, will be found references to Col. John J. McDonough, the regional director, and George H. Cottell, director of the W. P. A. State office of Massachusetts. The report of the investigators with reference to Colonel McDonough and Mr. Cottell is very unique and interesting, praising Massachusetts for the efficient manner of administration. It places solely as the basis of ability the test of scholastic education, ignoring completely experience, self-education, character, and the other factors that enter into these or any other person's capacity to perform the duties of their office.

The report in respect of these two men is in complete contradistinction to the fact that the United States is still the land of opportunity. If one were to read the minds of the investigators, he would be led to draw the inference that one is not qualified unless he is a graduate of a college. This is a very strange and unusual reasoning to advance in this country. I am confident that the members of the subcommittee do not subscribe to such thoughts and considerations. If lack of scholastic training, such as being a college graduate, were a test for membership in the House of Representatives, I am inclined to think that many Members of the present body would not be here at this time.

I have known Colonel McDonough for 25 years. There is no question of his ability. In the report of the investigators they indicate his case as an illustration of what can be done through political preferment. The direct charge is not made, but the inference is there. Colonel McDonough never received a political endorsement for any position that he held. I would be the first man who would willingly endorse Colonel McDonough, as his close personal friend of many years and one who knows him for the fine character that he is, yet Colonel McDonough has never asked me for a recommendation. He has never sought any position that he has held. He was loaned to N. R. A. in the first instance by the State department of labor, in which department he held a position of responsibility. Then he was loaned to the W. P. A. He was State director and is now regional director of New England. Every appointment he received was conferred upon him as a result of his own ability. It is true that Colonel McDonough has no college education. It is a good thing to possess a college education, but certainly it is no offense in America for anyone to proceed up the ladder of life without possessing a college education.

Colonel McDonough, as an employee of the Commonwealth of Massachusetts, studied law at nighttime and passed the bar in 1913. He has also taken special courses at the Massachusetts Institute of Technology. He typifies the land of opportunity of which we are citizens. He is a self-educated and self-made man. His character and reputation are of the highest. The report of the investigators, with its intimations, are unfair and unwarranted. It is true that later in the hearings Colonel Harrington's report is made a part of the hearings, but they are not made a part of the record at the point in the hearings where the report of the investigator is found.

It is unfortunate that the subcommittee did not give these men an opportunity of personally appearing before them, in order that the full picture would have been obtained, instead of permitting such a report to be made, incomplete and unfair as it is. The subcommittee would have been greatly impressed by both Colonel McDonough and Mr. Cottell. These men value their character and reputation just as much as does any Member of this body.

Since Colonel McDonough has been State administrator, or during the period that he was, he was charged with the responsibility of spending around $400,000,000 of W. P. A. funds, and as the record shows in a highly commendable manner. The investigator's report shows that Massachusetts has had a clean administration under all administrators. As regional director of New England he has had the supervision of many more millions of dollars. He has performed his duties as regional director in an equally highly commendable manner.

Colonel McDonough saw service at the Mexican border from June 27, 1916, to October 19, 1916, Battery D, First Massachusetts National Guard.

In the World War he enlisted as private on January 18, 1918; took examination for commission, Camp Sherman, in August 1918; given commission as first leutenant January 9, 1919; at present time has commission as lieutenant colonel, United States Army Quartermaster Reserve.

Appointed regional director in February 1939; held position as regional director and State administrator for Massachusetts until August 1939.

Position as regional director for region 1 included six New England States.

As State administrator for Massachusetts had full charge of the activities of the W. P. A., with an employment quota as high as 134,000.

State director of employment for Work Projects Administration in charge of all labor policies for the State, with reference to hours of work, wages, and classification of labor, both manual and "white collar".

When he came to the W. P. A. in Massachusetts, it was on a loan basis from the Massachusetts State Department of Labor and Industries.

Chief inspector's salary, department of labor and industries, was $2,880. Now the minimum salary is $3,000 to $3,540 for this position.

He is still on leave of absence.

As chief inspector, department of labor and industries, the chief duties were to supervise an inspection force of 40 who visit daily all of the industrial establishments in Massachusetts so that in normal work, 84,000 establishments would have been visited annually and check made as to labor laws, safeguarding machines, lighting conditions, occupational hazards, illegal employment, and so forth.

National Recovery Administration as Labor Compliance Officer—borrowed from State Department of Labor and Industries—had charge of enforcement of all labor provisions of the Code, with an inspection force.

Later promoted to position of State Director of N. R. A. for Massachusetts, with full charge of labor and enforcement of all codes in the State.

Positions of industrial health inspector for the State of Massachusetts; health inspector, water inspector, and foreman of construction and sanitary inspector for the city of Boston were all secured through competitive examinations.

While it is true that Colonel McDonough is not a graduate of a college, he is self-made, and is a real graduate of the college of hard knocks. A graduate of a high school, he was compelled, as many have been, to go to work. Later, he attended nights, and in his spare moments, Burdett College at Boston, a business college; and took special courses in other schools. From 1909 to 1912 he studied law nighttimes, and in his spare moments, and passed the examination held in 1913 for admission to the Massachusetts bar. He was admitted to practice law in Massachusetts in 1913, the United States district courts in 1914. Even as late as 1935 and 1936 he has taken special courses of studies.

As a matter of fact, while not intended by the report, the report constitutes the finest compliment that could be paid to Colonel McDonough.

What I have said with reference to Colonel McDonough equally applies to Mr. Cottell, a man who is a self-educated gentleman, a man who is eminently qualified to fill the position that he now occupies. He is self-educated and self-made. Like countless others, he has taken advantage of the opportunity that exists here, and is to be congratulated for that fact. Instead of the investigator's gratuitous and unwarranted reference to his education, they should have highly complimented him for his determination to equip himself, through self-education and experience, as he has, for the holding of responsible positions. He has performed the duties of his office in an able and effective manner.

The following shows, in a general way, the various positions that Mr. Cottell has held in the past, and in the positions under the Works Progress Administration:

1911–26—building-construction industry: Positions held: Laborer, apprentice electrician, journeyman electrician, foreman electrician, construction foreman.

1926–33: Business manager for Local Union No. 437, International Brotherhood of Electrical Workers.

Summary of duties: Responsible to the local union and the international office for results in organizing the electrical workers in the territory. Responsible for establishing friendly relations with employers. Charge of collection of dues, handling of all correspondence, keeping of such statistics as required by the international office.

1933–35: General organizer for the American Federation of Labor, also representative for the United Textile Workers of America.

Summary of duties: Organizing textile workers; representing workers at hearings held before textile boards established under the National Recovery Act; maintaining friendly relations with employers.

The following positions were held on the work program:

October 23, 1935: Employment Division, W. P. A. area No. 4, assistant supervisor.

February 1, 1936: Employment Division, W. P. A. area No. 4, section chief.

July 1, 1936: Employment Division, W. P. A. area No. 4, section chief.

November 10, 1936: Employment Division, W. P. A. area No. 4, district supervisor.

July 16, 1937: Employment Division, Fall River, supervisor.

March 16, 1938: W. P. A. State office, acting assistant director.

June 1, 1938: W. P. A. State office, assistant director.

June 16, 1938: W. P. A. State office, assistant director.

July 20, 1938: W. P. A. State office, acting director.

January 1, 1939: W. P. A. State office, director.

Nonpaying positions held in the American Federation of Labor:

Vice president, Massachusetts State Association of Electrical Workers, from 1929 to present time. Membership, 8,000.

President, Fall River Central Labor Union, for past 6 years. Average membership, 15,000.

Former president, Fall River Building Trades Council; honorary president of this organization at the present time. Average membership, 3,500.

While I have not known Mr. Cottell very long, since his connection with the W. P. A., I do know that he is recognized as very efficient, and that he performs the duties of his position in an able manner. I have the highest feelings of respect for him, personally and as an official of the W. P. A. He is eminently fitted to perform the duties of his office and has equipped himself for greater responsibilities.

The investigators have certainly, expressing myself in the plain language of the day, pulled "a boner" in both of these cases. I hope that this will be a lesson to them so that they will not place themselves in a similar position in the future.

I also hope the subcommittee in directing its investigators in the future, if any investigations are made, will caution them to make no report that because one is not possessed of college training or scholastic training that satisfies their own minds, that of itself that means the individual is not qualified to fill any position in the service of our Federal Government. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 13. Agencies receiving appropriations under this joint resolution are authorized to prescribe such rules and regulations as may be necessary to carry out the purposes for which such appropriations are made.

SEC. 14 (a) The Commissioner shall fix a monthly earning schedule for persons engaged upon work projects financed in whole or in part from funds appropriated by section 1 which shall not substantially affect the current national average labor cost per person of the Work Projects Administration. Such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living. The Commissioner shall require that the hours of work for all persons engaged upon work projects financed in whole or in part by funds appropriated by section 1 shall (1) be 130 hours per month except that the Commissioner, in his discretion, may require a lesser number of hours of work per month in the case of relief workers with no dependents and the earnings of such workers shall be correspondingly reduced, and (2) not exceed 8 hours in any day and (3) not exceed 40 hours in any week.

(b) The Commissioner may authorize exemptions from the above limitations of monthly earnings and hours of work to protect work already done on a project; to permit making up lost time; in the case of an emergency involving the public welfare; and in the case of supervisory personnel employed on work projects.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 40 minutes, 5 minutes to be reserved by myself.

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

There was no objection.

The CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: Page 18, line 11, after the word "living", insert: "The Work Projects Administrator is hereby directed to rescind all monthly wage cuts to unskilled workers on the program that have been made since July 1, 1939, and to raise the national average labor cost per person by the amount necessary to rescind such monthly wage cuts to unskilled workers on the program."

Mr. O'CONNOR. Mr. Chairman, I hope the members of the Committee will pay close attention to the figures I am going to give in connection with this amendment.

This amendment would restore to low-paid W. P. A. workers the cuts in their monthly income made last year. Here is the situation. When the Congress passed last June the new monthly wage basis, increases in W. P. A. wages were made in the South and certain border States to unskilled workers. General increases in wages were made to semi-skilled and skilled workers. But cuts in wages were made to many hundreds of thousands of unskilled workers in the North, East, and West. Particularly hard hit and particu-

larly unjustifiable were the cuts made to women on the sewing and other projects.

Semiskilled workers getting $58 were increased to $68; some getting $50 were increased to $62; some getting $38 were increased to $52. Among skilled workers the increases were just as substantial. Workers getting $72 were increased to $89; others getting $60 were increased to $81; others getting $63 were increased to $79.

But what happened to the poor unskilled? Workers only getting $57 were cut to $52; others getting $60 were cut to $57. This is among the men. Among the women the cut was worse. W. P. A. decided to put the women in a sort of B classification. So those getting $60 were cut to $52; those getting $57 were cut to $48; others getting $48 were cut to $42, and so on. It was discrimination against the unskilled workers. It would require just as much for the family of an unskilled worker to live, of course, as would be required by the family of a skilled worker.

This just does not make sense. No justification has ever been made for these cuts, except the necessity of W. P. A. to mechanically comply with the law. If Colonel Harrington found that a mechanical compliance with the law required these cuts, then let us take the necessary action so that these low-paid workers will not be further compelled to live on such a low standard as to even make it impossible to keep body and soul together.

The gentleman from Pennsylvania [Mr. FENTON] has well stated the problem in the CONGRESSIONAL RECORD of Thursday, May 16, on page 6274. He shows that in his district cuts were made as high as $17.50 a month. In other words, laborers working for $60 were cut to $42.50 in this district.

The amendments would take care of the situation which occurs in many of these northern, eastern, and western congressional districts. The semiskilled and skilled, of course, were not given any more than what they should have received.

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

Mr. O'CONNOR. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. Can the gentleman inform the House just how much money it would take to pay back these widows who have been working in the sewing rooms and the like whose salaries have been cut?

Mr. O'CONNOR. I can say to the gentleman that it would not require a great sum of money. I cannot give the gentleman the exact figure. It is pitiable to realize the amount of money these poor women are working for. I went into the sewing projects in my district last fall and I found them producing very, very serviceable clothing of all kinds. They nearly mobbed me to tell me about the unjust cuts of their wages made by the W. P. A. in connection with these projects. Their complaints were just and right.

Mrs. O'DAY. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentlewoman from New York.

Mrs. O'DAY. In my State of New York the cuts in the sewing projects have caused more suffering to the unskilled workers and to the poor who received the clothes that were made by those workers than any other cuts.

Mr. O'CONNOR. I thank the gentlewoman from New York.

Mr. MARCANTONIO. And the cuts in the city of New York range from $5 to $9 a month.

Mr. VAN ZANDT. In my district they cut the heads of families down to $39 a month.

Mr. O'CONNOR. That was general all over the country. It is an absolute discrimination and I appeal to the membership of this House to do what is right by the unskilled worker, both men and women.

Let us be reasonable and recognize what we have done to the poor W. P. A. worker in the last year. First we took away his prevailing wage rate and asked him to work 130 hours per month for the same wage. So in my State, the hourly pay of unskilled workers was reduced by about 30 percent.

Next, we gave the workers the 18-month clause, which meant that they were dropped from the program for 1 to 3 or 4 months. In many cases, as Colonel Harrington's report indicates, they had terrible difficulty in getting either private employment or relief. Most of them did finally get back, but we must recognize that this 18-month clause meant another pay cut, when you average it over a year.

Then we slapped this reduction in monthly wages on hundreds of thousands of the unskilled poorly paid workers. Then, in addition, hundreds of thousands lost more time and pay this winter due to the inclement weather.

And so we have been knocking the poor W. P. A. workers around, depriving them of their miserable security, and complain when they do not do all the work we expected. Do you think that treating W. P. A. workers that way—giving them an annual wage of perhaps $500 a year—you are going to get $1,500 worth of work out of them. Let us give these workers the money necessary to buy the decencies of life, and the first step is to rescind these wage cuts.

The CHAIRMAN. The time of the gentleman from Montana has expired. The question is on the amendment offered by the gentleman from Montana.

The question was taken; and there were on a division (demanded by Mr. O'CONNOR)—ayes 46, noes 76.

Mr. O'CONNOR. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from Montana demands tellers. All in favor of taking the vote by tellers will rise and stand until counted. [After counting.] Seventeen Members, not a sufficient number, the tellers are refused.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FENTON] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FENTON: Page 18 after (a), in line 3, strike out down through the word "living", in line 11, and insert: "The rates of pay for persons engaged upon projects under the appropriations in this title shall be not less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Work Projects Administration: *Provided*, That if minimum rates of pay for persons employed by private employers in any occupation are established by or pursuant to the authority conferred by any Labor Standards Act enacted at the third session of the Seventy-fifth Congress, not less than the minimum rates of pay so established shall be paid to persons in similar occupations in the same locality employed on projects under funds appropriated by section 1."

Mr. FENTON. Mr. Chairman, on Thursday, May 16, I informed the Members of the House that the Commissioner of the Work Projects Administration is discriminating against my people of the Thirteenth Congressional District of Pennsylvania by placing in effect a wage scale set up on a population basis, contrary to the spirit and letter of the Emergency Relief Act of 1939.

I supported this contention with a communication from Commissioner Harrington's office, advising that wage scales had been placed under four categories according to counties on the basis of the 1930 population. With the discretionary powers granted to the Commissioner, and which the terms of this resolution would continue, I have no doubt but that this same policy of discrimination would be carried on, for to date my pleas with the Administration to rectify the situation in my district have fallen on deaf ears.

This wage scale fixed by the Commissioner after August 31, 1939, on a county population basis, cut the W. P. A. workers in my district from $60 a month to $42.50—starvation wages. This action was taken because the Commissioner placed my district in his "C" or third category group, which was the designation given for a district in which, to quote the written advice from the Commissioner was "according to counties in which the 1930 population of the largest municipality was from 5,000 to 25,000."

Permit me to further show the inconsistency and discriminatory result of this policy by the Work Projects Commissioner.

In January of this year I asked Col. Philip Mathews, Pennsylvania Administrator, to furnish me with a list showing the minimum wage rate paid for laborer's classification in each of the 67 counties of Pennsylvania.

Accordingly I received copies of the State administrator's orders, Nos. W-267 through W-270, establishing the schedule of monthly earnings for project workers in accordance with General Order No. 1 of the Federal Work Projects Administration.

Much to my amazement, the State administrators' orders Nos. W-269 and W-270, in accordance with letters dated November 1 and December 16, 1939, from Mr. Fred R. Rauch, assistant to Commissioner Harrington, authorized an adjustment in the schedule of monthly earnings for 5 communities in a certain county of Pennsylvania, with the population of these communities being 800, 994, 2,516, 13,057, and 13,290, and placing these areas in the metropolitan wage group. The largest community in that county has a population of 19,544, and the total population of the county is only 198,542.

Compare this with the wage scale set up by Commissioner Harrington for my district, part of which is Schuylkill County, with one community having 24,300, or just 700 less than the figure required by Commissioner Harrington to place it in a higher wage bracket; another with 21,782, another with over 14,000, and still another with over 12,000; and the total population of the county is 235,505. In Northumberland County only a street separates Shamokin Borough, with 20,274, and Coal Township, with 19,929. Mount Carmel has 17,967, and Sunbury 15,626.

The Commissioner did not place my district in the metropolitan-area wage bracket. No; he gave the unfortunate relief workers of my district a 27-percent wage cut.

Why was one county in Pennsylvania, with the largest city having a population of only 19,544 and total population of 198,542, placed under the highest wage schedule, when my district, with the largest city having a population of 24,300 and total county population of 235,505, placed in a third classification group with a 27-percent wage cut?

Gentlemen, if we cannot agree that this is discrimination upon the part of the Work Projects Commissioner, then we have lost our sense of fairness and justice. If we do agree, then it is imperative that we remove the discretionary power granted the W. P. A. Commissioner by eliminating the provisions of this proposed resolution which would result in a continuance of present conditions by adopting a prevailing rate of wage for W. P. A. workers.

I implore you to rectify this situation by striking out, under section 14 (a), lines 3 to 11 to the end of the word "living", and insert in lieu thereof—

> The rates of pay for persons engaged upon projects under the appropriations in this title shall be not less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Work Projects Administration: *Provided*, That if minimum rates of pay for persons employed by private employers in any occupation are established by or pursuant to the authority conferred by any labor-standards act enacted at the third session of the Seventy-fifth Congress, not less than the minimum rates of pay so established shall be paid to persons in similar occupations in the same locality employed on projects under funds appropriated by section 1.

No doubt the chairman of the subcommittee of the Appropriations Committee will contend that 300,000 or more will be removed from W. P. A. if my amendment is adopted. But I want to remind the gentleman and the Appropriations Committee that if my amendment is adopted the work could be carried on by increasing the appropriation or by bringing in a deficiency appropriation.

There has been much talk of higher wages. My amendment will not only rectify an unjust and intolerable policy of the Work Projects Administration, but gives every Member here the opportunity to show that he is opposed to unfair and starvation wages as paid in my district by the Government to the man and his family dependent upon work relief for a livelihood. I plead with you to support this justified amendment to the resolution. [Applause.]

Mr. VAN ZANDT. Mr. Chairman, I arise at this time in support of the amendment offered by the gentleman from Pennsylvania [Mr. FENTON] because it will restore the W. P. A. wage scale in effect September 1, 1939; thereby giving the lowest paid W. P. A. worker $53.30 monthly instead of the $39 he is now receiving. This amendment likewise provides for a proportionate increase to other groups in the unskilled class.

Last June, when the House was considering the Emergency Relief Act of 1939, the gentleman from Georgia [Mr. TARVER] offered the following amendment:

> Such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living.

This language is identical with paragraph 1, section 14 (a), of the Joint Resolution No. 544 now before us.

In considering the amendment offered by the gentleman from Georgia [Mr. TARVER], on June 16 the gentleman from Virginia [Mr. WOODRUM] as chairman of the subcommittee of the House Appropriations Committee who was in charge of the relief bill, made the following statement:

> I do not know what the effect of this amendment may be.

His views were shared by the majority of the Members of this House at that time who in the absence of authentic information were fearful that the amendment would not only decrease wages but at the same time would reduce the number of jobs on W. P. A. under the appropriation requested.

Sensing what I believed to be rank injustice to my constituents in central Pennsylvania, and being determined that the wage scale in effect was a mere pittance and could ill-afford any further reduction, I joined 158 colleagues in defeating the Tarver amendment. The defeat administered was short lived because of the action taken by the Senate in adopting the amendment. As a result of the Senate's action and at the insistence of Colonel Harrington, W. P. A. Administrator, the conference committee sustained the Senate action with the result that when both Houses were asked to finally consider the relief bill they were denied any further consideration other than a mere vote as to the refusal or acceptance of the entire bill.

On September 1, 1939, as a result of the Tarver amendment, which is now part and parcel of this year's relief bill, Colonel Harrington put into effect his interpretation of that amendment with the result that thousands of W. P. A. workers throughout the Nation, and particularly in the Twenty-third District of Pennsylvania, felt the ill-effects of this administrative action to such a pronounced degree that rank discrimination and needless suffering followed.

As an example, let me cite you the difference in wage scales that prevails in my tricounty district of Blair, Centre, and Clearfield Counties in Pennsylvania.

Prior to September 1, 1939, the unskilled laborer received $53.30 monthly and under the present wage scale he may find himself in class B of the unskilled group receiving a mere $39. The following schedule contains a comparative table of the old and new wage scales:

Pennsylvania

	Unskilled		Intermediate	Skilled	Professional and technical
	B	*A*			
Blair County, Altoona, 82,054 (25,000 to 100,000):					
Wages established by Executive order in 1935	--------	$52.00	$60.00	$75.00	$83.00
Prior to Sept. 1, 1939	--------	57.20	66.30	75.40	83.20
New rates	$48.10	52.00	62.40	81.90	84.50
Centre County, Bellefonte, 4,804 (under 5,000):					
Wages established by Executive order in 1935	--------	40.00	45.00	55.00	61.00
Prior to Sept. 1, 1939	--------	53.30	61.10	70.20	78.00
New rates	39.00	42.90	52.00	67.60	68.90
Clearfield County, DuBois, 11,595 (5,000 to 25,000):					
Wages established by Executive order in 1935	--------	44.00	50.00	63.00	69.00
Prior to Sept. 1, 1939	--------	53.30	61.10	70.20	78.00
New rates	42.90	48.10	57.20	74.10	76.70

When the W. P. A. worker was informed he must accept a reduction in pay from $53.30 to $39, naturally he wrote his Congressman asking for an explanation as to the reason for such action. It was not difficult for me to understand the situation faced by the head of a family who was expected to support and educate a family on a meager $39 a month.

Hence, I contacted Colonel Harrington, who, in turn, referred me to Colonel Philip Mathews, Pennsylvania State administrator of W. P. A., only to be informed by that official that such wage scales were based upon the cost of living as directed by the Tarver amendment. In desperation, I appealed to President Roosevelt on behalf of the W. P. A. workers, only to be again referred to Colonel Harrington. In other words, it reminded one of the wheel referred to and operated by Major Bowes on his nationally known radio program, when he says:

Round and round she goes, and where it stops nobody knows.

Seriously, gentlemen, let us consider an unemployed coal miner, railroader, brickyarder, or a worker from countless other occupations who finds himself forced to the W. P. A. rolls to provide a livelihood for his loved ones. Faced with a desperate situation and a problem that permits no easy solution, it is evident to any fair-thinking individual that such citizens with growing children cannot properly provide and raise a family on $39 monthly.

We have no greater authority for such a statement than the Bureau of Home Economics of the United States Department of Agriculture who from the Consumers Purchases Study conducted by them points out that any family whose average size is 3.3 persons requires an annual income of $750 a year from the bare necessities of life. It is further stated by the Bureau of Home Economics that families who have an income of less than $750 annually are not only denied a bare living but from their low income are face to face with the fact that rent, food, fuel, light, and medical care require $704 alone, therefore on an income of less than $750 they do not break even, but in truth face a deficit.

It should be borne in mind that, with few exceptions, this $39 monthly wage scale is decreased on an average of $4 monthly, due to the worker having to pay his own transportation cost to and from the project.

Another evil of the ruthless reduction in wages is the discrimination between adjoining counties in the maintaining of a different wage scale, when it is an undisputed fact that rent, clothing, and food supplies are identical in price in these various communities. How can any reasonable man answer a W. P. A. employee receiving $39 a month when across the county line his fellow W. P. A. worker receives $42.90, and both men deal at the same store and pay the same price for a pound of butter or a peck of potatoes?

I know some of you say that the W. P. A. rolls are filled with people who are always unemployed in good or bad times, but I refuse to permit indictment of the vast number of worthy citizens who, from the effects of widespread economic conditions, find it necessary to accept employment on the W. P. A. in order to secure a livelihood.

I know, too, that some of you will say, if the W. P. A. worker receiving $39 monthly is returned to the former wage scale of $53.30 monthly the increased cost will result in a reduction of jobs. But let me remind you, a moment ago my colleague from Pennsylvania [Mr. DITTER] offered an amendment that would have increased the $975,650,000 to $1,125,000,000, and the increase was more than sufficient to cover any increase necessary in restoring the old wage scale in effect prior to September 1, 1939. In spite of this effort to increase the amount for next year, when a vote was taken on the Ditter amendment, let me emphasize this fact, not one Democratic Member of this House voted for the amendment; in other words, they defeated our efforts to increase the wages of the W. P. A. worker.

Now in all seriousness, gentlemen, the Fenton amendment now being considered offers another opportunity to grant an increase to the W. P. A. worker, and thereby correct the abuses that have been heaped upon this class of worthy citizens.

Last year I vigorously opposed the Tarver amendment which resulted in the unjust wage reduction in effect the past year.

In considering this year's bill I am supporting every amendment that will increase the present wage scale, and I propose to continue my action in simple justice to the thousands of W. P. A. workers who have been the victims of such rank discrimination.

Mr. CANNON of Missouri. Mr. Chairman, this amendment makes it necessary to dismiss 300,000 persons. It should be noted that the gentleman's amendment applies only to the first paragraph of the section, but makes no change in the hours of labor. If you will examine the testimony before the committee as it appears on page 1228 of the hearing, you will see from the tabular statement submitted by Colonel Harrington that such an increase as is proposed by the amendment without change of hours could only be accomplished through the discharge of 300,000 workmen.

May I also call your attention to the statement of Colonel Harrington as quoted in the report. He says that this change brought about the greatest single improvement in the operation and administration of the program that has been accomplished since its inception.

Let us go a little further. Read what Colonel Somervell had to say on this point. And he makes this statement after he has had opportunity to observe at length its operation in New York City. He said:

After the first opposing reaction of skilled and professional workers, who had relied on off-time to supplement their Work Projects Administration earnings, production per man-month increased rapidly, morale, general attention to duty, and the whole atmosphere on the projects showed a noticeable upswing. This permitted more work to be done by a given number of employees. Thus, not only was the total amount of work done increased but the task of assigning and directing it, and paying for it was greatly simplified. There has been no indication of any effect whatsoever of this proviso on wages in private industry.

This shows the futility, the mistaken purpose of the amendment itself.

Further, it defeats the purpose for which it is offered. Here is a statement in the report, on page 10:

It (the provision) resulted in an increased cost in the national average labor cost of W. P. A. of between $1.50 and $2 in monthly wages.

A vote for this amendment is a vote to fire 300,000 and take away the support of 300,000 families.

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

Mr. MARCANTONIO. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The Chair regrets that the time has been limited and has been allotted, under which circumstances the Chair is unable to recognize the gentleman.

Mr. MARCANTONIO. May I have the 2 minutes?

The CHAIRMAN. The gentleman from Missouri reserves the balance of his time.

Mr. CANNON of Missouri. I reserve the balance of my time to use on some subsequent amendment to the section.

The CHAIRMAN. The Chair regrets that the time has all been assigned.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FENTON].

The question was taken; and on a division (demanded by Mr. FENTON) there were ayes 41 and noes 78.

So the amendment was rejected.

Mr. COFFEE of Washington. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COFFEE of Washington: Page 18, line 3, strike out all of section 14 and insert in lieu thereof the following:

"SEC. 14. Work on all projects shall be paid at hourly rates of wages equal to those prevailing for similar work in the locality or to the union scale of wages where such scale obtains for such work in such locality. Monthly wage scales shall be fixed so that the national average monthly wage shall not be less than $70 monthly; nor shall the monthly scale in any locality for any type of work be less than $40 a month. The hours of work shall not be less than 120 nor more than 130 hours monthly."

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. COFFEE of Washington. Mr. Chairman, this amendment would establish the works program on a new basis, that of a real works program instead of a relief program. The gentleman from Virginia, Congressman WOODRUM, has

well pointed out the inconsistency of a work-relief program. It is neither fish, fowl, nor good red herring. The gentleman from Virginia, Congressman WOODRUM, proposes that we ditch the W. P. A. and plump for just a P. W. A. This is not necessary. It is possible to reform the W. P. A. and get all the advantages of the P. W. A. type, and keep it a Federal-State program.

After all, there is no reason why W. P. A. must be a relief program with relief wages, relief standards, relief morale. It is that aspect of the program which has operated against absorbing W. P. A. workers into private industry. As a matter of fact, not only do they have the barrier of prejudice against them, but actually the low standard of living under which they must live makes them almost unemployable after a period.

For example, compare the study of living costs by W. P. A. itself with the W. P. A. wage scale.

W. P. A. in its cost-of-living study has two living-cost standards. One is maintenance living cost, which means just getting by; the other is emergency standard, which it defines as that standard at which it is dangerous to live for any period of time.

Let us compare this emergency standard with W. P. A. wages.

In Butte, Mont., the emergency standard for a family of four is $77 a month. The W. P. A. wage is $48 for women and $52 for men. In other words, the worker has to live on 20 percent to 30 percent less than an emergency standard. In Cleveland the emergency standard is $80 a month. W. P. A. workers get $52 to $57 a month. In Boston the emergency standard is also $80, and the W. P. A. wage is also $25 to $30 a month lower. The same could be cited for almost any city in the country, north, east, south, and west.

For the country as a whole the emergency standard averages $75 a month; which I repeat is that standard upon which it is dangerous to live for any length of time.

Now let us see what happened to a worker's wages at present. I have selected Buffalo, N. Y., as an example, because its emergency cost of living—$75 a month—is exactly the same as the national average.

A W. P. A. worker in Buffalo may get either $52–$57 a month, depending upon whether he is a man or a woman. Let us average it at $54 a month which is the national average.

How does he spend his $54? Food at the emergency level would take $28 a month. Rent at the emergency level would take $13.95. That totals about $42 a month. Clothing would require $11 a month. That means $1 a month could be left for fuel, ice, household supplies, furniture, medical care, transportation, school attendance, insurance, church, and other associations, and recreation. You know that this cannot be done. What happens? The W. P. A. worker cannot afford even the emergency standard of the W. P. A. study for food, or for rent. He has to eat the worst of food, live in the worst of slums, going downhill day after day, month after month.

The amendment would increase the average W. P. A. wage to $70 a month. It would, therefore, still be $5 a month less than this emergency standard of living. What would happen if this were done; what would happen to this extra pay? Would it go up the flue, or be invested in stocks and bonds? The record will show that it would be used to buy food, pay rent, buy clothing, household goods, generally to stimulate trade in a wholesome, peacetime basis.

The workers would have a higher morale, a better health; they would be able to do better work; the program would be more respected, and the workers more sought after by private industry. The Federal Government would be setting a good example, and not a bad example to industry as is now being done.

This would not in any way harm the wage level in the South. Rather it would increase it; for the amendment provides for a minimum wage of $40 a month. In the South, the minimum is still as low as $30 a month.

The other part of the amendment refers to the hourly pay and the hours of work. The amendment proposes that we restore the prevailing hourly wage, in conformity with the policy proposed of making this a real works program. Today the W. P. A. is the only works activity that the Federal Government participates in, that does not pay prevailing wages. The Federal Government insists upon the prevailing wage for P. W. A., housing, and State-road work; insists upon it in Government contracts. W. P. A. is the one lone exception, and this is a Federally directed agency. This is inconsistent and hypocritical.

The amendment proposes that we pay the prevailing hourly wage, the union scale, and make the hours of labor 120 to 130 a month, depending upon local conditions. This is supported by the A. F. of L., the C. I. O., and the Workers Alliance.

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

The question was taken; and on a division (demanded by Mr. COFFEE of Washington) there were—ayes 25, noes 62.

So the amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. HOOK: Amend section 14 (a), page 18, line 11, by inserting after the words "difference in the cost of living" the following words: "*Provided*, That adjacent counties being in the same geographical area having similar climatic conditions in a State and having similar living costs, but which do not have concentrated populated cities, be given similar monthly earning schedules."

Mr. HOOK. Mr. Chairman, the arguments advanced by the two gentlemen from Pennsylvania apply equally to this amendment.

The argument made by the gentleman from Missouri against the amendment offered by the gentleman from Pennsylvania does not apply here. Not one person would have to be taken off the relief rolls. All this amendment would do would be to provide a similar wage scale in counties that have similar living conditions, similar climatic conditions and that are in the same geographical area. This would certainly take care of a bad situation in the Upper Peninsula of Michigan. For instance, there are 8 counties in my district. In 4 of these counties there are cities of over 5,000 population and in those 4 counties the W. P. A. worker receives $48.10 per month. In the other 4 counties there are no communities over 5,000 population and the W. P. A. worker receives only $39. Previous to the last schedule set up by the W. P. A. they all received $44 a month.

It is discrimination pure and simple, because in one of the counties we have 5 mining communities. That is the county of Iron. In some places there only a street separates them. This subdivision was brought about by the large mining companies to avoid taxation. Now you are penalizing the people still further by this discriminatory schedule. The combined population is 10,000, yet in that county a W. P. A. worker can receive only $39 a month, whereas the man across the street in the next county, a man working in the same ditch with him, receives $42.90.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. VAN ZANDT. Yet the cost of butter is the same to both.

Mr. HOOK. Living conditions are exactly the same.

I hope this amendment is agreed to.

If you will look on page 433 of the hearings you will find a gross discrimination. You will notice that the country is divided into three wage regions. One is the East and Middle West, which includes the States of Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Maine, Maryland, Kansas, Massachusetts, Michigan, Missouri, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, West Virginia, and Wisconsin.

No. 2 wage region includes Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming.

No. 3 wage region: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

If this is not one of the most cockeyed methods of handling this situation, I have never heard of one. Whoever figured that out must have had a Ouija board at his or her disposal because only a person with their eyes closed and their mind a blank could have arrived at such a nonsensical conclusion.

Since when have the people of the West been entitled to be singled out and blessed. I have heard of the Golden West where it costs less to live high, but the W. P. A. does not believe what the westerners say as to their section.

It costs just as much and more to live in my section as it does in any other section. It costs as much to live in the Upper Peninsula as it does to live in Detroit, Los Angeles, or New York. I hope that this matter will be straightened out. I hope you see fit to adopt my amendment. If you do not do it this afternoon the fight will not stop here because I will carry it to the other body and ask that it be inserted there.

Let us pass this amendment now.

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

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 25, noes 55.

So the amendment was rejected.

Mr. HOOK. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. HOOK: Page 18, line 15, strike out all after the comma following the word "Commissioner" down to and including the word "month", in line 17, and insert in lieu thereof "shall require a lesser number of hours of work, not to exceed 65 hours per month."

Mr. HOOK. Mr. Chairman, if the committee wants to save money and yet have the money it grants more equitably distributed they should accept this amendment. At the present time single men without dependents employed by W. P. A. work the same number of hours as a married man with five or six children and receives the same amount of money although he has only himself to feed and clothe. This amendment would require that the Commissioner employ a single man not more than 65 hours a month. It would give the single man only one-half as much time as the family man, and it would give an opportunity to employ twice as many single men with the same amount of money. At present some single men get nothing and others get all. On the other hand, the money saved could be used to give employment to married men with dependents and could be distributed among the workers who are heads of families. It certainly would give the W. P. A. the opportunity to take care of more married men. I feel that the heads of families are entitled to more than single men without dependents. I am certain that even the single men will agree with this amendment.

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

Mr. HOOK. I yield.

Mr. SCHAFER of Wisconsin. This is a relief bill. It has always appeared to me that the amount of relief extended should be based on the cost of living in the community where the worker resides, and the number of dependents which he has to support.

Mr. HOOK. That is right.

Mr. SCHAFER of Wisconsin. It is absolutely ridiculous to spend money through a relief bill and give the same amount to single men as is given to married men and heads of families.

Mr. HOOK. The gentleman is correct. If we are to give married men the amount of relief they are entitled to, we must cut down the time allotted to single men or else increase the appropriation. I voted for an increase yesterday, but that was defeated. The heads of families should have greater consideration. At the same time employment should be spread out to a greater number.

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

Mr. HOOK. I yield.

Mr. KELLER. Mr. Chairman, it seems to me that this is a good amendment and ought to be adopted.

[Here the gavel fell.]

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

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 40, noes 36.

Mr. CANNON of Missouri. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. CANNON of Missouri and Mr. HOOK to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 66, noes 61.

So the amendment was agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. GEYER of California: Amend section 14 by adding the following subsection:

"(c) No worker who has lost time through no fault of his own shall be denied compensation for such loss of time. Where a worker is available for work and is prevented from working through no fault of his own there shall be no deduction from his monthly pay check."

Mr. GEYER of California. Mr. Chairman, under the present law, and the way it is interpreted, a W. P. A. worker who loses time through no fault of his own usually suffers great hardship. We know that W. P. A. workers are chosen because they are in need and have no financial resources. We pay them a so-called security wage which is far, far below a decent standard of living. We make them work 130 hours a month for that inadequate wage. We lay them off for a period of 1 to 3 months on the 18-month clause, or on the frequent reductions of quota.

Now, we inflict another injustice which should be remedied. Last winter, for example, the severe weather conditions forced the cessation of operation on many projects. Day after day snow and cold prevented workers from working. What happened at the end of the pay periods? The workers found themselves with checks amounting to half or a quarter of their security wage. What were they to live on? How were they to keep themselves in condition to do a day's work? W. P. A. threw up its hands. It said it had no power to help these people. At this time, when their need for food, clothing, fuel, and so forth, was greatest, their income stopped. For some of them in desperate straits the surplus commodities supplied foods equal to 1 cent or 1½ cents a meal per person.

The record will show in last January and February alone W. P. A. workers lost a total of nearly $30,000,000 in pay, due to this situation, and this was equal to $12.50 for each and every W. P. A. worker on the program. We understand that the workers are still today trying to make up that lost time.

Now, W. P. A. has more responsibility in this than it has assumed. If W. P. A. does not have power to do anything, we should give it the power to handle this problem properly. The amendment would make it possible for W. P. A. to assure to workers a full pay check if they were ready to work and were prevented through no fault of their own. Then the W. P. A. could make any provision necessary to have the time made up later on. But, for heaven's sake, let us not penalize the poor W. P. A. worker if the project closes because of inclement weather. Let us not take away his meager pay at the time when he needs it most. We pauperize him. Give him less than a living wage, and the very time of the year, when it is cold and the families need this meager wage the most, they are denied it. These people would be required to make up the time.

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California [Mr. GEYER].

Mr. Chairman, this is the most absurd amendment that has been offered to the bill up to this time, and that is a rather strong statement in view of some of the proposals considered here today. The bill already provides that men

can make up work lost for any of the reasons suggested in the amendment. This proposition would pay them whether they work or not and, of course, too often they would not. It proposes an arrangement which private industry could not possibly countenance. The amendment does not warrant consideration, much less adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. GEYER].

The question was taken; and on a division (demanded by Mr. GEYER of California) there were—ayes 4, noes 48.

So the amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. SECCOMBE: Page 18, line 11, after the word "living", insert a colon and the following proviso: "*Provided*, That in no case shall the monthly earning schedule for workers of the same type vary more than 5 percent."

Mr. SECCOMBE. Mr. Chairman, I am certain that my colleague from Michigan [Mr. HOOK] and his amendment were misunderstood a few minutes ago when he said he desired to provide some differential in the wage rate pertaining to the W. P. A. I want to draw a paradox in my own congressional district. I have three wage rates. I have laborers making $39, $42.90, and $52. The district is separated by the main artery of the small community. There was a project on which the men on one side of the street received $39 a month, while men on the other side, working on the same project, received $52, and in one instance they were all dealing at the same grocery store. I do not think anyone wants laborers on the W. P. A. receiving different pay for the same job.

We talk about Communists, we talk about radicals, although some years ago we talked about Bolsheviks. We have streamlined that term and we call them radicals or Communists today. If we are doing anything at all, we are breaking down the morale of these men every day by a differential in wage rates for doing the same kind of work on the same job. Nobody in an office nor nobody in a factory, and certainly no Member of Congress, would want to differentiate as between men doing the same job. Certainly you would not want to differentiate in this body between men. We want to hire men on a W. P. A. project and we ought to pay them the same rate of pay when doing the same work. We do not want to say that Baptists or Methodists are the only ones who can be employed. Here we have a differential, and I plead with you to agree to this amendment, which states that there shall not be a differential of over 5 percent for people doing the same kind of work.

Mr. HOOK. Will the gentleman yield?

Mr. SECCOMBE. I yield to the gentleman.

Mr. HOOK. I think the gentleman's amendment is a very worthy one and should be agreed to.

Mr. SECCOMBE. I thank the gentleman.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I think it is apparent to anyone who listened to the reading of the amendment that the change proposed by the gentleman would completely wreck the differential system, which has been adopted after long experience and careful consideration—a system which is working admirably and should not be disturbed. I hope the House will consider the far-reaching effect of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. SECCOMBE].

The question was taken; and on a division (demanded by Mr. SECCOMBE) there were—ayes 45, noes 75.

Mr. SECCOMBE. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The Clerk read as follows:

SEC. 15. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be determined, as far as practicable, on the basis of relative needs and shall, where the relative needs are found to be the same, be given in the following order: (1) Veterans of the World War and Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration), unmarried widows of such veterans, and wives of such veterans, who are in need and are American citizens; and (2) other American citizens, Indians, and other persons owing allegiance to the United States who are in need.

(b) There shall be removed from employment on Work Projects Administration projects all relief workers, excepting veterans, who have been continuously employed on such projects for more than 18 months, and any relief worker so removed shall be ineligible to be restored to employment on such projects until after (a) the expiration of 30 days after the date of his removal, and (b) recertification of his eligibility for restoration to employment on such projects.

(c) In considering employment of persons upon work projects prosecuted under the appropriations contained in this joint resolution, the agency providing the employment shall determine whether such persons are able to perform the work on work projects to which they can be assigned and no person shall be employed or retained for employment on any such project whose work habits are such or work record shows that he is incapable of performing satisfactorily the work to which he may be assigned on the project.

(d) There shall be removed from employment on Works Projects Administration projects all relief workers whose needs for employment have not been certified by, and, except as provided in section 16 (b), no relief worker shall be employed on such projects until after his need for employment has been certified by (a) a local public certifying agency or (b) the Work Projects Administration where no such agency exists or where the Work Projects Administration certifies by reason of its refusal to accept certification by local public agencies.

(e) No alien shall be given employment or continued in employment on any work project prosecuted under the appropriations contained in this joint resolution and no part of the money appropriated in this joint resolution shall be available to pay any person who has not made or who does not make affidavit as to United States citizenship, such affidavit to be considered prima facie evidence of such citizenship.

(f) The Commissioner shall cause a periodic investigation to be made of the rolls of relief employees on work projects, and shall eliminate from the rolls those not in actual need, such investigation to be made so that each case is investigated at least once in every 12 months.

Mr. CANNON of Missouri. Mr. Chairman, there is a committee amendment to this section. The only amendment adopted in the committee was the amendment offered by the gentleman from Michigan [Mr. RABAUT]. I ask that the Clerk read that amendment.

The Clerk read as follows:

Committee amendment: On page 19, line 17, after "veteran", insert "and also excepting heads of families 45 years of age or older with either a dependent spouse or one or more dependent parents or minor children,".

The committee amendment was agreed to.

Mrs. O'DAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. O'DAY: On page 20, after line 20, insert "No blind person receiving Federal social-security aid shall be prohibited from temporarily relinquishing such aid to accept employment on a Work Projects Administration project."

Mrs. O'DAY. Mr. Chairman, in almost every State of the Union there are a few W. P. A. projects on which blind people can be successfully employed. One of them is a project sponsored by the Congressional Library here, and it is operated in New York City. It employs 30 blind persons, who are employed in some portion of the building of the talking machines which are distributed throughout the country and are used by their fellow sufferers, and friends. That project has furnished 20,000 talking machines that are sent throughout the United States.

There are other projects in which the blind are employed. For instance, they are employed as proofreaders in the transcribing of books printed in the Braille system. They are used as home teachers to the adult blind who have newly become blind. They are employed as piano tuners in all the public-school systems, and they are used as servants in city and State hospitals.

Under recent regulations those who are eligible for the receipt of Federal Social Security aid are being removed from the W. P. A., and this has caused the enforced idleness of between 300 and 400 blind persons who have been earning their pay for well-done work. We are asking that they be allowed to be kept on the W. P. A. and continue earning

their bread instead of receiving it simply as a kind of dole. I ask for the adoption of this amendment in behalf of the sorely handicapped blind.

Mr. CANNON of Missouri. Mr. Chairman, will the gentlewoman yield?

Mrs. O'DAY. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. I am a little uncertain as to the exact purport of the amendment. As I understand it, the gentlewoman desires to preserve the social-security status of those who go on W. P. A. May I ask if the amendment involves drawing both W. P. A. wages and social-security payments simultaneously?

Mrs. O'DAY. I do not think so, no.

Mr. CANNON of Missouri. They will not draw both at the same time?

Mrs. O'DAY. No.

[Here the gavel fell.]

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

Mr. Chairman, I wish to take just a minute to raise my voice in support of the amendment offered by the gentlewoman from New York. This amendment does not mean that blind persons can obtain both the social-security payments and compensation when assigned to a project. It gives them the privilege of suspending their social-security payments, as I understand the amendment, if they desire to continue their assignment on a W. P. A. project.

These are unfortunate people who have been visited by blindness. They have the same respect for themselves that we have. They are laboring under the difficulties that the condition of blindness brings about. The W. P. A. assignment of the blind to projects has been a great contribution, particularly the Braille projects.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

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

Mr. CANNON of Missouri. I take it for granted that under the amendment workers would be eligible to employment in the order of their relative need?

Mr. McCORMACK. Exactly. That is my understanding.

Mr. CANNON of Missouri. It would not interfere with the established routine in that respect?

Mr. McCORMACK. No, according to my understanding.

Mr. CANNON of Missouri. Under those circumstances I see no particular objection to the amendment offered by the gentlewoman from New York. The committee will accept the amendment.

Mr. McCORMACK. I am pleased to note the fine position taken by my friend, the gentleman from Missouri [Mr. CANNON], which means that the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York.

The amendment was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, I wonder if we cannot arrive at some agreement about the time to be spent on this section.

The CHAIRMAN. May the Chair give the gentleman from Missouri some information? When we began the session at noon there were 15 amendments on the Clerk's desk to consider. There are now 16 amendments to be offered to this one section.

Mr. CANNON of Missouri. I am certain that no one desires to use a great deal of time on these amendments. We ought to be able to decide each of them with a comparatively few minutes of debate.

Mr. TABER. May I make a suggestion?

Mr. CANNON of Missouri. Yes.

Mr. TABER. Why not let everyone who speaks limit himself to 2 minutes?

Mr. CANNON of Missouri. I believe that would be a very good agreement.

Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto be limited to 2 minutes to each speaker.

Mr. HOOK. Reserving the right to object, Mr. Chairman, would that mean 2 minutes on each amendment?

Mr. CANNON of Missouri. Two minutes to each speaker.

Mr. HOOK. I have two amendments. I would not have any objection if I had 2 minutes on each amendment.

Mr. CANNON of Missouri. Two minutes to each amendment, of course, the total time not to exceed 32 minutes.

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

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. RABAUT] is recognized.

Mr. RABAUT. Mr. Chairman, I take the floor at this time to congratulate the members of the committee who on two occasions, this year and last year, approved the humanitarian amendment that has been passed by the House this afternoon. This, my amendment, is set forth in the bill on page 19, line 17, where there is an exemption for heads of families 45 years of age or over, with either a dependent spouse, or one or more dependent parents or minor children.

My purpose in talking about this amendment at this time is to make known the intention of the committee that the phrase "heads of families" means persons, and may be either the father, the mother, the son or the daughter. Therefore, this intention of the Congress should be so interpreted by those administering the law.

I do not wish to take much time, but the solicitude of the Congress along this line has caused industry to take special recognition of men who are heads of families 45 years of age or older. In a two-page spread in the Saturday Evening Post there was an advertisement depicting a man of middle age on a park bench staring at the smokestacks of industry in the distance. A worried brow, and the clutch of the want-ad section of the daily paper, gives evidence of his condition as a victim of his forty-fifth birthday. Then the corporation proceeds to make its point with the statement: "Our employees of 45 and over have been retained in our industry."

A week ago one of the national oil companies, on a coast-to-coast broadcast, referred to their policy of keeping employed their older men who are heads of families. The very fact that industry makes this boast is proof that there has been an abuse in the past. And you Members of Congress by your action in this House last year in passing this amendment, and this year in enacting it again, are bringing to the forefront the fact that there is general recognition of the abuse that has taken place that should be corrected. [Applause.]

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

The Clerk read as follows:

Amendment offered by Mr. BELL: On page 19, line 17, after the word "veterans", insert "unmarried widows of the dependents of such veterans."

Mr. BELL. Mr. Chairman, this amendment is intended to rectify what I think is, perhaps, an oversight or an error; in any event, it certainly will cure a grave injustice and an inconsistency. In this paragraph we provide that everyone on W. P. A. who has been there for 18 months shall be stricken from the rolls with one or two exceptions. One of those exceptions is veterans and we provide that veterans shall be exempted from the provisions of this section. We do not provide in the section, as it has been drawn, that the widows of veterans with their children shall also be exempted.

Now, manifestly, it is a ridiculous thing to say that a young man, able-bodied and without dependents, should receive more consideration when it comes to leaving them on these rolls than the widow of a man, when that widow has dependents. I think there is not a veteran in the United States who would not like to have the knowledge that his widow and his children will be taken care of even in preference to himself. Now, someone may say that this is already taken care of because the section exempts heads of families above 45 years.

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

Mr. BELL. I yield.

Mr. TABER. I wonder if the Chairman of the Committee would not be willing to accept that amendment.

Mr. CANNON of Missouri. Mr. Chairman, it is our expectation to accept the amendment. Its omission was an inadvertence.

Mr. BELL. I am sure of that, and I appreciate the gentleman's statement.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. BELL].

The amendment was agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. WALTER: On page 20, line 21, after the word "alien", insert a comma and the following: "no Communist and no member of any Nazi bund organization."

And on page 21, line 2, after the word "citizenship", insert "and to the effect that he is not a Communist and not a member of any Nazi bund organization."

And on page 21, line 3, strike out the period, insert a comma and the following: "and that he is not a Communist and not a member of any Nazi bund organization."

Mr. CANNON of Missouri. Mr. Chairman, I may state to the gentleman that we will be pleased to accept the amendment.

The amendment was agreed to.

Mr. HEALEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HEALEY: Page 19, line 15, strike out the entire paragraph lettered (b) from line 15 through the period and line 25.

Mr. HEALEY. Mr. Chairman, the purpose of my amendment is to strike out the 18 months' restriction entirely. The House has already adopted the amendment of the committee making the 18 months' provision not applicable to heads of families 45 years of age or over. My amendment will strike out the restriction entirely. As I understand it, the basic reason for the inclusion of this restrictive amendment originally was to discourage persons seeking a career on W. P. A. I say to you, Mr. Chairman, if you will read the hearings relating to this particular matter, from page 435 to page 441, you will discover that this harsh and cruel provision has failed dismally to accomplish this purpose. As a matter of fact, it has meant untold hardship to many workers and their families, workers whose need for this employment was beyond question, and if this provision is retained it will continue to work great hardship on millions of W. P. A. workers. Since its adoption over 1,089,000 workers were dropped from W. P. A. jobs.

Three weeks after the first group was dropped, W. P. A. conducted a survey to discover what the results had been because of the laying off of these people under this clause. Only 7.6 percent of those persons who were dropped had obtained employment in private enterprise. One-half of those who had been dropped reported no income at all for the 3 weeks since their lay-off, and many of those were heads of families, and their children suffered as a result of this harsh and cruel provision.

Subsequent surveys conducted to ascertain the effect of this provision on dismissed workers revealed that only about 13 percent had jobs in private industry. In other words, little more than the normal turn-over from the W. P. A. to jobs in private industry has been achieved by this restriction. I reiterate it has not accomplished its purpose, it has only resulted in hardship and distress for the dropped workers and their families. I hope the Committee will see fit to strike it out entirely.

Mr. CANNON of Missouri. Mr. Chairman, this is the most unfair amendment yet offered to the bill. If you adopt this amendment, you endow every person on the rolls for life. When we investigated tenure on the rolls with a view to drafting this provision, we found men who had gone on when W. P. A. was first organized and had been there ever since. In some cities such cases accounted for 40 percent of the entire assignment. These early birds got on the rolls and stayed there, and nobody else could get on. All over the country there are others just as needy, just as deserving, and just as much entitled to consideration as these favored few, and this section gives them all an equal chance. It provides for rotation. It passes the pie around. It permits equal distribution. If you should adopt this amendment, you would freeze every man on the job, and he could stay there as long as he lived. I am certain you will agree with me the amendment should be defeated.

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

The question was taken; and on a division (demanded by Mr. HEALEY) there were—ayes 23, noes 62.

So the amendment was rejected.

Mr. PETERSON of Florida. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. PETERSON of Florida: Page 19, lines 3, 4, and 5, after the word "be", in line 3, strike out "determined, as far as practicable, on the basis of relative needs, and shall, where the relative needs are found to be the same, be given" and insert in lieu thereof the following wording: "given in each region to those who are qualified and available."

Mr. PETERSON of Florida. Mr. Chairman, the purpose of this amendment is to give a definite veterans' preference. The present wording of the act is:

Determination is, as far as practicable, on the basis of relative needs, and shall, where the relative needs are found to be the same—

Those two clauses, "determination as far as practicable" and "on the basis of relative needs," defeat the actual purpose of the veterans' preference, and my amendment provides that this preference shall be given to the veterans in each region "to those who are qualified and available." Under the wording of the act it would still be necessary for the veteran to be in need, to be qualified, and available. It makes a definite veterans' preference.

Mr. VAN ZANDT. If this amendment is adopted, the Administrator of W. P. A. must give the veteran preference, and there is no if or and about it.

Mr. PETERSON of Florida. Yes; if he is in need, and is qualified and available.

Under the present system the clear desire to grant veterans preference is oftimes defeated. Veterans in need, qualified, and properly certified are still awaiting assignment. This amendment will clarify the situation and give preference, but not an undue advantage, because the veteran would have to be in need, properly investigated, and certified. I urge the adoption of this amendment. [Applause.]

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

I am sympathetic, and I suggested a minute ago that the Chairman consent to an amendment that would help veterans, but I do not think that the veterans ought to come here and ask that they be given a preference where their need is not as great as that of other people. I think that the relative need proposition is one of the finest things that could be written into the bill. I do not think anyone ought to take any other position.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. PETERSON].

The question was taken; and on a division (demanded by Mr. PETERSON of Florida) there were—ayes 36 and noes 50.

Mr. PETERSON of Florida. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. SECCOMBE: Page 19, line 23, after "(a)", strike the remainder of line 23 and that part of line 24, including "(b)."

Mr. SECCOMBE. Mr. Chairman, one of the greatest hardships inflicted on the work-relief bill of last year was the insertion of the 30 days' forced lay-off after continuous 18 months' work.

I recently had a W. P. A. investigation in my congressional district. The State administrator admitted that in no case was there ever a man or a woman who, after they had

worked 18 months, was placed back on W. P. A. in less than 60 to 90 days.

There is never a project anywhere of W. P. A. but what the project is finished, and they have to take more than 30 days off awaiting reassignment. Gentlemen, that 30 days was one of the greatest hardships we placed in that bill. It was placed there so that you could place someone else on who was waiting, but that has not been the case. Projects that have been submitted have always been finished, and they have had to take more than 30 days off. Gentlemen, they do not make a living on W. P. A., notwithstanding they have to take 30 days. Give these people a living wage and do not add more misery to them. I plead with you to strike out this 30-day provision. Why make them wait 30 days and place these people a year or two back in financial distress, where they were before they were assigned? I say to you from the experience of the past year on W. P. A., we should take that as the yardstick for today to place provisions in this bill so that it will be more workable and not work greater hardship on these people. This 30 days certainly should be stricken out. I challenge you to show me where there has been any real relative need, after they were off 30 days, where they were reassigned—yes, 40 days or 50 days.

I ask you to support this amendment. Give these people a chance and a right to work where they are assigned to a project.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, if we leave out this section, we might as well leave out the whole paragraph.

What opportunity is there for rotation if you put them back as soon as taken off? And if you do not propose to put them back as soon as taken off, what necessity is there for the amendment?

As a matter of fact, the dismissals have now leveled out to the extent that they affect only approximately 3 percent anyway. The situation does not justify modifications in any of the provisions of the section. May I ask for a vote?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. SECCOMBE].

The question was taken; and on a division (demanded by Mr. SECCOMBE) there were—ayes 37 and noes 58.

So the amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. IZAC: Page 19, line 11, after the word "who" strike out "are in need" and insert "have been certified as in need of employment by the Work Projects Administration or by any agency designated by it so to certify."

Mr. IZAC. Mr. Chairman, the reason for this amendment is simply that there is no uniformity in the country at the present time in the determination of need. In some States the certifying agency is the State relief administration, and the Work Projects Administration has to take their findings. This amendment of mine merely makes it possible for either the Work Projects Administration or the certifying agency that they have already picked out, may make the certification, as to the need of employment, for it specifically states "certification by either the Work Projects Administration or by any agency designated by it so to certify."

I certainly trust that the committee will accept this amendment.

Mr. CANNON of Missouri. Mr. Chairman, on page 20, section (d), we make provision for just this situation. The gentleman's amendment is already in the bill. To adopt such a proposal here would be duplication. I ask for a vote against the amendment.

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

The amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. FLAHERTY: Page 19, line 17, after the word "veterans", strike out the word "veterans" and insert "war, campaign, and expedition veterans, the wives of such veterans as are unemployed, and unmarried widows of such veterans."

Mr. FLAHERTY. Mr. Chairman——

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

Mr. FLAHERTY. I yield.

Mr. TABER. Is not that the same amendment that was adopted?

Mr. FLAHERTY. No. I might state, Mr. Chairman, that we adopted an amendment offered by the gentleman from Missouri providing that the widows of veterans shall be exempt from the provisions of this section of the bill. I go a step further in my amendment and designate that these veterans shall be veterans of a war, campaign, or expedition. I believe that under the present wording of the section peace-time veterans could be included in the exemptions.

A further exception is asked in the case of wives of unemployed veterans; whereas the amendment offered by the gentleman from Missouri merely specified widows of veterans should be excepted, I go a little further in my amendment by saying that the wives of unemployed veterans shall be included in these exemptions. My reason for including that group is that we are all aware that such people do not constitute the career group we found on W. P. A. We are also aware that just as soon as they are furloughed from W. P. A. they are automatically restored to the relief rolls, and at the expiration of 30 days, by a previous provision of this bill, they are automatically entitled to reinstatement on W. P. A. program. So I think it is really a waste of administrative action.

I hope the committee will accept this amendment as one that will induce efficiency in administration as well as provide relief for a class of people who deserve it.

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

The question was taken; and on a division (demanded by Mr. FLAHERTY) there were—ayes 54, noes 49.

Mr. CANNON of Missouri. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was agreed to.

Mr. LARRABEE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD on three subjects, the 30-day lay-off, the Casey amendment, and the 25-percent contribution.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. LARRABEE. Mr. Chairman, I am voting for the enactment of the Work Relief Appropriation Act of 1940 with grave misgivings and with a firm conviction that the bill, as it comes to the final vote on passage, contains many objectionable features, features which I feel will work a hardship on the unemployed people we are seeking to aid through this appropriation.

I have, however, voted on every possible occasion during the consideration of the bill, and during consideration of proposed amendments to the bill, to eliminate the features which I feel are objectionable.

I am now faced with the question of voting for the best that we can now hope to obtain from the present Congress or voting against any appropriations for work relief for the fiscal year beginning July 1, 1940.

My decision, naturally, is to vote for this bill, as I certainly do not wish to be in the position of having voted against all relief.

I opposed and voted against the 30-day-furlough plan in the bill, giving my support to the Voorhis amendment which would have eliminated the clause of the pending act that will again require W. P. A. officials to remove from the rolls all persons, excepting veterans and heads of families over 45 years of age, who have been on the rolls 18 months or more.

I opposed this same feature of the work-relief appropriation bill last year, feeling that the furlough clause would not achieve the avowed purpose of putting people who have been on W. P. A. back into private employment and feeling that it would result in considerable hardship and suffering.

The present bill does protect veterans and heads of families over 45 years of age, and that I favor. However, there is a vast number of younger men and women who are heads of families whose need of this work is serious, and to these this bill says, in effect, "Go get another job or go hungry and let

your family do likewise." If the other job was available there would be some reason in this provision of the bill, but what assurances can we give these unprotected heads of families that they can find another job? I am afraid that there will be little hope in too many cases.

Experience has convinced me that my opposition to the furlough clause a year ago was right and proper, and I have stood by that decision in my consideration of this year's bill.

I have also supported an amendment which would have increased this year's work-relief appropriation from $975,650,000 to $2,232,000,000. This was the Casey amendment. In supporting this amendment I did so because I did not feel that the original bill provided sufficient funds to offer jobs to nearly all of those in need and who want to work.

In this action I considered that I could not insist on providing jobs without having the fortitude to vote for sufficient funds to provide the pay for the workers.

I have also supported an amendment to the bill which would have eliminated the requirement that project sponsors provide not less than 25 percent of the total cost of all projects. Such a provision will only serve to eliminate many worth-while projects on which many much-needed jobs would otherwise be provided.

I did, however, vote for a requirement that would have caused project sponsors to provide 10 percent of the total cost of each project, feeling that local units of Government must cooperate in a financial way to the limit of their ability.

In my consideration of this bill and all of its features and all of the proposed amendments I have stood by my established practice of voting for what I feel is very necessary for the aid of those who are unable to find employment in private work.

While we hope that private employment will soon eliminate the need for a Federal made-work program, none of us know when that goal may be reached. Because of the uncertainty, I have felt it mandatory upon me to do all that I could to eliminate suffering until such time as private jobs are available.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California: Page 19, line 1, strike out all of section 15 and substitute the following:

"SEC. 15 (a) Persons capable of and willing to work, who are unemployed, and who are registered with the United States Employment Service shall be eligible for employment on Work Projects Administration work projects and no certification that the applicant for employment is in need of or in receipt of relief shall be required.

"(b) Preference in employment and retention in employment shall be on the basis of the relative need for employment and shall be given first to persons without any source of personal income, and, second, to persons whose monthly income is less than the monthly earning provided under this act.

"(c) Where relative need for employment is found to be the same, preference in employment and retention in employment shall be given in the following order: (1) Veterans who have had active service in the United States Army, Navy, Marine Corps, or Coast Guard during any war or in any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration), unmarried widows of such veterans, and wives of such veterans, who are in need of employment and are American citizens; (2) other American citizens, Indians, and other persons owing allegiance to the United States who are in need of employment; and (3) aliens who have obtained their first citizenship papers and have made reasonable effort to secure citizenship and been unable to do so through no fault of their own and who are in need of employment: *Provided, however,* That no alien shall be employed if there are in the same locality citizens who have been found to be in need of employment but who have not been employed by the Work Projects Administration.

"(d) No worker employed by the Work Projects Administration shall be dismissed, except for cause, unless there is available to him private employment at reasonable wages and working conditions.

"(e) In considering employment of persons upon work projects prosecuted under the appropriations contained in this joint resolution, the agency providing the employment shall determine whether such persons are able to perform the work on work projects to which they can be assigned, and no person shall be employed or retained for employment on any such project whose work habits are such or work record shows that he is incapable of performing satisfactorily the work to which he may be assigned on the project.

"(f) The Work Projects Administration shall publish quarterly statistics of the number and distribution of eligible applications on file for employment and shall report to Congress immediately any significant changes in the number and distribution of such applications."

Mr. VOORHIS of California. Mr. Chairman, I have only 2 minutes to explain an amendment of great importance. Briefly, my amendment would make this a work program rather than a relief program. It would make it possible for a man to work without having first to go on the relief rolls. It provides that the man who has fought hard and managed to stay off of relief but who has no income will have a chance to get work on the W. P. A. At present he is not so eligible. It would mean that a disabled veteran who is now getting $20 or $30 a month compensation could still have an opportunity to get a W. P. A. job. At present he is barred in most cases. This amendment provides in the next place that there would be no 18 months lay-off provision, and that people would be laid off for cause or where private jobs were actually available. The truth is that 2 months after the lay-offs of last fall, when some 770,000 people were laid off under the 18-month rule, barely 100,000 of those people had gotten private jobs. On the other hand there are, each month, about 100,000 people who leave W. P. A. of their own volition because they have gotten jobs in private industry. That is the kind of rotation that is going on all the time and it is, I believe, the right kind. The 18-month rule on the other hand has fallen in many cases upon the very people who could not for one reason or another hope to get jobs in private industry.

In the next place this amendment would require the keeping of current records by W. P. A. as to the number of applicants for employment, people unemployed without income, registered with the United States Employment Service and in need of employment; and regular reports to Congress would be made in order that Congress might take these facts into account in determining what it should do about this program.

In a word, then, if this amendment were adopted, what you would have would be a work program with no stigma of relief attached to it for those people out of work so certified to be out of work who have no income to depend upon to keep their families.

One more thing, my amendment puts the bar against aliens on a different basis, not the one that you have now which is absolute. It provides that an alien who has taken out his first papers and who has made every effort to obtain citizenship may have a job if there are no citizens in his community available to take the jobs. This, it seems to me, is much more fair and just than an absolute bar applying against aliens who are trying their best to become American citizens.

I believe that if I had time to explain this amendment as thoroughly as I should, the House would be interested in it and would be inclined favorably toward it.

I have included the language of the committee exactly word for word where they have provided in the bill that a person not found to be able to do the work on certain projects shall not be put on those projects. That is another one of the purposes I had in connection with this amendment, for it is consistent with the work-program idea.

[Here the gavel fell.]

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

The amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. CURTIS: Page 20, line 1, strike out all of lines 1 to 10, inclusive.

Mr. CURTIS. Mr. Chairman, we should make no mistake about this matter. This is a relief program, not a works program. Every time this House has expressed itself by a vote we have designated that this is a relief measure. Now, I am opposed to section (c) because I feel it is abused. This section deals with ability to work and not willingness to work. Under this section, no one can get work unless the Director says they are able to do the work. The result is a

smart young chap who can catch on to things stays on the job, while some poor, unfortunate individual who may be slightly handicapped or disabled or one who may be worried to such an extent he is just a bit inefficient, cannot get on. This able-bodied, smart fellow can get work much easier in private enterprise. When it comes right down to it, this is a relief program and you are denying its benefits to the most worthy of all the categories named; that is, the people who are slightly disabled or have some handicap and are not quite up to the average.

There is sometimes a temptation for the relief director to employ the capable fellow to foster his program, make a good showing in the community and with the Administration, and to discharge the slightly disabled. I hope my amendment will be agreed to.

Mr. COCHRAN. Will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Missouri.

Mr. COCHRAN. Does the gentleman realize the paragraph is of some protection to the Government in getting rid of chiselers and shovel-leaners who will not work? The only way you can get at them is under this paragraph. We should be for the honest worker, not for the chiseler. Give them a chance to get rid of the chiseler.

Mr. CURTIS. I think it is being abused. I am not defending the lazy. I do defend the slightly disabled. This section that I propose to strike out does not deal with their willingness to work.

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is a work bill and not a bill to encourage loafing. This section protects the W. P. A. from the most frequently voiced criticism of the relief program. How often we hear the familiar objection that it provides sinecures for fellows who will not work. Under this provision men who do not work cannot stay on W. P. A. It is the one guaranty that the W. P. A. will get some service in return for its money. Under the gentleman's amendment a man can lean on his shovel all day long and you cannot fire him.

Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. CURTIS].

The amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. HOOK: Page 19, line 4, after the word "needs" and before the word "and", insert *"Provided, however,* That the fact a person has an insurance or benefit policy which he or she has carried 12 years or more or which has a cash loan value of $500 or less shall not be considered in determining the actual need of such employment."

Mr. HOOK. Mr. Chairman, this is a rather simple amendment. The type of people that this amendment will help reside in each of your congressional districts. An old couple, who have throughout their lives been members of some fraternal society, insurance benefit group, or who have carried an insurance policy for the purpose of having something so that they may not be buried in potter's field, will be taken care of by my amendment. They have paid month after month on such insurance policy so that they will have money enough to bury them when they die. Now, the W. P. A. says to them, "You must go out and eat up the loan value of that policy and go to a potter's grave when you die."

I hope my amendment will be adopted so that at least those old people may be able to be buried in a cemetery, so that they may be given a decent burial and not be sent to the potter's field.

My amendment will exempt these policies up to $500 loan value. Of course the social-welfare commission of the State of Michigan or any other State certifying agency has the right and could exempt these policies, and some State agencies have seen fit to do so. Most of the States have not. Michigan is one of the States that have refused to do this. Therefore I want to see this written into the law and made mandatory. If the social welfare commission of Michigan under the present State administration is willing to let these old people go to a potter's grave I am not. Let us at least give these old people peace of mind enough that they may at least have the assurance of a decent burial.

Pass this amendment and ease your own conscience.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOOK].

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 49, noes 59.

Mr. HOOK. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was rejected.

Mr. HOOK. Mr. Chairman, I offer another amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOOK: Page 19, line 13, add after the words "and are American citizens" the following words: *"Provided,* That the fact that a person is entitled to, or has received, either adjusted-service bonds, or a treasury check, in payment of an adjusted-compensation certificate, or has an insurance policy with the United States Government, shall not be considered in determining actual need of such employment."

Mr. HOOK. Mr. Chairman, in explaining this amendment I want to read a letter I received this morning from a veteran. He states:

DEAR SIR: Being an ex-soldier, I was laid off the W. P. A. because I have $300 of my soldier's bonus left, and have to spend it before I can be reinstated.

When we passed the legislation providing for the soldiers' bonus, and when we gave the soldiers their bonds, we did not expect that we were going to say to them, "We are giving this to you temporarily, and you must eat it up; then after you eat it up you can get a job on the W. P. A., and not until then." My amendment allows the veteran to keep his adjusted-service certificate and his bonds, without being forced to sell them before he is entitled to a job on the W. P. A. We should not force them to sell their bonds. That was not the intent of Congress. We expected them to keep those bonds as an insurance.

This amendment was a part of the relief bill that passed in 1938. I was the author of the amendment. I hope that it will be included again. It was inadvertently left out of the last relief bill. Part of the ex-service men are entitled to relief and part are not as it stands now. If they cashed in on their bonds they are eligible for relief, but not otherwise, because up until a year ago they were exempted from the provisions of the bill and they were certified even though they had their soldiers' bonus. I hope you will at least allow the men to whom we voted the bonus to have the benefit of those certificates so that they may be able to enjoy some of the benefits we so gratuitously gave them at that time. I hope you will stand by these ex-service men and extend them a helping hand.

I am fully aware that the social-welfare commission in my State has the right to provide that these bonds and certificates shall not be taken into consideration in determining the need of a veteran, but they do not see fit to do so when they investigate them for certification and, therefore, I would like to see this written into the law. This amendment should pass.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOOK].

The amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. RANKIN: On page 19, line 12, after the word "citizens", insert "and if the income of any such person from any Government agency is less than the amount to which he or she would be entitled for work on a W. P. A. project, for which he or she is qualified, then he or she shall be certified for employment and shall be assigned to work for at least a sufficient number of hours each month to bring his or her total income up to the amount he or she would receive if assigned for full-time work on such project."

Mr. RANKIN. Mr. Chairman, this is merely to enable those veterans who are drawing small compensation and who are now being denied work on W. P. A. to have work for a sufficient number of hours each month to bring their pay up to what it would be if they were not veterans or not drawing compensation. It merely gives them the right to have these extra hours of work to bring them up to what they would make if they were drawing no compensation at all.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

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

Mr. VAN ZANDT. The veterans who would benefit under the gentleman's amendment are all men who have service-connected disabilities?

Mr. RANKIN. Well, they are at least disabled.

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

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

Mr. TABER. At the point the gentleman has inserted his amendment, after "American citizens," it would not apply to veterans at all.

Mr. RANKIN. Oh, yes.

Mr. TABER. No; it would apply to everybody else but veterans.

Mr. RANKIN. No; this applies to veterans. I will ask the gentleman from Missouri if I am not right about that.

Mr. CANNON of Missouri. Where does the gentleman propose to insert his amendment in line 12?

Mr. TABER. After "American citizens" in line 12. It applies to everybody but veterans.

Mr. RANKIN. No.

Mr. TABER. The veterans are provided for above.

Mr. CANNON of Missouri. The gentleman understands that if his amendment is inserted before the first semicolon it means one thing, and if inserted between the words "citizens" and "Indians" it means another thing. Just where was the gentleman's amendment offered?

Mr. RANKIN. What I intended to do was cover the veterans and their dependents.

Mr. CANNON of Missouri. I am inclined to believe the gentleman intended to insert his amendment at another point.

Mr. RANKIN. Then, Mr. Chairman, I ask unanimous consent that the amendment be modified so that it may be inserted before the semicolon in line 12.

I hope the gentleman from Missouri will agree to this amendment. I believe it is a very meritorious amendment.

Mr. CANNON of Missouri. Mr. Chairman, may we have the amendment reported as modified?

The CHAIRMAN. The Clerk will report the amendment with the modification.

The Clerk read as follows:

Modified amendment offered by Mr. RANKIN: On page 19, line 12, before the semicolon, insert: "and if the income of any such person from any Government agency is less than the amount to which he or she would be entitled for work on a W. P. A. project, for which he or she is qualified, then he or she shall be certified for employment, and shall be assigned to work for at least a sufficient number of hours each month to bring his or her total income up to the amount he or she would receive if assigned for full-time work on such project."

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

There was no objection.

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

The question is on the amendment offered by the gentleman from Mississippi.

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 19, line 6, strike out lines 6, 7, 8, 9, and 10 up to the comma and insert in lieu thereof the following: "(1) Veterans who have had active service in the United States Army, Navy, Marine Corps, or Coast Guard, or in some campaign or expedition in which the United States has been engaged."

Mr. VAN ZANDT. Mr. Chairman, this is one of three amendments I am offering for the purpose of clarifying the section which has to do with veterans.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. Does this amendment as read comprise the gentleman's entire proposition?

Mr. VAN ZANDT. This is one of three amendments I am offering for the purpose of clarifying the entire veterans' section.

Mr. CANNON of Missouri. As I understand the gentleman's proposal it merely harmonizes the amendments which have previously been agreed to. It makes no change in the section as modified, but merely clarifies and articulates the amendments already adopted.

Mr. VAN ZANDT. Yes; that is correct. The amendment I offer is merely a clarifying amendment since section 15 (a), paragraph (1), line 8, reads both the veteran and his wife may demand preference, whereas if my amendment is adopted the preference will be confined to the wife where the veteran is unemployable.

Mr. CANNON of Missouri. On that statment I believe the committee would be disposed to accept the amendment, inasmuch as its only purpose is to iron out conflicting verbiage of amendments previously agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. VAN ZANDT].

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 19, line 11, after the word "veterans", add the following: "as are unemployable."

Mr. CANNON of Missouri. Mr. Chairman, we accept the amendment.

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer another amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 19, line 14, after the word "need" strike out all of paragraph (b) and insert a new paragraph (b) to read as follows:

"(b) There shall be removed from employment on Work Projects Administration projects all relief workers, excepting veterans, unmarried widows of such veterans, and wives of such veterans who are unemployable, and also excepting heads of families 45 years of age or older with either a dependent spouse or one or more dependent parents or minor children, who have been continuously employed on such project for more than 18 months, and any relief worker so removed shall be ineligible to be restored to employment on such projects until after (a) the expiration of 30 days after the date of his removal and (b) recertification of his eligibility for restoration to employment on such projects."

Mr. CANNON of Missouri. Mr. Chairman, the committee accepts the amendment. It merely clarifies amendments previously adopted.

Mr. DINGELL. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL to the amendment offered by Mr. VAN ZANDT: Strike out the word "forty-five" appearing in the amendment offered by Mr. VAN ZANDT and insert the word "forty."

Mr. CANNON of Missouri. Mr. Chairman, I much regret that we cannot accept the amendment. This is already too generous a provision, and the danger is that even with this low age limit we will reach a static situation monopolized by people of 45 years of age or more. If any change is made, the age limit should be raised rather than lowered. I hope the House will vote down the amendment.

Mr. DINGELL. Mr. Chairman, I rise at this time in support of the amendment to reduce the 45-year employable exception to 40 years.

I think the temper of the House is such that there is not very much question in my mind but what the committee will accept the amendment. Certainly, fathers 40 years of age are entitled to as much consideration, and in more instances have the responsibility of minors on their hands, who must be supported, than men of 45, and I cannot see any reason in the world why this amendment should not prevail.

I do not believe the expense to the Government will amount to very much more, if any more. These people are being put to considerable hardship because they are eliminated from W. P. A. rolls, and then after the specified period or waiting time cannot get back on the rolls. The children in these households are exposed to hunger, hardship, and difficulty. I think that the 40-year provision is reasonable; in fact, I do not believe there ever should have been any such condition or exclusion in the law, and now, certainly, the 40-year provision should be agreed to.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan to the amendment offered by the gentleman from Pennsylvania.

The amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to section 15?

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer the following amendment which I send to the desk.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: Page 20, strike out the word "relief" in lines 12 and 14.

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

The amendment was rejected.

The CHAIRMAN. There being no further amendment to section 15, the Clerk will read.

The Clerk read as follows:

SEC. 16. (a) No person in need who refuses a bona fide offer of private or other public employment under reasonable working conditions which pays the prevailing wage for such work in the community where he resides and who is capable of performing such work shall be employed or retained in employment on work projects under the funds appropriated in this joint resolution for the period such private or other public employment would be available.

(b) Any person who takes such employment shall at the expiration thereof be entitled to immediate resumption of his previous employment status with the Work Projects Administration if he is still in need and if he has lost such employment through no fault of his own, and if he has first drawn all the benefits of unemployment compensation that shall have accrued to him during his term in private employment and which are available to him.

SEC. 17. (a) No person shall be employed or retained in employment in any administrative position, or in any supervisory position on any project, under the appropriations in this joint resolution unless such person has previously subscribed or before engaging in such employment subscribes to the following oath:

"I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office (or employment) on which I am about to enter (or which I now occupy). So help me God."

(b) No portion of the appropriation made under this joint resolution shall be used to pay any compensation to any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States through force or violence.

(c) The Commissioner and the head of any other agency receiving an appropriation hereunder is authorized to designate employees, administrative and supervisory, as he may deem necessary to administer such oaths as are required by this joint resolution and such other oaths as may be required or necessary in the operation of the Work Projects Administration or other agency, which oaths shall be administered without charge or fee; such oaths shall have the same force and effect as oaths administered by notaries, justices of the peace, and other Federal and non-Federal officers qualified to administer oaths.

Mr. RICH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. RICH: Page 22, line 18, strike out the words "through force or violence."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that on all amendments to the pending bill the time for debate on each amendment be restricted to 2 minutes on a side.

Mr. RICH. Oh, Mr. Chairman, I reserve the right to object.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I demand the regular order.

Mr. CANNON of Missouri. Then, Mr. Chairman, I confine my request to the pending section.

Mr. RICH. Mr. Chairman, I reserve the right to object. Does this mean that this is the only amendment to this section, and the gentleman is going to limit me to 2 minutes?

Mr. RAYBURN. No; 2 minutes on a side to each amendment.

Mr. TABER. Mr. Chairman, I reserve the right to object. If we are going to finish this bill tonight, we have to do something of that kind; we must limit ourselves.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that on all amendments to this section and all amendments thereto, debate be limited on each amendment to 2 minutes on a side. Is there objection?

There was no objection.

Mr. RICH. Mr. Chairman, this reads:

(b) No portion of the appropriation made under this joint resolution shall be used to pay any compensation to any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States through force or violence.

I want to cut out the words "through force or violence", because anyone who advocates the overthrow of this Government should not be paid compensation by this Government under any circumstances. We heard, last Friday, the speech delivered by the gentleman from Texas [Mr. DIES] about the people who are trying to build up a "fifth column," who are trying to overthrow our Government. I think we ought to clamp down on those people before they overthrow us, and we should do everything we can to maintain our form and system of government. We should not in any way be helping people who try to overthrow the Government, by putting them on relief. If we wait until they come in with force and violence before we do that, it might be too late. I hope the Members of the House will agree to this amendment.

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

The amendment was agreed to.

Mr. DISNEY. Mr. Chairman, I move to strike out the last word. For the past several years we have been confronted with a problem in the work projects organization which has caused the Oklahoma delegation some concern and which has come to a head recently, and bitter complaints have resounded through the State on account of the employment of women on lucrative nonrelief administration jobs whose husbands hold good jobs in other capacities. Of course, the complaint becomes vocal against a relief organization which employs people not in need of relief, on account of other members of their families making good salaries.

Each member of the delegation has received through the mail in the last few days a list of names of the ladies employed in administrative jobs, together with information as to the employment of their husbands. It is apparent that the husbands have sufficiently profitable positions, and no explanation can be had of such employment except on the grounds of efficiency of the women employees. The Work Projects Administration organization answers that for the sake of the efficiency of the Department these women have been employed. The complainants answer that there are hundreds, even thousands, of women who do not have husbands to support them who could do the administration of nonrelief work equally as well as those who have husbands with jobs.

After a full discussion of the subject with Col. Lawrence Westbrook, regional director of Work Projects Administration in the Oklahoma region, in which the members of the Oklahoma delegation took part, it was agreed that a survey would be made to determine the number of married women employed by the Administration in Oklahoma, whose husbands are employed or otherwise able to support them, and that hereafter, effective as of June 1, the number of women

with husbands able to support them would be limited in Oklahoma to 5 percent employed in an administrative capacity, according to the tenor of a telegram received from Ron Stephens, Oklahoma administrator, which reads as follows:

Advise that survey in process to determine number of married women employed in this administration whose husbands are employed or otherwise able to support them. Also number of married men whose wives are employed with sufficient salaries or otherwise have sufficient income to support family. In any event such cases will be limited to a figure not to exceed 5 percent employed in administrative capacity effective as of June 1. No person will be employed or continued in employment who does not need the job for the support of his or her family except in instances requiring extraordinary competence and technical qualifications consistent with the requirements of the operation of a constructive work program.

The Oklahoma delegation has been confronted with another problem, namely, employment of supervisory employees coming from outside the congressional districts. This issue was also settled, according to the terms of the following telegram from Ron Stephens, administrator.

Advise that complete survey being made to determine the number of administrative and supervisory employees in the State including the foremen and timekeepers, etc., who are now residents of the W. P. A. district in which they are employed. Instructions have been issued that such instances shall not exceed 5 percent total number employed. This rule of course cannot be made applicable to those persons who are employed on State-wide projects. Instructions to this effect have been issued effective as of June 1.

Mr. Chairman, my object in rising at this time is to make official record of these negotiations and agreements.

The 5-percent leeway will probably be found useful in the event it is absolutely necessary to retain a few of the people who cannot be replaced except at a loss in the efficiency of the Administration.

Mr. CELLER. Mr. Chairman, I rise in support of the pro forma amendment. I am in thorough sympathy with the amendment of the gentleman from Pennsylvania [Mr. RICH] which has just been agreed to apropos of Communists. I would like to consign all Communists to a cesspool so deep that if they tried to look up they would not even see hell. Nevertheless, as a lawyer and a member of the responsible committee of this House, I cannot remain silent in the face of the amendment just adopted. It will never stand the test of any court, because anybody who advocates any amendment to our Constitution, or any series of amendments to our Constitution, advocates a change in our form of government. The courts would throw the amendment back to your teeth. You are doing something utterly idle and futile. The amendment is unconstitutional. I say this despite the fact that I loathe these Fascists and Communists and Nazis, but I think you gentlemen who are Members of this honorable body ought to give some real thought to this proposition and not be guided by merely your emotions.

You should not let your emotions get the best of you.

Mr. LEWIS of Colorado. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. LEWIS of Colorado. The gentleman forgets this says "overthrow the Government," not modify it.

Mr. CELLER. Even so that would not affect the situation one iota as far as the courts are concerned. Remember the Communist Party is recognized as legal in many States, including my own State of New York. Their candidates' names appear on the ballots of many States. Preferably I would have the amendment proscribe all persons who owe allegiance to any foreign government, prince, or potentate.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 18. In carrying out the purpose of the appropriations in this joint resolution, the Secretary of the Treasury, with the approval of the Director of the Bureau of the Budget, is authorized to prescribe rules and regulations for the establishment of special funds for any agency receiving an appropriation under this joint resolution, in the nature of revolving funds for use until June 30, 1941, in the purchase, repair, distribution, or rental of materials, supplies, equipment, and tools.

SEC. 19. The provision of section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase made or service procured in connection with the appropriations in this joint resolution when the aggregate amount involved is less than $300.

SEC. 20. The appropriations in this joint resolution for administrative expenses and such portions of other appropriations in this joint resolution as are available for administrative expenses may be obligated in the amounts which the agency, with the approval of the Director of the Bureau of the Budget, shall have certified to the Secretary of the Treasury as necessary for personal services, in the District of Columbia and elsewhere, and for contract stenographic reporting services, supplies, and equipment; purchase and exchange of lawbooks, books of reference, directories, and periodicals, newspapers, and press clippings; travel expenses, including expenses of attendance at meetings of officials and employees of the agency on official business; rental at the seat of government and elsewhere; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding and such other expenses as may be necessary for the accomplishment of the objectives of this joint resolution.

SEC. 21. (a) The provisions of Executive Order No. 7916, dated June 24, 1938, shall not apply to positions the compensation of which is payable from appropriations contained in this joint resolution, and such appropriations shall not be available for the compensation of the incumbent of any position placed in the competitive classified civil service of the United States after January 10, 1939.

(b) In carrying out the purposes of this joint resolution the agencies receiving appropriations herein or allocations under such appropriations are authorized to accept and utilize such voluntary and uncompensated services, appoint, without regard to civil-service laws, such officers and employees, and utilize, with the consent of the head of the Federal agency by which they are employed, such Federal officers and employees, and with the consent of the State such State and local officers and employees at such compensation as shall be determined by the head of the agency involved, as may be necessary, and prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed.

(c) Appointments to Federal positions of an administrative or advisory capacity under the appropriations in this joint resolution in any State shall be made from among the bona fide citizens of that State so far as not inconsistent with efficient administration.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the debate on this section may be confined to 2 minutes on a side on each amendment.

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

There was no objection.

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

The Clerk read as follows:

Amendment offered by Mr. IZAC: Page 25, line 8, strike out all of subsection (c) and insert: "Appointments to, and retention in, Federal positions of administrative, executive, clerical, supervisory, or advisory capacity, under the appropriations in this joint resolution in any State shall be made from among the bona fide citizens of that State so far as not inconsistent with efficient administration: *Provided*, That preference of appointment to and retention in any such position shall be given to qualified persons in the order specified in section 15 (a) hereof, but without regard to their needs."

Mr. IZAC. Mr. Chairman, I wish the gentleman from Missouri, chairman of the subcommittee, would pay especial attention to this amendment.

I would like to make it clear that this amendment changes in two features the bill as you have it at the present time, (c) of section 21.

The first change is in that it applies to positions not only of an administrative character but of a supervisory character, which means foremen. Of course, that is very important because most of the jobs in the nonneedy class are in the foreman group, and I would like to have this apply to the foremen jobs; in other words, the supervisory positions. It gives the same kind of exemption from separation as is enjoyed at the present time by Colonel Harrington and his group in the District of Columbia. It applies the same kind of exemption to the people in all the States of the Union as is enjoyed here at the present time.

Then the second feature of this amendment is the proviso which states that the appointment to and retention in these positions shall be in a similar order as in section 15 (a). In 15 (a), as you know, it applies to the needy, those in need; the certified cases. This applies to the administrative staff. I cannot see any reason why the veterans should not have exactly the same kind of advantage, if there is any advantage, in retention and appointment in the noncertified class as in the certified class.

Mr. CANNON of Missouri. Mr. Chairman, as much in sympathy as we may be with the objective sought to be attained by the gentleman in his amendment, it is a subject that has not been submitted to the committee. No hearings have been held, there is no Budget recommendation. The committee has had no opportunity to go into the question to determine the effect of such an amendment. On that account I regret it would be impossible to agree to the amendment to the amendment at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. IZAC].

The question was taken; and on a division (demanded by Mr. IZAC) there were ayes 33 and noes 61.

So the amendment was rejected.

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

The Clerk read as follows:

Amendment offered by Mr. ELLIOTT: Page 25, line 12, before the period, add a semicolon and the following: "the sponsor of said project may select from the relief rolls the foreman to act under the construction supervisor of the project for which selected."

Mr. ELLIOTT. Mr. Chairman, my amendment is very simple. It just makes it possible for the sponsor or sponsors of a project to have the right to select foremen to operate under the construction engineer or supervisor. In that, it brings coordination between the sponsor and W. P. A. workers. I think it will help a great deal in saving on material, whereby the sponsors will feel they have a relationship with the program after they put up a part of the money.

I hope the amendment is adopted.

Mr. CANNON of Missouri. Mr. Chairman, as much as may be said for the amendment, unquestionably the most objectionable feature among many is the fact that it would turn the project over to the exigencies of local politics. That is the feature which has been the occasion of more protests against W. P. A. than any other phase of the entire program, and is just the complication we are trying to avoid. If no other objection could be found the political possibilities suggested by the amendment would be sufficient reason for its rejection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ELLIOTT].

The question was taken; and on a division (demanded by Mr. ELLIOTT) there were—ayes 28 and noes 64.

So the amendment was rejected.

The Clerk read as follows:

SEC. 22. In making separations from the Federal Service, or furloughs without pay to last as long as 3 months, of persons employed within the District of Columbia, under the provisions of this joint resolution, the appointing power shall give preference, as nearly as good administration will warrant, in retention to appointees from States that have not received their share of appointments according to population: *Provided, however,* That soldiers, sailors, and marines, the widows of such, or the wives of injured soldiers, sailors, and marines, who themselves are not qualified, but whose wives are qualified to hold a position in the Government service, shall be given preference in retention, in their several grades and classes, where their ratings are good or better.

SEC. 23. The provisions of the act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or death compensation and benefits shall apply to persons (except administrative employees qualifying as civil employees of the United States) receiving compensation from the appropriations in this joint resolution for services rendered as employees of the United States: *Provided,* That this section shall not apply in any case coming within the purview of the workmen's compensation law of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

SEC. 24. None of the funds made available by this joint resolution shall be used (a) for the operation of any theater project, (b) for the operation of any project sponsored solely by the Work Projects Administration, or (c) for radio broadcasting or for the acquisition, rental, or distribution of motion-picture films.

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

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes, one-half of the time to be controlled by the committee.

Mr. DIRKSEN. Mr. Chairman, reserving the right to object, it is not apparent what the amendment is that is being offered.

Mr. CANNON of Missouri. It will be my intention to yield the time of the committee to the distinguished gentleman from Illinois.

Mr. SCHAFER of Wisconsin. Mr. Chairman, reserving the right to object, is this the amendment reinstating the theater project?

Mr. CELLER. Yes.

Mr. SCHAFER of Wisconsin. I shall object. We should have more than 10 minutes' debate.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Page 26, line 17, after the word "project", insert "unless such theater project be locally sponsored and all persons employed on such theater project are now certified relief workers who have been bona fide members of the theatrical profession on or before July 1, 1933."

Mr. CELLER. Mr. Chairman, this amendment would reinstate the theater project, but on certain conditions: First, that the project be locally sponsored. Second, that the actors or actresses in the project be certified relief workers. Third, that they shall have been bona fide members of the theatrical profession on or before the date of the first relief bill, namely, July 1, 1933. The latter restriction would keep out mere amateurs and would also remove much cause of opposition on the score that a lot of young men and women, members of many radical organizations, had wormed their way into places of influence and power in the last theater project. My restriction would limit entrance into the project to bona fide members of the profession as of the time of the first relief bill.

As things stand at present we have an anomalous situation with reference to this bill. A mechanic, or carpenter, or bricklayer, an iron worker, a teacher, a musician, or an artist if out of work but ready, willing, and able to work, and in need, can be given a job at the trade or profession best suited to him. You make them all self-respecting. But to an actor or an actress you say, "No."

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

Mr. CELLER. I yield.

Mr. COCHRAN. Is there any language in existing law or in this bill which states that an actor or actress who is in need is denied the right of employment on W. P. A.? The gentleman goes too far.

Mr. CELLER. They are denied the right that you give to a musician. They are denied the right which you give to an artist. An artist may continue to paint his pictures, a musician may continue to play his instrument and put forth music under projects sponsored by W. P. A., but to the actor and the actress you say, "You shall not continue your profession; you may become a leaf raker or a "boondoggler." I say that is wrong. To no other group do you offer such a prohibition that you offer the actor. He is the only one banned—specifically banned.

Mr. COCHRAN. That is not the language the gentleman used a minute ago.

Mr. CELLER. I accept the correction that the gentleman has offered.

Why should we place a bar sinister upon the theatrical profession? Why place a heavy penalty upon the drama? The drama is moribund. The radio and the movies have struck death blows against the drama. Most of the theaters in the larger cities, and in New York in particular, are closed. I say we ought to do something for this army of actors and actresses. Actors' Equity, the A. F. of L. theatrical unit, informs me that of their enrollment of 4,200 members only 700 are working now throughout the year. I am further informed by the responsible heads of Actors' Equity that by June only 300 actors and actresses will be employed in the United States. This is a very disgraceful situation if we do not offer a little help to the actors and actresses.

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

Mr. CELLER. I yield.

Mr. VOORHIS of California. As I understand, the gentleman's amendment simply removes a ban against the conduct

of projects where the actor could carry on his profession in the W. P. A.

Mr. CELLER. That is correct. It has been asserted, rightly or wrongly, that in the last theatrical project there was a strain of communism, and Mrs. Halle Flanagan, of Vassar, who headed the project was made a sort of scapegoat. Let us assume that there may have been some Communists in a theatrical project—I do not know whether there were or not—but why visit the sins of the few upon the many? Why bring a general indictment against the entire theatrical profession because there seeped into the Federal Theater Project a few Communists? It seems wrong to treat these actors and actresses in that fashion.

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

Mr. CELLER. I yield.

Mr. KEOGH. Is it not a fact that actors are the only people who as a group are expressly prohibited from this employment?

Mr. CELLER. Yes. I am glad to have that confirmation of my views from a Member from my own State of New York, for whom I have the highest respect and regard.

They are the only ones proscribed, and it seems wholly unjust that we should do it.

Let us bear in mind the fact that the Federal Theaters Project brought into the Government 2 years ago and prior thereto revenue to the extent of $3,000,000, and brought happiness, great happiness, to countless thousands of persons who visited the theaters where the drama was produced by these actors and actresses.

I do hope, indeed, therefore, that you will do justice to the theatrical profession.

I said a moment ago that the drama is moribund. We should not strike it now a deathblow. We should remember the great benefits the drama has bestowed upon us all, has bestowed upon English-speaking people for centuries. We owe a vast debt of gratitude to the drama, the drama of Shakespeare, Congreve, Pryor, Ben Jonson, Sheridan. Think of the great and inestimable values that are placed upon the drama of Arnold Bennett, John Galsworthy, James M. Barrie, and those of our own famous American dramatists like Augustus Thomas, Clyde Fitch, Booth Tarkington, Robert Sherwood, Maxwell Anderson, Eugene O'Neill, Sidney Howard. The esthetic value of the drama is inestimable. We would turn the hands of the clock of drama backward if we do not adopt my amendment.

The very actors and actresses whom we hurt have always willingly and unstintingly given of their talents and arts in all worthy causes. For the Red Cross alone in 1937 they raised $2,000,000. During the past year they raised $1,000,000 for various relief activities like the President's ball. For the Finnish relief fund drive recently held in New York they raised almost $100,000. See what they did for the soldiers and sailors in the World War. They dulled the edge of tragedy and despair for our expeditionary forces, and they will do it again if necessary. Is this the way to reward them? Shall this be their recompense?

In conclusion, let me quote from the testimony of Miss Maida Reade, of the Actors Equity Association, page 1139 of the hearings on the W. P. A. bill. She spoke of the Actors Equity in connection with the Federal Theater Project. I quote part of her testimony:

> Equity raised all other expenses, such as royalties, scenery, props, costumes, and transportation. The work was done so efficiently that the appropriation was gradually increased and when the supervision was taken away from Equity there were 600 or 700 actors employed on the project. We practiced the most rigid economy, put on most satisfactory plays, tried out with the board of education plays relevant to subjects in English and history then being studied in the schools. We also had a subproject for dramatic writers, and in coordination with Dr. Fechner, head of the C. C. C. camps, started dramatic productions throughout the camps in the eastern territory.

These actors and actresses do not want a dole or charity. They want work and jobs in connection with their honorable profession.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 5 minutes.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Illinois [Mr. DIRKSEN], a member of the committee.

Mr. DIRKSEN. Mr. Chairman, I listened with interest to the very engaging remarks of my good friend from New York, who is anxious that the Federal Theater Project be rehabilitated on the basis of sponsorship by any local community. It is a most ingenious argument, and, of course, as he advances it here and as everybody understands it, inasmuch as these folk were identified with the theatrical profession it becomes the responsibility and obligation of the Federal Government to continue them in that type of work. It reminds me a good deal of the way they tried to run a prison in this country a few years ago. They endeavored to satisfy everybody who was sent to the prison by giving them the kind of job they had before being sent there. A very ingenious gentleman came up, and the warden said, "What did you do before you were convicted?" He said, "I was a traveling salesman."

If we are going to follow out this logic, we might just as well ask folks whether they were traveling salesmen before they made application for W. P. A., then act accordingly. What about all the poor, indigent lawyers in this country? There are lots of them starving to death. Therefore we should set up a project and say, "Since you are so well schooled in the art of Blackstone, we are going to set up a lawyers' project." What about all these wielders of the scalpel who cut out your appendix and who probe into the undefined depths of the anatomy? Why not say to these doctors and medicos, "We are going to have a project for you"? We may also have a project for the traveling salesmen of the country, and for almost every type of work. There are some 1,800 different fields of endeavor listed by the civil service. Let us have a project for everybody, and all will be grand and glorious.

Mr. CELLER. Will the gentleman yield?

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

Mr. CELLER. What do you do about the musicians? Do you not give them work in a profession that they have carried on for years? You do not make them bricklayers.

Mr. DIRKSEN. Can the gentleman find anything in section 24 that will give any special dispensation in behalf of musicians? I will say to my good friend there is none here. But the gentleman is trying to set up a special dispensation for those who were actors and actresses, concert artists, and so forth prior to 1933. If you are going to be logical and carry it to a conclusion, then I still insist upon a classification for traveling salesmen.

Mr. KELLER. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Illinois.

Mr. KELLER. We already have a provision for the lawyers in the Walter-Logan bill, as I remember it.

Mr. SACKS. Will the gentleman yield?

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

Mr. SACKS. I call attention to the fact that this amendment does not set up anything for a specific group. It merely takes away a prohibition. There is no prohibition in the bill anywhere against musicians, artists, or anybody else. Therefore, the gentleman's argument that it gives a special privilege to the theatrical people seems to be wrong.

Mr. DIRKSEN. The gentleman is talking about the section of the bill, and I am talking about the amendment offered by the gentleman from New York. As far as the prohibition is concerned, of course, the prohibition was inserted in the bill, as the gentleman so well remembers, when the relief bill was here last year. At that time it was either my misfortune or fortune to have an opportunity to say a few kind and unkind words about the operation of the Federal Theater Project. I knew something about it, because some of these amateur Thespians—shall I say—came and

graced my office and told me about their difficulties, so I know a good deal about it first-hand. I certainly could not lend my efforts to it, and I think it would be a mistake on the part of the Congress to resurrect this endeavor in the field of histrionics all over again by setting up a Federal Theater Project.

Mr. CELLER. The reason why I included in my amendment the limitation that the actor or actress had to be a member of the theatrical profession prior to July 1, 1933, was to avoid bringing these so-called amateur Thespians into the Theater Project and to prevent the so-called Workers Alliance from dominating the situation.

Mr. DIRKSEN. My friend who is so devoted to the arts would not want to make that discrimination, because, after all, genius does not recognize any separation of time and it might be just as apparent after 1933 as before.

Mr. CELLER. But you strike it all out.

Mr. HOFFMAN. Is this not the group that gave us Up in Myrtle's Room?

Mr. DIRKSEN. Yes; this is the group that presented Up in Myrtle's Room, Getting Gertie's Garter, and some of the other farces of America at that time.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. VOORHIS of California. The gentleman does not presume to say that the objections which he raised to the titles of the past year or whenever it was would apply against this amendment?

Mr. DIRKSEN. No; not necessarily.

Mr. VOORHIS of California. This is for a new start.

Mr. DIRKSEN. I only make the point based upon the logic advanced by the gentleman from New York, if you are going to have classifications, if you are going to perpetuate people in a line of endeavor that they have pursued heretofore, then let us be logical and let us find jobs for traveling salesmen.

Mr. HOFFMAN. What about Congressmen who are out of a job?

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. CELLER].

The amendment was rejected.

Mr. COFFEE of Washington. Mr. Chairman, I have an amendment to section 24. I recognize that time for debate has expired, but I should like to have the amendment voted on.

The Clerk read as follows:

Amendment offered by Mr. COFFEE of Washington: On page 26, line 18, after the word "Administration" strike out the remainder of line 18 and all of lines 19 and 20.

Mr. COFFEE of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. COFFEE of Washington. Mr. Chairman, section 24 (c) forbids the use of any of the funds appropriated in the Works Progress Administration bill for the use of radio broadcasting or motion pictures. It seems to me that, when the Nation's security is imperiled and when the value and importance of our natural resources—our supplies of timber, coal, oil, copper, and the strategic minerals—are things of great concern to us, we would be aiding national defense and the conservation aspects of this bill if we did not specifically bar the way to whatever small sums may be necessary to continue at their high standard such a fine series of conservation programs on the air as What Price America?

If the United States is to defend itself against all comers, we must preserve and conserve our natural resources. And if we are effectively to preserve and conserve our natural resources, we must see that all Americans are aware of the problem and of its importance.

The Department of the Interior and other departments are interested in conservation. They have dramatized the need of it on the air, and I hope they will continue to dramatize. These programs are nonpartisan in character. They are not Republican or Democratic. No Member on either side of the aisle can charge that they are. They are conservation programs, dedicated to the cause of awakening the national conscience to the importance of preserving for ourselves and our posterity the great heritage of natural resources which a bountiful Providence bequeathed to us.

More than 105,000 Americans were so moved by the importance and need of conservation in the United States, as a result of one of these educational series alone, namely, What Price America?, that they wrote in for literature on the subject. That is the kind of education we need in this country of ours. That is why I hope we will not deprive any of these conservation agencies of the few thousand dollars that they might need for radio broadcasting.

If a foreign foe ever invades the United States—which God forbid—it will be because our Government and our people did not know how to conserve and utilize wisely our abundant natural resources. I hope the amendment I have offered will prevail.

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

The amendment was rejected.

The Clerk read as follows:

SEC. 25. The Commissioner is authorized to consider, ascertain, adjust, determine, and pay from the appropriation in section 1 hereof any claim on account of damage to or loss of privately owned property caused by the negligence of any employee of the Works Progress Administration or the Work Projects Administration while acting within the scope of his employment. No claim shall be considered hereunder which is in excess of $500, or which is not presented in writing within 1 year from the date of accrual thereof. Acceptance by a claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof, and the action upon such claim so accepted by the claimant shall be conclusive.

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

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH: On page 27, line 8, after "conclusive", insert a new section to read as follows:

"SEC. 26. None of the funds made available by this joint resolution shall be used for the printing or binding of books."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto be confined to 2 minutes on each side.

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

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, if the members of the committee will refer to page 1121 of the committee hearings they will find there the statement of Mr. John B. Haggerty, chairman of the board of governors of the International Allied Printing Trades Association, and president of the International Brotherhood of Bookbinders.

From that statement it will appear that in the last few years W. P. A. has bound or rebound approximately 68,000,000 books depriving the skilled workers in this trade of the work. From the statement it will appear that the number of books bound is the equivalent of over 9,000,000 man-hours of work. From that statement it will appear that about 90 percent of the work done is regarded as inferior work, having been done by amateurs. From the statement it will also appear that W. P. A. has taken this work away from these skilled workers at a time when about 50 percent of the trade have been unemployed.

Mr. Haggerty made an appeal to your committee to eliminate any further appropriations in regard to bookbinding projects, characterizing them as, in his opinion, "an utter waste of money and in addition to being a discrimination" against those whom he represents.

Mr. Chairman, I believe that Mr. Haggerty made out a strong case. I believe he has disclosed another case of

ruinous competition with legitimate skilled private industry. I offer this amendment in the interest of the workers for whom he speaks. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, the determining factor which we must take into consideration in disposing of this amendment is that work is of a character which would rarely be undertaken but for the W. P. A. In the average community the books of the local schools and the local libraries would be left unbound and through disintegration incident to use many of the smaller libraries would lose books which would last indefinitely with a little repair and rebinding. In this way local patrons not only lose the books but local workmen would be deprived of the employment if this amendment were adopted. I recall that the first copy of the Arabian Nights Entertainment I ever read had both covers off and so many pages missing that I had difficulty disassociating Sinbad and Aladdin.

If you agree to the amendment offered by the gentleman from Massachusetts, you will deprive many a child of the privilege of reading the first and last chapters of books that are the rightful heritage of every American child. I trust the amendment will not be agreed to. [Applause.]

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

The amendment was rejected.

The Clerk concluded the reading of the joint resolution, as follows:

SEC. 26. The Commissioner is authorized to call to the attention of the city, county, and State governments the unemployment situation of that city, county, or State, and to seek the cooperation of the State or any subdivision thereof in meeting the unemployment problem.

SEC. 27. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any work project, employment, or relief aid under the appropriations in this joint resolution, or diverts, or attempts to divert or assists in diverting, for the benefit of any person or persons not entitled thereto, any portion of such appropriations, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, political affiliations, or membership in a labor organization, deprives any person of any of the benefits to which he may be entitled under any such appropriations, or attempts so to do, or assists in so doing, or who disposes of, or assists in disposing of, except for the account of the United States, any property upon which there exists a lien securing a loan made under the provisions of this joint resolution or the Emergency Relief Appropriation Acts of 1935, 1936, 1937, 1938, and 1939, shall be deemed guilty of a felony and fined not more than $2,000 or imprisoned not more than 2 years, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 28. (a) It shall be unlawful for any person knowingly to solicit, or knowingly be in any manner concerned in soliciting, any assessment, subscription, or contribution for the campaign expenses of any individual or political party from any person receiving compensation or employment provided for by this joint resolution.

(b) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 29. (a) It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, or any other act of the Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate in any election or any political party.

(b) Except as may be required by the provisions of section 30 hereof, it shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any person of any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

(c) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of law, or of this joint resolution.

SEC. 30. (a) It shall be unlawful for any person employed in any administrative or supervisory capacity by any agency of the Federal Government, whose compensation or any part thereof is paid from funds authorized or appropriated by this joint resolution, to use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. While such persons shall retain the right to vote as they please and to express privately their opinions on all political subjects, they shall take no active part, directly or indirectly, in political management or in political campaigns or in political conventions.

(b) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by this joint resolution shall be used to pay the compensation of such person. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 31. No part of any appropriation in this joint resolution shall be used to pay the salary or expenses of any person in a supervisory or administrative position who is a candidate for any State, district, county, or municipal office (such office requiring full time of such person and to which office a salary or per diem attaches), in any primary, general or special election, or who is serving as a campaign manager or assistant thereto for any such candidate.

SEC. 32. Reports of the operations under the appropriations in this joint resolution and the appropriations in the Emergency Relief Appropriation Act of 1939, including a statement of the expenditures made and obligations incurred by classes of projects and amounts, shall be submitted to Congress by the President on or before the 31st of January in each of the next two regular sessions of Congress: *Provided*, That such reports shall be in lieu of the reports required by section 33 of such act.

SEC. 33. No funds appropriated in this joint resolution, whether administered by the Federal Government or by the States or local governmental agencies from funds contributed in whole or in part by the Federal Government, shall be used by any Federal, State, or other agency to purchase, establish, relocate, or expand mills, factories, stores, or plants which would manufacture, handle, process, or produce articles, commodities, or products (other than those derived from the first processing of sweetpotatoes) in competition with existing industries.

SEC. 34. None of the funds appropriated by this joint resolution shall be used for the manufacture, purchase, or construction of any naval vessel, any armament, munitions, or implement of war, for military or naval forces, and no funds herein appropriated or authorized shall be diverted or allocated to any other department or bureau for such purpose.

SEC. 35. No part of the funds made available in this joint resolution shall be loaned or granted, except pursuant to an obligation incurred prior to the date of the enactment of this joint resolution, to any State, or any of its political subdivisions or agencies, for the purpose of carrying out or assisting in carrying out any program or project of constructing, rebuilding, repairing, or replanning its penal or reformatory institutions, unless the President shall find that the projects to be financed with such loan or grant will not cause or promote competition of the products of convict labor with the products of free labor.

SEC. 36. In expending appropriations or portions of appropriations, contained in this joint resolution, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any appropriation unit herein shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated, the salary of such position shall not exceed the average of the compensation rates for the grade: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Mr. COLLINS. Mr. Chairman, I offer an amendment adding a new title to the joint resolution.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: On page 33, after line 7, insert the following:

"TITLE II—FEDERAL PUBLIC BUILDINGS

"SEC. 201. Emergency construction of public buildings outside the District of Columbia: For emergency construction of public-building projects outside of the District of Columbia (including the acquisition, where necessary, by purchase, condemnation, exchange, or otherwise of sites and additional land for such buildings; the de-

molition of old buildings where necessary, and construction, remodeling, or extension of buildings; rental of temporary quarters during construction, including moving expenses; purchase of necessary equipment for buildings and such additional administrative expenses and salaries as may be required solely for the purpose of carrying out the provisions of this title, there is hereby authorized to be appropriated a total amount of $60,000,000 toward which amount $10,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated; such projects, including the sites therefor, to be selected by the Postmaster General and the Federal Works Administrator (hereinafter referred to as the "Administrator"), acting jointly, from the public-building projects specified in House Document No. 177, Seventy-sixth Congress, first session, as revised by them; and the projects so selected shall be carried out within the respective estimates of proposed limits of cost specified in such report as revised and those hereafter fixed by the Postmaster General and the Administrator under the provisions of this title, except that $250,000 of the appropriation in this title shall be available for the augmentation of limits of cost of projects selected under the provisions of this title in an amount not exceeding 10 percent for any project: *Provided*, That with a view to relieving country-wide unemployment the Postmaster General and the Administrator, in the selection of towns or cities in which buildings are to be constructed, shall endeavor to distribute the projects equitably throughout the country so far as may be consistent with the needs of the public service; and the Postmaster General and the Administrator may also select for prosecution under this program such projects not included in such revised report as in their judgment are economically sound and advantageous to the public service: *Provided further*, That the Administrator is authorized to direct the preparation of all sketches, estimates, plans, and specifications (including supervision and inspection thereof), and to enter into all contracts necessary for carrying out the purposes of this title: *Provided further*, That the Administrator is authorized to enter into contracts for any or all of the projects selected under this program in amounts not exceeding the respective estimated total costs of individual projects, and he is hereby authorized, when deemed by him desirable and advantageous, to employ, by contract or otherwise, the personal services of temporary professional, technical, or nontechnical employees to such extent as may be required to carry out the purposes of this title, without reference to civil-service laws, rules, regulations, or to the Classification Act of 1923, as amended: *Provided further*, That in the acquisition of land or sites for the purposes of Federal public buildings and in the construction of such buildings provided for in this title, the provisions of sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

"SEC. 202. The provisions of title I of this joint resolution shall not be applicable to this title.

"SEC. 203. This title may be cited as the 'Federal Public Buildings Appropriation Act of 1940.'"

Mr. TABER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Mr. Chairman, I make the point of order against the amendment, first, that it is not germane to the joint resolution, this being a relief bill, and the amendment being one authorizing a public-buildings program and making appropriations therefor, and second, that it is not germane to this part of the joint resolution.

This amendment is absolutely foreign to the very purpose of the joint resolution. This joint resolution is not a general construction authorization program at all, it is simply supposed to be a relief program all the way through, while the amendment is an authorization for a building construction program and an appropriation therefor. Further, the amendment is offered at a point in the joint resolution where limitations are provided against improper and irregular expenditures of funds that have been appropriated in other parts of the joint resolution.

Mr. DIRKSEN. Mr. Chairman, may I offer one observation on the point of order? If I could tell from the reading of the so-called second title to this joint resolution, it contains a provision that none of the provisions of the joint resolution shall apply. In those circumstances, I have grave doubt that it is germane to the pending resolution.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on the point of order?

Mr. COLLINS. Mr. Chairman, this title is in the same language that has been carried in similar bills of this particular nature, and it is my understanding that this language has heretofore been held in order.

The CHAIRMAN (Mr. LANHAM). The Chair is ready to rule. In the opinion of the Chair, in view of the fact that this is a bill for work and work relief and provides specifically, in certain portions of it, as in lines 14 and 15, of page 3, for public buildings, the point of order should not be sustained, and the Chair would cite in this connection a ruling that was made by the gentleman from North Carolina [Mr. WARREN], on January 13, 1939, when an amendment was offered to the relief bill by the gentleman from South Carolina [Mr. HARE] to this effect:

At the end of line 3, page 3, following the committee and other amendments, add the following: *"Provided further*, That $150,000,000 of the amount appropriated herein shall be used in the erection of public buildings for the accommodation of second- and third-class post offices in various States and towns, cities, or municipalities wherein such buildings are to be located shall first furnish the Government with an approved site or place therefor."

In ruling upon that amendment the then Chairman, the gentleman from North Carolina [Mr. WARREN], said:

Section 1 of the Public Works Appropriation Act of 1938 provides, among other things, for public buildings, parks, and other recreational facilities, etc.

The amendment offered by the gentleman from South Carolina merely seeks to allocate part of the funds herein appropriated for that purpose.

The Chair therefore overrules the point of order and holds the amendment to be germane.

In view of the fact that there are specific designations of public buildings and appropriations made for them in this joint resolution, which is for work and work relief, and inasmuch as the amendment offered by the gentleman from Mississippi proposes erection of public buildings which would give work and work relief, it seems to the Chair that it is germane to the bill, and the Chair, therefore, overrules the point of order.

Mr. TABER. Mr. Chairman, may I call the Chair's attention to the fact that the Chair was mistaken in quoting the title. The title is "Joint resolution making appropriations for work relief and relief." The word "work" alone does not appear.

The CHAIRMAN. But the joint resolution, the Chair will say, refers specifically by its terms to public buildings and makes appropriations for various public buildings, and, in the opinion of the Chair, the amendment offered by the gentleman from Mississippi [Mr. COLLINS] is in keeping with the purpose of the joint resolution and with the various provisions in the resolution, and, therefore, overrules the point of order.

The gentleman from Mississippi is recognized for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be concluded in 17 minutes, 5 minutes to be consumed by the gentleman from Mississippi, 3 minutes by the gentleman from Alabama [Mr. HOBBS], 5 minutes by myself, and 2 minutes by the gentleman from Montana, and 2 minutes by the gentleman from Arizona.

Mr. SCHAFER of Wisconsin. Mr. Chairman, reserving the right to object, how many hundreds of millions of dollars are involved in this amendment?

The CHAIRMAN. The Clerk has reported the amendment.

Mr. SCHAFER of Wisconsin. I shall object until we know whether we are only going to have 17 minutes on a matter involving hundreds of millions of dollars.

Mr. CANNON of Missouri. The amendment provides $10,000,000 of appropriations and $50,000,000 of authorization. The entire building program proposed in the amendment would aggregate $60,000,000.

Mr. TABER. Mr. Chairman, I would like to have about 3 minutes on this amendment.

Mr. CANNON of Missouri. Then, Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, which will include 3 minutes for the gentleman from New York [Mr. TABER].

Mr. EDWIN A. HALL. Mr. Chairman, reserving the right to object, I have an amendment at the desk and I wish to be heard on the amendment.

The CHAIRMAN. The Chair will state that the request only refers to the pending amendment of the gentleman from Mississippi and any amendment thereto.

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

There was no objection.

Mr. COLLINS. Mr. Chairman, this title proposes numerous public-buildings-construction projects outside of the District of Columbia and authorizes appropriations of $60,000,000, $10,000,000 of which is appropriated in this act, the $10,000,000 being for the acquisition of sites, plans, and specifications, and the beginning of construction of buildings. The amendment is identical with similar amendments that have been passed by Congress in other sessions in the last 6 or 8 years. Selections are to be made by the Postmaster General and the Federal works administrations from projects which have been held economically sound by them in public document dated February 2, 1939, which has been revised up to date. It further provides for the equitable distribution of this money throughout the country so that no section of it will be discriminated against. It provides for standard specifications, so that there will be no fraud. These, in substance, are the provisions of the proposed amendment.

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

Mr. COLLINS. Let me finish my statement and then I shall be delighted to yield. There are 1,500 of these approved projects throughout the United States, and this proposal will take care of approximately 450 of them. A combined Government and post-office building will be constructed, or a building in existence will be remodeled, or substations will be constructed, and because of the fact that an equitable distribution is provided in this title, no section can be ignored.

In addition, since only $10,000,000 is appropriated, the total amount, as carried in this bill including this appropriation, will not exceed Budget estimates. As a matter of fact, with this appropriation added, the bill will still be over $4,000,000 under Budget estimates.

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

Mr. COLLINS. Yes.

Mr. MAY. In the event a post-office building is constructed, will that be done through the Procurement Division of the Treasury and the supervision of the Post Office Department, or by the local W. P. A.?

Mr. COLLINS. It would be done by the Post Office Department and the Federal Works Agency, Public Buildings Administration.

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

Mr. COLLINS. Yes.

Mr. ALEXANDER. About what does the gentleman's amendment contemplate giving to each congressional district?

Mr. COLLINS. The gentleman can divide 60 million dollars by about 450 or some such number as that, and he will reach a rather accurate idea. There is sufficient authorization so that if a building is larger than, say, 60 or 75 thousand dollars, there is money in this bill to provide for other types of construction. There is no politics in the bill.

Mr. ALEXANDER. In Minneapolis we are divided into two congressional districts, and we have great need for a new Federal court building and branch post office combined. The Treasury Department's recommendation, which is, I think, one of those 1,500 the gentleman refers to, calls for $1,900,000 for that purpose.

Mr. COLLINS. There would be ample money in this bill to take care of projects of that particular nature.

Mr. ALEXANDER. That is quite a large sum of money and I wondered if this contemplated buildings of that size.

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

Mr. COLLINS. Yes.

Mr. LUTHER A. JOHNSON. First, whether this amendment will increase the amount of this appropriation, or is it merely an allocation?

Mr. COLLINS. This title does not earmark money. This is in addition to the $975,000,000 elsewhere provided for in the bill.

Mr. HOFFMAN. Does it provide that each congressional district shall have at least one building?

Mr. COLLINS. It does not do that. It provides for equitable distribution of money throughout the country.

Mr. HOFFMAN. Will it cause more post offices in our districts?

Mr. COLLINS. It will provide buildings wherever needed if sound economically.

Mr. HOFFMAN. Just before election?

Mr. COLLINS. No. They cannot be constructed for at least a year from this date.

The CHAIRMAN. The time of the gentleman from Mississippi has expired, and the gentleman from Alabama [Mr. HOBBS] is recognized for 3 minutes.

Mr. HOBBS. Mr. Chairman, this amendment is of vital importance to every person in this House. It is evidence of the wisdom of that community which provided a fence at the top of the cliff rather than an ambulance down in the valley. This will keep people off relief by providing far more gainful employment. It will put at least one public building, erected by Uncle Sam, in every congressional district. It will not take a dime away from the appropriation made by this bill for work relief and relief. It is in addition to that. When this appropriation is added to the other the total will still be some $4,000,000 within the Budget.

It will produce employment in three different and distinct ways: First, by keeping at work and by augmenting the number of workers in the industries providing the materials out of which these buildings will be constructed. That provides a wide range of employment back of the actual buildings. That will touch about 80 percent of all the heavy building industries in the United States.

Second, it will provide employment for those local workers who are qualified to participate in the actual building of the buildings.

Third, there will be a resurgence of local pride because of the fine new building going up in the town, which will spread the desire for local improvements all over each little city. Such desire always produces results, and each improvement causes another. So the whole town is improved by reason of the erection of the new post-office building, and employment is multiplied.

In those three ways this will do more to stimulate employment and to prevent unemployment than any money that will be in this bill. It does not make this bill exceed the Budget. It is in addition to and not in subtraction from the amount of this bill. We submit most seriously that it is the wisest kind of amendment that can be engrafted upon this good bill. It will make a good bill better.

In addition to these considerations, it should be borne in mind that each new post-office building erected replaced quarters for the use of which Uncle Sam is now paying rent. The saving of this rental outlay will constitute another dividend upon the investment we are here advocating.

Make no mistake, this amendment is our only chance of this session for any new post-office buildings; and such a program is not "pork," but brains.

The dollars which will be put to work when we adopt this amendment will be at least as well invested as any dollar in this bill. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] is recognized for 2 minutes.

Mr. O'CONNOR. Mr. Chairman, I am heartily in favor of this amendment. I spoke in favor of projects during general debate on this bill.

I have 16 eligible cities in my own district, all needing these buildings. Under the present plan of building post offices it would require about 45 years before the present needs of my district are met.

I want to add a word in addition to what the distinguished gentleman from Alabama [Mr. HOBBS] said. You will not

only get needed and permanent improvements by this appropriation, but you will likewise save the Government a lot of expense in paying rent for places to house post-office facilities.

In places where other governmental agencies are housed we are also paying rents to private persons. The Government will be saved that expense. In addition to furnishing employment, the Government will save money out of the investment in the end.

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

Mr. O'CONNOR. I yield.

Mr. HOFFMAN. Is not the best drawing feature of the amendment the fact that we get a post office in every district at this time?

Mr. O'CONNOR. Exactly.

Mr. HOFFMAN. And that will help us in the election, will it not?

Mr. O'CONNOR. Maybe not, but it will help the people get work. That is the main thing, and that is the primary purpose of this bill—to give work where it is needed, and to relieve suffering.

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

Mr. O'CONNOR. I yield.

Mr. GIFFORD. Can the gentleman assure me that my district will get some of that "gravy"?

Mr. O'CONNOR. Of course, you will if one is needed. I will say this, we have on the authority of the gentleman from Texas [Mr. MAHON], a member of this committee, that an appropriation of $60,000,000 will provide for the construction of a post-office building in every congressional district throughout the United States.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. There are 20 congressional districts in the city of New York. Are you going to erect 20 post offices in the city of New York? [Laughter.]

Mr. O'CONNOR. Federal buildings will only be built where there is need for them.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK] for 2 minutes.

Mr. MURDOCK of Arizona. Mr. Chairman and members of the Committee, I have heard it said that the W. P. A. program is eventually doomed in this country because of the fact that there are certain parts of the country that do not have any more feasible projects on which men can be put to work, no matter how much they may need employment. That may be true of certain communities in the eastern part of the country, but it certainly is not true of the western portion of this country. Out where the West begins the world is new and in the making.

In an official report made 2 years ago I find that the State of Arizona had 23 towns eligible and in need of post offices or Federal buildings. There have been about three new post offices erected during the time I have been in Congress. I believe we are now in need of at least 20 new Federal buildings in my State. In some cases to my knowledge the need is imperative.

I have complained, as you have, of W. P. A. projects that are really not highly useful, not constructive. I detest the term "leaf raking and boondoggling." I have not seen so much of such things as some opponents of W. P. A. profess to have seen. If we are going to have to give employment at public expense, for God's sake let it be on substantial construction. That, I believe, this amendment will provide. Call it "pork," if you please; call it whatever you please. It is not only giving people employment in every part of this country, but it is giving us the type of construction which we are sadly needing, and I think this will balance the types of work for the skilled and the unskilled.

I favor the amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized for 3 minutes.

Mr. TABER. Mr. Chairman, this is an attempt to add a public-buildings program costing $60,000,000 to a relief bill—it is supposed to be a relief bill, anyway. Is it going to be a little bit further from a relief bill? Are we going to go ahead and authorize another $60,000,000 and appropriate directly $10,000,000 above the Budget, every dollar of it without the President's recommendation at this time, and start on a program of putting up a building in every section of the country? And are we going to attempt to do this at a time when every dollar we can rake and scrape together is going to be needed for national defense?

These projects will go regardless of relief or employment need; they will go wherever it is determined by the gentleman who will have jurisdiction over it—the Postmaster General and the Public Works Administration—wherever it is determined by them the project should be embarked upon. They will be no contribution whatever toward relieving unemployment in places where it needs to be relieved.

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

Mr. TABER. I cannot yield, I have only 3 minutes. I did not ask the gentleman to yield to me.

I hope this House will have a sense of responsibility in meeting this proposition and that it will not support a program for adding $60,000,000 of authorization and $10,000,000 of appropriations above the Budget, which is absolutely unjustifiable at this time. There are many, many places that lack public buildings. On the other hand, we are getting along, and until we get through this international emergency we should not reach out and spread our wings so far that we shall not have money enough for the things that are absolutely necessary.

We are up against it now, appropriating money out of the Treasury that is not there and is not going to be there. Why should we go further in bankrupting America? I hope this House will vote against this amendment. [Applause.]

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] is recognized for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, we live in a troubled period in the history of the world. The American people are facing today a situation the gravity of which we dare not estimate on this floor. We must conserve every asset. We must husband every resource. We must scrutinize every expenditure. And the proposition offered here conforms to none of these requirements. The amendment proposes to spend $60,000,000 at a time when we are taking up a defense program which for the time being should have priority over all but indispensable expenditures. The proposal to spend $60,000,000 for new buildings which can be postponed without serious disadvantage interferes with the defense program in three ways at least. It absorbs funds needed for prompt prosecution of the program. It absorbs materials which must be purchased in the open markets in competition with defense orders. And it employs mechanics and skilled workmen of all the trades needed in the construction of factories, plants, hangars, and warehouses at a time when there is already a shortage in skilled labor available for such purposes.

No purpose served in the amendment can excuse or justify the proposition to take away from that imperative and urgent program at such a time as this workmen, material, and money to construct post-office buildings in some rural community where commodious quarters can be rented at a saving to the Government.

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

Mr. CANNON of Missouri. I much regret that I cannot yield at this time. I hope the gentleman will excuse me.

Furthermore, Mr. Chairman, this amendment is subject to every criticism that could be offered. In the first place, this is an amendment to borrow $60,000,000. It is not an amendment to appropriate the money, because it is not in the Treasury to appropriate. It is an amendment to go out and borrow $60,000,000 we do not have, that we are not going to have, and, what is more important, $60,000,000 we are going to need for something else. There is no Budget

estimate for such an appropriation. The committee has not considered it. It is in every way outside the rules which ordinarily hedge about an appropriation submitted to the House.

And, last, let us not camouflage the real incentive lurking behind the public-building program. I realize what a temptation it is to dangle before us a new post-office building in every congressional district right here before election, but we have reached a place when we must exercise self-restraint. We must tighten our belts. The American people must steel themselves to meet actual privation. We must make sacrifices as a people and as individuals. And the first place for us to show self-control and the first place to inure ourselves to sacrifices is right here on this floor, beginning with ourselves.

Mr. Chairman, the bill we are considering today is a great humanitarian measure, one which reflects credit upon American ideals and American civilization. Let us not sully this splendid program; let us not vary the high tenor of this bill by making it a "pork" bill. Let us keep it as we have started it—a bill to feed the hungry, to clothe the naked, to house the shelterless, to rehabilitate the hopeless, through opportunities for honest work at an honest wage.

I trust the amendment will be voted down.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Missouri has expired; all time has expired.

The question is on the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. COLLINS) there were—ayes 50, noes 154.

So the amendment was rejected.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California: Page 33, line 7, add a new title as follows:

"TITLE II

"SECTION 1. There is hereby appropriated to the Public Works Administration, out of any money in the Treasury not otherwise appropriated, the sum of $500,000,000, and the Commissioner of Public Works (in this section called the Commissioner) is hereby authorized, with the approval of the President, to make loans from this fund to States, Territories, possessions, or political subdivisions, or any instrumentalities or agencies thereof (in this section called public bodies) to finance or aid in financing projects which will provide new employment; (b) to organizations created pursuant to law or under the authority of any public body to operate without profit (in this section called nonprofit organizations), to finance or aid in financing projects (including any and all constituent parts thereof) which will produce new employment, will be devoted to public use, and are within any one of the following classes: Hospitals, health centers, clinics, colleges, schools, recreational facilities, or facilities for the handling and storage of farm products; and (c) to public bodies and nonprofit organizations for the temporary operation and maintenance of projects for such period as the Commissioner shall deem necessary for the security of any obligations acquired hereunder.

"SEC. 2. Every such loan shall be evidenced by an obligation or obligations, general or special, of the public body or nonprofit organization to which made, shall bear interest upon the unpaid principal at the rate of 1 percent per annum, shall be secured in such manner as the Commissioner shall determine to be necessary reasonably to assure repayment of the loan, and shall be repayable at one time or from time to time within a period not to exceed (1) 50 years from the first advancement of funds thereunder or (2) the anticipated period of usefulness of the project for which such loan is made, whichever is less, as determined by the Commissioner, prior to such first advancement.

"SEC. 3. In carrying out the provisions of this title the Commissioner is authorized—

"(a) To prescribe, from time to time, terms and conditions not inconsistent with the provisions of this section.

"(b) To sell any bonds, securities, or other obligations acquired hereunder, or any security therefor.

"(c) To accept (1) in exchange and substitution for any bonds, securities, or other obligations of the same or any other public body or nonprofit organization, whether of the same or longer maturities or otherwise differing, which, in the determination of the Commissioner, are more desirable than those so acquired; and (2) in exchange and substitution for any bonds, securities or other obligations acquired hereunder, any other security, which in the determination of the Commissioner is more desirable than that so acquired.

"(d) To authorize expenditures for contract stenographic reporting services; supplies and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspapers, and press clippings; travel expenses, including the expense of attendance at meetings when specifically authorized; rental at the seat of government and elsewhere; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding; and such other expenses as he may determine necessary to the accomplishment of the objectives of this title.

"(e) The Commissioner is authorized, without regard to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such executive and administrative assistants, a general counsel and such other attorneys, and such experts, special consultants, and regional supervisors, and subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, to appoint such other employees as he may deem necessary as a regular staff to carry out the purposes of this title, and to prescribe their authorities, duties, responsibilities, and tenure: *Provided*, That if the Commissioner shall, within 6 months after the date of the approval of this act, certify to the United States Civil Service Commission that any employee of the Public Works Administration has rendered satisfactory services for at least 6 months prior to the date of approval of this act and is to be assigned to the regular staff of the Administration, and such employees shall, within 6 months after such certification, pass such appropriate noncompetitive tests of fitness as the Civil Service Commission may prescribe, such employee shall thereupon acquire the same status as if certified after examination by the Civil Service Commission.

"SEC. 4. The Commissioner shall require (a) that all workmen, laborers, and mechanics employed in the construction of any project financed hereunder shall be paid without subsequent deduction or rebate on any account not less than the wages determined by the Commissioner, or in accordance with local law, to be the wages prevailing for the corresponding classes of workmen, laborers, and mechanics employed on projects of a character similar to the work in the locality where the project is to be situated; and (b) that no workman, laborer, or mechanic employed in the construction of any such project shall be compelled to work a greater number of hours per week than the applicable maximum established by the Fair Labor Standards Act of 1938, or be compensated at a rate less than the applicable minimum-wage rate established by said act, whether or not the employment of such workman, laborer, or mechanic is subject to the provision of said act.

"SEC. 5. The Public Works Administration in the Federal Works Agency is hereby continued, and all provisions of law existing on the date of enactment hereof relating to limitations of time for the continuance of the Public Works Administration, and the receipt of applications, are hereby repealed. The Commissioner shall act under the direction and supervision of the Federal Works Administrator.

"SEC. 6. Not to exceed $10,000,000 of the fund shall be available for administrative expenses in carrying out the provisions of this title during the fiscal year ending June 30, 1941."

Mr. CANNON of Missouri (interrupting reading of the amendment). As I understand it, the gentleman's amendment proposes to reestablish the P. W. A.?

Mr. VOORHIS of California. Yes.

Mr. CANNON of Missouri. I wonder if it would be agreeable to the members of the Committee to dispense with the reading of the amendment?

Mr. VOORHIS of California. Mr. Chairman, may I say that the amendment is printed on page 3024 of the Appendix of the RECORD?

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to dispense with the reading of the amendment and that it may be printed in the RECORD.

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

Mr. TABER. Mr. Chairman, reserving the right to object, I do not want to be precluded from making a point of order against the amendment.

The CHAIRMAN. The gentleman would not be precluded from making a point of order under this unanimous-consent request. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. TABER. Mr. Chairman, I make a point of order against the amendment that it is not germane to the rest of the bill, it being a program involving the granting of funds to States, cities, counties, and other municipalities without any requirement that the money be used for relief. The title of the pending bill is "An act to provide for work relief and relief," and the gentleman's amendment has nothing whatever to do with a relief bill, and is therefore not germane.

The CHAIRMAN. In accordance with the former ruling of the Chair, and the further fact that the bill before us pro-

vides for funds to be paid to States, Territories, and so forth, the Chair thinks the amendment germane, and therefore overrules the point of order.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 8 minutes, 3 minutes to be reserved by the committee.

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

There was no objection.

Mr. VOORHIS of California. Mr. Chairman, in the first place, I think every Member of the House will agree that the work of the Public Works Administration has been one of the most constructive things that has been done in recent years from the standpoint of an attack on the problem of unemployment. It means not only direct employment at the site, but a very large amount of additional employment in industries supplying materials, transportation, and so forth. In the second place, it has been pointed out by many Members in the course of this debate that there were certain things to be said for a program like the P. W. A. program as compared to a program like W. P. A. under certain circumstances.

My first proposition is that the P. W. A. will die within a couple of months, unless some provision of this kind is agreed to. If this amendment of mine is adopted, it will not die but will continue to do the work it has been doing in the past.

The next point I want to make is this: P. W. A. has at this moment 3,000 applications for non-Federal projects already approved, projects which are needed, where local communities are ready to do their part, and which can be undertaken in a very short space of time. The next point I want to make, and I ask you to listen carefully, is this: It is true that the amendment says that $500,000,000 is to be appropriated for the P. W. A., but every dollar of that is to be used for recoverable loans. The amendment provides for no grants at all. The money is entirely for loans to public bodies which will provide new employment in the building of schools, hospitals, recreational facilities, highways, airports, and things of that character, such as P. W. A. has done in the past. They are things we cannot neglect or forget—especially not now.

Another provision of the amendment states that there shall be paid the regular prevailing wages on all such projects. The provisions of this amendment, I may say, were drawn with great care by people who know their business. It is not just a fly-by-night proposition that somebody thought up but a very carefully drawn amendment in proper form to provide the continuance of the work of the Public Works Administration for the purpose of doing this kind of a job.

Mr. Chairman, it seems to me that we have under all circumstances to remember that this attack on unemployment is a part of national defense and one of the most important parts. If we want to arrive at the proper kind of public-works program, if we are going to have a long-range program, if we are going to have the W. P. A. type for certain people and certain kinds of work, we will have to have the P. W. A. type for other kinds of work and other circumstances where it can be used. For these reasons I ask the Members to consider this proposition with real earnestness, in spite of the lateness of the hour.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. Will this program furnish work under contract at the prevailing rate of wages and by skilled labor?

Mr. VOORHIS of California. Altogether.

Mr. MURDOCK of Arizona. How can any man who opposes W. P. A. because it gives work to unskilled labor only oppose this proposition?

Mr. VOORHIS of California. That is what I am anxious to find out. This is a regular P. W. A. program, which has always been a program of contract work and opportunity for employment of skilled labor and always at the prevailing rate of wages.

Mr. Chairman, I realize that the House is not in a particularly legislative mood at the moment, but I think if the Members will consider this from the long-range point of view, and if they will realize that as a matter of fact every dollar contained in this amendment will be repaid to the Federal Treasury, they will see that there is a soundness to this proposition which it should be difficult for them to turn down.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California.

Mr. Chairman, the amendment offered by the gentleman from California [Mr. VOORHIS] seeks to revive the Public Works Administration. There should be no disparagement of the fine place that organization has had in our recovery program. However, Congress at the first session refused to make any further appropriation for continuance of P. W. A., except on a liquidation basis. Likewise, the first session of this Congress rejected a program for a revival of spend and lend for public works. The P. W. A. is now practically liquidated. The organization has been pretty well dismantled. The amendment just offered would rehabilitate and reassemble the personnel and start the program over again. Furthermore, the amendment, as offered, is a broadening of the authority which P. W. A. has enjoyed under previous laws. It provides money at a very low rate of interest—1 percent—which is not justified for this sort of a program at this time. Laudable as the purposes of the program may be, it is open to many of the objections which I have just previously raised to the public-buildings amendment offered by my colleague the gentleman from Mississippi [Mr. COLLINS]. We do not have the money for this proposal; it has not been considered or studied by the committee; it has not been recommended by the executive branch of the Government. The measure to which it is offered is a bill for work relief of needy unemployed; that relief will be furnished promptly. The projects to be undertaken under the amendment now under consideration are so-called heavy type of construction. They do not furnish employment to the same numbers of workers that the W. P. A. program furnishes per million dollars of expenditure. It would take this program considerable time to get under way due to the disorganized state of the agency, and the length of time required to get the projects in, approved, and put under contract. For these and other reasons which time does not permit me to enumerate, the amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. VOORHIS].

The question was taken; and on a division (demanded by Mr. VOORHIS of California) there were—ayes 26, noes 110.

So the amendment was rejected.

Mr. EDWIN A. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWIN A. HALL: On page 33, after line 7, insert a new sections, as follows:

"SEC. 37. One million dollars of the sums herein provided shall be allotted to a non-partisan commission of 11 taxpayers, 5 to be named by the House and 5 by the Senate, the chairman to be chosen by the 10 thus named, it being provided that no member of such Commission shall be a public officeholder or affiliated with any organized spending minority group. The Commission shall be invested with power of subpena and charged with a laboratory investigation of relief with reference to its causes and its effects upon the economic and sociological structure of the United States and particularly with reference to its effects on the recipients of relief. Members of the Commission shall serve without pay but all necessary expenses incurred in the investigation by the members of the Commission, their paid secretaries, investigators, clerks, and stenographers shall be a proper charge against this appropriation. And the Commission shall be continued with each appropriation of relief moneys by Congress with appropriation for the work of the committee at the rate of 2 percent of all such relief moneys appropriated and shall report to Congress on June 30 and December 31 of each year."

Mr. CANNON of Missouri. Mr. Chairman, I make the point of order that the amendment is not germane to the joint resolution.

Mr. EDWIN A. HALL. May I ask if the gentleman will withhold his point of order?

Mr. CANNON of Missouri. At this late hour of the session I must object to that, but I would suggest that the gentleman extend his remarks at this point in the RECORD.

The CHAIRMAN (Mr. LANHAM). The Chair is ready to rule.

The gentleman from Missouri [Mr. CANNON] makes the point of order that the amendment offered by the gentleman from New York is not germane. Almost this exact point was passed upon by the gentleman from North Carolina [Mr. WARREN] on January 13, 1939, when the relief bill was under consideration. An amendment was offered by the gentleman from Minnesota [Mr. ALEXANDER] to this effect:

At the end of the bill add the following: "*Provided further*, That a joint committee consisting of nine Members of the House and nine Members of the Senate be appointed by the Speaker of the House and the President of the Senate, respectively, to forthwith investigate the relief problem and report out within 90 days a sound program of Federal relief and reemployment."

In ruling upon the point of order against that amendment the gentleman from North Carolina said:

Obviously, the amendment offered by the gentleman from Minnesota is not in order, as it deals with a subject over which another committee of the House would have entire jurisdiction.

Inasmuch as the Committee on Appropriations does not have jurisdiction of the matter contained in the amendment offered by the gentleman from New York, the Chair sustains the point of order.

Mr. EDWIN A. HALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I realize the hour is getting late, and I regret that I have asked the Committee's indulgence in giving me an opportunity to be heard on my amendment.

Mr. CANNON of Missouri. Mr. Chairman, I regret to have to make the point of order that the gentleman is not speaking to the joint resolution; he is speaking on his amendment.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I would like to be heard on the point of order.

Mr. CANNON of Missouri. I withdraw the point of order, Mr. Chairman. I would rather listen to the other gentleman.

Mr. EDWIN A. HALL. Mr. Chairman, I appreciate the opportunity of saying a few words regarding the W. P. A. and the administration of national relief as it is being handled in this country today. I do not believe there is anyone in this room who will gainsay the statement that W. P. A. in its very essence is merely experimental and cannot be carried on for an unlimited length of time. When the President of the United States and the Executive Branch of this Government, as well as the Congress of the United States, assume that the administration of national relief as it is now administered is the panacea or remedy for the tremendous problem we as Americans are facing today, then the President and this Congress are assuming something that is entirely wrong. The amendment which I offered and which was ruled out had for its object probing the national relief set-up and determining abuses and remedies made obvious by mistakes in relief administration. It was my hope that after going into the subject and making an examination of the facts, conclusions could be drawn regarding the future administration of relief and its relation to unemployment.

It is for this reason I have offered this amendment, and although I do not wish in any way to oppose the desires of the chairman in this matter, I may say that I have presented it as a substitute, and as offering an opportunity for developing some future substitute for the present method of handling the problem we are facing. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I move that the committee do now rise and report the joint resolution back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose and the Speaker pro tempore [Mr. WARREN] having assumed the chair; Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the joint resolution and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I demand a separate vote on the so-called Johnson of Oklahoma amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment; if not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the so-called Johnson of Oklahoma amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On pages 16 and 17, strike out all of section 11.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 181, noes 114.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. All those in favor of taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Fourteen Members have risen, not a sufficient number, and the yeas and nays are refused.

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

Mr. HOFFMAN. Mr. Speaker, I demand the reading of the engrossed copy.

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

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

Mr. HOFFMAN. Mr. Speaker, I demand a reading of the engrossed copy.

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

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TABER. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TABER moves to recommit House Joint Resolution 544 to the Committee on Appropriations with instructions to report the resolution back to the House with the following changes in those parts of the joint resolution relating to relief and its administration by the Work Projects Administration: Provide for allocation of funds to State, Territories, municipalities, and the District of Columbia by grants-in-aid to enable them to carry out the relief programs determined and administered by them, and in which they participate through reasonable financial and other contributions.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York [Mr. TABER] to recommit the bill.

The motion was rejected.

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

Mr. CANNON of Missouri. Mr. Speaker, I ask for the yeas and nays.

Mr. HOFFMAN. Mr. Speaker, I demand the reading of the engrossed copy.

The SPEAKER pro tempore. The suggestion of the gentleman from Michigan comes too late, coming after the motion to recommit.

Mr. HOFFMAN. I made it once before.

The SPEAKER pro tempore. The gentleman did not insist upon it.

The question is on the passage of the bill.

The question was taken; and there were—yeas 356, nays 21, answered "present" 1, not voting 52, as follows:

[Roll No. 121]

YEAS—356

Alexander	Dingell	Johnson, Lyndon	Peterson, Fla.
Allen, Ill.	Dirksen	Johnson, Okla.	Pfeifer
Allen, La.	Disney	Johnson, W. Va.	Pierce
Allen, Pa.	Ditter	Jones, Ohio	Pittenger
Andersen, H. Carl	Dondero	Jones, Tex.	Poage
Anderson, Calif.	Doughton	Jonkman	Polk
Anderson, Mo.	Doxey	Kean	Powers
Andresen, A. H.	Duncan	Keefe	Rabaut
Angell	Dunn	Kefauver	Ramspeck
Arends	Dworshak	Keller	Rankin
Arnold	Eaton	Kelly	Rayburn
Austin	Eberharter	Kennedy, Martin	Reece, Tenn.
Barnes	Edelstein	Kennedy, Md.	Reed, Ill.
Barry	Elliott	Kennedy, Michael	Rees, Kans.
Barton N. Y.	Elston	Keogh	Richards
Bates, Ky.	Engel	Kerr	Risk
Bates, Mass.	Englebright	Kinzer	Robinson, Utah
Beam	Evans	Kirwan	Rodgers, Pa.
Beckworth	Faddis	Kleberg	Rogers, Mass.
Bell	Fay	Knutson	Rogers, Okla.
Bender	Fenton	Kocialkowski	Romjue
Blackney	Ferguson	Kramer	Routzohn
Bland	Fernandez	Kunkel	Rutherford
Bloom	Fish	Lambertson	Ryan
Boehne	Fitzpatrick	Landis	Sabath
Boland	Flaherty	Lanham	Sacks
Bolles	Flannagan	Larrabee	Sandager
Bolton	Flannery	Lea	Sasscer
Boren	Folger	Leavy	Satterfield
Boykin	Ford, Leland M.	LeCompte	Schaefer, Ill.
Bradley, Mich.	Ford, Thomas F.	Lesinski	Schafer, Wis.
Bradley, Pa.	Fries	Lewis, Colo.	Schiffler
Brewster	Fulmer	Lewis, Ohio	Schuetz
Brooks	Gamble	Luce	Schulte
Brown, Ga.	Garrett	Ludlow	Schwert
Brown, Ohio	Gartner	Lynch	Scrugham
Bryson	Gathings	McAndrews	Seccombe
Buck	Gavagan	McArdle	Secrest
Buckler, Minn.	Gearhart	McCormack	Seger
Buckley, N. Y.	Gehrmann	McGranery	Shanley
Bulwinkle	Gerlach	McGregor	Sheppard
Burdick	Geyer, Calif.	McKeough	Sheridan
Burgin	Gibbs	McLaughlin	Smith, Conn.
Byrne, N. Y.	Gifford	McLeod	Smith, Ill.
Byrns, Tenn.	Gilchrist	McMillan, Clara	Smith, W. Va.
Byron	Gillie	McMillan, John L.	Snyder
Caldwell	Goodwin	Maas	Somers, N. Y.
Camp	Gore	Maciejewski	South
Cannon, Fla.	Gossett	Magnuson	Sparkman
Cannon, Mo.	Graham	Mahon	Spence
Carlson	Grant, Ala.	Maloney	Springer
Carter	Grant, Ind.	Marcantonio	Steagall
Cartwright	Gregory	Marshall	Stearns, N. H.
Case, S. Dak.	Griffith	Martin, Ill.	Stefan
Casey, Mass.	Gross	Martin, Iowa	Sullivan
Celler	Guyer, Kans.	Massingale	Sumner, Ill.
Chiperfield	Gwynne	May	Sutphin
Church	Hall, Edwin A.	Michener	Sweet
Clark	Hall, Leonard W.	Miller	Talle
Clason	Harrington	Mills, Ark.	Tarver
Claypool	Hart	Mills, La.	Tenerowicz
Clevenger	Harter, N. Y.	Monkiewicz	Terry
Cluett	Harter, Ohio	Monroney	Thill
Cochran	Hartley	Moser	Thomas, Tex.
Coffee, Nebr.	Havenner	Mott	Thomason
Coffee, Wash.	Healey	Mouton	Tolan
Cole, Md.	Hendricks	Mundt	Treadway
Collins	Hennings	Murdock, Ariz.	Van Zandt
Colmer	Hess	Murdock, Utah	Vincent, Ky.
Connery	Hill	Murray	Vinson, Ga.
Cooper	Hinshaw	Myers	Voorhis, Calif.
Corbett	Hobbs	Nelson	Vorys, Ohio
Costello	Holmes	Nichols	Vreeland
Courtney	Hook	Norrell	Walter
Cravens	Hope	Norton	Ward
Creal	Horton	O'Brien	Warren
Crosser	Houston	O'Connor	Welch
Crowe	Hull	O'Day	West
Crowther	Hunter	O'Leary	Wheat
Cullen	Izac	Oliver	Whittington
Curtis	Jacobsen	O'Neal	Wigglesworth
D'Alesandro	Jeffries	Osmers	Williams, Mo.
Darden, Va.	Jenkins, Ohio	O'Toole	Winter
Davis	Jenks, N. H.	Pace	Wolcott
Delaney	Jennings	Parsons	Wolfenden, Pa.
Dempsey	Jensen	Patman	Wolverton, N. J.
DeRouen	Johns	Patrick	Woodruff, Mich.
Dickstein	Johnson, Ill.	Patton	Youngdahl
Dies	Johnson, Luther A.	Pearson	Zimmerman

NAYS—21

Andrews	Hoffman	Robertson	Thomas, N. J.
Burch	Kilburn	Rockefeller	Wadsworth
Cole, N. Y.	McLean	Short	Williams, Del.
Crawford	Peterson, Ga.	Smith, Ohio	
Drewry	Reed, N. Y.	Smith, Va.	
Hancock	Rich	Taber	

ANSWERED "PRESENT"—1

Hawks

NOT VOTING—52

Ball	Green	Mansfield	Sumners, Tex.
Barden, N. C.	Halleck	Martin, Mass.	Sweeney
Chapman	Hare	Mason	Taylor
Cooley	Harness	Merritt	Thorkelson
Cox	Jarman	Mitchell	Tibbott
Culkin	Jarrett	Plumley	Tinkham
Cummings	Johnson, Ind.	Randolph	Wallgren
Darrow	Kee	Robsion, Ky.	Weaver
Douglas	Kilday	Shafer, Mich.	Whelchel
Durham	Kitchens	Shannon	White, Idaho
Edmiston	Lemke	Simpson	White, Ohio
Ellis	McDowell	Smith, Wash.	Wood
Ford, Miss.	McGehee	Starnes, Ala.	Woodrum, Va.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Wood (for) with Mr. Woodrum of Virginia (against).
Mr. Robsion of Kentucky (for) with Mr. Hawks (against).

General pairs:

Mr. Cooley with Mr. Martin Mass.
Mr. Starnes of Alabama with Mr. Halleck.
Mr. Mansfield with Mr. Douglas.
Mr. Barden of North Carolina with Mr. Harness.
Mr. McGehee with Mr. Simpson.
Mr. Cox with Mr. McDowell.
Mr. Durham with Mr. Culkin.
Mr. Ford of Mississippi with Mr. Tibbott.
Mr. Hare with Mr. Mason.
Mr. Weaver with Mr. Tinkham.
Mr. Jarman with Mr. Johnson of Illinois.
Mr. Chapman with Mr. Thorkelson.
Mr. Kitchens with Mr. Jarrett.
Mr. Whelchel with Mr. White of Ohio.
Mr. Sumners of Texas with Mr. Shafer of Michigan.
Mr. Ellis with Mr. Ball.
Mr. Green with Mr. Lemke.
Mr. Kee with Mr. Darrow.
Mr. Wallgren with Mr. Taylor.
Mr. Edmiston with Mr. Merritt.
Mr. Shannon with Mr. Sweeney.

Mr. HAWKS. Mr. Speaker, I voted "no." I have a pair with the gentleman from Kentucky, Mr. ROBSION. Had he been present, he would have voted "yea." Therefore I withdraw my vote and answer "present."

Mr. RUTHERFORD. Mr. Speaker, my colleagues, Mr. MCDOWELL, Mr. TIBBOTT, Mr. JARRETT, and Mr. SIMPSON, are unavoidably detained. Had they been present, they would have voted "yea."

Mr. POAGE. Mr. Speaker, my colleague, Mr. KILDAY, is absent on account of the serious illness of his mother. Were he present, he would have voted "yea."

Mr. ARNOLD. Mr. Speaker, my colleague from Illinois, Mr. MITCHELL, was here and took part in the deliberations on the bill, and was called away about 2 hours ago on important public business. I am authorized to announce that had he been present he would have voted "yea."

Mr. LEWIS of Colorado. Mr. Speaker, I regret to say that my colleague from Colorado, Mr. CUMMINGS, is indisposed this afternoon. If he had been present, he would have voted "yea."

Mr. SCRUGHAM. Mr. Speaker, my colleague from Idaho, Mr. WHITE, is unavoidably detained. He asked me to announce that if he were present he would have voted "yea."

Mr. BURDICK. Mr. Speaker, my colleague, Mr. LEMKE, took part in the debate, but was called away this morning. If he had been present, he would have voted "yea."

Mr. GRANT of Indiana. Mr. Speaker, my colleagues, Mr. HALLECK, Mr. HARNESS, and Mr. JOHNSON of Indiana, are necessarily absent. Had they been present, they would have voted "yea."

Mr. PATMAN. Mr. Speaker, the gentleman from West Virginia, Mr. RANDOLPH, is unavoidably detained. If he were present, he would have voted "yea."

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the bill was passed was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House at this time.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, yesterday, I received the following letter from the Honorable Robert Moses, chairman of the State Council of Parks of New York.

I wish the entire membership will find the time to read his letter, as well as my answer.

STATE OF NEW YORK,
STATE COUNCIL OF PARKS,
Albany, N. Y., May 21, 1940.

Hon. MARTIN J. KENNEDY,
Congress of the United States, House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: My attention has been called to the fact that S. J. Res. 92, introduced by Senator NYE, has been favorably reported out of committee and will be debated upon before the Senate. I understand that this resolution will be introduced in the House and presumably will be referred to the House Judiciary Committee since all previous resolutions dealing with this subject have been referred to that committee. Attempts have been made to pass this resolution for the past few years but so far have not been successful.

This resolution requests the Attorney General of the United States "to institute and to maintain to final determination, appropriate judicial proceedings for the purpose of asserting, ascertaining, and establishing the right, title, and interest of the United States in and to all submerged lands under the territorial waters of the United States."

I am informed by distinguished counsel that there is no basis for the assertion of such title or property right in the United States, especially with respect to any lands under water along the coast of New York State, and that the courts would not uphold such an assertion.

The trouble is that if such an assertion is made by the Federal Government it throws a cloud on the titles of the State, its municipalities, and its citizens. Any businessman will agree that no private citizen would spend money to improve shore property for business or other purposes, and no lending institution would advance money for such improvements if the Federal Government claimed ownership of such lands. The mere threat of pending litigation would be enough to paralyze prospective improvements on land adjoining or near the tidal waters of the State. It might take years before a final decision is arrived at which would clean up this question, and in the meantime irreparable damage would be done.

The city of New York, under grants from the State, has tremendous investments in dock properties and in parks and playgrounds which depend for their usefulness on the ownership by the city of the lands under water. Under my jurisdiction much needed improvements are being made every day on such lands. Our program for use of these properties for recreational purposes is seriously jeopardized by this extraordinary assertion by the Government that it, instead of the city, is the owner of the adjacent lands under water.

The State also has acquired large tracts of land adjoining tidal waters for the Long Island State Park Commission, of which I am the president, and has transferred jurisdiction of the lands under water adjoining such upland to the said commission to be improved for recreational purposes. While the more enlightened people must know that this claim of the Government can never be upheld, the mischief that is caused by such a claim by encouraging the opponents of this progressive program is incalculable.

Without doubt the Navy Department has taken advantage of the present crisis in the war in Europe and has managed to get favorable action on this resolution on the plea that it is necessary for purposes of defense. This is a perfectly absurd assertion to make as the lands are under the control of the Government whether they are owned by the States or by citizens of the State. These lands and the deposits under them can be taken by the Government immediately in case of war, the same as the Government takes anything else it needs for its defense. The matter of ownership and how much is to be paid for what is taken is left to the courts to decide in the future. The litigation that will be engendered by such an assertion by the United States as this resolution calls for will not be ended until long after any war that we may get into will be concluded. The fact that the Attorney General does not proceed to assert the Government's claim without an order from Congress is proof that the Attorney General is not convinced of the legality of the claim.

The burden is on you and your associates to protect the interests of the people you represent.

Very truly yours,

ROBERT MOSES, *Chairman.*

MAY 23, 1940.

Hon. ROBERT MOSES,
Chairman, State Council of Parks, New York, N. Y.

MY DEAR COMMISSIONER: Yesterday I received a telegram from Dock Commissioner McKenzie expressing his official opposition to S. J. Res. 92. His telegram gave me the impression that the interests of the city of New York and certain property owners would be adversely affected if this resolution were adopted. In your letter dated May 21 referring to the same resolution you state:

"While the more enlightened people must know that this claim of the Government can never be upheld, the mischief that is caused by such a claim by encouraging the opponents of this progressive program is incalculable.

"Without doubt the Navy Department has taken advantage of the present crisis in the war in Europe and has managed to get favorable action on this resolution on the plea that it is necessary for purposes of defense. This is a perfectly absurd assertion to make, as the lands are under the control of the Government whether they are owned by the States or by citizens of the State. These lands and the deposits under them can be taken by the Government immediately in case of war, the same as the Government takes anything else it needs for its defense. The matter of ownership and how much is to be paid for what is taken is left to the courts to decide in the future. The litigation that will be engendered by such an assertion by the United States as this resolution calls for will not be ended until long after any war that we may get into will be concluded. The fact that the Attorney General does not proceed to assert the Government's claim without an order from Congress is proof that the Attorney General is not convinced of the legality of the claim.

"The burden is on you and your associates to protect the interests of the people you represent."

After reading your communication I made a brief study of the legislation and found that hearings had been held on this resolution as far back as 1938. The last hearings were held before the Committee on Public Lands and Surveys of the Senate, from March 27 to 30, 1939.

Your rather gratuitous statement, "Without doubt the Navy Department has taken advantage of the present crisis in the war in Europe and has managed to get favorable action on this resolution on the plea that it is necessary for purposes of defense. This is a perfectly absurd assertion to make, as the lands are under the control of the Government whether they are owned by the State or by citizens of the State," does not seem to be justified by the facts. I would like to direct your attention to a letter written under date of February 20, 1939, addressed to the Speaker of the House of Representatives by Hon. Charles Edison, Acting Secretary of the Navy, from which I briefly quote:

"My dear Mr. Speaker: There is transmitted herewith a draft of a proposed joint resolution declaring the conservation of petroleum deposits underlying submerged lands adjacent to and along the coast of California, below low-water mark and under the territorial waters of the United States of America, essential for national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce reserving the same as a naval petroleum reserve subject to any superior vested right, title, or interest; and authorizing appropriate judicial proceedings to assert, ascertain, establish, and maintain the right and interest of the United States of America in such reserve, and to eject trespassers.

"The purpose of the proposed joint resolution is to conserve the petroleum deposits underlying the bed of the Pacific Ocean off the coast of California below low-water mark and under the territorial waters of the United States of America by reserving and setting aside such deposits as a naval petroleum reserve, subject to any outstanding and lawfully vested adverse right, title, or interest. It involves the assertion of a claim of the right of the Government to conserve the oil in these petroleum deposits for the purposes of national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce."

I regret that your opposition to Senate Joint Resolution 92, which in the opinion of well-informed persons here in the Capitol, does not and will not affect the interests of the city of New York or the owners of certain water-front properties, is so violent as to have made it necessary for you to impugn the motive of the Navy Department.

Allow me to assure you that I shall be mindful of the admonition contained in your letter but in voting on Senate Joint Resolution 92, I shall be guided by the views of the Navy Department rather than your opinion.

Very truly yours,

MARTIN J. KENNEDY.

[Applause.]

GENERAL LEAVE TO EXTEND REMARKS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

By unanimous consent Mr. PATMAN was granted permission to extend his own remarks in the RECORD.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial from the Christian Science Monitor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a letter and resolution which I have today received from the Omaha Chamber of Commerce.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an article from the Baltimore Sun.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an address made by Hon. Harold L. Ickes, Secretary of the Department of the Interior, at the World's Fair in New York on last Friday.

The SPEAKER pro tempore Without objection, it is so ordered.

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an editorial from the South Bend Tribune.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE RELIEF BILL

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

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I cannot vote for this measure as it is presented to the House. It is wrong any way you look at it. The President in his 1941 Budget recommended $975,650,000 for W. P. A. for the 12 months beginning this July 1. The measure we are now considering proposes the same amount, but it provides it may be spent within a period of 8 months and makes no provision for the other 4 months.

It is assumed the President knew what he was doing when he submitted the Budget. If he now finds that amount insufficient he should come to the Congress with a forthright statement of what is needed for the full 12 months and not resort to this subterfuge.

Everyone knows the other 4 months will have to be provided for. Unquestionably it is the duty of this Congress to make such provision. We are certainly shirking our responsibility. What we are really doing is voting about $500,000,000 for the last 4 months for W. P. A. and leaving it to an entirely new Congress, and possibly a new administration, to find a way of financing this amount.

The reason for submitting this proposal is, of course, politics. The President is sensitive to the growing criticism of the mounting Federal debt. By this devious device he hopes to avoid some of this criticism. Also, this is an election year.

I submit this is the worst kind of Federal financing. It will injure still further our already sick economy and is unfair to W. P. A. workers themselves.

I do not believe I was sent to Congress to support such a dishonest and unprecedented piece of legislation as this. What assurance have we that we will not be confronted with similar demands for other agencies and bureaus?

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein brief correspondence between Mr. Lawrence Fairbank, Mr. Harry S. Barger, and Mr. E. K. Burlew, Assistant Secretary of the Interior.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a brief editorial from the Pasadena Post of May 17, 1940.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. MUNDT] may extend his own remarks and include therein a brief editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MITCHELL, for 10 days, on account of important and urgent business.

To Mr. RISK (at the request of Mr. SANDAGER), indefinitely, on account of illness.

To Mr. McDOWELL (at the request of Mr. CORBETT), indefinitely, on account of illness.

EXTENSION OF REMARKS

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

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of The Senate of the following titles:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes;

S. 3402. An act 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; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Friday, May 24, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Friday, May 24, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. The opposition will be heard.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Friday, May 24, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON WAR CLAIMS

There will be a meeting of the Committee on War Claims on Monday, May 27, 1940, at 10 a. m., in the committee

room—228 House Office Building—for a hearing on S. 3097, for the relief of Katherine M. Drier.

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. Monday, May 27, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Commitee on Invalid Pensions, room 247, House Office Building, Tuesday, May 28, at 10:30 a. m., for the purpose of considering H. R. 9149, entitled "A bill to amend the act of March 3, 1927, entitled 'An act granting pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes.'"

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1673. A letter from the Acting Postmaster General, transmitting a draft of a proposed bill to amend section 4008 of the Revised Statutes affecting mails destined to foreign ports; to the Committee on the Post Office and Post Roads.

1674. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to authorize the payment of damages to Emory Poulson or his heirs and the acquisition of an easement over certain of his land which may be flooded in future through the operation of the Fort Hall irrigation project, in Idaho; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 9848. A bill to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes; with amendment (Rept. No. 2267). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9791. A bill to amend the District of Columbia Unemployment Compensation Act; without amendment (Rept. No. 2268). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Select Committee on Government Organization. House Joint Resolution 551. Joint resolution providing for the taking effect of Reorganization Plan No. V; without amendment (Rept. No. 2269). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Connecticut: Committee on Military Affairs. H. R. 7658. A bill to provide for the protection and preservation of domestic sources of iron and steel; with amendment (Rept. No. 2270). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHURCH: Committee on Naval Affairs. H. R. 9296. A bill to authorize the attendance of the Marine Band at the convention of the Grand Army of the Republic to be held at Springfield, Ill., September 8 to 13, inclusive, 1940; without amendment (Rept. No. 2272). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Texas: Committee on Agriculture. H. R. 9859. A bill providing a time limit for collection of feed and seed loans; with amendment (Rept. No. 2273). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9719. A bill to prohibit the sale in the District of Columbia of products of convict labor; without amendment (Rept. No. 2274). 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. LESINSKI: Committee on Immigration and Naturalization. H. R. 9651. A bill for the relief of Meier Langermann, his wife, Friederike, and son, Joseph; without amendment (Rept. No. 2271). 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. FLAHERTY:

H. R. 9873. A bill to provide in Boston Harbor, Mass., a seaplane channel in accordance with the recommendations of the Secretary of War; to the Committee on Rivers and Harbors.

By Mr. SUMNERS of Texas:

H. R. 9874. A bill to amend the Criminal Code in respect to fires on the public domain or Indian lands or in any national park or forest; to the Committee on the Judiciary.

By Mr. SHAFER of Michigan:

H. R. 9875. A bill to provide that payments made to States or Territories to aid in the maintenance of disabled veterans in State or Territorial homes shall be used solely for such purpose; to the Committee on Military Affairs.

By Mr. KENNEDY of Maryland:

H. R. 9876 (by request). A bill to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes; to the Committee on the District of Columbia.

By Mr. SCRUGHAM:

H. R. 9877. A bill authorizing the Secretary of the Interior to promulgate and to put into effect charges for electrical energy generated at Boulder Dam, providing for the application of revenues from said project, authorizing the operation of the Boulder power plant by the United States directly or through agents, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. DIES:

H. Res. 499. Resolution to authorize the payment of expenses of investigation authorized by House Resolution 321; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. KING:

H. R. 9878. A bill for the relief of Searle Sales & Service Co., Ltd.; to the Committee on Claims.

By Mr. KRAMER:

H. R. 9879. A bill for the relief of the Brownstein-Louis Co.; to the Committee on Claims.

By Mr. ANDERSON of Missouri:

H. J. Res. 552. Joint resolution authorizing the President to present the Distinguished Service Medal to Maj. Gen. David L. Stone; to the Committee on Military Affairs.

PETITIONS, ETC.

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

8393. By Mr. FLAHERTY: Petition of the International Institute of Boston, Inc., Boston, Mass., opposing the passage of any antialien bills; to the Committee on the Judiciary.

8394. By Mr. HANCOCK: Petition submitted by A. M. Mohr, of Dryden, N. Y., and signed by 200 residents of Cortland County, favoring House bill 8264; to the Committee on Ways and Means.

8395. By Mr. JOHNS: Petition of W. I. Wagener and 24 other citizens of Sawyer and Sturgeon Bay, Wis., asking support to the Federal chain-store tax bill (H. R. 1), that it may be speedily enacted into law; to the Committee on Ways and Means.

8396. By Mr. REES of Kansas: Petition of Effie Mallory and 108 other citizens of Admire, Kans., on behalf of House bill 8264; to the Committee on Ways and Means.

8397. By Mr. SUTPHIN: Petition of the New Jersey Department, Disabled American Veterans of the World War, urging that an adequate defense, sufficient to resist all possible invasion from foreign countries, be maintained, and asking support of the President's program of preparedness; to the Committee on Military Affairs.

8398. By Mr. SWEENEY: Petition of sundry citizens of Cuyahoga County, State of Ohio, urging enactment of House bills 7646 and 3649, and hearings by the Post Office and Post Roads Committee; to the Committee on the Post Office and Post Roads.

8399. By the SPEAKER: Petition of the United Electrical, Radio, and Machine Workers, Local 1421, petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8400. Also, petition of District No. 2, United Cannery, Agricultural, Packing, and Allied Workers of America, petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8401. Also, petition of the Brotherhood of Sleeping Car Porters, American Federation of Labor, New York, N. Y., petitioning consideration of their resolution with reference to the omnibus transportation bill of Senators WHEELER and LEA; to the Committee on Interstate and Foreign Commerce.

8402. Also, petition of Chevy Local No. 668, United Automobile Workers of America, Congress of Industrial Organizations, Saginaw, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8403. Also, petition of the International Union, United Automobile Workers of America, Local 85, Racine, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8404. Also, petition of the International Workers Order, Branch 3506, Calumet City, Ill., petitioning consideration of their resolution with reference to the antialien bills, to the Committee on Immigration and Naturalization.

8405. Also, petition of the Pullman Porters and Maids Protective Association, Chicago, Ill., petitioning consideration of their resolution with reference to House bill 9406, concerning the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

8406. Also, petition of the Railroad News, Chicago, Ill., petitioning consideration of their resolution with reference to House bill 9406, concerning the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

8407. Also, petition of the Washington Industrial Union Council, Washington, D. C., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8408. Also, petition of the Young People's Religious Union, Boston, Mass., petitioning consideration of their resolution with reference to House bill 7534, concerning the poll-tax restrictions in Federal elections; to the Committee on the Judiciary.

8409. Also, petition of the Young People's Religious Union, Boston, Mass., petitioning consideration of their resolution with reference to Federal antilynching legislation; to the Committee on the Judiciary.

8410. Also, petition of the Young Women's Christian Association, Boston, Mass., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8411. Also, petition of the International Union, Dodge Local No. 3, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8412. Also, petition of the International Union, United Automobile Workers of America, Dodge Local No. 3, 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.

8413. Also, petition of Martin J. Gillen, of Land O'Lakes, Wis., petitioning consideration of their resolution with reference to the disastrous effect on a financial break-down of our railway systems in relation to our national defense; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, MAY 24, 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:

O Thou, who art ever nigh, unto whom Thy children flee for succor, we humbly beseech Thee for all sorts and conditions of men, that Thou wouldst be pleased to make Thy ways known unto them, Thy saving health unto all nations.

For the youth of our country we implore Thy guidance and direction, and, as they enter the opening doors of opportunity, eager for the challenging experiences of life, do Thou set for them great tasks, giving them of Thy strength, that, as citizens of our Republic, they may reach the goal of high achievement.

Again we pray for those who have tried and failed, to whom the meridian of life brings naught but discouragement. Do Thou take their broken lives into Thy mending hands, and give them the rehabilitation and comfort of Thy beneficence.

And so, dear Lord, we commit ourselves and our sin-stained world to Thy tender care. Grant that holiness and purity, truth and patience, daring and tenderness, hope and faith may once more be enshrined in the hearts and lives of men as the constant and pervading things in our humanity, as veritable harbingers of peace.

We ask it in the name of 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 23, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, in which it requested the concurrence of the Senate.

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:

S. 255. An act authorizing the Secretary of War to convey to the port of Cascade Locks, Oreg., certain lands for municipal purposes; and

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.