8415. By Mr. MICHAEL J. KENNEDY: Petition of the Wagner Baking Corporation of Newark, N. J., opposing House bill 9273, known as the income certificate plan or the Pierce bill; to the Committee on Agriculture.

8416. Also, petition of the International Longshoremen's and Warehousemen's Union, Locals 1–10, opposing House bill 9766; to the Committee on Immigration and Naturalization.

8417. Also, petition of the Good and Welfare Club, of Brooklyn, N. Y., favoring immediate enactment of the longevity bill, in order to give credit to employees of interrupted service; to the Committee on the Post Office and Post Roads.

8418. Also, petition of the New York State Credit Union League, Inc., urging immediate enactment of Senate bill 2568; to the Committee on Banking and Currency.

8419. Also, petition of the executive council of the International Association of Machinists, with a membership of more than 200,000 skilled workers, expressing its gratitude to the President of the United States for his leadership in the defense program, and vigorously supporting the enlightened program of preparedness he has proposed to the Nation; to the Committee on Military Affairs.

8420. Also, petition of W. E. McKay & Co., of New York City, relative to the national-defense program; to the Committee on Military Affairs.

8421. Also, petition of the New York City Central Committee, representing 45,000 members, opposing the sale of war materials to belligerent nations; to the Committee on Foreign Affairs.

8422. Also, petition of the Moran Towing & Transportation Co., Inc., supporting the quotas reestablished on sugar from Puerto Rico and Hawaii—these limitations having expired on February 29, 1940; to the Committee on Foreign Affairs.

8423. Also, petition of the United Federal Workers of America, Local No. 55, New York City, urging immediate enactment of legislation prohibiting the transfer of funds, credits, or other assistance to the Allied armies; to the Committee on Foreign Affairs.

8424. Also, petition of the Theater Arts Committee, New York City, opposing increased appropriation for the national defense; to the Committee on Military Affairs.

8425. Also, petition of the American Communications Association, Local No. 10, New York City, opposing any involvement of the United States in the current European war; to the Committee on Foreign Affairs.

8426. By Mr. LAMBERTSON: Petition of Grace E. White and 178 other citizens of Brown County, Kans., urging consideration of and action on the Townsend bill in this session of Congress; to the Committee on Ways and Means.

8427. By Mr. MERRITT: Resolution of provisional committee to keep United States out of war, representing residents of Forest Hills, Kew Gardens, and neighboring communities in New York City, that the United States shall not take part in the European War, uphold strict neutrality, oppose further sale of war materials to belligerents, and oppose attempt to lend money to them; to the Committee on Foreign Affairs.

8428. Also, resolution of the Metropolitan League of Savings and Loan Associations, New York City, urging the Senators and Representatives to support House bill 6971; to the Committee on Banking and Currency.

8429. By Mr. SUTPHIN: Petition of the American Legion, Department of New Jersey, approving the President's defense message to Congress; to the Committee on Military Affairs.

8430. By Mr. WHEAT: Petition of the International Hod Carriers and Building and Common Labor Union of America, Local No. 703, at Champaign and Urbana, Ill., in the interest of the employment of union labor on skilled portions of Work Projects Administration projects; to the Committee on Labor.

8431. Also, petition of the Chauffeurs, Teamsters, and Helpers Local Union No. 798 of Champaign and Urbana, Ill., in the interest of the employment of union labor on skilled portions of Work Projects Administration projects; to the Committee on Labor.

8432. By Mr. WOLCOTT: Petition of E. G. Dingman, village president, New Haven, Mich., and 133 others, favoring the enactment of the Townsend national recovery plan; to the Committee on Ways and Means.

8433. By the SPEAKER: Petition of C. J. Carrier, of Bridgewater, Va., petitioning consideration of their resolution; to the Committee on Election of President, Vice President, and Representatives in Congress.

8434. Also, petition of Local No. 17, International Woodworkers of America, Astoria, Oreg., petitioning consideration of their resolution with reference to House bill 9195, concerning the Wagner Act; to the Committee on Labor.

8435. Also, petition of the International Union United Automobile Workers of America, Local Union No. 113, Muskegon, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8436. Also, petition of Hudson Local 154, United Automobile Workers of America, 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.

8437. Also, petition of Association the Southern Commissioners of Agriculture, Memphis, Tenn., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8438. By Mr. KRAMER: Resolution of the California Lawyers Association, Inc., relative to the approval of the resolution adopted by the State Bar of California pertaining to providing for administrative agencies, etc.; to the Select Committee on Government Reorganization.

8439. By Mr. SPRINGER: Resolution of Indiana State Industrial Union Council, Indianapolis, Ind., pertaining to the use of the Espionage Act and agents of the Federal Bureau of Investigation by certain employers; to the Committee on Foreign Affairs.

SENATE

MONDAY, MAY 27, 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 spirit of the living God, whose creative breath is life from the dead and the upspringing of flowers of goodness in the hearts of men: Think, Thou, in us thoughts necessary for our guidance when we are perturbed, thoughts for our quickening when the wings of aspiration fail us, that we may always be alert to the high claims of character as we deliberate concerning the welfare of our country. Clothe our mortal weakness with Thy strength, give to us the constant comfort of Thy calm; and we pray that Thou wilt ever teach us that we're armed without if innocent within. And so we further pray:

Thy kingdom come, O God!
  Thy rule, O Christ, begin!
Break with Thine iron rod
  The tyrannies of sin.

Where is Thy reign of peace
  And purity and love?
When shall all hatred cease
  As in the realms above?

When comes the promised time
  That war shall be no more,
Oppression, lust, and crime
  Shall flee Thy face before?

We pray Thee, Lord, arise
  And come in Thy great might,
Revive our longing eyes
  Which languish for Thy sight.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

O'er nations not afar
War darkness broodeth yet;
Arise, O Morning Star,
Arise, and never set.

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 Friday, May 24, 1940, was dispensed with, and the Journal was approved.

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 bill (H. R. 9850) to expedite the strengthening of the national defense, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. VANDENBERG. 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	Downey	Lodge	Sheppard
Ashurst	Ellender	Lucas	Shipstead
Bailey	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Bridges	Gillette	McNary	Stewart
Brown	Guffey	Maloney	Taft
Bulow	Gurney	Miller	Thomas, Idaho
Burke	Hale	Minton	Thomas, Okla.
Byrd	Harrison	Murray	Thomas, Utah
Byrnes	Hatch	Norris	Tobey
Capper	Hayden	Nye	Townsend
Caraway	Herring	O'Mahoney	Truman
Chandler	Hill	Overton	Tydings
Chavez	Holman	Pepper	Vandenberg
Clark, Idaho	Hughes	Pittman	Van Nuys
Clark, Mo.	Johnson, Calif.	Radcliffe	Wagner
Connally	Johnson, Colo.	Reynolds	Wheeler
Danaher	King	Russell	White
Davis	La Follette	Schwartz	Wiley
Donahey	Lee	Schwellenbach	

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained from the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], the Senators from West Virginia [Mr. HOLT and Mr. NEELY], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. McNARY. I announce that the Senator from Vermont [Mr. AUSTIN] is necessarily detained from the Senate.

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

The Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The junior Senator from New Jersey [Mr. BARBOUR] is necessarily absent from the Senate in connection with his duties at the New Jersey State Republican Convention.

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

NATIONAL DEFENSE—NOTICE OF SPEECH BY SENATOR TYDINGS

Mr. TYDINGS. Mr. President, I give notice that upon the convening of the Senate tomorrow, or as soon thereafter as I can get the floor, I shall address the Senate on some phases of our national defense.

RELIEF AND WORK RELIEF, DEPARTMENT OF AGRICULTURE (S. DOC. NO. 199)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting amended estimates of appropriation and authorization for relief and work relief, Department of Agriculture, 1941, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CEDED CHIPPEWA LANDS: LAKE OF THE WOODS, WARROAD RIVER, RAINY RIVER, MINN.

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend section 2 of the act of April 13, 1938, entitled "An act to provide for a flowage easement on certain ceded Chippewa Indian lands bordering Lake of the Woods, Warroad River, and Rainy River, Minn., and for other purposes," which, with the accompanying paper, was referred to the Committee on Foreign Relations.

EDUCATIONAL RADIO BROADCASTS SPONSORED BY SMITHSONIAN INSTITUTION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Smithsonian Institution, transmitting draft of a proposed amendment to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, providing that section 24 of the joint resolution shall not apply to educational radio broadcasts sponsored by the Institution or interfere with the weekly educational radio broadcast The World Is Yours in connection with the mission of the Smithsonian Institution for "the diffusion of knowledge," which, with the accompanying paper, was referred to the Committee on Appropriations.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of Justice, the Navy (U. S. Marine Corps), the Interior, Agriculture, and Commerce; the General Accounting Office, Interstate Commerce Commission, United States Maritime Commission, the Panama Canal, Civil Aeronautic Authority, and the administrative office of the United States courts, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to the Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a radiogram from Julius Emslak, general secretary-treasurer, United Electrical, Radio, and Machine Workers of America, New York City, N. Y., calling attention to a telegram alleged to have been sent on the 16th instant by Louis Ruthenberg, president of Servel, Inc., and vice president of the National Metal Trades Association, to many independent electrical manufacturers of the Nation relative to a conference to be held in Washington the latter part of the week, and protesting against amendment of the National Labor Relations and Wage and Hour Act, and other social and labor legislation, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution of the Woman's Club, of Jacksonville, Fla., protesting against pernicious and traitorous activities of spies, saboteurs, etc., within the Nation, favoring that such persons be apprehended and imprisoned; that the national defense be built up; and that necessary aid be lent to other nations now struggling to uphold civilization, which was referred to the Committee on Foreign Relations.

He also laid before the Senate resolutions unanimously adopted by a public meeting of the United Polish Organizations at Camden, N. J., signed by Emil Zbikowski, president, and the secretary, appealing that full cognizance be taken of brutal injustices perpetrated against the people of Poland resulting from the twofold invasion of that country, and favoring the rendering of all possible assistance to the unfortunate Polish people, which were referred to the Committee on Foreign Relations.

He also laid before the Senate the petition of the twenty-second annual convention of the Michigan Federation of Post Office Clerks, meeting at Manistee, Mich., praying for the prompt enactment of the so-called Mead postal bills, being the bills (S. 487) to establish a system of longevity pay for postal employees, and (S. 3147) to fix the compensation of substitute employees in the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a resolution of the annual convention of the Woman's Relief Corps assembled at Tonkawa, Okla., protesting against the enactment of the bill (S. 1650) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government, which was ordered to lie on the table.

He also laid before the Senate resolutions of Local No. 180, International Union United Automobile Workers of America (C. I. O.), Racine, Wis., and Hudson Local No. 154, United Automobile Workers of America (C. I. O.), of 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 were ordered to lie on the table.

He also laid before the Senate a letter in the nature of a petition from Local Union No. 6814, United Mine Workers of America, Unionville, Mich., praying for the enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, and commending the work and activities of the United States Housing Administration, which was ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. SMATHERS, from the Committee on Immigration, to which was referred the bill (S. 3087) to record the lawful admission to the United States for permanent residence of Chaim Wakerman, known as Hyman Wakerman, reported it with an amendment and submitted a report (No. 1676) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 2036. A bill for the relief of Umberto Tedeschi (Rept. No. 1677);

H. R. 5417. A bill for the relief of Isaac Surmany (Rept. No. 1678); and

H. R. 6409. A bill to record the lawful admission to the United States for permanent residence of Motiejus Buzas and Bernice Buzas, his wife (Rept. No. 1679).

Mr. CAPPER, from the Committee on Immigration, to which was referred the bill (S. 3146) relating to the citizenship of William Lawrence Tan, reported it with an amendment and submitted a report (No. 1680) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7515) for the relief of Joseph B. Rupinski and Maria Zofia Rupinski, reported it without amendment and submitted a report (No. 1681) thereon.

Mr. KING, from the Committee on Immigration, to which was referred the bill (H. R. 8295) for the relief of Leo Neumann and his wife, Alice Neumann, reported it without amendment and submitted a report (No. 1682) thereon.

Mr. HUGHES, from the Committee on Immigration, to which was referred the bill (H. R. 2684) for the relief of Emma Knutson, reported it without amendment and submitted a report (No. 1683) thereon.

He also, from the same committee, to which was referred the bill (H. R. 4860) to amend existing law so as to provide for the exclusion and deportation of aliens who advocate the making of any changes in the American form of government, reported it with amendments and submitted a report (No. 1684) thereon.

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

H. R. 7179. An act authorizing the naturalization of Louis D. Friedman (Rept. No. 1685); and

H. R. 8292. An act for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr. (Rept. No. 1686).

Mr. RUSSELL (for Mr. ANDREWS), from the Committee on Immigration, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1789. A bill to authorize the cancelation of deportation proceedings in the case of Florence Sinclair Cooper and daughter, Margaret Lavallie (Rept. No. 1687);

H. R. 6083. A bill for the relief of Morris Burstein, Jennie Burstein, and Adolph Burstein (Rept. No. 1688); and

H. R. 6946. A bill for the relief of Salvatore Taras (Rept. No. 1689).

Mr. SCHWARTZ, from the Committee on Mines and Mining, to which was referred the bill (S. 3115) to provide for the establishment and maintenance of an assay office at Helena, Mont., reported it without amendment and submitted a report (No. 1690) thereon.

Mr. WHEELER, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3739) to amend the act providing for Federal aid to the States in the establishment of wildlife-restoration projects, for the purpose of clearly indicating that such projects are to be owned by the respective States and maintained by them in accordance with the provisions of their laws, reported it without amendment and submitted a report (No. 1691) thereon.

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

H. R. 3955. An act to amend section 335 (d) of the Agricultural Adjustment Act of 1938 (Rept. No. 1692); and

H. R. 9700. An act to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes (Rept. No. 1693).

Mr. HATCH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2326) to provide and maintain an adequate supply of suitable seed for production of food for the population of Hawaii in times of emergency, reported it with amendments and submitted a report (No. 1694) thereon.

He also, from the Committee on the Judiciary, to which was referred the bill (H. R. 7018) to amend section 289 of the Criminal Code, reported it without amendment and submitted a report (No. 1699) thereon.

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

S. 3491. A bill to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes (Rept. No. 1695); and

S. 3786. A bill to provide for the punishment of persons transporting stolen animals in interstate commerce, and for other purposes (Rept. No. 1696).

Mr. MILLER, from the Committee on the Judiciary, to which was referred the bill (H. R. 8373) to amend section 79 of the Judicial Code, as amended, reported it without amendment and submitted a report (No. 1697) thereon.

Mr. GILLETTE, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1473) to extend the time for filing claims for refunds of amounts collected under the Agricultural Adjustment Act, reported it without amendment and submitted a report (No. 1698) thereon.

Mr. BAILEY, from the Committee on Commerce, to which was referred the bill (S. 3765) to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg., reported it with amendments and submitted a report (No. 1700) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3807. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo. (Rept. No. 1701);

H. R. 8491. A bill authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr. (Rept. No. 1702);

H. R. 8749. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo. (Rept. No. 1703);

H. R. 9094. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn. (Rept. No. 1704); and

H. R. 9411. A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes (Rept. No. 1705).

Mr. SCHWELLENBACH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3677) to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps, reported it without amendment and submitted a report (No. 1706) thereon.

STRENGTH AND SAFETY OF ROOFS OVER SENATE AND HOUSE WINGS OF THE CAPITOL (S. DOC. NO. 200)

Mr. CONNALLY, from the joint committee appointed under section 1 of the Legislative Branch Appropriation Act (Public, No. 130, 76th Cong., 1st sess.), approved June 16, 1939, submitted a report relative to a structural-engineering study of the roofs and skylights over the Senate and House wings of the Capitol with a view to determining the strength and safety of such roofs and skylights and the need of their replacement, and so forth, which was ordered to be printed, and to be printed in the RECORD, as follows:

REPORT OF SPECIAL JOINT COMMITTEE TO INVESTIGATE THE STRENGTH AND SAFETY OF THE ROOFS OVER THE SENATE AND HOUSE WINGS OF THE CAPITOL

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

A supplemental estimate in the amount of $585,000 for reconstruction of the roofs and skylights over the Senate and House wings of the United States Capitol was submitted January 24, 1939, by the Architect of the Capitol through the Bureau of the Budget for inclusion in the legislative appropriation bill for the fiscal year 1940.

In February 1939 hearings were held by the legislative subcommittee of the Committee on Appropriations of the House with a view to developing the facts respecting the need for the appropriation sought. The estimate of the Architect of the Capitol was predicated upon a survey and report by Mr. Thomas W. Marshall, a consulting engineer of Washington, D. C. Mr. Marshall recommended that the present roof construction be removed and replaced by a new one of fireproof material and modern design. This would involve the installation of new roof trusses, skylights, and reinforced concrete slabs covered with copper in the areas not occupied by skylights. Four Government engineers were called in from various departments of the Government to check Mr. Marshall's report, and after making a survey and checking his computations, they concurred in his findings. These engineers were Mr. William R. Osgood, materials engineer with the National Bureau of Standards; Mr. A. E. Falconer, structural engineer, Bureau of Yards and Docks, Navy Department; Mr. C. G. Palmer and Mr. P. A. Randall, architectural engineers, Procurement Division, Treasury Department.

The question of providing funds for this work was submitted by the Subcommittee on Legislative Appropriations to the entire Appropriations Committee of the House and that committee did not include an appropriation to permit this work to be carried on during the fiscal year 1940. In the report accompanying the legislative appropriation bill for the fiscal year 1940, it appears that the action of the committee in eliminating this estimate of $585,000 was based upon a desire that additional engineering advice be procured before reaching a decision to enter into this construction activity. In consonance with this thought, an appropriation of $5,000 was recommended and approved by the House in the legislative appropriation bill for 1940, the purpose of which was to make available funds for the employment, by the Architect of the Capitol, of independent engineering services to make a survey or surveys to furnish additional information as to the condition of the roofs in question. When the legislative appropriation bill for 1940 reached the Senate the amount for these services was increased to $10,000 and the following provision, recommended by the Senate and agreed to by the House in conference, was carried:

"For a structural-engineering study of the roofs and skylights over the Senate and House wings of the United States Capitol Building with a view to determining the strength and safety of such roofs and skylights and the need of their replacement, to be made under the direction and supervision of a committee of two—one a Senator to be appointed by the President of the Senate and the other a Member of the House of Representatives to be appointed by the Speaker of the House; $10,000, or so much thereof as may be necessary, to be immediately available. Said committee shall have authority to employ a structural engineer or firm of engineers, and to make such other expenditures as may be necessary to carry out the purposes of this paragraph. The committee shall make a report to the Congress at the earliest possible date."

Pursuant to the authority contained in the above-cited language, the President of the Senate on June 21, 1939, appointed Senator TOM CONNALLY member of this special joint committee on the part of the Senate, and the Speaker of the House on June 22, 1939, appointed Representative LOUIS C. RABAUT member on the part of the House. Pursuant to the terms of the legislative authority, your committee met and made provision for the employment of engineering services. Mr. Herman F. Doeleman, consulting engineer, of Baltimore, Md., was retained and an independent survey and computations were made by him and a report submitted to your committee. In order that additional independent judgment might be secured bearing on the desirability of the proposed roof replacement, Mr. J. H. Frankland, chief engineer, American Institute of Steel Construction, of New York City, at the solicitation of the committee, made a survey and submitted a report relative to the same matter. The reports of all of the surveys described herein are on file in the office of the Architect of the Capitol. It should be stated that the reports of both Mr. Doeleman and Mr. Frankland (reports of the surveys made pursuant to the aforestated provision of law) not only bear out the conclusions made in the previous surveys, but have served to develop that there exists a structural weakness of an even more serious character, from the standpoint of safety, than had been indicated in the surveys made in the first instance by Mr. Marshall and the Government engineers.

The following quotations from the reports of Mr. Doeleman and Mr. Frankland indicate the need for prompt action in the premises:

"I recommend, therefore, that the entire roofs over both Senate and House wings be taken down and replaced by a modern, fireproof structure; that this work be done as soon as possible; and that great care be taken that no additional load be imposed on roof or ceiling. I further recommend that the measurements of chord deflection be completed for all trusses, and where excessive deflections show these chords be stiffened at once." (Cited from report of Mr. Doeleman.)

"I therefore recommend that, in the interest of safety and good engineering, prompt and serious consideration be given to the complete replacement, at the earliest possible moment, of the entire roof construction, particularly the existing trusses and other members supporting the roofs of both the Senate and House Chambers. This replacement should consist of modern and fireproof construction throughout." (Cited from report of Mr. Frankland.)

In addition to procuring the expert services named above, your committee made a personal inspection, in company with the two aforenamed engineers and the Architect of the Capitol, of the roofs, in order that the judgment of your committee might be aided by seeing at first hand the conditions described in the reports.

Without entering into an extended discussion of the many engineering considerations involved in the projected replacement of the roofs, it may be said that all of the investigations made have resulted in a recommendation by the engineering consultants that a dangerous condition exists that should be remedied at the earliest practicable date. In order that the membership of the House and Senate may be informed as to the structural conditions now existing, it may be stated that the roof trusses were built at the time steel shapes were not available. The trusses were constructed in 1854 of cast-iron and wrought-iron members and were undoubtedly computed according to the best engineering standards of that day. The construction of the roof areas around the chambers consists of wrought-iron angles with wood blocks screwed on, to which the corrugated copper roof covering is attached. The bottoms of the angles carry a thin plaster ceiling applied to wood laths. These areas are not fireproof and are not insulated against outside temperature. The proposed new construction would eliminate these deficiencies.

In the light of the above-mentioned facts, your committee is of the opinion that the Architect of the Capitol should be directed to submit, at the earliest practicable date, an estimate for an appropriation to correct the conditions hereinbefore set forth and to proceed with all expedition in a program of replacing the roofs over the Senate and House wings of the Capitol.

Your committee is pleased to report that of the appropriation of $10,000 provided for these independent engineering surveys, only $1,340 was expended.

Respectfully submitted.

TOM CONNALLY,
Member on the part of the Senate.
LOUIS C. RABAUT,
Member on the part of the House.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On May 21, 1940:

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

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

On May 23, 1940:

S. 2122. An act to authorize the sale of the Wilmot National Guard target range, Arizona;

S. 2578. An act to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam;

S. 2980. An act providing for the sale of certain lands to the Arizona State Elks Association Hospital;

S. 2999. An act to legalize a bridge across Bayou Lafourche at Galiano, La.;

S. 3013. An act to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts;

S. 3016. An act to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion;

S. 3017. An act to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co., and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned;

S. 3183. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.;

S. 3254. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 3530. An act to prohibit the exportation of tobacco seeds and plants, except for experimental purposes;

S. 3561. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

S. 3570. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany borough, Liberty Township, in the county of McKean, and in the Commonwealth of Pennsylvania;

S. 3571. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; and

S. 3575. An act to make better provision for the teacher of music, the leader of the Military Academy Band.

On May 24, 1940:

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. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 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, 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.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. BURKE:

S. 4044. A bill for the relief of the widow of Donald D. Elliott; to the Committee on Military Affairs.

By Mr. BARKLEY:

S. 4045. A bill to authorize the acceptance of donations of property for the Mammoth Cave National Park, in the State of Kentucky, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. TOWNSEND (for Mr. BARBOUR):

S. 4046. A bill conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Charles J. Culligan; to the Committee on Claims.

By Mr. ELLENDER:

S. 4047. A bill to provide for the establishment of the Tensas Swamp National Park, La., and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. KING:

S. 4048. A bill for the relief of Mrs. Elizabeth K. Peeples; to the Committee on the District of Columbia.

By Mr. MILLER:

S. 4049. A bill for the relief of Anne Mae Roberts; to the Committee on Claims.

By Mr. CLARK of Missouri:

S. 4050. A bill to establish a Department of National Defense, to consolidate therein the Department of War and the Department of the Navy, and for other purposes; to the Committee on Military Affairs.

By Mr. WHEELER:

S. 4051. A bill for the relief of Walter E. Johnson; to the Committee on Claims.

By Mr. TOWNSEND (for Mr. BARBOUR):

S. J. Res. 264. Joint resolution to limit the emergency powers of executive officers of the United States; to the Committee on Military Affairs.

(Mr. REYNOLDS introduced Senate Joint Resolution 265, which was referred to the Committee on Post Offices and Post Roads and appears immediately following this notation.)

NATIONAL AVIATION DAY—AIR-MAIL STAMP

Mr. REYNOLDS. Mr. President, I ask consent to introduce a joint resolution for proper reference and I should like to have printed in the RECORD immediately following the printing in full of the resolution a statement by the National Aviation Day Association with regard to the celebration of National Aviation Day.

The VICE PRESIDENT. Without objection, the joint resolution of the Senator from North Carolina will be received, appropriately referred, and printed in the RECORD and the accompanying statement also will be printed in the RECORD.

The joint resolution (S. J. Res. 265) authorizing the issuance of an air-mail National Aviation Day stamp was read twice by its title and referred to the Committee on Post Offices and Post Roads, as follows:

Joint resolution authorizing the issuance of an air-mail National Aviation Day stamp

Whereas Congress, by Public Resolution No. 14, passed May 11, 1939, at the suggestion of the National Aviation Day Association, recognized and designated August 19, the birth date of Orville Wright, only living founder of aviation, to commemorate the invention of the airplane; and

Whereas the President of the United States has urged Congress to provide appropriations for 50,000 planes, to make our Nation safe from any and all potential aggressions: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is hereby authorized and directed to issue an air-mail National Aviation Day stamp, to be placed on public sale on next August 19 at Kitty Hawk, N. C., as representing the State in which the first successful airplane flight was made.

The statement presented by Mr. REYNOLDS in connection with the joint resolution is as follows:

NATION TO CELEBRATE NATIONAL AVIATION DAY

John J. Crim, chairman, National Aviation Day Association, Inc., announced today that plans are well under way to conduct celebrations of National Aviation Day, August 19, in every State in the Union.

"Our association has contacted the Governors of States, heads of patriotic organizations, women's clubs, civic, and other groups, and finds there is a tremendous interest in all phases of aviation," Mr. Crim stated.

"There has been immediate response and support for our program, calling upon all States to assist in making National Aviation Day, which was officially designated by Congress, in honor of the birth date of Orville Wright, only living founder of aviation, a truly significant occasion.

"In view of the general public interest manifest, it is evident that American citizens are keenly aware of the great importance

of aviation, both industrially, and as a potent arm of our national defense.

"One gratifying phase is the interest of women in aviation, and this has been evidenced by the congressional resolution introduced in Congress by Senator HATTIE CARAWAY, and Representative EDITH NOURSE ROGERS, calling for women's support of National Aviation Day.

"Many Governors have pledged issuance of proclamations, officially recognizing National Aviation Day in their States, in line with the official, congressional observance. For example, Governor Hoey, of North Carolina, in proffering his support, states, 'There are very many reasons why North Carolina should celebrate this in a very definite way, especially since the Wright brothers made the first flight from Kill Devil Hill on the North Carolina coast, and the whole State feels an abiding interest in Orville Wright and in aviation generally.'

"Govs. William H. Vanderbilt, of Rhode Island, Julius P. Heil, of Wisconsin, M. Clifford Townsend, of Indiana, Ralph L. Carr, of Colorado, E. D. Rivers, of Georgia, Richard C. McMullen, of Delaware, Prentice Cooper, of Tennessee, John E. Miles, of New Mexico, and many others, have officially notified our association that they would proclaim the day. Further, many State boards of aviation are preparing their own celebrations. Under auspices of local patriotic groups, National Aviation Day will be observed by holding monster aviation expositions, including air races, exhibition flying, etc.

"National Aviation Day Association, Inc., with offices at 819 Woodward Building, Washington, D. C., is preparing an educational program, to be used in conjunction with planned celebrations. Officers of the association are: John J. Crim, chairman, Paul A. Strachan, vice chairman, Gilbert E. Hyatt, Sr., treasurer, C. H. C. Baker, secretary, and Patrick J. Taft, general counsel."

HOUSE BILL PLACED ON CALENDAR—STRENGTHENING OF NATIONAL DEFENSE

The bill (H. R. 9850) to expedite the strengthening of the national defense was read twice by its title and ordered to be placed on the calendar.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF—AMENDMENTS

Mr. MURRAY submitted amendments intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 1, line 11, strike out "$975,650,000" and insert in lieu thereof "$1,488,000,000."

On page 2, line 23, beginning with "period", strike out all down to and including line 7, on page 3, and insert in lieu thereof "period."

On page 7, beginning with line 1, strike out all down to and including line 19, and insert in lieu thereof the following:

"(g) The amount which may be obligated for administrative expenses of the Work Projects Administration in the District of Columbia and in the field for the fiscal year 1941 shall not exceed 5 percent of the sum appropriated in subsection (a) of this section."

NATIONAL DEFENSE

Mr. TRUMAN. Mr. President, on January 13, 1940, I gave an interview to the St. Louis Post-Dispatch, of St. Louis, Mo., on the preparedness situation. I should like to have that inserted in the RECORD as a part of the remarks I am now making, with the statement that the suggestions made by me in January are now being carried out.

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

SENATOR TRUMAN'S VIEWS ON NATIONAL DEFENSE

(By Ben H. Pearse, a special correspondent of the St. Louis Post-Dispatch, January 13, 1939.)

Senator HARRY S. TRUMAN, of Missouri, a member of the Senate Subcommittee on Military Appropriations with 35 years' service in the National Guard, the American Expeditionary Force in France, and the Organized Reserve Corps, in which he now holds a commission as colonel of Field Artillery was especially interested in the technical phases of national defense.

"Many things we saw were most encouraging, some of them were discouraging," he said. "However, the discouraging factors were confined to lack of quantity, not quality, and hence can be remedied with careful planning."

His highest praise went to the Army's new bombing sight, which he described as "unbelievably accurate." At one post in the West, the delegation was treated to a demonstration by a squadron of heavy bombing planes using the new sight developed in Air Corps laboratories and perhaps the most closely guarded military secret in either of our armed forces.

"As an artilleryman," said Senator TRUMAN, "I know some of the difficulties in making a shot hit the target, and I have seen a considerable amount of aerial bombing during the World War and since. If anyone had told me beforehand that bombs could be dropped with such accuracy as I saw out on the west coast, I would not have believed him. We have every reason to believe no foreign power has anything to match our bombing sight.

"Because there is so much talk of foreign spies in America, let me say that the Army is taking every precaution to protect its military secrets. The parts of this bombing sight, which none of our party saw and which few persons not actually assigned to operate it have seen, are made in more than 100 factories. The orders are so placed that no single manufacturer can know when he is making a part for this sight.

"The parts are assembled in our own laboratories by trusted personnel, and the sights are carefully guarded after being issued to bombing squadrons. You could hunt all over a bombing squadron airdrome without seeing, much less handling, one, and probably you would have difficulty finding any of the field personnel who knew anything definite about it."

The Army also has developed a 75-millimeter antiaircraft gun which has won the tribute of imitation by Germany. The 37-millimeter antiaircraft gun now in use is first class, firing more than one hundred 1-pound shells a minute. The fire-control apparatus is adequate. The quality of the new tanks is excellent, and all that has been said in praise of the Garand rifle is justified. But in all these articles of equipment the congressional delegation found quantity lacking.

With a lack of equipment in so many departments, what shall have preference when new orders are placed? Senator TRUMAN emphasizes the need of coordination. He stated:

"The headlines from Europe are affecting our naval and military policies. The campaign in Poland last year has shown graphically the need for the proper balance in all branches. Air Corps development is farther advanced than any other, but the present 5,500-plane program should be carried out.

"Our military policy will give us a key for deciding what to do next. The United States always has been, and is now, committed to defense by a citizen army. Our small Regular Army has two functions: First, to man posts which cannot be quickly reinforced, such as Hawaii and Panama; second, to train the National Guard and the Organized Reserve Corps, which is composed of officers for the draft army that would be inducted into service in an emergency.

"Hawaii is as nearly impregnable as it can be made, and Panama will be as soon as current antiaircraft defense plans are carried out, which will be this year. Work at Puerto Rico has only been started, but the island will form another link in the defense of Panama and the Southeastern and Gulf States.

"Now, as to the Regular Army's training function. Before it can train either the National Guard or the Organized Reserve officers, the Army must be familiar with the weapons to be used. If the National Guard is to form a front line of defense at home, it must be familiar with these weapons, too. And the only way to become familiar with them is to use them in daily practice. Having a sample in the armory to look at is not enough.

"We must first fully equip the Regular Army of 227,000 and the National Guard of 235,000 before we talk of enlarging either.

"Some changes in organization doubtless will be effected," said Senator TRUMAN, pointing out that an antiaircraft unit now assigned to Missouri, for example, might better be placed on the seacoast.

"Differences exist as to the advisability of adopting the 105-millimeter gun for a field-artillery piece, replacing the old 75-millimeter dating back to the World War. However, some 3,500 of the 75's are on hand and can be modernized at about one-third the cost of a new 105-millimeter gun. Many authorities consider the improved 75 the finest divisional fieldpiece in use today, despite the trend toward the larger weapon in Germany.

"Our great concern this year should be to lay stress on ordnance and mechanized equipment, so that the Regular Army and National Guard will have sufficient weapons for training, and to provide space and funds for it," Senator TRUMAN said. "But one thing must not be forgotten—development of more friendly relations with Mexico and Latin America.

"If for no other reason, friendship with other nations in our hemisphere should be improved as a national-defense measure. Panama, for example, is safe from sea attack and cannot even be approached by land or air, except from a nearby base in an unfriendly neighbor nation. I believe the importance of this question cannot be overemphasized and that it must be approached with the idea of the United States becoming a partner, not a patron, in a community defense of the Western Hemisphere."

ADDRESS BY THE PRESIDENT ON NATIONAL DEFENSE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by President Roosevelt on May 26, 1940, on the subject of national defense, which appears in the Appendix.]

ADDRESS BY SENATOR O'MAHONEY BEFORE NATIONAL INDUSTRIAL CONFERENCE BOARD

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address delivered by Senator O'MAHONEY on May 22, 1940, before the National Industrial Conference Board at New York City, and an editorial in the Washington Post of today referring to the address, which appear in the Appendix.]

DEFENSE OF AMERICA—ADDRESS BY SENATOR PEPPER

[Mr. BURKE asked and obtained leave to have printed in the RECORD a radio address by Senator PEPPER on May 25,

1940, on the subject, Defense of America, which appears in the Appendix.]

ADDRESS BY SENATOR LUNDEEN ON ICELAND

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an address delivered by him on Iceland, which appears in the Appendix.]

GREENLAND, DENMARK, AND THE UNITED STATES

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an article from the Times-Herald of April 13, 1940, with regard to Greenland, Denmark, and the United States, which appears in the Appendix.]

FARM RESEARCH IN THE SOUTH—ARTICLE BY SENATOR BILBO

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by him entitled "Farm Research in the South," published in the Industrial Expansion of the South, the special edition of the Journal of Commerce and Commercial, of May 20, 1940, which appears in the Appendix.]

MISSISSIPPI, THE HEART OF THE SOUTH—ARTICLE BY THOMAS GARNER JAMES

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by Thomas Garner James entitled, "Mississippi, the Heart of the South," published in the Industrial Expansion of the South, the special edition of the Journal of Commerce and Commercial of May 20, 1940; which appears in the Appendix.]

SOUTH SEEKS NEW USES FOR COTTON—ARTICLE BY OSCAR JOHNSTON

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by Oscar Johnson entitled, "South Seeks New Uses for Cotton," published in the Industrial Expansion of the South, the special edition of the Journal of Commerce and Commercial of May 20, 1940, which appears in the Appendix.]

ADDRESS BY GOVERNOR AIKEN, OF VERMONT, ON A PROGRAM AND MARKET FOR FARMERS

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an address on the subject A Program and a Market for Farmers, delivered by Gov. George D. Aiken, of Vermont, at Springfield, Ill., on May 21, 1940, which appears in the Appendix.]

ADDRESS BY W. W. WAYMACK ON FOREIGN POLICY

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio speech dealing with America's foreign policy, delivered by W. W. Waymack on May 15, 1940, at Chicago, Ill., on the American Retail Federation Forum, which appears in the Appendix.]

RULES AND REGULATIONS OF FEDERAL COMMUNICATIONS COMMISSION

[Mr. HILL asked and obtained leave to have printed in the RECORD a report by the Federal Communications Commission on the revision of its rules and regulations, which appears in the Appendix.]

THE NEW DEAL AND THE NEGRO—ADDRESS BY DR. WILLIAM J. THOMPKINS

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a speech delivered by Dr. William J. Thompkins, Recorder of Deeds of the District of Columbia, at a meeting of the United Colored Democratic Association of Illinois in Chicago on March 31, 1940, which appears in the Appendix.]

"THE FIFTH COLUMN"—ARTICLE BY WILLIAM RANDOLPH HEARST

[Mr. REYNOLDS asked and obtained leave to have printed in the Appendix an article by William Randolph Hearst dealing with the "fifth column," which appears in the Appendix.]

"EYES ON BRITAIN'S FLEET"—ARTICLE BY HARLAN MILLER

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an article by Harlan Miller entitled "Eyes on Britain's Fleet," published in the Washington (D. C.) Post of May 23, 1940, which appears in the Appendix.]

ARTICLES ON THE YOUTH PROBLEM IN OKLAHOMA

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD two articles dealing with the youth problem in Oklahoma, which appear in the Appendix.]

EDITORIAL COMMENT ON PURCHASES OF SILVER AND STRATEGIC MATERIALS

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD several editorials relating to the purchases of silver and strategic materials, which appear in the Appendix.]

PARITY PRICES FOR FARM CROPS—EDITORIAL FROM SIOUX CITY TRIBUNE

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an editorial from the Sioux City (Iowa) Tribune of May 17, 1940, on the subject of parity prices for farm crops, which appears in the Appendix.]

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 VICE PRESIDENT. When the Senate took a recess on Friday last the amendment of the Senator from Kentucky [Mr. BARKLEY] to the amendment offered by the Senator from North Carolina [Mr. REYNOLDS] was the pending question. The Chair has been advised that the Senator from Massachusetts [Mr. LODGE] desires to address the Senate. The Senator from Massachusetts.

CONDITION AND NEEDS OF THE ARMY

Mr. LODGE. Mr. President, I have just returned from service in the Army maneuvers which were held last week in Louisiana. I wish to call the attention of the Senate to certain grave deficiencies in our Army which came to my attention there, and which have not as yet been provided for in any of the legislation which has been passed.

I reiterate what I have said before, that I do not speak in any spirit of adverse criticism. On the contrary, my sole desire is to be constructive. The appropriation bills which we have passed had my hearty endorsement. We were right to pass them quickly, without taking the time for amendment. It is natural that working at such a speed, important items should be overlooked. Now, however, I think we should try to fill in the gaps as fast as we discover them.

At the outset let me say a word about the courtesy shown to the Army by the citizenry of central Louisiana, where the maneuvers occurred. Every possible consideration was accorded. Let me also express my great admiration for the quality of our Regular Army. It is truly inspiring to be associated with officers and men who are putting the thought of their duties ahead of their rights, and who are not animated by any selfish motives. The ruling impulse, as I saw it there, was that which comes from the pride of good work well done for its own sake. This has always been my experience in the numerous contacts I have had with the Regular Army.

The Senate may be interested, and I think gratified, to know that the method of the so-called "blitzkrieg," which has so startled the world, was accurately forecast to me during the tours of duty which I have had at Fort Knox, where the mechanized brigade was stationed; and that was as far back as 1933. I only wish everyone here could have seen the splendid appearance of the young American soldiers, sunburned and toughened after months in the field, uncomplainingly accepting the privations which are inevitable in maneuvers. They did their difficult task with a smile, although often without either food or sleep. Certainly there is no finer expression of the Federal power than is to be found in the Army.

For reasons which I will not go into here, the Regular Army since the World War has stressed quality instead of quantity. For example, an officer has sought to develop the best machine gun, let us say; and then, after he has developed a few pilot models, he has sought to train a small number of units in the use of the weapon, on the assumption that if war should come

the technique would be known, and then this knowledge could be expanded. But we now confront a world situation in which this is not sufficient. Instead of having an Army which is, we might say, a pilot model, an experimenting force, which is little more than a laboratory for the development of military science, I submit that we should have a small standing Army. So long as the condition existed which obtained until a few months ago, wherein we could not put into the field a single division fully equipped and trained, we could not accurately say that we had a standing Army.

In this light I desire to discuss two great deficiencies which have as yet not been provided for. The first is the deficiency in mechanized equipment, commonly referred to as tanks. The second is the great deficiency in the quantity of personnel. I shall not discuss aviation, because some steps have been taken toward strengthening that arm. I do not want my failure to dwell on aviation, however, to be interpreted as indicating any lack of appreciation of its importance.

To come to tanks, I believe the importance of tanks—and when I say tanks, of course, I mean combat cars and all the variations—is apparent to everyone who has followed the events in Europe. The German superiority in tanks and the coordination of mechanized combat forces with air power has destroyed the conception of the front line, has brought warfare which is on the total perimeter of the command, and has provided weapons which move so fast that they have an excellent chance of avoiding any artillery which is heavy enough to destroy them.

At this point I should like to insert in the RECORD an article from Time magazine which gives an illuminating description of the employment of tanks in the European war.

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

The article is as follows:

[From Time magazine for May 27, 1940]

TANKS IN BATTLE

In 1936 a civilian wrote:

"The big new factor in the next war will be the motor. * * * Now, just as an airplane covers in an hour a distance which could be covered 25 years ago only by 20 days of marching, just so a mechanized army passing the frontier * * * can penetrate 40 leagues in the enemy country if it overcomes the obstacles it finds on the way. * * *

"What limits the power of a fleet is not the number of men, it is the number of ships. What limits the power of an air force is the number of planes. What will limit in the future the power of a land army will not be the number of men, it will be the number and power of its war engines. * * *

"It seems likely that the German Army, preceded by its powerful tanks, will roll in through Holland to Belgium where it is ardently to be hoped that the Albert Canal from Antwerp to Liége will stop them. If not, it would move toward our northern frontier, 350 kilometers wide."

Last fortnight this prophecy came colossally true, and its author, Paul Reynaud, occupied the unenviable post of Premier of France and Minister of Defense.

LAND FLEETS

When German mechanized columns plunged through Poland last September, the French Army, thanks partly to Paul Reynaud, had five mechanized divisions behind her Maginot Line, as well as many battalions of 11- to 15-ton tanks assigned to work with infantry divisions. During the long, dull winter the French sped up their tank production.

Lord Nuffield tried to do the same in England. Great Britain's Royal Tank Corps became the Royal Armoured Corps of two divisions, plus 2 territorial divisions, totaling in all about 1,000 tanks, mostly light (6-ton), with some Packard-motored 12-tonners. The Allies considered their tanks superior to Germany's in armor and fire-power, though slightly slower, less numerous.

Germany was known to have 12 divisions (400 each) of tanks of various sizes up to 20 tons, integrated into an army of attack organized by Lt. Gen. Heinz Guderian, 54, a general staff officer in World War I, since 1938 commanding general of armored forces, now chief of motorized troops. For his juggernauts' work in Poland he received the Knight's Iron Cross and the panache, "Liberator of His Fatherland" (because he was born in what became the Polish Corridor). His crossing of the Brahe in the Corridor caused the destruction of 3 Polish divisions and a cavalry brigade east of that river, but the Allies estimated him chiefly from his textbook Look Out, Tanks (1939), which summarized his basic tactical principle with superb triteness: "It is important to penetrate swiftly and deeply into enemy positions with a great number of tanks."

So stood the tank situation last fortnight when one spearhead of the German Army of Attack darted across the Netherlands to Rotterdam. Three more lanced through above and below Liége, two more above and below Sedan. When General Guderian unleashed his army, all Allied preconceptions of these columns' speed and power went overboard. As did their machines of the air, the Germans' land machines so overwhelmed the Allies that only courage and discipline saved strategic retreat from immediately becoming rout.

Allied troops were stunned, consternation filled the Allied staffs at the ease with which these metal monsters passed through obstacles built specially to meet them; how they crossed rivers and canals as though these were paved boulevards; how they deployed and wheeled through complex evolutions with the speed and assurance of mounted cavalry. How did they do it?

BARRAGE

In place of the artillery barrage which used to precede tank attacks on strongly held positions, the air arm led the way. Attack bombers swooping low (to 300 feet) in endless triads blasted forts and weaker defense positions. They sprayed the defenders and their gun crews with machine-gun fire, turned and dumped their bomb loads. Other planes laid smoke screens for tanks to charge under. Allied gun crews had to resort to plotted area fire.

BREAK THROUGH

When the way was prepared, 20-ton break-through tanks, each carrying 8 to 16 men, charged in, regardless of losses—two to a squadron, two squadrons to a battery, three batteries to a section, three sections to a 36-tank regiment, plus a reserve echelon. Where deep rivers or canals interposed, the bombing planes covered the break-through tanks while, according to other stories, water-tight 30-ton amphibians wallowed in, to let bridges be built across their steel backs for the rest. Other tanks apparently carried pontoons for crossing water. Across tank asparagus, pits, ravines, special bridging tanks laid trusses. Pioneer troops slipped ahead with acetylene torches to cut away steel obstructions. Bridges reached intact they reinforced to bear the juggernauts' weight. Between planes overhead and the clanking mastodons on the ground, radio contact was kept up constantly. Timing was worked out to a matter of seconds. Fire power of the break-through tanks was several heavy machine guns, plus light cannon. Their armor could resist any fire short of 75-millimeter at all ordinary ranges—a fact which nullified the French defense plan of 25-millimeter antitank guns arranged in depth. Once through, the break-through tanks sought only to smash up all antitank weapons in sight, then to plunge ahead as far as possible, never stopping.

Behind the break-through tanks came assault tanks of 6 to 10 tons, carrying light cannon and machine guns, firing through ports guarded by revolving steel disks synchronized to the guns' tempo, each manned by 1 officer or noncom and 1 private. Of these, 5 made a squadron, 3 squadrons a company (plus the unit leader's car, radio car, and reserve echelon), 3 companies a battalion, 3 battalions to a 135-tank regiment, plus reserves. Two regiments of break-through and 2 of assault tanks made a 400-tank armored division.

Lorries carried the assault tanks to their scene of action, unloading and readying them for action in 5 minutes. Their function, following the break-through, was to fan out and attack troops in trenches, nests, pill boxes. Some were said to spew flames 70 yards into blockhouse ventilators and machine-gun nests.

Motorized infantry, shock troops in armored trucks attached to the attack army, machine gunners on armored motorcycles, followed the assault tanks. Behind them followed motorized field artillery. The job of these forces was to widen and hold the breach made, turn it over to ordinary infantry brought up behind. Maximum speed of the whole armored column was that of the break-through tanks, 18 miles per hour. But with each column, for special demolition duty and advance work, went 170-horsepower Diesel-powered medium tanks capable of 85 miles per hour on roads, 50 miles per hour across country on their caterpillar tracks. And the Germans also revealed, according to reports, some unheralded 80-ton monsters, rolling fortresses mounting field guns and howitzers.

Attack army's task was to push on and on—never to retreat except to resume formation, never to worry about food, fuel, ammunition supply, which would be sent forward to them in due time. Should a Panzer column reach an impasse, its duty was to fan out in all directions, like an exploding projectile—to play havoc upon railroads, telegraph, telephone, power, gas, and water lines.

HERD COMBAT

Not on the Allied program was engagement of the German armored herds by herds of Allied tanks. Defensive warfare of position called for artillery replies to tank offensives. But such was the Germans' speed that the French command was forced to admit a war of maneuver had begun. When German Panzertruppen crossed the Albert Canal above Liége and the Meuse below it, slanting across north of Namur to reach the Flanders plain and drive for Louvain and Brussels, the French took action. They sent in their own tank regiments. Around the highway junction of St. Trond one fine May day, and around Gembloux, 100 miles northeast of the Somme where nine British tanks first surprised the Germans 25 years ago, it was reported that 1,500 to 2,000 tanks milled in scenes which, from the air, looked like a giant's parking lot gone mad. Both sides claimed the best of it, but the German drive continued up the Sambre Valley and northwest toward Louvain.

Spaniards and Finns learned how to repel light tanks extemporaneously with gasoline bottles. The French and British learned last week that the only sure way to stop Germany's durable tank corps of today is by massed field-gun fire at point-blank range. Batteries of the famed French 75's were trundled into position last week at Rethel, Guise, Landrecies, and Le Ca-

teau. French tanks tried to break up the advancing formations of the German tanks. Sometimes encounters became individual, each tank trying for a glancing blow to tip its opponent over. Dust, smoke, and debris obscured the milling masses. Supporting airplanes had to refrain from dropping bombs lest they destroy their own machines. When the French artillerymen were set, the French tanks stayed back until French artillerymen had let go with shells. In one blasting, 20 out of 30 Nazi mastodons were shattered. The French tanks then charged through to clean up two armored colums of infantry. But still the German tank army plowed on. With 12 division to the Allies' 9—a margin of 1,200 tanks—it had definite superiority. The worst enemy it faced was exhaustion of its men, its fuel, its much battered equipment.

Mr. LODGE. The importance of tanks to the United States is, I think, equally great, due to the fact that they get to the scene of action so rapidly, and, under most conditions, can arrive at the objective regardless of the destruction of the roads.

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

Mr. LODGE. I yield.

Mr. DOWNEY. Approximately how fast can the tanks travel?

Mr. LODGE. They can travel on a smooth, hard-surfaced road up to 75 miles an hour. When I was there I rode in one of the new medium tanks, which I had never been in before, in a stretch of forest where the dead trees, about a foot and a half or 2 feet thick, were lying on the ground; and we went right along at 30 miles an hour with merely gentle bumps.

In any kind of a beach-head defense, in any attempt to prevent a landing, let us say, on the American continent, tanks would be an indispensable element for the United States Army, and would be equally as indispensable as air power.

Mr. President, I have recently seen all the tanks in the United States, about 400 in number.

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

Mr. LODGE. I yield.

Mr. CHANDLER. Will the Senator give the Senate information about the efficiency of General Chaffee's brigade? General Chaffee was a leader in undertaking to develop in the United States a feeling that we ought to have mechanized units; and I should like the Senator to give the Senate an idea of the efficiency of those units.

Mr. LODGE. I shall be very glad to do so.

The Seventh Mechanized Brigade, stationed at Fort Knox, Ky., is a very efficient organization, and I have served a great deal with it. As I am about to say, though, we have not a sufficient number of such units.

I was saying to the Senate that I have recently seen all the tanks in the United States, about 400 in number, or about one finger of the fan-like German advance about which we have read. To put it another way, that is about the number destroyed in 2 days of fighting in the current European war. The Germans have at least 10 divisions of tanks, making a rough total of 3,000 vehicles. We have 578 light and 162 medium tanks on hand and on order. We have no heavy tanks at all of the 40-ton type, and no supertanks of the 80-ton type. It am not saying that we ought to provide those enormously heavy tanks in numbers, but we certainly should have some pilot models, at least.

The present plans of the War Department call for a total of 734 light and 194 medium tanks; so, subtracting the first figure from the second, we have at the present time a shortage of 156 light and 32 medium tanks. The Army appropriation bill which has passed the Senate carries $5,372,000 to remedy that shortage. I submit that in the light of the developments abroad, the number of tanks for which we have appropriated is not sufficient. I submit that we should have at least 4 mechanized divisions of 1,200 vehicles with an equivalent amount for infantry tanks. I submit that our lack of these weapons is grave, and I wish to point out that the so-called "streamlined division" about which so much has been said is not a mechanized division at all.

The gravity of this situation consists in the fact that it is almost as difficult to produce tanks as it is to produce planes. To illustrate this point, I inquired as to the steps which had to be taken to manufacture one of the light tanks, which I picked out at random in Louisiana, and this is what I was told. The motor is manufactured by the Continental Aircraft Co.; the armor plate is made by the Diebold Co. in Steubenville, Ohio; the rubber treads are specially made by Goodyear; the weapons are manufactured by Browning. The special gear assemblies have to be separately made by small firms which specialize in such work. Then the whole is sent to the Rock Island Arsenal, in Illinois, and assembled. I submit that the production of tanks in the face of such difficulties constitutes a real challenge to American industry.

I have spoken of mechanization because I happen to have had a little contact with it. What I am about to say applies with equal force to every combat branch in the Army. I refer to the weakness in the quantity of personnel.

I call the attention of the Senate to the fact that the enlisted man today has got to possess initiative, judgment, and technical skill of a high order. When tanks are released for their mission—and I have seen this in maneuvers countless times—the operators are not given definite orders tying them down to specific localities; they are given a general mission in a few words, and they are supposed to get out, and they do get out, all alone and have to use their own judgment. When the tanks are released, they immediately get out of the control of the regimental commander, and every tank is an independent unit, the commander of which is either a corporal, sergeant, or even a private, who goes on alone to achieve his objective as best he can. The tank commanders have to have a sense of generalship. Yet they are enlisted men.

In the mechanized regiment with which I have served, every man is not only either a driver or a mechanic or a radioman, but he has to have a knowledge of at least four weapons—the pistol, the automatic Thompson gun, the .30-caliber, and the .50-caliber.

He not only has to know how to fire and maintain these weapons, but he has to know how to fight with them. He has to have a knowledge of tactics.

During the past week I have seen young men in their early twenties—their average age was about 22—sitting under the trees in a Louisiana forest doing trigonometry and logarithms so that the location of enemy artillery could be detected. I do not know how many Members of the Senate could do logarithms today. I know I could not. And these men are not college graduates, and they are not commissioned officers; they are enlisted men.

During the past week I have seen men sitting in specially constructed trucks accurately calibrating field glasses, fire-control instruments, and optical devices. They are enlisted men.

I have seen a force of men operating a water-purification plant which takes muddy water from a stream and purifies it at the rate of 15 gallons per minute. I myself drank this water constantly. This purification plant was operated by enlisted men.

Following a torrential downpour of rain in Louisiana, the lowlands in some places became veritable bogs, and in 2 hours I saw a force of men construct across one such bog a bridge capable of handling an indefinite number of 10-ton tanks. This bridge was built by enlisted men.

I have seen telephone systems set up in the field almost as fast as an automobile could get there with a portable telephone exchange, enabling the commanding general to talk to all his commanders immediately upon his arrival. I have seen this done at night and in the rain; and this exchange was manned by enlisted men.

I have seen a constant use of radio for communication, both in planes and in tanks. These are operated and maintained by enlisted men.

I have seen the very intricate and specialized engine of a tank completely disemboweled in a little clearing under a pine tree and an operation performed on it which in our civilian life is usually only done in a factory. This was done by enlisted men.

I submit that such men cannot be improvised on short notice, and that the officers to teach such men cannot be suddenly improvised. I suggest to the Senate that if we wait until we have all the necessary equipment for an army of

750,000, which will not be until December of 1941, we must wait until the middle of 1942 before we have had time to procure and train the men to use these weapons.

I call the attention of the Senate to the fact that we are not now up to peace strength. Every single troop, company, or battery in the United States Army is from 20 to 30 men short of what the existing tables of organization provide. We are thus 20 percent short of an already inadequate total.

I contend that we should double most of our units. Since I have been attending maneuvers I have been present on occasions when no one had a bite to eat or a wink of sleep for 27 hours. There are no men living whose judgment is good and whose enthusiasm is high at the end of such a period of privation. How did the Germans make the push they have made in western Europe? By working their men all the way round the clock without food or sleep? No. The German Army is organized on two shifts, I am advised. They do not have the same man driving a truck day and night. They have two men. While one man drives the other man sleeps in the back of the truck. I am advised that our Interstate Commerce Commission requires civilian truck drivers to have a relief. Should we not do the same for the men on whom we depend for national defense?

We have just voted to increase the Army up to 280,000 men, going above the supplemental estimates—and I am glad we did—but even this will not give us peace strength in all the units of the Army. If we were to follow my recommendation of providing double shifts, an increase of the Army to 450,000 would not increase the number of units. It would simply provide double shifts for the units we now have, and, of course, when battle casualties occur the two-shift system is weakened.

An Army of 450,000 men would not give us the antiaircraft personnel and the harbor-defense personnel that is demanded by public opinion. I suggest the figure of 750,000 men to give us a small standing army, only a little larger than the army which Belgium put into the field.

The statement is made that soldiers cannot be trained at the present time because we will not have the equipment for 750,000 men until December 1941. I do not agree with this statement. In the World War American troops were trained in field artillery before their guns arrived. They used a wooden facsimile of a gun and learned a great deal. In the years after the World War, when the provisions of the Versailles Treaty were in force, Germany trained soldiers with cardboard tanks and toy airplanes.

Mr. President, I have jotted down some of the things which I think are absolutely essential to be done if we start to recruit an army of 750,000 men.

First, there is discipline, the military viewpoint, the attitude of subordination to superior authority. That is one thing.

The second thing is military organization. Without training no soldier understands the organization of which he is a part and what it is supposed to do.

The third is marching, facings, and all the details of the soldier's activities.

Fourth. Customs of the service.

Fifth. Sanitation and self-care.

Sixth. Interior administration of the troop or company.

Seventh. Elementary tactics.

Eighth. The uniform and the care thereof, and the care of equipment.

Ninth. The theory of the soldier's particular job; that is, if he is going to be a radio man, or an electrician, he can be taught some of the elementary theory of electricity, which will prepare him to use the equipment when he gets it.

Tenth. First aid to himself and to others.

Eleventh. And perhaps this is the most important, the development of a rugged physical condition, which is something which cannot be accomplished overnight.

These are all things which can be attended to long before the weapons arrive, and things which cannot be done in too much of a hurry.

I recapitulate. We should increase our force of tanks from 400 to about 2,400. We should increase our personnel from 280,000, which we expect to have by November, to 750,000. And when I say this I am conscious of the fact that I may be low in my estimates, if some mission which is not now contemplated should be imposed as a military policy.

Let me say, in closing, that the observations I made at the maneuvers in Louisiana constitute another reason for the development of a military policy, a request which I have made in the past and which I renew. It appears to me that the National Defense Act of 1920, which was based on the lessons of the World War and which has served us well, is now obsolete and should be revised or replaced. We should go from a pilot army to a standing army—larger than we have ever had in the past but not large at all by European standards. And in the field of national defense we must compare ourselves with the other fellow, and not with some standard which we ourselves had 10 or 15 or 20 years ago. At the August maneuvers of the United States Army 310,000 men will participate, making it the largest maneuver which we have ever held. This will be three-fourths the size of the late Dutch Army.

Mr. President, I think we should go from the concept of an army to be built up in a period of months, after a declaration of war, which is the theory we now have, to that of an army which is immediately available. In 1920 it seemed we could wait and allow the months to go by before building up a very big mass of men. I submit that in 1940 we do not need as many men, but the men we do need should be immediately available.

Of course, there are other things which a study of military policy should embrace. I think offhand of the question of collaboration between land forces, sea forces, air forces, and foreign policy.

If we are to have a defense of the Western Hemisphere or defense of the Caribbean, all these elements must work together as teams. We cannot utilize islands as bases, for example, without calling into play ground troops, the Navy, the air force, and the State Department.

I suggest that the growth of air power added to the extreme vulnerability of the Panama Canal might find us with our Navy in the Pacific when the emergency arises, and this would make our Army our first line of defense for at least a month. That is a momentous concept which very few of us have ever faced before, but it is true, and we should face it and deal with it.

Senators, it is hardly fair to the Army to deny it a statement of military policy. The Navy has had such a statement for years. It is printed and given away for wide distribution. We should decide what we are to defend and then the Army could prepare for it. In a few days I expect to submit to the Senate a suggested draft of a military policy for the United States, and in the meantime I suggest these facts as to the inadequacy of our tanks and of the number of our Army personnel, not in any spirit of hysteria, but because I believe that only by facing the facts can we strengthen ourselves. We have the quality in the Army, and with a real will to win on the part of the American people we can remedy the deficiencies which exist if we only take stock of what they are.

Mr. DOWNEY. Mr. President, will the Senator yield before he concludes?

Mr. LODGE. I have concluded my speech.

Mr. DOWNEY. I desire to interrogate the Senator.

Mr. LODGE. I will be delighted.

Mr. DOWNEY. I first wish to express my appreciation of the extremely valuable contribution made by the Senator to our understanding of our military affairs. Has the Senator any information which he would be willing to express as to the value and adaptability of the tanks he has been describing to meet any threat from a parachutist attack?

Mr. LODGE. I think any vehicle which enables a small group of men to get quickly from one place to another is of value in meeting a parachute attack. A parachute attack is usually made with an automatic gun such as our Thompson gun, against which, of course, the average citizen, even if he is armed with a pistol or a rifle, is more or less helpless. But, of course, a Thompson gun does not bother a tank in the slightest. The smallest weapon that bothers a

tank is a 37-millimeter gun, which is placed on two big wheels and has to be pulled around by a truck. So, in answer to the Senator's question, I think the presence of fast-moving vehicles, preferably of the cross-country type such as tanks, would be of great value in meeting parachutists, or meeting those who might want to land on a beach, or for any kind of a mission when it is desired to get fire power to bear at a certain point.

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 PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. BARKLEY] to the amendment of the Senator from North Carolina [Mr. REYNOLDS].

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. REYNOLDS] as amended.

Mr. ADAMS obtained the floor.

Mr. REYNOLDS. Mr. President——

The PRESIDENT pro tempore. The Senator from Colorado has the floor.

Mr. ADAMS. Mr. President, I have submitted an amendment to the amendment of the Senator from North Carolina. The Senator's amendment fixes a limitation on the number of aliens who could be employed. Certain seasonal conditions obtain in the western areas which might seriously impair the conduct of an industry if this hard and fast rule were applied. So I ask that the qualification be added—

Provided, That citizens willing and qualified to do such work or perform such services are available for such employment in or near the locality where such work is to be done.

In other words, I am not objecting to the purpose or the plan of the Senator's amendment, but merely making it flexible to meet emergency conditions as they develop in the beet fields, for instance, not during periods of depression, but during periods of prosperity, when labor is not available, and in order that the beet fields may be cultivated and harvested. A larger percentage of aliens is fixed in my amendment than the 10 percent to which the Senator's amendment limits the number. So I have submitted my amendment to the Senator's amendment in the hope that that flexibility may be permitted.

The PRESIDENT pro tempore. The amendment of the Senator from Colorado to the amendment of the Senator from North Carolina will be stated.

The LEGISLATIVE CLERK. After the word "employees" in the eighth line of Mr. REYNOLD's amendment, it is proposed to insert the following:

Provided, That citizens willing and qualified to do such work or perform such services are available for such employment in or near the locality where such work is to be done.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado to the amendment of the Senator from North Carolina.

The amendment to the amendment was agreed to.

Mr. REYNOLDS. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

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

Title IV.

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LA FOLLETTE. Has the first amendment of the Senator from North Carolina been disposed of?

The PRESIDENT pro tempore. It has not been.

The question now is on the amendment of the Senator from North Carolina, as amended.

The amendment as amended was agreed to.

Mr. LA FOLLETTE. Mr. President, before the Senator from North Carolina proceeds with any further amendments I wish to offer an amendment to title I of the bill, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, line 1, after the word "organization", it is proposed to strike out the comma and all to and including the word "organization" in line 6.

Mr. LA FOLLETTE. Mr. President, the purpose of this amendment is to eliminate the language which has created apprehension in the minds of some Senators that the bill, if enacted into law, would interfere with legitimate investigation of the political affiliation or activities of an employee. As stated at numerous times in the debate last week, the reason for including the language now sought to be stricken by the amendment was that the committee found it was the universal practice of both detective agencies, and employers who retained their services, to claim that the investigation which they were conducting was one into communistic and radical activities.

The committee found instances of industrial espionage to be so widespread and such activities to be so secretive that it felt, in order to make the bill more readily enforceable, that there should be taken away from both the detective agency and the clients thereof this cover or pretense under which they conduct pure and unadultered labor espionage.

I think the elimination of this language will make the bill, if it shall become law, more difficult of enforcement. But, in view of the apprehension which has been expressed by Senators, many of whom I feel quite certain are in full sympathy with the effort of this bill to stamp out a practice which the committee found no one willing to defend—not even the persons who utilized it—I am prepared to offer the amendment in the hope that it may allay the apprehension. I am convinced that it will not make the law unenforceable, but I believe it will add to the difficulties of its enforcement.

The information which comes to the committee—not in the form of sworn testimony, but information which is regarded as reliable—is to the effect that many of these agencies are continuing their labor-espionage service under the pretext or pretense that they are investigating Communist and radical activities. But should this amendment be agreed to, together with one which I hope I may offer after the pending amendment shall have been acted upon, the definition of industrial espionage will be stripped down to a definition of industrial espionage per se, eliminating from the bill any basis for a sound contention that it would prohibit any type of investigation on the part of an employer, or his agent or agents, other than pure, unadulterated labor espionage and labor spying.

I now yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, will the Senator state the language which he proposes to strike out?

Mr. LA FOLLETTE. On page 6, line 1, after the comma, it is proposed to strike out down to and including the comma after the word "organization", in line 6. The language proposed to be stricken is as follows:

Without the express consent of such employees or of such labor organization, as the case may be; or

(2) information with respect to the political or economic views or activities of any of his employees or prospective employees, or of any organizer, officer, or member of a labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization.

Mr. President, I think this amendment should remove whatever apprehension Senators or others may have entertained that the bill will in anywise interfere with investigation of the political affiliations or activities of any employees in the United States. It will narrow the prohibition against investigation to cover labor espionage, pure and simple. In the testimony before the committee I can remember no one who sought to justify such activities—even among those who had spent large sums of money for labor espionage. If this

amendment should be agreed to, I have a subsequent amendment to the same paragraph which I hope I may offer.

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

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. The language which the Senator proposes to strike out is contained in the "definitions" part of the bill, is it not?

Mr. LA FOLLETTE. That is correct.

Mr. BARKLEY. Under the term "industrial espionage"?

Mr. LA FOLLETTE. That is correct.

Mr. BARKLEY. The language is:

(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—

The Senator now proposes to strike out:

Without the express consent of such employees or of such labor organization.

And so forth. I am wondering what the effect of striking out that language would be; because, as I read the whole subparagraph, it means that employers may not report or gather this information, or attempt to gather and report it, "without the express consent of such employees or of such labor organization." Does striking out that language mean that employers may gather such information regardless of whether or not express consent is obtained?

Mr. LA FOLLETTE. No. The Senator will notice that the same language was in the original paragraph (2). All I propose to do is to strike out that language and the language in reference to the investigation of economic views or political activity.

Perhaps it would be helpful if I were to read the paragraph as it would read if this amendment were agreed to.

Mr. BARKLEY. That is, under paragraph (2)?

Mr. LA FOLLETTE. I shall read the whole paragraph, beginning on page 5:

(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 prospective employees.

In other words, the definition of industrial espionage—the only type of investigatory work which the bill would prohibit if this amendment were agreed to—is direct, pure and simple, unadulterated, labor espionage and labor spying.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer another amendment, which I send to the desk and ask to have stated.

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

The LEGISLATIVE CLERK. On page 6, line 10, after the words "of such", it is proposed to strike out "organizer, officer, or member of a."

Mr. LA FOLLETTE. Mr. President, this amendment becomes logical in view of the previous amendment, which has been agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer another amendment, which I send to the desk and ask to have stated.

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

The LEGISLATIVE CLERK. On page 15, line 11, after the word "practices", it is proposed to strike out the comma and the words "or may designate an attorney to bring such action."

Mr. LA FOLLETTE. Mr. President, it has been brought to my attention by a member of the Judiciary Committee that it has been the desire and intention of that committee to eliminate, insofar as possible, the employment of special counsel to conduct special types of investigation or legal proceedings. This language was found in another statute, which we used in part as a model for the enforcement provisions. It seems to me that the policy of the Judiciary Committee is a sound one, and therefore this amendment is offered in conformity with that policy.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer another amendment, which I send to the desk and ask to have stated.

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

The LEGISLATIVE CLERK. On page 15, line 16, after the words "Secretary of Labor", it is proposed to insert a period and strike out, in line 17, the words "or any attorney designated by him for such purpose."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer another amendment.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Wisconsin.

The LEGISLATIVE CLERK. On page 16, line 7, it is proposed to strike out down to and including the word "act", in line 21, and to insert:

SEC. 9. (a) The Secretary of Labor may investigate any facts, conditions, practices, or matters the investigation of which may be necessary or proper to determine whether any person has violated any provisions of this title.

(b) For the purposes of any investigation by the Secretary of Labor under section (a), the provisions of sections 9 and 10 of the Federal Trade Commission Act, as amended (relating to the attendance of witnesses and the production of books, papers, and documents), shall be applicable to such investigation in the same manner and to the same extent as in the case of investigations by the Federal Trade Commission under such act as amended.

Mr. LA FOLLETTE. In order to be meticulous in a parliamentary way, I ask unanimous consent that the vote whereby the committee amendment to this section was adopted may be reconsidered.

The PRESIDING OFFICER. Without objection, the vote whereby the amendment was agreed to is reconsidered.

Mr. LA FOLLETTE. Mr. President, this amendment is designed to meet some of the objections which have been advanced to the investigatory powers conferred by the original text of the bill. I may say that in drawing this portion of the bill we utilized the language contained in the Securities and Exchange Commission Act, it having been the act most recently passed by the Congress setting forth investigatory powers. But there has been criticism directed against this section of the bill on the ground that those powers were too wide and sweeping in character. This is an attempt, at least—and a sincere attempt—to meet some of those objections. What would be accomplished by this amendment if it should be agreed to, would be, first of all, to eliminate the authority of the Secretary of Labor to designate an authorized representative to conduct the investigation conceived to be necessary to the enforcement of this bill should it become a law, to confine it definitely to investigations to determine whether any person has violated any of the provisions of this title, and to strike out the language found in the Securities and Exchange Commission Act and carried in the original text of this bill, giving the power to secure information to serve as a basis for recommending further legislation concerning the matters to which this title relates. That language, some Senators have argued, confers broad powers which are not directly related to the ascertainment of information as to whether or not the provisions of this title of the bill were being violated.

The only change made in paragraph (b) by the proposed substitute amendment is to confer upon the Secretary the

powers which are enjoyed by the Federal Trade Commission in sections 9 and 10 of the Federal Trade Commission Act as amended. That is done, first of all, because, as I listened to the discussion, I derived the impression that some Senators felt that the investigatory powers contained in the Securities and Exchange Commission Act were too broad and sweeping; and, secondly, in the hope that by utilizing the powers conferred upon the Federal Trade Commission we would be adopting language which, as every Senator knows, has been rather thoroughly scrutinized and passed upon and defined and delimited by the decisions of the Supreme Court, which is not so much the case with the investigatory powers conferred upon the Securities and Exchange Commission.

I should like to say, Mr. President, having eliminated the prohibition against the investigation of political affiliations or activities, which, I repeat, is the pretense and smoke screen under which detective agencies, their employees, and their clients operate, it becomes, therefore, increasingly essential, if the bill is to have adequate enforcement, that proper investigatory powers should be lodged somewhere. Your committee had to spend considerable time and considerable sums of money in order to gather the necessary affirmative testimony from individuals and from such documents as escaped the purge of the files of detective agencies and their corporation clients that confronted the committee in its investigation, to rebut the contention that the invoices, the ledger sheets, and the oral testimony of detective-agency representatives that they were not doing industrial espionage work, but were only investigating communistic and radical activities. Therefore, having restored that cover, so to speak, for the operations of this business, which has wide ramifications, it does accentuate the need for properly lodged investigatory powers in order that some agency of Government may be in a position to dig under these pretexts, to lift this cover, and, in instances where the evidence is obtainable, to show it for what it is.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. BAILEY. Mr. President——

Mr. LA FOLLETTE. Does the Senator desire to address the question to me?

Mr. BAILEY. Yes; I wish to ask a question.

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

Mr. LA FOLLETTE. I yield with pleasure.

Mr. BAILEY. Turning to page 4, and also to page 5, there is a definition of industrial munitions and it is rather restricted:

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

This proposed act applies to our shipping. There is an express provision on the last page requiring that every merchant ship of the United States operating with the assistance of any subsidy under the provisions of the Merchant Marine Act of 1936, as amended, shall comply with the provisions of this proposed act. What would be the situation of a ship at sea in case of a mutiny if no one on the ship had anything except a shotgun or pistol which would shoot but once?

Mr. LA FOLLETTE. Mr. President, I may say to the Senator that the first language which the Senator read, that is, down to the semicolon in line 25, on page 4, is designed to cover the offensive gas weapons, the high-velocity gas weapons, the type of explosive "jumper repeaters," as they are called in the trade.

Mr. BAILEY. It is really designed to prevent an industry or factory from defending itself with sufficient means at a time of attack by a mob. That would be the consequence.

Mr. LA FOLLETTE. No; the Senator is wrong about that. If he will permit me to continue my answer to his question, the language the Senator read after the semicolon in line 25, on page 4, is taken from the National Firearms Act and covers only that type of weapons which the Federal Government, under the National Firearms Act, sought to eliminate from general and promiscuous use and possession. It was the sawed-off shotgun and the automatic machine gun or the submachine gun. There is no prohibition in the bill against the repeating type of arms, even the automatic repeating type, both shotguns, revolvers, and rifles. The only type of gun that is prohibited by the last phrase is the type of gun which continues to shoot and to empty itself with one depression of the trigger. It does not bar, in other words, the automatic rifle, the automatic shotgun, or the automatic revolver, with which most of us are familiar, and which automatically eject a shell and put in a new shell and are prepared to fire on each depression or pulling of the trigger.

Mr. BAILEY. What is the idea of preventing a man from using the most improved weapon available in defense?

Mr. LA FOLLETTE. Testimony before the committee is replete with evidence to show that the possession of high-velocity gas weapons forms a temptation for their indiscriminate and ill-considered use, on the theory which is entertained by many that they are not weapons of a lethal character.

But many of these high-velocity gas weapons are capable of killing or seriously maiming persons merely from the effect of the projectile if it happens to strike them. Many of them shoot 400 to 500 yards; and we found that men employed in labor disputes by corporations were often found away from the company property utilizing these weapons upon citizens, bystanders, and strikers and their sympathizers. For example, I have cited this instance, though there are many others. At the time of the Berger strike the armed guards and police of the company left the property of the company in armored cars. They utilized high-velocity weapons and other weapons such as are prohibited by the bill—sawed-off shotguns and others—upon persons indiscriminately. One woman was shot 2½ miles from the nearest gate of the plant. The city officials, the law-enforcement authorities, were unanimous in their condemnation of the utilization of such weapons away from the company property.

I may state one other thing that happened. At the time of the strike at the Youngstown Sheet & Tube Co. in Youngstown, Ohio, the company had several typical tripod army machine guns. Mr. Purnell, president of the company, testified that one of his first acts after the strike was called was to order and personally supervise the burying of these machine guns in an inaccessible place, with strict instructions that they should not be taken out until after the strike was over. When asked why, he testified that the weapons were of such a lethal character that he feared that in the excitement which might grow out of the strike untrained persons, hired for the purpose of helping to guard the company property, might make use of the weapons in such a way as to cause tragic consequences.

Under its terminology the bill permits the retention of all the customary weapons with which company police ordinarily are armed; and there is no limitation on them so far as any of the ordinary weapons are concerned. But the committee was greatly impressed with the fact that the general concept that these high-velocity and explosive types of gas weapons are not lethal in character, and do not carry hazard, is so widespread that their use should be restricted. The bill, of course, imposes no limitation on the number of such munitions which may be purchased by local police departments, by county police officers, or by State police officers; but I will say to the Senator that they ought to be utilized only in the hands of persons who are properly and adequately trained in their use.

In my humble judgment, the plant protection which will remain to any employer after this bill is passed will be ample, because, I repeat, there is no limitation on the number of the usual weapons for defensive purposes with which customarily company police or company guards may be properly armed.

Mr. HOLMAN. Mr. President——

Mr. BAILEY. The Senator, in his definition of "industrial munitions," proposes to restrict the means of defense on a ship or in an industry to weapons which he describes as not lethal. By that I think he means not extraordinarily devastating. He does not mean that they shall not be deadly weapons.

Mr. LA FOLLETTE. No; I refer to the machine gun and the high-velocity gas gun and the explosive type of gas shell.

Mr. BAILEY. Let us go back to the beginning of our situation. It has been the law of self-defense for at least 800 years of English history—we have the English inheritance—it has been the law of self-defense in the United States from the first settlements until now that in the absence of the aid of the State or the Government I might defend my home and my property to the full extent necessary. There has been no restriction upon the weapons I could use. I think it is still the law of the land that I may stand within my door and forbid someone to come in, and if he comes in against my order I may use such weapons as I choose to stop his progress. The same principle applies, under the old law of mutiny, if anyone attempts to take possession of my ship while I am sailing the sea. The seamen on a ship always outnumber the officers. I do not mean to reflect on the American seamen. I will say that they are all good men. I will take in all the territory I can in order to avoid any intimation that I reflect upon them; but, after all, the safety of the seamen and of the passengers, not to mention the safety of the ship or the cargo, is dependent upon the power of the officers to command the ship and maintain order. There must be order in time of stress and storm, and the order must be instant.

As I read this bill, it says—

or any weapon which shoots, or is designed to shoot, automatically or semiautomatically, more than one shot—

It might shoot automatically one shot; I do not understand that—

without manual reloading—

It appears that one has to load the gun with his hand. That is what "manual reloading" means—

by a single function of the trigger.

I heard the Senator's definition of the language; but this proposed law will be interpreted according to its language, and not according to the interpretation which the author puts on it, and not according to the interpretation I put on it.

Mr. LA FOLLETTE. I realize that; but the language to which the Senator has referred is lifted bodily from the National Firearms Act.

Mr. BAILEY. That would not make any difference to me. It may have been wrong in the Firearms Act, or it may have been right; but we are now talking about ships and industry.

Mr. LA FOLLETTE. Let me say that the language has been interpreted by the courts, and there is no question about what it covers. The Senator from Michigan intends to offer an amendment which he thinks will make the language clearer, and I am perfectly willing, so far as I am personally capable of doing so, to accept the amendment; but I want to emphasize the fact that this language was taken from the National Firearms Act and has been interpreted by the courts, and there is no question that the definition which I have given of it is the accepted definition of the language.

Mr. BAILEY. Very well. I understand that the Senator from Michigan—the junior Senator or the senior Senator, one or the other—will offer an amendment. It will come very well from that State. I would not reflect upon the State of Michigan, but there was a fearful situation there in the spring of 1937. The duly constituted authorities failed to call out the troops. They got through it. I am glad they got through it; but consider the effect of our limiting the power of a man's defense, hampering him, in the light of what happened in Michigan, when the State does not stretch forth its arm in power, and the operator or the owner is restricted according to this definition. The Senator may say that would not happen, but it has happened. Then what has become of order? What has become of our system? In this hour, when all America is looking to its industries and looking to its savers of money to invest capital, why should we put American industry on notice that if the Michigan situation is repeated in North Carolina, let us say, we shall wait down there helpless, the State will do nothing, the Federal Government will do nothing, and the owners will be unable to do anything?

This bill is predicated on the theory that the employers and operators are all bad and the workers are all good.

I wish it could be said that the workers were all good; I wish it could be said that the operators were all good. I think the truth about it is that they are all human, equally subject to the weaknesses and faults of politicians, Senators, ministers, priests, bards, and keepers of the sheep. We are all alike. But it is proposed by the bill to disarm the employer; he is to be greatly restricted, whether on the sea or on the land. But what does it do about the workers? What does it do about the labor unions? They are excepted. They are excepted along with the United States Government.

I will say to the Senator that I do not like bad practices by anyone. I am as much against them by a labor union as by a capitalist. They are as bad on the part of one as on the part of the other. I cannot, however, consent to legislation, even in ordinary times, which puts a human being at a disadvantage when it comes to his self-defense. We cannot afford to make the American people helpless. Written into the Constitution is the right to bear arms, and it is written there because the years of history taught the necessity for it. If a burglar comes to my door, I have a right to blow him up with a bomb or to shoot him with a machine gun. Of course I have. If a man lays his hand upon my child, if one undertakes to deprive me of my property, if one backs me to the wall, my Government does not put limitations upon me. And I do not intend to put limitations upon my fellow men, either.

Mr. LA FOLLETTE. Mr. President——

Mr. BAILEY. I want but a moment or so, and then I will leave the Senator the floor.

Mr. LA FOLLETTE. I want to be generous to the Senator, but he has made a number of statements which I think, in all fairness, I should have an opportunity to answer before he proceeds with his address.

Mr. BAILEY. I shall soon yield the floor, and I will not hesitate to let the Senator speak. I shall be through in one sentence, and then will yield the floor to the Senator.

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). The Senator from Wisconsin has the floor. Does he yield?

Mr. LA FOLLETTE. I yield.

Mr. BAILEY. In the present situation in America—and I want the Senator to hear me—the whole country is more or less in a state of hysteria about "fifth columns." I do not intend to dwell on that. I am very much afraid of visible "fifth columns." We are well warned about them. But there are subversive influences in this country, and they are not "fifth columns," either. There are people here who really believe in communism, and they are not all foreigners; there are plenty of them who are native-born. Some are foreign and some are native-born. I make no distinction.

But they are boring in everywhere they can. They bore into the churches; I will not except them. They bore into the Congress; I will not except that. They bore into the offices down the street; I will not except them. They bore into the missionary societies; I do not except them. And they bore into the labor unions. But under the bill, until the Senator offered his recently presented amendment, there was no way for an employer to find out about them.

Now let me state the situation at this moment. If this country succeeds in its plans to be prepared—and everyone who knows anything knows that it is so miserably unprepared that we are all appalled at the revelations of the truth—it has to be prepared through industry. If we are to

build aircraft guns in time, they will not be built in the navy yards; they will be built in some automobile plants. If we are to build bombers in time, we will build them in private plants. We could not erect plants in time, and we should not, anyway; private industry should handle it. If we are to build ships in time, they will be built in private plants which are already in existence. If we are to build tanks, we will build them in automobile plants. We shall call on American capital to finance these activities, and American managers to manage them, and American investors to invest money in them. At the same time we are doing that, it is proposed that we say—

All right. We will turn you over to the tender mercies of the first gang of subversive conspirators that happens to bore into a labor organization and take possession of it.

I think that if this were the millennium, if everything were perfectly peaceful, and all men were perfectly good, we might stand for that sort of thing. But I say that we should not change our policy at this moment, after having discouraged industry, and handicapped it year after year, by act after act, until the Brookings Institution report, reviewed in the New York Times of this date, informs the American people, after 2 years of investigation, that there is plenty of work in America for capital and plenty of capital, but men do not dare to invest because of public policies.

Now we are asked to say, "All right. Put in your money, either public or private, build your plants, let us speed up, but when you get under way the Communists, and the conspirators, and the revolutionaries may bore into the labor organizations, and when they come down on your plant, your hands are tied. Then you can appeal to some State whose Governor does not think it prudent to call out the troops, or you can appeal to the Labor Department here, whose head has not yet discovered that the sit-down strike is a violation of human rights and unlawful." I cannot vote for that sort of thing.

Mr. BAILEY subsequently said: Mr. President, earlier in the day I referred to certain articles appearing in the New York Times of this date. The title of one of the articles is "What Holds Back Business?" I ask unanimous consent to have the articles printed in the RECORD.

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

[From New York Times of May 27, 1940]

NEW DEAL BLAMED FOR LAG IN CAPITAL—BROOKINGS REPORT SAYS TAXING, SPENDING, AND S. E. C.'S RULES BAR LONG-TERM INVESTMENTS—HITS AT FULL-GROWTH IDEA—$10,000,000,000 A YEAR HELD REQUIREMENTS IN HOUSING AND FACTORY ENLARGEMENTS

WASHINGTON, May 26—A Brookings Institution report today based on a 2-year investigation of the stagnation of capital markets denies that the United States has reached a stage of "economic maturity" necessitating extensive supplementing of private by public enterprise. It says there is private money and private need sufficient to absorb the country's capital and labor resources for many years to come, and declares that Government taxation policies and Securities and Exchange Commission regulations which impede the flow of funds must be removed if stable conditions are to be reestablished.

The study, which was directed by the institution's president, Dr. Harold G. Moulton, and carried out by Dr. George W. Edwards, of the College of the City of New York, Dr. James D. Magee, of New York University, and Dr. Cleona Lewis, of the Brookings Institution, declares that the decline in production since 1929 proves merely that there has been a protracted depression.

AMPLE OUTLETS ARE SEEN

The increase in population since 1929, the estimated further increase in the next 40 years, and the requirements for raising living standards of the present population are found to offer an ample basis for large-scale private-capital construction. Annual additions of $4,000,000,000 to $5,000,000,000 to productive plant and equipment and of about $6,000,000,000 to housing facilities are asserted to be necessary over the next generation to provide a reasonably satisfactory standard of living. In addition, there would be large public requirements for highways, streets, sewers, and other utilities.

No support was found for the contention that large industrial corporations have reached a point where they can finance their potential capital requirements from internal sources. The view that corporations have been providing for capital expansion out of depreciation reserves is based, it is stated, on a failure to distinguish between mere replacement of old capital and building up of new capital. Additions in recent years to corporate surpluses, from which new plant and equipment might be constructed, have been negligible.

The report rules out a lack of money savings or the policies of the commercial banks as causes of capital stagnation. Money savings, although smaller than in the late twenties, are greatly in excess of capital demands. Commercial banks have tried to expand credit, not restrict it, but they have failed to find credit-worthy enterprises, the study showed.

GOVERNMENT IS BLAMED

Government policies and action, according to the report, have impeded the flow of capital into constructive developments in several ways, as follows: Taxation policies have tended to drive investors to high-grade securities; regulation has raised the costs and increased the risks of capital flotations; the persistence of deficit spending has undermined confidence in public credit; and the development of a maze of Government lending agencies has narrowed such private investment channels as remain.

The existing taxation system, described as one developed without thought of possible effects on the capital market, was said to encourage investment in high-grade bonds, particularly tax-exempt issues, while discouraging investment in equity securities. Inasmuch as the primary need at present is for expansion of capital enterprise through stock flotations, the effect of present tax laws is called serious.

The long time involved in complying with S. E. C. rules, the report states, has increased market risks in the issuance of new securities, and vague rulings and indefinite penalties have been complicating factors. The costs of legal and other expenses in complying with the Securities Act have been high for small corporations, and, similarly, the law has worked against small local dealers, according to the study, which adds, however, that securities regulation has been a contributing, rather than a major factor in restricting the flow of capital.

FEDERAL DEFICITS A FACTOR

The persistence of huge fiscal deficits and consequent growth of the public debt have unquestionably lessened the disposition of both enterprisers and investors to assume the risks inherent in long-term capital commitments, it is held. Uneasiness over the future of private investment is accentuated by fears of an ultimate breakdown of public credit, accompanied by price and wage inflation.

The growing competition of Government credit agencies with private institutions and individuals in diverse fields has militated against private lending, the study showed.

These factors, although indirect and largely psychological in character, are said to constitute serious impediments to long-term investment.

[From New York Times of May 27, 1940]

WHAT HOLDS BACK BUSINESS

The Brookings Institution makes public today the report of a 2-year investigation of the factors responsible for the stagnation of the capital markets which takes sharp issue with the concept that the United States has reached a stage of "economic maturity" necessitating extensive supplementing of private by public enterprise. The study, dealing with capital expansion, in relation to employment and economic stability, finds that the possibilities of further development of private enterprise are adequate to absorb the Nation's capital and labor resources for many years to come. The reestablishment of stable conditions, the institution holds, largely depends on the removal of unnecessary impediments to the flow of funds into constructive capital developments and the restoration of confidence in the future of private enterprise.

In appraising the argument that the country has reached "economic maturity," the report points out that production data showed no declining tendency prior to 1929, although the frontier had disappeared a generation earlier and the rate of population increase had been declining for half a century. The decline in production since 1929 proves merely that there has been a protracted depression. The increase in population since 1929, the estimated further increase during the next 40 years, and the requirements for raising living standards of the present population were found to offer an ample basis for large-scale private capital construction, in the form of productive plant and equipment, of housing facilities, and in other directions.

No support is found for the contention that large industrial corporations have reached a point where they can finance their potential capital requirements from "internal" sources. In most cases only a moderate expansion in output could be financed without additional short-term borrowing, while large additions to plant would require extensive recourse to the long-term investment market. The view that corporations have been providing for capital expansion out of "depreciation reserves" is based upon a failure to distinguish between the mere replacement of old capital and construction of new capital.

Government policies and action have impeded the flow of capital into constructive developments in several ways. Taxation policies have tended to drive investors to high-grade securities; regulation has raised the costs and increased the risks of capital flotations; the persistence of huge deficit spending has undermined confidence in public credit, and the development of a maze of Government lending agencies has narrowed such private investment channels as remain. The system of private enterprise, as the report points out, involves the making of commitments extending over a considerable period of time, and such commitments will not be undertaken if the risks appear prohibitive.

Mr. LA FOLLETTE. In the first place, Mr. President, let me say that Congress has already violated the Senator's concept of the protection contained in the Constitution of the right to bear arms without regard to any limitation. In order to disarm the gangsters in this country, Congress passed the Firearms Act, and the definition contained in the pending bill is an exact replica of the language in that act, and is designed to take the weapons of gangsterism out of industrial disputes.

To be specific, the Senator now says that we are going to leave industry helpless and that plants can be invaded and will be invaded. Let me read the inventory of the Youngstown Sheet & Tube Co.'s arsenal in 1938. They had 8 machine guns, with 40,261 rounds of ammunition; 190 shotguns, with 3,950 shotgun shells; 389 riffes, with 16,638 rounds of rifle bullets; 14 long-range gas guns; 24 gas machine guns; 689 long-range gas grenades.

If the pending bill should become law the Youngstown Sheet & Tube Co. could not retain its 8 machine guns, it could not retain its long-range gas guns or gas machine guns; but it could retain, it could double, it could treble, it could quadruple its existing supply of 190 shotguns, with 3,950 shotgun shells, and its 389 rifles, with 16,638 rounds of rifle ammunition.

In other words, Mr. President, it cannot be said that the bill is designed to accomplish, or that it would accomplish, any limitation whatsoever upon adequate arming of any plant in the United States. Plants could spend their entire incomes, they could issue bonds to the limit of their ability to sell them, and expend the proceeds for arms and ammunition if they so desired.

The bill would take out of the hands of men who are often untrained and irresponsible, at the time of an industrial dispute, high velocity gas weapons, machine guns, and sawed-off shotguns, which, under the National Firearms Act, we declared sometime ago we thought contrary to public policy to be indiscriminately in the hands of individuals.

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

Mr. LA FOLLETTE. I yield.

Mr. TAFT. Referring to section 3, the language reads as follows:

> It shall be an oppressive labor practice for any person—
>
> * * * * * * *
>
> To furnish industrial munitions to any person or to any law-enforcement officer or agency of any State or political subdivision thereof.

It seems to me that language is so broad that it would prohibit anyone in the United States Army, for instance, from furnishing munitions or machine guns to any State militia or to any organization to which it might be desirous to extend such assistance.

Mr. LA FOLLETTE. Without wishing again to arouse the Senator's feeling against the way in which the bill is drafted, and for which I have to share responsibility with the legislative counsel, if the Senator will go back to the definition of "person" on page 3, he will find that—

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

Mr. TAFT. Certainly an officer of the United States Army is not a State or political subdivision, but he is prohibited from furnishing industrial munitions or machine guns to any State militia under the broad terms of the bill. Is that not correct? Of course, he certainly would be a "person" under the definition of the bill, and it seems to me very clearly that he specifically would be prohibited from furnishing machine guns to a State militia.

Mr. LA FOLLETTE. It is my interpretation that the agencies of Government are exempt.

Mr. TAFT. I do not think an Army officer would be permitted to commit a crime, and I do not see any exemption in this measure. An Army officer is a person just the same as anyone else. He cannot furnish industrial munitions to any person or to any law-enforcement officers or agents.

Mr. LA FOLLETTE. I do not think the Senator is correct in his interpretation, because certainly the United States Government would not be included unless it were specifically designated or mentioned in the bill.

Mr. TAFT. If it is desired to prohibit any Army officer from delivering machine guns to the National Guard, what other language could be used than that which is used here—that no person shall deliver any munitions to any State agency?

It seems to me that is exactly the language one would use if he desired to prohibit such action. I see no exemption of American Army officers or the United States Government.

Mr. LA FOLLETTE. I think the presumption is that the Government is not included.

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

Mr. LA FOLLETTE. I yield.

Mr. BROWN. I should like the attention of the Senator from Ohio [Mr. TAFT]. I had the same problem in my mind. I think the way section 3 now reads is that any person at all is prohibited from furnishing munitions to any other person, and I thought, upon careful reading of the bill, that it would be impossible for the State police or the police of a municipality to obtain weapons from any person whatsoever. So I intend to offer an amendment which I think the Senator from Wisconsin will accept, as follows:

On page 9, line 11, after the word "employment", strike out "or to furnish" and insert "in or about which goods are being produced for commerce—"

And this is the part which is important—

> Or for any person engaged in a labor dispute to furnish, directly or indirectly—

I think that would cover what the Senator from Wisconsin wants to cover; that is, the furnishing such munitions to State police or to private detectives, and so on, by a person engaged in an industrial pursuit at the time. I think that is what the Senator wanted to cover. The language proposed by me would make it certain that the United States Army, the State police, or anyone at any time in the ordinary course of business who has a right to these munitions, could obtain them. I have in mind the same point the Senator from Ohio had, but I think the amendment, which I take it the Senator from Wisconsin will agree to, will cover the matter.

Mr. LA FOLLETTE. Mr. President, I have discussed privately with the Senator from Michigan the point raised by the Senator from Ohio, and, in order that there may be no doubt about the interpretation, I have told the Senator from Michigan that, insofar as I could do so, I would be perfectly willing to agree to the amendment.

Mr. WILEY. Mr. President, will the Senator yield to me for a question?

Mr. LA FOLLETTE. I am glad to yield to my colleague.

Mr. WILEY. If the Senator will refer to section 3—

> For the purposes of this act, it shall be an oppressive labor practice for any person in any State—

Then it defines the oppressive labor practices. I wonder if the Senator would have any objection to placing at the bottom of page 13 a new section reading as follows:

> Nothing in this act shall prohibit any employer of labor from himself investigating any employee or prospective employee, or through another employee (not an agent of a strikebreaking agency) investigating his employee or prospective employee, to ascertain the employee's competency, his political ideas, or his loyalty to American ideals and concepts.

Mr. LA FOLLETTE. Mr. President, I will say to the Senator that with the elimination of the language which has already been agreed to on page 6, there is nothing in the bill, as it stands, and there never has been anything in it which would prohibit investigating the competency of an employee, or his past employment record, or anything of that kind. There is nothing in the bill which would prohibit the investigation of sabotage or anything of that nature. It seems to me that the provision which the Senator proposes to incorporate is now entirely unnecessary, since prohibition against investigation is confined now purely and

simply to that type of labor espionage which seeks to investigate employees' activities which are directly related to their self-organization for the purpose of mutual benefit.

Mr. WILEY. Mr. President, if I understand my colleague's position correctly, he feels that the language suggested by me would not clarify the measure as it has now been amended. According to his position, it certainly would do no harm. I could go into a long legal argument to show him, I am certain, that the language would be constructive; but if the Senator feels that it would do no harm, there would be no harm in agreeing to the amendment. In other words, it would say to the country clearly that any employer of labor has the right himself personally, or through another, that other person not being an agent of a strikebreaking agency, to investigate his employee or his prospective employee to find out if such employee is efficient; whether or not he is an American; and whether or not he has ideas which might cause him to endeavor to sabotage not only the factory but its entire working crew.

Mr. LA FOLLETTE. Mr. President, there is nothing in the bill as it now stands to prohibit investigations of the efficiency of all employees, their political beliefs, their activity in the plant, and their past record of employment. All that will now be prohibited, so far as the investigation of employees is concerned, will be the obtaining of information with respect to the plans or activities of any employees, or any labor organization, with reference to self-organization for mutual aid or protection, or with respect to identity, number, or composition of the membership of any labor organization, or with respect to the affiliation of any employees or prospective employees with the labor organization, without the express consent of such employees, or prospective employees, or such labor organization, as the case might be.

That is all any employer himself would be prohibited from investigating or utilizing detective agencies or any other agencies for the purpose of investigating. He could investigate anything else under the sun the Senator can think of, with the exception of that which is provided in the language which I have just read, which prohibits him from utilizing labor spies to get into the organization of his employees, and to disrupt it, and to report information on his employees' organizational activities.

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

Mr. LA FOLLETTE. I yield.

Mr. WILEY. Then, if the Senator feels that the language I have read simply is confirmatory of his position, it seems to me there should be no objection to putting that declaration in the proposed law. Following suggestions made here the other day, the Senator has today offered certain amendments, but those amendments simply do away with a portion of the definitive part of the measure. We still have the provision that—

> For the purpose of this act, it shall be an oppressive labor practice for any person—

Then it proceeds to define what is an oppressive labor practice.

Now we turn back to the definitions. The definitions are supplementary, not all inclusive. Therefore, if my amendment should be adopted we would obviate any misunderstanding. As the Senator has already said that he feels that the proposed legislation would not injure the employer in these respects, I can see no reason why he should not agree to my amendment. I offer the amendment and ask the Senator to agree to it.

Mr. LA FOLLETTE. There is an amendment pending. I shall be glad to confer with the Senator about the language of his amendment.

Mr. WILEY. I submit my amendment and ask that it lie on the desk.

Mr. LA FOLLETTE. I shall be happy to have that done.

The PRESIDING OFFICER. Let the Chair state the parliamentary situation.

The Senator from Wisconsin [Mr. LA FOLLETTE] moved to reconsider the vote by which the committee amendment appearing in lines 7 and 8 on page 16 was agreed to by the Senate. That amendment has been reconsidered by unanimous consent. The question, then, recurs upon the adoption of the committee amendment. Pending that, the Senator from Wisconsin [Mr. LA FOLLETTE] has offered a substitute for the whole section.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that the committee amendment may be rejected.

The PRESIDING OFFICER. The Senator from Wisconsin asks unanimous consent that the committee amendment may be rejected. Is there objection? The Chair hears none, and it is so ordered.

The question now recurs upon the substitute for all of section 9, offered by the senior Senator from Wisconsin [Mr. LA FOLLETTE]. Is the Chair to understand that the junior Senator from Wisconsin [Mr. WILEY] offers an amendment to the substitute proposed by the senior Senator from Wisconsin?

Mr. WILEY. The substitute is for what section?

Mr. LA FOLLETTE. Section 9.

The PRESIDING OFFICER. The question now before the Senate is on agreeing to the amendment in the nature of a substitute offered by the senior Senator from Wisconsin [Mr. LA FOLLETTE] for section 9, appearing on page 16. Does the junior Senator from Wisconsin desire to offer an amendment to that substitute?

Mr. WILEY. I do not.

The PRESIDING OFFICER. Then the Senator's amendment is not now in order.

Mr. LA FOLLETTE. Mr. President, I am ready to have the question put.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute for section 9 offered by the senior Senator from Wisconsin.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BROWN. Mr. President, I have five amendments lying on the desk. I ask to have the amendment on page 8, line 20, stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 8, line 20, after the word "employer" and before the comma, it is proposed to insert:

> (Except when such person is engaged in the immediate pursuit of an individual committing a crime on such premises).

Mr. BROWN. Mr. President, this amendment merely enlarges the conception contained in the bill so that a person guarding a bank, for example, would have the right to depart from the premises and remain armed in order to apprehend a person who had committed a crime upon the premises. I understand that the Senator from Wisconsin has no objection to the amendment.

Mr. LA FOLLETTE. I have no objection, Mr. President. I think it would help to clarify the language, and I shall be glad to have it adopted.

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

The amendment was agreed to.

Mr. BROWN. Mr. President, I call up the amendment on page 8, line 24.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 8, line 24, after the word "protection," it is proposed to insert:

> Of persons and property on premises of the employer, or for the pursuit and arrest of persons committing crimes on such property, and for protection—

Mr. BROWN. Mr. President, I will say to the Senator from Wisconsin that that amendment relates to the same subject matter which was discussed by the Senator from Pennsylvania [Mr. DAVIS]. I think the amendment offered by the Senator from Pennsylvania is in the wrong place. I know he agrees with me upon this subject. I ask unanimous consent

that the vote by which his amendment was agreed to be reconsidered, that the amendment be disagreed to, and that the pending amendment be substituted therefor.

The PRESIDING OFFICER. The Senator from Michigan asks unanimous consent that the vote by which the amendment offered by the Senator from Pennsylvania [Mr. DAVIS] was agreed to, on page 8, lines 24 and 25, be reconsidered, that it be disagreed to, and that the amendment which has just been stated be agreed to in lieu thereof. Is there objection?

Mr. VANDENBERG. Mr. President, may I ask whether or not the Senator from Pennsylvania has been consulted?

Mr. BROWN. Yes. I have discussed the matter with the Senator from Pennsylvania.

I think I ought to make a brief explanation. The amendment offered by the Senator from Pennsylvania was offered in my behalf on last Monday, when I was absent. I had raised a question similar to the question I have just discussed; that is, as to the right of a railroad detective to leave the premises in the apprehension of a criminal who had committed a crime upon the premises, and remain armed while so doing.

The matter was rather hastily considered, and I am merely transposing the amendment of the Senator from Pennsylvania and putting it in a different place. We both have the same purpose and we have discussed the matter. I know that my amendment is satisfactory to him.

The PRESIDING OFFICER. Is there objection to the request of the junior Senator from Michigan for unanimous consent to reconsider the vote by which the amendment offered by the Senator from Pennsylvania was agreed to, that the amendment be disagreed to, and that the amendment just stated be substituted in its place? The Chair hears none, and it is so ordered.

Mr. BROWN. Mr. President, I call up the amendment on page 9, line 11.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 9, line 11, after the word "employment," it is proposed to strike out "or to furnish" and to insert "in or about which goods are being produced for commerce, or for any person engaged in a labor dispute to furnish, directly or indirectly"—

Mr. BROWN. Mr. President, I will say to the Senate that the amendment proposes to do two things. It relates back to the definition of "industrial munitions," contained on pages 4 and 5 of the bill, and makes certain that the prohibition of possession of industrial munitions shall apply only in industrial plants where goods are produced for commerce. As the bill now reads, it is possible to construe it to prevent the use of an automatic gun, machine gun, or instrument of that kind, in a home, shop, or store. Of course, all the Senator from Wisconsin desired to do was to prevent possession of industrial munitions in a place where goods are produced for interstate commerce. As a matter of fact, that is the only place where the prohibition could legally be effective.

The second part of the amendment makes it certain that the prohibition against furnishing industrial munitions by any person shall apply only to a person who is engaged in an industrial dispute. It does not apply to persons generally. That is the point to which the junior Senator from Ohio [Mr. TAFT] has just referred. I have discussed this amendment with the Senator from Wisconsin. I understand he is willing to agree to it.

Mr. LA FOLLETTE. I am very glad to have the language adopted if there is any doubt in the mind of any Senator about the matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

Mr. GEORGE. Mr. President, I should like to have the amendment again stated.

The PRESIDING OFFICER. Without objection, the amendment will be again stated.

Mr. LA FOLLETTE. Mr. President, may we not have the section read as though the amendment were incorporated?

The PRESIDING OFFICER. Without objection, the clerk will read the section as it would appear with the amendment of the Senator from Michigan.

Mr. BROWN. Mr. President, would it be helpful if I should read it? I am familiar with it.

The PRESIDING OFFICER. The Senator from Michigan desires to read the section as it would appear with his amendment. The Senator may proceed.

Mr. BROWN. Beginning with line 10, on page 9, the language would read as follows:

> To possess industrial munitions in or about any place of employment in which goods are being produced for commerce, or for any person engaged in a labor dispute to furnish, directly or indirectly, industrial munitions to any person or to any law-enforcement officer or agency of any State or political subdivision thereof.

The PRESIDING OFFICER. As the Chair understands, the Senator from Michigan has been reading the provisions of the proposed section with his amendment included.

Mr. BROWN. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was agreed to.

Mr. BROWN. Mr. President, I ask that the amendments on pages 11 and 12 be now stated.

The PRESIDING OFFICER. The amendments offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 11, line 16, it is proposed to strike out "supplies" and insert in lieu thereof "industrial munitions."

On page 12, line 14, it is proposed to strike out "supplies" and insert in lieu thereof "industrial munitions."

On page 12, line 17, it is proposed to strike out "supplies" and insert in lieu thereof "industrial munitions."

The PRESIDING OFFICER. Does the Senator from Michigan offer these three amendments as separate amendments, or as one amendment?

Mr. BROWN. They all refer to the identical subject matter.

The PRESIDING OFFICER. Without objection, the amendments will be considered as one amendment.

Mr. BROWN. They redefine certain prohibitions in the bill.

Section 4 makes it unlawful to engage in certain oppressive labor practices. Subdivision (c) of section 4, on page 11, reads as follows:

> SEC. 4. It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—
>
> * * * * * * *
>
> (c) To furnish any person with supplies or services for engaging in any oppressive labor practice affecting commerce. * * *

The thought occurred to me, as it did to the legislative counsel, after I had carefully read that section that in a situation of this kind uncertainty would exist: Supposing that a grocer or a druggist was asked to furnish supplies to men engaged in strikebreaking in an industrial plant, possibly subject to one of the prohibitions of this proposed act, it would be up to that merchant to conclude in his own mind whether or not an oppressive labor practice was going on in that plant. I thought that the Senator from Wisconsin desired to prohibit the furnishing of industrial munitions in such a plant, and not other forms of supplies, such as food, clothing, and so on. The purpose of my amendment is to substitute for the word services in three places in the bill the term "industrial munitions." I think the amendment would improve the bill and would be in line with what the Senator from Wisconsin really intends to prohibit.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Michigan [Mr. BROWN].

The amendment was agreed to.

Mr. BROWN. I have one further amendment which I ask to have stated.

The PRESIDING OFFICER. The Senator from Michigan calls up another amendment, which the clerk will read.

The CHIEF CLERK. On page 13, line 21, beginning with the word "shall", it is proposed to strike out line 23 and in lieu thereof to insert "to rebut such presumption shall be upon any person accused of violating the provisions of such paragraph who has knowledge or notice of the occurrence of such oppressive labor practice."

Mr. BROWN. Mr. President, this provision relates to paragraph (b) on page 13, which shifts the ordinary rule as to burden of proof. I know it is the intention of the author of the bill and of the Committee on Labor to provide that if a person knows of the existence of oppressive labor practices existing or occurring in a plant, and if he buys goods from such plant having such knowledge the burden of proving that the oppressive labor practice was not used in the making up of that order of goods shall be upon him. I think that is sound logic; I think it is proper that it should be that way; but I think the language of the bill, unless the amendment I propose is adopted, leaves the question of where the burden of proof lies in some doubt. The language which I propose, and which has been approved by the legislative counsel, would remove any possible doubt upon that subject and make certain that in no event shall the burden of proof be upon a person charged with knowledge of the existence of an oppressive labor practice, but that the burden shall be upon him solely if he has knowledge that an oppressive labor practice exists, and thereafter buys goods. Then the burden is upon him to show that the goods were not produced by reason of the use of the oppressive labor practice.

Mr. LA FOLLETTE. Mr. President, as stated numerous times when this paragraph has been under discussion, it was furthest from the mind of the author of the bill or the committee that the burden of proof be put upon an innocent person, because it would be a grave injustice, and the innocent person would be without the means at his disposal of securing the evidence to rebut the presumption. I appreciate very much the Senator's contribution toward making this doubly certain, although I should like to have the RECORD show, in justification of both the authors of the bill and of the Senate committee which considered the measure, that it was the construction of the legislative counsel and the lawyers on the committee that we had not unjustly placed the burden of proof on innocent persons.

Mr. BROWN. I desire to confirm what the Senator from Wisconsin says. I know it was his intention to do just what he now says it was proposed to do. I was somewhat uncertain about the language; I discussed it quite fully with the senior Senator from Georgia [Mr. GEORGE], for whose legal opinion we all have great respect, and it was his judgment, as well as mine, that there might be some uncertainty about the subject. I desire, however, to acquit the Senator from Wisconsin of any intention to put the burden unfairly upon a person under the circumstances to which I have alluded.

Mr. LA FOLLETTE. I am very happy to have it made clear beyond any peradventure of argument or doubt.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Michigan [Mr. BROWN].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. VANDENBERG. Mr. President, I submitted a question to the Senator from Wisconsin earlier in the debate. I wish to renew it in the light of the amendments which have been made to the bill. I should be very happy indeed to join in completely prohibiting what are called labor spies and labor spying, and I should be very happy to join in prohibiting so-called industrial munitions in anybody's hands in connection with an industrial dispute.

What has challenged my opposition up to date is the "red flag" which the War Department and Navy Department put upon this bill a year ago, and I have found nothing in the RECORD or in the debate since then which has taken the "red flag" off the bill so far as the War Department and the Navy Department are concerned in connection with national defense.

I again call the attention of the able Senator from Wisconsin to the letter from the Secretary of War and the letter from the Secretary of the Navy on pages 16 and 17 of his own report on the bill, and ask him again whether the amendments which have thus far been adopted remove the objections of the War Department and the Navy Department in respect to the national-defense necessities of the present hour?

Mr. LA FOLLETTE. Mr. President, I wish to point out, as I did when the Senator first raised this question, that the specific language to which the War Department objected, that is the penalty of a thousand dollars a day, which, under title II of the bill, would be imposed on each and every contractor for violation of the stipulations, was rejected by the Senate upon my suggestion on behalf of the committee.

Therefore, I feel that the principal objection which the War Department voiced against the bill has been met, because now, under the Walsh-Healey Act, if this bill were to become a law, any contractor would have to stipulate in his contract that he would not violate the four oppressive labor practices defined in the bill. Then, if he did so, it would lie within the power of the Department, as a penalty therefor, to abrogate the contract, and it would also lie within the power of the Department to require delivery upon the contract. Feeling that that was not very much of a penalty, the committee inserted this $1,000 a day penalty provision as a deterrent against violation of stipulations. But, in view of the objection of the Secretary of War, on the theory that such a penalty might make bidders more reluctant to bid, I urged upon the Senate that that penalty provision be eliminated.

I will say to the Senator that, so far as title II is concerned, it was prompted by the fact that an examination made by the committee of Government contracts showed that contracts running into the millions of dollars were being enjoyed by corporations which the committee in the course of its investigation found to have indulged in oppressive labor practices, and it seemed logical to the committee and to the authors of the bill that if we were to prohibit these oppressive labor practices which we felt had contributed so greatly to industrial disputes we should deny the benefit of Government contracts to those who indulged in such practices.

Of course, I must say to the Senator frankly that it is merely another arm of enforcement. Even if title II were not in the bill, all contractors who violated any provisions of title I would be subject, upon proper proof, to the penalties of the measure. In short, title II is merely a supplementary means of enforcing the act, and was incorporated in the bill, because we thought it was sound public policy. I desire to say to the Senator, however, that, of course, title II is not the main provision of the proposed act. It is a supplementary arm of enforcement, designed to assure, so far as possible, that the beneficiaries of Government contracts and Government loans, after having stipulated that they will not do so, will not indulge in oppressive labor practices as defined by title I.

Mr. VANDENBERG. May I ask the Senator whether the investigations to which he has referred, disclosing so-called unfair labor practices among Government contractors, disclosed a general malpractice among Government contractors, or whether there were simply a few isolated cases?

Mr. LA FOLLETTE. Mr. President, I am now speaking from memory; but, as I recall—and I wish, subject to checking, to correct the figure for the RECORD—as I recall, not a complete examination but a fairly large sampling examination made of Government contracts through the General Accounting Office showed that contracts amounting to some twelve and one-half or fifteen million dollars were enjoyed, in the period studied, by corporations indulging in what would be defined as oppressive labor practices.

I now have the exact figure. It is $12,090,000 in the period 1933 to 1936.

This, of course, was only a sample study. It was not an attempt to survey all Government contracts. We found one association—namely, the National Metal Trades Association—which furnished to its members practically all the services which are prohibited by the bill. We then took the names of the members of the National Metal Trades Association, checked them against the records of Government contracts in the General Accounting Office, and found this figure. Of the 69 members of the Metal Trades Association which employed labor spies in the period 1933 to 1936, our study indicated that 32 companies held contracts with the Federal Government, and the total amount of those contracts was $12,090,000.

Mr. VANDENBERG. That would be $12,090,000 out of what grand total of Government contracts?

Mr. LA FOLLETTE. I cannot give that figure. Of course, it would be a very much larger sum; but I also wish to point out that this was a study of only 69 members of one trade association, the National Metal Trades Association; and we found that of those 69 members, 32 who had employed labor spies between 1933 and 1936 had Government contracts. I may say to the Senator that this was merely a sample, because we had neither the time nor the facilities for making a survey of all Government contracts.

Mr. VANDENBERG. As I understand the Senator's statement, in his own view title II is essentially supplemental to title I, and merely, in effect, a confirmation of title I in respect of Government contracts. Is that correct?

Mr. LA FOLLETTE. I think it would be very helpful in enforcing the act. Personally, I think it is only logical that if oppressive labor practices are prohibited, those who are beneficiaries of Government contracts or Government loans should not enjoy such benefits if they violate the established law and policy of the Government. However, in all frankness I have to admit to the Senator from Michigan that of course this is really a secondary or supplementary means of helping to enforce the law, just as we have done with the Davis-Bacon Act and other acts seeking to establish the Federal Government and the beneficiary contractors as model employers. Naturally, I cannot do otherwise than to acknowledge that title I is the portion of the bill which sets up the policy and provides for its enforcement, and that title II is, in my opinion, a justified but a supplementary means of adding to the enforcement of the statute.

Mr. VANDENBERG. Mr. President, the problem which continues to confront me in connection with the legislation appears to be confined entirely to title II, because I find nothing in the complaint of the Secretary of War or the Secretary of the Navy which applies to anything but title II.

Mr. LA FOLLETTE. That is true; and of course I should have said, in response to the Senator's question, that of course the statement of the then Acting Secretary of the Navy—now Secretary—was very general in character. It did not point out any specific provisions of title II.

Mr. VANDENBERG. I think the Senator is entirely logical when he says that a rule of conduct of this nature should be uniform in respect to labor relationships, whether on Government work or on private work; but there does come an emergency moment sometimes—and, judging from what I have been hearing from the White House during the past 2 weeks, I should consider that we were approaching such a moment—there does come a moment when perhaps Government procurement has to be considered in a somewhat different light for the life of the emergency. There comes a time when a Government contractor is not in the role of a beneficiary, which is the Senator's word, and is not enjoying a benefit, which is the Senator's word, as a result of his Government contract. On the contrary, he is merely performing what is required of him in respect to the sum total of the public necessity.

Mr. President, in view of that situation, since the only objections I can find in the complaint of the War Department and the Navy Department are against title II, and since the Senator from Wisconsin says that title II is essentially only supplementary to title I, I suggest to him that it seems to me he would be in a far stronger situation, in the light of the emergent situation which is constantly being urged upon us from day to day, if he were to consent to the elimination of title II.

Mr. LA FOLLETTE. Mr. President, personally I should hesitate to state that I could willingly eliminate, or that I would rush out to meet with open arms the suggestion to eliminate, title II, because I say to the Senator in all seriousness that it seems to me that if it is the policy of the Government that certain practices shall not be indulged in, the Government ought to utilize legitimate means at its command to see that they are not indulged in. Of course, however, if the Senator were to say to me, "Would you rather have the bill passed with title I alone, or have it defeated?" I should have to say that I would much prefer to have title I, because, as I stated in my answer to the Senator, title I contains the enabling provisions of the bill. It defines the practices which are prohibited. It sets up the general enforcement policy. Title II, I think, is amply justified by precedent and by practice; but, so far as I am concerned, if I felt that the elimination of title II would assist in the enactment of the measure, I regard it as such a step forward to eliminate these practices which have been festering cancers on the relationship of employer and employee for generations that I would, of course, have to say frankly to the Senator I would prefer to have half a loaf than no bread.

Mr. VANDENBERG. Mr. President, the Senator, as usual, has been completely frank about the situation. That is what we all like about him—his dependable candor. I think I probably have asked a little too much of him when I asked him if he would accept the deletion of title II. Still, our colloquy discloses—what shall I say?—a reasonable meeting of minds as to the possible advisability of the elimination of title II.

Again I say that it is perfectly logical, as a matter of general practice, that the provisions of this bill should apply to Government contracts just as much as to private contracts; yet I cannot escape reverting to the fact that in a national emergency—and I have voted about $3,000,000,000 in the past week, as I recall, on the theory that we are in a national emergency—it seems to me that in a national emergency there may come times when it is necessary to permit a wider latitude in dealing with Government contracts than in dealing with ordinary private contracts in the private pursuit of private business.

It seems to me it is perfectly obvious that the Secretary of War and the Secretary of the Navy have that situation in mind, from the letters which they have filed; and it was over a year ago they filed them, and I am sure they would be infinitely more vehement on the subject today. I am sure that they had that in mind in the letters they filed, and in the face of the present circumstance and in the light of the Senator's own statement regarding the relative lack of need for title II, I shall move to strike out title II.

The PRESIDING OFFICER (Mr. HILL in the chair). The bill is still open to amendment.

Mr. GEORGE. Mr. President, did the Senator from Michigan move to strike out title II?

Mr. VANDENBERG. I thought I moved to amend the bill by striking out title II.

The PRESIDING OFFICER. The Chair understood the Senator from Wisconsin really had the floor.

Mr. LA FOLLETTE. No, Mr. President; I have merely gotten in the habit of standing this morning.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Michigan.

The CHIEF CLERK. It is proposed to strike out title II, as amended, beginning on line 1, page 17, through line 4, page 21.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan to strike out title II, as amended.

Mr. BARKLEY. Mr. President, it seems to me there should be a quorum present. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

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

The question is on agreeing to the amendment offered by the senior Senator from Michigan [Mr. VANDENBERG] to strike from the bill title II as amended.

Mr. VANDENBERG. Mr. President, I find that my motion includes the separability clause, beginning in line 19, page 20, and running to the end of the bill. Therefore, I wish to amend my amendment, so as to strike out title II down to and including line 20, on page 20, leaving the separability clause.

Mr. BARKLEY. That should not constitute a separate title; it should be transposed to title I.

Mr. VANDENBERG. That is correct; the separability clause should be transposed to title I.

Mr. LA FOLLETTE. Mr. President, I understand that would be the effect if the Senator's motion should prevail. The separability clause would then follow section 10 of title I, and unanimous consent would have to be obtained for the renumbering of the sections, which I intend to ask at the appropriate time, in any case.

Mr. President, in the interim, since the Senator from Michigan offered the amendment, I have been afforded an opportunity to consult with the Senator from Utah [Mr. THOMAS], who is co-author with me of the pending measure, with other members of the committee, and with other Senators who have given consideration to the bill. I am prepared now to state that I shall not resist the amendment of the Senator from Michigan.

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

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. I may state to Members of the Senate, and the Senator from Wisconsin will recall, that last week I conferred with the Senator from Wisconsin with reference to the advisability of attempting to retain title II in view of certain fears entertained by Members of the Senate. Frankly, I do not entertain those views, and I would be the last person to take advantage of the situation which has developed in the last 2 or 3 weeks to advance any specious reasons for disposing of any part of the bill, or the bill itself. However, inasmuch as we have the Walsh-Healey Act, which is unamended, and in all probability will remain unamended, and be in its full force and effect, does the Senator from Wisconsin feel that circumstance minimizes the importance of title II in the pending bill, if the presence of title II creates such honest, sincere fear on the part of Senators that they would prefer not to have it at this time?

Mr. LA FOLLETTE. Mr. President, I will say to the Senator from Kentucky that he has stated correctly the situation. We felt at the time the bill was introduced, and when it was reported, and I still feel that title II was a logical part of the bill. But I am forced in frankness to admit that it is only supplementary and secondary to title I, and upon the statement of the Senator from Kentucky and other Senators, such as the Senator from Michigan, who has a real apprehension of the effect of title II, I shall not oppose the amendment offered by the Senator from Michigan.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan [Mr. VANDENBERG] as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILEY. Mr. President, I desire to call my colleague's attention to page 4, paragraph (g), which reads as follows:

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

At this time, Mr. President, I move to strike out the language "regardless of whether the disputants stand in the proximate relation of employer and employee."

The other day when I spoke on that subject I mentioned that I thought that language had no place in the bill. If the purpose of the bill were as stated in the previous pages, we have no right to legislate a third party into this set-up.

So, Mr. President, I move that the language "regardless of whether the disputants stand in the proximate relation of employer and employee" be stricken.

The PRESIDING OFFICER. The amendment of the junior Senator from Wisconsin [Mr. WILEY] will be stated.

The CHIEF CLERK. On page 4, line 16, after the word "employment", it is proposed to strike out "regardless of whether the disputants stand in the proximate relation of employer and employee."

Mr. LA FOLLETTE. Mr. President, I am very sorry not to be able to agree with the amendment proposed by my colleague. The language in question is taken verbatim from the Norris-LaGuardia Anti-Injunction Act, and if the amendment should prevail it would eliminate from the provisions of the bill disputes growing out of the attempt to organize plants which are not now organized.

It seems to me, inasmuch as the records show a very substantial number of labor disputes growing out of the issue of organization and recognition, that we should not take such action as would eliminate that large category of labor disputes from the provisions of the oppressive-labor-practices measure, and I hope the amendment will not be agreed to.

Mr. WILEY. Mr. President, here in the Congress of the United States, by legislative methods, we confuse much of our thinking. What is a labor dispute? A labor dispute, I will agree, is a controversy in relation to the matters herein stated between labor and the employers. By the proposed legislation I think we virtually put labor out on a limb. Personally, I think it is a serious thing, in this period, to extend the literal and actual meaning of "labor dispute" to a point where it does not imply any controversy between labor and the employer. Under this definition it can apply to a thousand different things, and the result would be confusion and worse confusion. My amendment would simplify the situation. I am sure that any person who has been engaged in labor would want to see this language stricken out for the simple reason that if he, or his committee, or his agent, should have any difficulty with the employer, he would want to negotiate the dispute. He would not want anyone from outside—any "red" or Communist or someone else—to interject himself into the picture to make a labor dispute, when he has nothing to say about it.

Mr. President, I believe the amendment should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the junior Senator from Wisconsin [Mr. WILEY].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. REYNOLDS. Mr. President, I desire to ask for reconsideration of the vote by which my amendment, which I

offered several days ago in the form of Senate bill 1970, as amended, was agreed to today.

First, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

The PRESIDING OFFICER. Eighty-three Senators have answered to their names. A quorum is present.

Mr. REYNOLDS. Mr. President, as I stated a moment ago, I ask for reconsideration of the vote by which my amendment, as amended, was agreed to. I refer to an amendment which I offered the other day to the measure known as Senate bill 1970. That amendment provided that any manufacturer in the United States must employ 90 percent American labor, and that only 10 percent of the labor so employed might be of the alien type. My amendment provided that aliens who have made application for American citizenship should be given preference. It merely provided that American workmen should have the first oportunity to get work in this country.

Mr. President, I shall not make a long speech on this subject. I shall relieve my colleagues of that burden. They all understand the situation. I have spoken about it numberless times. I am simply asking that our poor, unfortunate unemployed laboring people, in whom I am interested, be given work before we give work to any aliens. By aliens I mean those who are not citizens of the United States. My amendment would give 90 percent of the work to Americans, and the other 10 percent to aliens who are not citizens of the United States but who have made application for citizenship.

My distinguished and beloved friend, our able leader of the majority [Mr. BARKLEY], offered an amendment which provided that any alien who, 6 months prior to making application for work, had made application for citizenship, should be placed in the same category with American citizens. I am asking for reconsideration of that vote; and the only reason in the world why I am asking it is that again I shall try to do something for American citizens. I think they are entitled to preference, and I therefore ask for reconsideration.

The PRESIDING OFFICER. The question is, Will the Senate reconsider the vote by which the amendment of the Senator from North Carolina, as amended, was agreed to?

Mr. REYNOLDS. On that question I ask for the yeas and nays.

Mr. BARKLEY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that the Senator's amendment as amended was agreed to.

Mr. REYNOLDS. I understand; but I did not vote for my own amendment. I did not vote for it because it was not worth anything. After the Senator's amendment was agreed to, my amendment was killed. The Senator's amendment put aliens on the same basis with American citizens, and I did not vote for my amendment. If I had voted at all, I should have voted against my amendment, because I am voting for American citizens first, after which, if there is anything left, I shall vote for aliens.

The PRESIDING OFFICER. The question is, Will the Senate reconsider the vote by which the amendment of the Senator from North Carolina, as amended, was agreed to? (Putting the question).

Mr. REYNOLDS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARRISON. Are the yeas and nays demanded?

The PRESIDING OFFICER. The yeas and nays are demanded by the Senator from North Carolina.

Mr. HARRISON. Was not the motion of the Senator from North Carolina agreed to?

The PRESIDING OFFICER. The Chair did not announce the result. Before the Chair had an opportunity to make any announcement of the result, or to complete the count, the Senator from North Carolina asked for the yeas and nays.

Mr. BARKLEY. Mr. President, in order that the rules may be observed, I simply call attention to them. The Senator from North Carolina would not be eligible to move to reconsider if he voted against the amendment. Only a Senator who did not vote, or who voted in favor of the amendment, would be eligible to move for reconsideration.

Mr. REYNOLDS. I did not vote for the amendment.

Mr. BARKLEY. I thought the Senator voted.

Mr. REYNOLDS. No; I did not vote for my amendment. I would not vote for such an amendment.

Mr. BARKLEY. I understood the Senator to say he voted against the amendment. If the Senator voted against the amendment he would not be eligible to move to reconsider, because only those voting on the prevailing side, or those not voting, are eligible to move for reconsideration.

Mr. McKELLAR. Mr. President, I was not present, and I will make the motion.

The PRESIDING OFFICER. The Chair will advise the Senate that when a viva voce vote is taken, and there is no roll call, the uniform rule is that any Member of the Senate may move for reconsideration.

Mr. McKELLAR. If there is any trouble about it, I was not present, and I will make the motion.

Mr. BARKLEY. I thought the Senator from North Carolina a moment ago stated that he voted against the amendment. That is why I raised the question.

Mr. REYNOLDS. I voted against the Senator's amendment. According to my ears, I was the only one present who voted against the Senator's amendment. I am now asking for a record vote on the question, because I want the people of the country to know how I stand.

Mr. BARKLEY. I have no objection to the reconsideration of the Senator's amendment; and I have no objection to reconsidering my amendment to it.

Mr. REYNOLDS. I thank the Senator very much.

Mr. BARKLEY. I simply did not want to get into a parliamentary situation which might be a precedent for the future.

Mr. REYNOLDS. That being the case, if it be in order, I ask for the yeas and nays on the amendment of the Senator from Kentucky.

Mr. GEORGE. Mr. President, if the Senator from North Carolina will pardon me, I submit a unanimous-consent request for the reconsideration of the vote by which the Senator's amendment, as amended, was agreed to, and for reconsideration of the vote by which the amendment offered by the Senator from Kentucky to the Senator's amendment was agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia that the vote by which the amendment of the Senator from North Carolina, as amended, was agreed to be reconsidered, and also that the vote by which the amendment of the Senator from Kentucky to the amendment of the Senator from North Carolina was agreed to be reconsidered? Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Kentucky to the amendment of the Senator from North Carolina.

Mr. REYNOLDS. On that question I ask for the yeas and nays.

Mr. BARKLEY. Mr. President, on that subject I do not care to take any time. The fact is that while the bill has been under consideration this matter has already consumed more time than its importance justifies. I do not care what the Senate does with it. It is not a vital matter one way or the other.

Mr. REYNOLDS. Will the Senator withdraw his amendment?

Mr. BARKLEY. No; I did not mean to do that. The only reason why I offered the amendment was that I thought, in fairness, aliens who have come here and have started the process of becoming citizens of the United States ought to be encouraged and ought not to be banned from employment. If the Senate does not feel that way about the matter, it does not make any difference to me. I was actuated purely by what seemed to me to be a sense of fairness. It seems to me we ought to hold out some encouragement and sympathetic consideration to those who are here legally and who are attempting to become citizens of the United States. But if the Senate wants to place those in the same category with all other aliens, it has a right to do so, and I hope the question can be passed on without further delay.

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

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Tennessee?

Mr. BARKLEY. I yield.

Mr. McKELLAR. As I understand, the amendment of the Senator from North Carolina would give aliens who have taken out their first papers and declared their intention to become citizens a preference. What the amendment of the Senator from Kentucky would do would be to say to all aliens, "All you have to do to be put on a similar basis with citizens is to take out your first papers, to make your application for citizenship. Whether you ever complete the application or not is immaterial; all you have to do is to take out your first papers and then, or after a period of 6 months, you will be entitled to the same privileges as citizens."

Mr. BARKLEY. The amendment requires that the alien must have made application for citizenship not less than 6 months prior to making application for a job.

Mr. McKELLAR. Well, not less than 6 months; but the alien may have been here 10 years, he may have been here 20 years, he may have been here 40 years, and if he finds that he is likely to lose his job, in order to save his job, he will merely make application for citizenship, let it stand for 6 months, and then he can go back to work. I do not think it is fair to American citizens; I do not think we ought to be that gracious to aliens who have heretofore refused to take out citizenship papers. The amendment to the amendment would not require the alien to become an American citizen. It would only require him to take the first step. He may never take another step in the matter. The Barkley amendment simply provides an easy method of making the Reynolds amendment inoperative. I certainly hope the amendment will be rejected.

Mr. BARKLEY. I do not think it is sufficiently important to take up 5 more minutes in talking about it; it has already occupied much more time than I anticipated it would occupy. It is true that an alien who has been here longer than 6 months could make application for citizenship and come under the amendment, but the 6-months provision was put in in order that aliens might not rush in and file their first papers. I doubt very much if there would be many of them anyway, and if the Senate feels that aliens who have come, and are coming here legally, and have been here legally, and have made efforts and are making efforts to become citizens of the United States ought not to be put in a different category from those who do not try to become citizens, the Senate will vote this amendment down.

Mr. REYNOLDS. Then, will the Senator withdraw his amendment to the amendment in order to save time?

Mr. BARKLEY. No, I will not withdraw it; let the Senate vote on it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the amendment of the Senator from North Carolina [Mr. REYNOLDS]. The Chair will inquire if the Senator from North Carolina insists on his demand for the yeas and nays?

Mr. BARKLEY. Let us have a vive voce vote.

Mr. REYNOLDS. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky to the amendment of the Senator from North Carolina.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from North Carolina [Mr. REYNOLDS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. REYNOLDS. Mr. President, I send to the desk another amendment and ask the clerk to read it.

The PRESIDING OFFICER. The amendment will be stated.

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

SEC. 301. After the date of enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have in his employ any alien, Communist, or member of any Nazi-bund organization; and each such person shall require each of his employees to make affidavit to the effect that he is not an alien, a Communist, or a member of any Nazi-bund organization. For the purpose of this section the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

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

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

Mr. REYNOLDS. Mr. President, that amendment simply provides what it says—that no member of the Communist Party or a member of a Nazi-bund organization may be employed under the terms of this bill, and a violator of the provision would be subject to a fine of $10,000, or 5 years' imprisonment or both. Any Nazi in this country who belongs to an organization which is opposed to our form of government, any Communist in this country who is opposed to our form of government certainly constitute members of the "fifth column," and I do not think that the taxpayers of the United States of America are in anywise obligated to support Communists and Nazis who are constituting the "fifth column" and are trying to destroy our Government which we are now at this critical hour trying to preserve.

I bought a newspaper a few minutes ago and thought perhaps I would find something therein interesting to bring to the attention of Members of this body. I read with interest and much inspiration under the heading "F. D. says 'fifth column' is no idle dream" the following:

President Roosevelt proposes a partnership of Government capital with private industry in the vast national-defense program in which the Nation is engaged today. He said it would be accompanied by great reemployment.

Here is a little subhead:

WARNS OF TREACHERY

The program was outlined by the President last night in a fireside talk ominous with warning that we must deal vigorously with "spies, saboteurs, and traitors."

The "fifth column"—the Trojan horse—is no idle dream, Mr. Roosevelt said.

"New forces are being unleashed," ran the warning, "deliberately planned propaganda to divide and weaken us in the face of danger as other nations have been weakened before."

He repeated that "our own American hemisphere is threatened by forces of destruction."

Mr. President, I wish to repeat before I ask for a vote on the amendment that at this time I certainly do not think the American taxpayers, many of whom claim that they are now overburdened with taxes, are under any obligation whatsoever to support or to provide work or remunerative employment for a lot of Communists who are controlled from Moscow; I do not think that the American taxpayers are under any obligation to support a lot of Nazis who belong to organizations that are controlled from Berlin. I therefore ask that we as legislators prohibit Nazis and Communists from employment under this bill, for I do not think that we should insult the American people by even permitting opportunity for employment of Communists and Nazis who are working like termites, night and day, to destroy our Government. I therefore ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Carolina [Mr. REYNOLDS].

Mr. LA FOLLETTE. Mr. President, I desire to appeal to the Senator from North Carolina not to press his amendment to the pending bill. I do not propose to discuss the merits of the Senator's amendment, but I should like to point out to him that the Judiciary Committee of the Senate has authorized the report of a measure which deals, as I understand—although I am not a member of the committee—with the whole question of aliens and their registration and control in the United States. So I appeal to the Senator to withhold his amendment from this bill and to take advantage of the Judiciary Committee measure, which will be taken up for consideration and to which his amendment will clearly be properly in order and germane.

One of the things I fear, Mr. President, if this bill should have the good fortune to be passed by the Senate, is that when it reaches the other House, where jurisdiction between committees is perhaps even more tightly drawn than it is in the Senate, there will be a controversy over which committee should properly have the bill under its supervision and control. The Senator will have full opportunity to present his amendment later, for it is my understanding—and I should like to ascertain from the Senator from Kentucky if I am not correct—that the bill which the Judiciary Committee has had under consideration and which it plans to report will be taken up for consideration in the very near future by the Senate.

Mr. BARKLEY. Undoubtedly.

Mr. LA FOLLETTE. All the other amendments, the importance of which, of course, the Senator has emphasized, will be properly germane to that bill. I appeal to the Senator not to press the pending amendment to this bill, but to offer the series of amendments which he has on this subject to the other bill which will deal with this whole subject matter. That, it seems to me would be the logical legislative procedure.

Mr. HOLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Oregon?

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

Mr. HOLMAN. I desire to inform the Senate that the devastating labor troubles which we recently had on the Pacific coast were fomented and guided and conducted by aliens; and I think the proper place to put this amendment is in this labor bill.

Incidentally, I notice that the whole bill has to do with the regulation of employers, of pay-roll makers, and it forbids inquiry in certain respects into the views of pretended workers; yet how is an employer otherwise to protect himself from the terrible things that happened in Oregon—acts of personal violence and destruction of property—where in some cases there was no quarrel between employers and employees, no question of hours of labor or working conditions or rates of compensation; but there was a jurisdictional fight between racketeers of honest labor, and honest labor was intimidated, and mills were burned down, workers beaten up, and stink-bombs were thrown into restaurants?

There is no consideration given under this bill to the protection of operators, of pay-roll makers.

I am a friend of honest labor. I have operated a union shop. I am a pay-roll maker, and I was a pay-roll worker before I was a pay-roll maker. I have never had labor trouble; but out on the Pacific coast labor trouble was forced upon us. We may not have cared whether we used C. I. O. labor or A. F. of L. labor; yet I know one particular employer who lost $100,000 in 90 days through violent labor tactics, and yet he had no quarrel with his pay-roll men. He just wanted to find out what the law was; but if he worked with one force, the other group which controlled the transportation facilities would not handle his material; and if he worked with the other group, the longshoremen who belonged to another group would not handle his material; and, mind you, these labor troubles were all directed by alien leaders, men who were not citizens of this country.

I think the proper place for the amendment of the Senator from North Carolina is in this bill.

Mr. REYNOLDS. Mr. President, I very much dislike even to appear disagreeable. One of the greatest difficulties I have experienced in life is learning to say "No." Many times in this forum I have had in mind amendments, and many times in this forum I have offered amendments, and colleagues of mine for whom I have a very deep affection—and that includes every man in this body, without a single exception—have requested me to withdraw them, and at their request or suggestion I have withdrawn, or have failed to offer, those amendments as intended and contemplated.

In this instance I do not want to be disagreeable. I have the greatest regard and the highest respect and a very deep affection for our most able colleague who sponsors this bill; but I am so deeply interested in saving our Government, I am so deeply interested in taking care of our own unfortunate unemployed in this country, that I really cannot, with conscience, withdraw the amendment.

I am very much indebted to the able junior Senator from the Western State of Oregon, on the Pacific coast, for the contribution he has made to this debate, in that particularly he said that of all places where this amendment should apply, the most logical is in this particular bill, because it is a bill interesting itself in the welfare of labor.

I know the American people. I am fortunate in knowing how the American people feel. I know that our American workers, who are the most patriotic of all citizens of our country, do not want to be placed in the position of working side by side with Communists, men who they know are trying to destroy the Government of their forefathers, or the Government of their selection if they are naturalized American citizens. I know that those God-fearing American citizens, whether native-born or naturalized, do not want to work side by side with Nazis, members of the bund, whose organization with which they are affiliated is controlled from Berlin, as are the Communists controlled from Moscow. For the protection of our American labor, who are appealing to us for protection and whom we know to be entirely patriotic, I am appealing to this body. I am asking that we, who have the authority so to do, provide protection for our American citizens, native-born or naturalized, by outlawing and prohibiting the employment of Communists who want to destroy our Government, and Nazis who are forming a "fifth column" while working side by side with American citizens.

Therefore, with apologies to my distinguished friend, I must decline to comply with his request, as much as I should like to favor him. I am really embarrassed, I am really regretful, I am really sincerely sorry that I cannot favor him by complying with his request at this time, because, after all, the greatest satisfaction that any of us derive from life is by complying with the requests of our friends, and doing something which will please those for whom we care.

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

Mr. REYNOLDS. I yield.

Mr. VANDENBERG. I am asking the Senator for an interpretation of the language of his amendment. It seems to read in a fashion which prohibits the employment of any

alien, regardless of whether he is a Communist or a Nazi or anything else—any alien.

Mr. REYNOLDS. No; I am perfectly willing to have that provision stricken out, because it was covered in the other amendment.

Mr. VANDENBERG. I thought the Senator just had an amendment adopted which permitted a 10-percent employment of aliens.

Mr. REYNOLDS. Yes; I thank the Senator very much for having brought that matter to my attention, because I will eliminate that provision from the amendment. That matter is covered in the other amendment. I ask for the withdrawal of the alien portion of the amendment. I am indebted to the Senator from Michigan.

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

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Wyoming?

Mr. REYNOLDS. Certainly.

Mr. SCHWARTZ. I did not understand the full import of the Senator's amendment. I should like to ask him a question. Does it require that all laborers and employees in the United States who are engaged in the manufacture of goods which go into interstate commerce shall file affidavits that they are not Nazis or Communists?

Mr. REYNOLDS. The amendment, if enacted, will make it mandatory upon the part of employers to have all of their employees make sworn affidavits to the effect that they are not members of the Communist Party or affiliated with the Nazi Bund.

Mr. SCHWARTZ. So that every laborer in the United States, under this bill, must make such an affidavit?

Mr. REYNOLDS. Every employee of an industry which is engaged in interstate commerce.

Mr. SCHWARTZ. That will be seven or eight million American laborers.

Mr. REYNOLDS. No doubt.

Mr. SCHWARTZ. Why does not the Senator also include all employers? Why assume that all the "fifth columnists" are necessarily men of labor?

Mr. REYNOLDS. I am perfectly willing to include employers. I shall be delighted to have them included.

Mr. SCHWARTZ. I would put them in, too.

Mr. REYNOLDS. If the Senator will offer an amendment to that effect I shall be delighted to accept it, because, as a matter of fact, I think all employers should be included. I shall be very happy to do that.

Mr. SCHWARTZ. All employers, and all officers and directors of corporations.

Mr. REYNOLDS. I shall be very glad to accept an amendment that will cover them, too.

Mr. SCHWARTZ. Let us cover them all while we are at it.

Mr. REYNOLDS. Let me make a suggestion to the Senator. This is my amendment. I am interested, with the Senator, in obtaining all possible information on this subject. We want to know who is affiliated with the Nazi organization in this country. We want to know who is affiliated with the Communist Party in this country. We should know these things, according to the President of the United States, who says there is great danger. The Attorney General of the United States, the executives of our Government, say we should know. We are going after those who are affiliated with and who are members of the "fifth column." I respectfully suggest to the Senator that he prepare and offer an amendment in respect to the employers, as I have prepared and offered an amendment in respect to the employees. I say to the Senator that I will gladly support his amendment, and I will vote for it.

Mr. SCHWARTZ. If the Senator will further yield, the objective of the President and the Attorney General is just as the Senator says; but they have not suggested that all American labor be required to come forward and make affidavits that they are not good citizens.

Mr. REYNOLDS. Oh, that is not it. Let me ask the Senator, How would it be possible otherwise to get the information?

Let me make an assumption at this time. If I may be permitted to assume that the able Senator from Wyoming is an employer who is preparing to employ 500 men, and the able Senator from Wyoming is not desirous of employing any Communists or any of those who are affiliated with the Nazi bund—that is to say, those who are opposed to our form of government, and are forming a "fifth column"—how would the Senator ascertain whether or not any of those 500 men were members of the Communist Party, or whether or not they were affiliated with the Nazi bund, unless he directed inquiries to them? He could not tell by looking at a man.

Mr. SCHWARTZ. If it were a case of 495 employees, we could probably find that there were 3 or 4 who should be watched, and I think the general machinery of the Government, which we already have, or are now setting up to keep track of such men, would move into action, and we would locate those who were not good Americans.

I made a suggestion as to the other amendment, and possibly I had in mind that the amendment might be weighted down by another amendment, and I will not offer an amendment to the amendment, but will leave the amendment as it is; I shall, however, be unable to support it.

Mr. BARKLEY. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. BARKLEY. I do not know to what extent it is true, but I have been told that there are in this country many aliens, noncitizens of the United States, who have probably been driven out of their own countries, who have had means and have established factories, and are now operating industries in this country, employing large numbers of American citizens, as well as some, probably, who are not citizens. What, if anything, should be done with respect to such a situation as that?

I mention that only to call attention to what seems to me to be the unwisdom of attempting to write a code for aliens on the floor of the Senate, without the consideration of a committee, and without going into all the ramifications of the subject. As suggested by the Senator from Wyoming, it is a little unfair to assume that every alien in this country who has to earn his living in the sweat of his brow is more responsible for any misconduct than some who may supervise him, or who may be operating industries in this country, who may or may not be in sympathy with our institutions—and I am not saying that any of them are not. If we are to provide by law that no one who is an alien may work in a factory in this country except under certain conditions, has the Senator given any consideration to the fairness and wisdom of attempting to say that no one who is not a citizen shall operate an industry in this country? Can we inveigh against the more unfortunate portion of the alien population and leave those who are more fortunate untouched?

Mr. THOMAS of Utah. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I am delighted to yield.

Mr. THOMAS of Utah. As I stated last week in discussing the Senator's amendment in regard to aliens, the committee which reported the pending bill spent many years—that may seem to be an exaggeration, but, literally, we spent many years—in making investigations, learning of the ills in industry, and attempting to frame a law which would overcome those ills. Hearings were held, and the bill was framed in accordance with ideas suggested by the best minds we could find in our Government to offer suggestions about the proposed law.

We are now faced with amendments which go into an entirely different field, a field which in law is as complex as can be found, namely, the citizenship field. One amendment has been adopted which would make it impossible for employers to employ aliens to the extent of more than 10 percent of all of their employees.

We have forgotten that the people of the United States cannot be divided into these two classes without doing tremendously great injustices. There are people in the United

States who cannot become citizens of the United States although they have been here through three generations. They are barred from citizenship; they are barred from employment. We have, for example, a great number of persons who are classified as "nationals" of the United States, but these persons are not citizens, probably are not aliens, but under the pending amendment they would have to be classified as aliens.

I repeat, the objective, namely, trying to give American citizens primary consideration in employment, is a very good objective, and no one can talk against it. Now comes a further amendment the objective of which is probably equally as good. If there are in the United States persons who are trying to destroy our industry, who are trying to undermine the American Constitution and the American habit of life, of course we do not want them in the United States; but, after the number of hearings we have held in regard to spying, after we have learned how little the word of a man counts and how easy it is for a spy to lie, I ask the Senator from North Carolina whether he imagines that a man who is seeking employment in the United States for the purpose of destroying American industry or for the purpose of destroying the American Government—let us put it boldly, an international spy, a man who is here to do harm, to bring about sabotage, or something of that kind—will make a declaration of his objectives?

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

Mr. THOMAS of Utah. I yield.

Mr. HOLMAN. In response to the inquiry, I will cite a case. In Astoria, Oreg., the Communists have a hall. The local relief board ordered all Communists stricken off the relief rolls. It was known who they were because they had a hall and they met there. Mr. Aubrey Williams, a director of Federal relief funds and now a high official of government under the present administration, then ordered the Communists put back on the relief rolls, with the alternative that if they were not, the Federal Government would withdraw its financial support.

Mr. THOMAS of Utah. Mr. President, incident after incident of that kind may be cited, but we are dealing here with an amendment which suggests that those who wish to do just the kind of thing the Senator from Oregon has mentioned, shall declare in advance that they will do that sort of thing.

The Senator from Oregon has called attention to the fact that jurisdictional disputes in his State caused much of the labor trouble. I will go even further and say that they have caused probably all the labor trouble. Then the Senator says that all that trouble, caused by a jurisdictional dispute, was brought about by foreigners. Admitting that it was, this amendment would not affect such persons. The leaders of those labor unions are not employees. They make their living by being employed by labor unions.

The point I wish to make is that if it is difficult, as we have discovered it is difficult, to deal with any kind of spy legislation, it is much more difficult to seek to deal with the easiest kind of spy legislation, which has to do with industrial espionage, than it is to deal with the grossest kind of spying, which has to do with international espionage.

Will it be assumed that anyone would actually admit, if he were a spy, or if he were going into a plant, that he was there to destroy the plant, or that he was a Communist? How is one ever to discover whether or not such things are true? The truth cannot be ascertained.

Mr. President, if it has been assumed that it is good practice in the United States, in the consideration of proposed laws, to let them come out of committees after hearings, and if we have a bill which has gone through all the preliminary procedure, and still we find the bill, so far as the Senate is concerned, objected to, which is perfectly proper, and find that the authors of the bill have accepted an amendment that title II be withdrawn, even though the authors of the bill have known that title II merely contains what is already for the most part provisions of previous national legislation and national practice, extending the practice somewhat, what should be thought of a proposed amendment as complex as is the amendment of the Senator from North Carolina? Would we expect it not to give trouble when the legislation reaches the courts, or when it is attempted to enforce the law?

Mr. President, if we cannot classify the people of the United States into citizens and aliens without doing tremendous and great injustices, how in the wide world can we frame constructive legislation which will help in accomplishing the objectives which the Senator from North Carolina desires to accomplish, if we pass a law which we know is perfectly easy to be broken by those who are already breaking our laws, those who are probably already in the United States, not of right, who got here in some illegal way, and who would probably be deported from the United States if they were discovered? How can we assume that we can ever correct such an evil merely by asking an employer to get a declaration from an employee?

Mr. President, I may reiterate what the Senator from Wisconsin has said. The Judiciary Committee of the Senate has had under consideration a complicated measure governing immigrants. It will probably do all that has been suggested by the Senator from North Carolina, and yet it will be written in such a way as to stand up in our courts and in the practices of our land.

Is it not, as the Senator from Wisconsin has said, more in keeping with the way the Senate of the United States carries on, and should carry on, to leave those matters which relate to immigration and naturalization to the Committee on Immigration, and to leave to the Judiciary Committee those matters which that committee handles, and let us have the committee's consideration of such questions?

Mr. HILL. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Does the Senator from Utah yield to the Senator from Alabama?

Mr. THOMAS of Utah. I yield.

Mr. HILL. In reference to what the Senator has just stated, as I understand the amendment, it provides that every employee of any factory, or any shop, or any plant, engaged in the production of any goods that may in any way go into interstate commerce, must make an affidavit, a sworn statement, that he or she is not an alien, or a Communist, or connected in any way with the Nazi organization.

Mr. President, I recall that several years ago the Congress placed a provision in a bill requiring every school teacher in the District of Columbia—not to make an affidavit, but as I recall, to make a certificate to the effect that that teacher did not belong to any un-American or anti-American society or organization. I recall that the great loyal and patriotic body of school teachers in the District of Columbia deeply resented that provision in the law. They felt that it was a reflection upon them, that it placed a stigma, so to speak, upon them. Why should those teachers have been picked out to make certificates to the effect that they were loyal and that they belonged to no anti-American or un-American society or organization?

Mr. President, I have the feeling that the many fine, splendid, loyal, and patriotic employees by the thousands and the millions throughout the United States will resent the fact that they are picked out to come forward and make affidavits to the effect that they do not belong to any subversive organizations or societies. They will ask why we question their loyalty. They will ask why we question their patriotism when we do not question the loyalty or patriotism of any one else.

Mr. President, what occurred with respect to the school teachers illustrates clearly what the Senator from Utah has said. We are all in agreement in our great desire to wipe out any un-American activities, but we must be very careful and very cautious in framing legislation of this character. We do not wish to reflect upon any loyal, patriotic, devoted citizens. We do not wish to cast aspersions upon them or upon their patriotism.

After reflection, and upon mature consideration, the Congress of the United States, in its wisdom, repealed the so-called pink rider with respect to the school teachers of the District of Columbia. The Congress realized that whatever might have been the good intent or the good purpose behind the "pink rider," it did an injustice, in that it cast a shadow or reflection on the great army of loyal, devoted, and patriotic teachers in the District of Columbia. So we repealed that rider.

Now, as the distinguished majority leader [Mr. BARKLEY] has assured us this afternoon, there will be, on the floor of the Senate within the next few days, a bill which has been carefully studied and carefully drawn by the Senate Committee on the Judiciary, and which deals with the very subject in question. I hope the Senator from North Carolina will withdraw his amendment from the pending bill; give it further thought; give it further study; and then offer it to the bill which will soon come before the Senate, which deals directly and specifically with the very problem with which the Senator wishes to deal.

Mr. President, knowing my able and distinguished friend from North Carolina as I do, I feel that he surely would not want to offer an amendment, or see the Congress adopt an amendment, which not only any body of patriotic American citizens, but any single patriotic American citizen, loyal to his country and loyal to his flag, would feel was a stigma or a reflection upon them by the Congress of the United States, or by the Government of the United States.

The illustration I have cited with respect to the so-called pink rider applying to the school teachers of the District of Columbia is exactly in point. In our wisdom, and in our sense of justice and fair play, we saw fit to repeal that rider.

Let us not make the same mistake, the same error, now. Let us remember above everything else in this world, that there is nothing which an American citizen prizes more than his good name, his loyalty to his country and to his country's flag. No matter how pure, or how patriotic, or how devoted our motives may be, we cannot afford to take any chance of doing anything wrong by casting aspersions, or placing a stigma, or even a shadow upon the name of any loyal American citizen.

Mr. President, I hope the Senator from North Carolina will not insist upon his amendment. I hope, as I have stated before, that he will withdraw his amendment, study it, and work over it carefully, and then when the bill from the Senate Committee on the Judiciary comes before the Senate within the next few days he may place in that measure an amendment which has been carefully studied. I do not wish to do anything that might constitute a wrong or an injustice to the thousands and millions of loyal, devoted, patriotic employees in factories and plants, or which might be considered by them or by anyone else as raising any question as to their loyalty or their patriotism or the devotion to our country.

Mr. THOMAS of Utah. I thank the Senator from Alabama.

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

Mr. THOMAS of Utah. I yield to the Senator from Connecticut.

Mr. DANAHER. I direct my remarks particularly to the attention of the Senator from North Carolina, if I may, with the permission of the Senator from Utah. I should like to call to the Senator's attention the fact that the Senator from Texas [Mr. CONNALLY], the Senator from Arkansas [Mr. MILLER], and I have held hearings on the bill providing for the registration of aliens; that we have in subcommittee sessions met for many long hours considering the intricacies and the complexities of that problem; that the full Judiciary Committee this very morning met and spent several hours considering a bill which presently will be reported to the Senate; that at this very minute working in cooperation with chosen officers of the Immigration and Naturalization Service we are attempting to frame legislation which will in a practicable, feasible, and adequate manner, cover the problem involved. I call these circumstances and facts to the attention of the Senator from North Carolina in order that he may realize there are Senators who are fully cognizant of every phase of the problem to which he has adverted in days past, and who are attempting to meet it in the best way they know how.

Mr. President, with those thoughts, I ask the forbearance of the Senator from North Carolina, so that no hastily considered legislation will be offered to the pending bill or acted upon with reference to it.

I thank the Senator from Utah, and will be happy to answer, if I am able, any questions, if any there be, in reference to what is in contemplation.

Mr. THOMAS of Utah. I thank the Senator from Connecticut.

Mr. President, I do not wish to take up too much of the time of the Senate with regard to the amendment or the bill, because both have been covered. However, I wish to say that the amendment is the type of thing which hits at the heart of the best of Americanism. The glory of the American Government and of the American scheme comes from the fact that for the first time in the history of the world a government was set up under which persons and individuals were given rights and privileges. The genius of the American Government is not that the majority shall rule, but that the minority shall be protected. If there are wrongdoers, those are the persons against whom the Government is supposed to move, and not against a class. Every time we have tried to classify our people we have done an injustice, because wrongdoing is not done by classes, but by individuals. To assume that an alien who does a wrong is any worse or any better than a citizen who does a wrong is to make an assumption contrary to the fundamentals of our whole lawmaking scheme.

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

Mr. THOMAS of Utah. I shall be glad to yield.

Mr. CONNALLY. I wish to interrupt the Senator at this point. Of course, if a wrongdoer is a citizen, he is here, and we can do nothing about it except to punish him. But the Government of the United States is under no obligation whatever to permit any alien to live in the United States for 20 minutes unless it desires to do so. All aliens are in the United States at the sufferance of the Government; and if the United States wants to provide that all aliens with red hair shall be deported, it has a perfect right to do so. If the Government wishes to say, "We do not like any aliens under 6 feet 2 inches tall," it has a perfect right to do so.

Of course the illustrations which I have used are absurdities. However, I do not think we can lay down the rule that the Government owes to an alien the same duty that it owes to a citizen. If that be true, I do not see much use in being a citizen. An alien might just as well remain an alien, and not perform the functions of citizenship.

I must challenge the Senator from Utah on the proposition that we cannot distinguish between aliens and citizens.

Mr. THOMAS of Utah. Mr. President, I stand challenged. I did not think any Member of the Senate would imagine that a Senator would stand in his place and say that the Government of the United States must treat aliens and citizens in exactly the same way. I do not mean to say that.

Mr. CONNALLY. How could we deport a citizen?

Mr. THOMAS of Utah. We do not have to deport him.

Mr. CONNALLY. We may not deport a citizen, but we may deport an alien. According to the Senator's doctrine, we never could exercise the power of deportation. No matter what an alien might do we should have to keep him here.

Mr. THOMAS of Utah. I repeat that that is not my doctrine. I am merely attempting to point out what is the fact in law. An alien has a right to go into our courts. Does not the Senator from Texas agree with that statement?

Mr. CONNALLY. To be sure. The Supreme Court has held that under the fourteenth amendment an alien is a person, and therefore, so far as the criminal laws are concerned, he is amenable to the same criminal laws as are

citizen. However, when it comes to deportation, we may deport any alien whenever we get ready to do so, but we may not deport a citizen.

Mr. THOMAS of Utah. That, of course, is granted. If the Senator from Texas wishes to introduce a bill deporting aliens simply because they are aliens, that, of course, is his right; and it is the right of the Senate to pass such a bill. I know that the Senator will not introduce such a bill because in his own words he says he does not want to do so. He says the illustrations which he gives are extreme.

Mr. CONNALLY. In a day or so the Senator from Texas will introduce a bill, not for himself but as chairman of a subcommittee of the Senate Judiciary Committee. The bill, which was unanimously approved this morning by the Judiciary Committee, provides for the deportation of a great many classes of aliens.

Mr. THOMAS of Utah. Mr. President, that is the very reason why the Senator from Utah is on his feet. The Senator from North Carolina [Mr. REYNOLDS] has offered an amendment to the pending bill; and the Senator from Utah, the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Connecticut [Mr. DANAHER]—those are the only three I can think of at the moment—have made the same plea. The Senator from Texas is chairman of a subcommittee dealing with a very complicated piece of legislation which has to do with foreigners or aliens, and which probably goes very far. It is because the Senator from Texas is doing the job he is doing in the regular way that some of us have asked the Senator from North Carolina to withdraw his amendment.

It is for the very reason that the Senator from Texas is doing the job he is doing that Senators ask that this amendment, which was offered from the floor of the Senate, which has not even been printed, and which deals with the most complicated law imaginable, be withdrawn so that the provisions of the legislation may be considered by a committee in accordance with the wishes of the committee handling this very question.

Mr. President, that is not a very unnatural request. It is not a request which has been made for the first time in the history of the Senate. We are merely asking the Senator to withdraw his amendment in order that the more reasoned, and therefore better deliberated, bill of the Senator from Texas may be brought up and considered in its proper time.

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

Mr. THOMAS of Utah. I shall be glad to yield.

Mr. CONNALLY. I will say to the Senator from Utah that I have not read the amendment of the Senator from North Carolina in detail. The bill ordered reported this morning by the Judiciary Committee does not cover matters of employment. The bill we are handling is one determining the status of aliens and whether they shall go to jail or go home to Europe or wherever they came from. It does not deal with any matters of employment in any Government institution.

While I very highly respect the wishes of the Senator from Utah in the matter, so far as I am concerned I am not prepared to ask the Senator from North Carolina, or any other Senator, when he feels the legislative urge to offer an amendment, to desist. A Senator may offer any amendment which he thinks is proper. This is a free Chamber. I am not disposed to bring any pressure to bear on the Senator from North Carolina, because I know he is adamant when he thinks he is right.

Mr. REYNOLDS. Mr. President, one may always defend himself when he conscientiously feels that he is right; but if one is not guided by the dictates of his conscience, he may make a great mistake. If someone attacks him, he cannot defend himself to save his life. Consequently, I do not propose anything in which I do not conscientiously believe, whether others consider it right or wrong, because when I conscientiously believe in it I can defend myself.

I will say to the Senator that my recollection is that the bill which the Judiciary Committee reported today, of which the author was Mr. HOWARD W. SMITH, has not a thing in the world to do with labor. I read the bill about a year ago. I know that it contains the registration and fingerprinting feature. The Senator from Wisconsin [Mr. LA FOLLETTE] asked me not to offer my registration and fingerprinting amendment to this bill; and I agreed not to do so, for two reasons. The first is that I wanted to please the Senator; and the second is that I thought the registration and fingerprinting bill reported by the committee would cover what I have been after for 5 years.

Mr. CONNALLY. Mr. President, the bill which we are reporting requires all immigrants to be fingerprinted and registered before they obtain a visa. In addition, it requires every alien in the United States to be fingerprinted and registered; and when he changes his residence he must report to the authorities.

Mr. REYNOLDS. I think that is wonderful. That is what I have been fighting for for 5 years; but until this year I have never had any help. But, thank God, at last the American people are going to protect themselves.

Mr. THOMAS of Utah. Mr. President, if all aliens are to be fingerprinted and registered, will not that requirement cover all that the Senator's amendment covers in regard to employment?

Mr. REYNOLDS. Oh, no. As a matter of fact, my amendment has not a thing in the world to do with registration and fingerprinting.

Mr. HATCH. Mr. President, will the Senator from Utah yield? I hope the Senator from Texas [Mr. CONNALLY] will not leave the Chamber.

Mr. REYNOLDS. Before the Senator yields, I should like to bring to the attention of the Senate an editorial which I clipped from the Washington Post today in regard to the alien fingerprinting round-up. Perhaps the Senator would like to see it. I shall refer to it later.

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

Mr. THOMAS of Utah. I yield.

Mr. HATCH. I observe the Senator from Arkansas [Mr. MILLER] present. He is a member of the subcommittee which considered the so-called Smith bill. I am a member of the Judiciary Committee but not a member of the subcommittee which considered the bill. I was able to be present for only a few minutes this morning while the full committee was considering that particular measure. It seemed to me—and I wish to ask the Senator from Arkansas whether or not I am correct—that the measure covered almost every form of subversive activity, such as belonging to anarchist or Communist organizations, and things of that sort. Is that true?

Mr. MILLER. So far as the subcommittee may be able to work it out, we believe the entire subject will be comprehensively dealt with.

Mr. HATCH. May I ask a further question? Does it not provide for the deportation of every undesirable alien who may now be in this country.

Mr. MILLER. Evidently it does.

Mr. HATCH. That is the intention?

Mr. MILLER. Yes; so far as we are able to provide.

Mr. HATCH. I am not in opposition to the Senator from North Carolina. I am trying to make heads and tails out of this situation.

Mr. REYNOLDS. I understand quite well, I assure the Senator.

Mr. HATCH. If the Smith bill does that, if it provides for deportation of all undesirable aliens, if it becomes a law, then should the aliens, who remain in the United States, and who are not in that class, be deprived of a chance for employment? I propound the question to the Senator from Arkansas for his observation.

Mr. MILLER. In reply to that question, if the Senator will yield?

Mr. HATCH. I am glad to yield.

Mr. MILLER. The bill which is to be reported by the Committee on the Judiciary will, in our opinion, segregate and separate aliens in such a manner as that there will be left within our borders, assuming that the bill is properly

administered, as we know that it will be, only those aliens who are entitled to the right to earn a living.

The amendment of the Senator from North Carolina—and I know he is in the utmost good faith in offering it—undertakes to deprive an alien of the right to earn a living, regardless of his legal right to be in this country. If the alien has a legal right to be in, and to remain in, this country, then he is, undoubtedly, entitled to earn a living here in some manner, shape, or form. That appears to me to be the vice of the amendment offered by the Senator from North Carolina. Based upon the considerable amount of work which the Senator from Texas and the Senator from Connecticut and other Senators have done on the so-called Smith bill, which we have undertaken to rewrite and amend in many particulars, we believe we will be able to present to the Senate a bill which will be defensible from a humanitarian standpoint, which will be thoroughly defensible from a patriotic and American standpoint, and which will have the approval of every citizen of the United States who believes in the American way of life. That is my own personal idea of the bill which is now pending before the committee.

Whether or not the Senate wants to go to the extent provided in the amendment of the Senator from North Carolina is a question for the decision of the Senate. Personally, I do not think we ought to go that far until it is determined whether or not the alien is subject to deportation. If he is, the question becomes moot as to him; if he is not subject to deportation, but is to remain a part of our people and a part of our life, then, undoubtedly, he is entitled to earn a living. Does that answer the Senator?

Mr. THOMAS of Utah. I thank the Senator from Arkansas and appreciate greatly what he has said, because he has emphasized exactly what I have been trying to say. These questions are complicated; they are not simple. As Senators have said, the United States Government has a right to deport, but where would we deport certain aliens who probably have become stateless since they have been in our country? It is the complexity of the citizenship and alien laws which makes it necessary for the most reasoned consideration. For example, a bill comes over from the House of Representatives, and the Judiciary Committee finds that it must go over that bill and attempt to take care of this situation and that situation. Why? Because they are thinking of the individual who is to be affected, because they desire to take care of the interests of the Government of the United States, because they are watching the welfare of the American citizens, because they do not want to pass unjust and unreasonable legislation.

The statements of the Senator from Texas, the Senator from Connecticut, and the Senator from Arkansas, and the questions of the Senator from New Mexico about this matter merely emphasize the fact that we are about to do something in a very hasty way, which, probably, we will regret, if we read the amendment carefully, which we have not done, because it has not been printed.

Mr. President, I have said I am sure all that can be said on this particular point. The Senator from North Carolina has probably already signified that he does not wish to withdraw his amendment. Therefore, it is probably useless for me to make the request again.

Mr. REYNOLDS. I will say to the Senator that I know that the Smith bill is a grand bill; I am for it a hundred percent. I so advised Mr. SMITH. I have told Mr. SMITH and written Mr. SMITH that I was a hundred percent in support of his bill, and I hope that it will be passed, because it embodies the same objectives for which I have been working for many years past.

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

Mr. REYNOLDS. I am glad to yield.

Mr. CONNALLY. I will say to the Senator from North Carolina that the Smith bill, as it came from the other House, did not contain any provision for the registration of aliens already here. The Senate committee added such a provision to the bill.

Mr. REYNOLDS. Yes.

Mr. CONNALLY. The original bill merely provided that immigrants should be fingerprinted, but the bill as it will be reported will provide for registration of all aliens in the United States.

Mr. REYNOLDS. I think that is excellent. Since the Senator is on his feet, I want to ask him a question. Does the bill which will be reported deal with labor?

Mr. CONNALLY. It does not deal with labor relations anywhere.

Mr. REYNOLDS. That is my contention. So the bill which has been discussed by able Senators here, including members of the subcommittee of the Judiciary Committee of the Senate, does not deal with labor? Therefore it does not deal with my particular amendment?

Mr. THOMAS of Utah. Mr. President, I wonder if the Senator will yield that I may express a further idea?

Mr. REYNOLDS. Certainly.

The PRESIDING OFFICER (Mr. HATCH in the chair). The Chair will say that the Senator from Utah [Mr. THOMAS] has the floor. The Senator from North Carolina asked the Senator from Utah to yield to him.

Mr. REYNOLDS. If the Chair will pardon me, the Senator from Utah had the floor, but yielded it. I assumed the floor; I was happy to yield to the Senator from Texas, and now I am very glad to yield to the Senator from Utah.

Mr. THOMAS of Utah. In the light of what has been said, the questions which have been asked about the bill which the Senator from Texas will soon report, and the requests which have been made of the Senator from North Carolina, I am wondering if a further suggestion would not be in order and probably be congenial to the way of thinking of the Senator from North Carolina. Would it not be well to refer the amendment the Senator from North Carolina has offered to the pending bill to the subcommittee of the Committee on the Judiciary for its consideration before it reports the bill which it has under consideration?

Mr. REYNOLDS. I will say to the Senator that I have confidence in the Judiciary Committee, as I have in every other committee of the House and Senate, but my experience has been somewhat discouraging. I will say to the Senator that for a number of years past I have had before the Senate Immigration Committee, and also the Judiciary Committee, a bill to stop all immigration for the next 10 years until such time as every employable American has been employed. That bill is still there. I think it is a grand bill; I know of many grand bills which have been in committee but have never been reported. Furthermore, I have had a bill before the committee in past years, and this year, too, providing for the registration and fingerprinting of aliens. That is a grand bill, but that grand bill is still in the committee. I will say to the Senate that I have had a bill in the committee this year and in years past providing for the deportation of undesirable aliens. That is a grand bill, but that grand bill is still in the committee. I have had other similar bills which I have never been able to get out of the committee. Now, for the first time in years, I have an opportunity to have some of my bills attached to some other measure and to have them passed. This is the time, and I do not want to give up the opportunity. I have been talking about these bills and allied subjects for years, and, lo and behold, at a time when the newspapers are, for the first time, coming out editorially and saying Congress should pass a registration act, when the Attorney General of the United States thinks there should be a registration act, I want to take advantage of the opportunity to get something done along that line.

I would gladly yield to the Senator's suggestion and have my bill referred to the committee, but I understand the Congress is to adjourn within the next few days, and I am afraid there would not be time to get it out. So the place for my amendment is right on the pending bill.

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

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Arkansas?

Mr. REYNOLDS. I yield.

Mr. MILLER. In making the suggestion I am about to make, let me say that I am heartily in accord with the general objective of the Senator from North Carolina.

Mr. REYNOLDS. I thank the Senator.

Mr. MILLER. But may I call his attention to the amendment. It provides:

After the date of enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have in his employ any Communist, or member of any Nazi bund organization; and each such person shall require each of his employees to make affidavit to the effect that he is not a Communist or a member of any Nazi bund organization.

Let me invite the Senator's attention to the fact that that provision makes it a penal offense for an employer to have in his employ any man who comes within that characterization. An affidavit is required, but such an affidavit would not be a defense if the employer were charged with the offense of having such a person in his employ. I believe the Senator might be doing an injustice to conscientious employers of labor by creating an offense without providing a defense.

This amendment would create an offense without providing a defense. Under the terms of the amendment the mere fact that an affidavit is made is not a defense. It is true that the amendment could be redrafted to make it a defense; but, under the terms of the bill which the Senator from Texas [Mr. CONNALLY] will report we shall probably require the deportation of members of subversive organizations.

Mr. REYNOLDS. Will the Senator suggest an amendment to the pending amendment to the effect that possession by an employer of an affidavit made by an employee will be considered a legal defense?

Mr. MILLER. I do not care to do more than merely to call the Senator's attention to the matter.

Let me call his attention to another thing. If a man belonging to one of these organizations is the kind of a Communist or the kind of a Nazi that the Senator, I know, would like to deal with and would like to have deported, he would make any kind of an affidavit to obtain employment in a plant or manufacturing establishment. He does not believe in the sacredness of an oath, so I am advised. Therefore, he would without the slightest compunction of conscience make any affidavit necessary.

Let me make a further suggestion to the Senator. I do not join in the request that he withdraw this amendment, because, very frankly, I think I shall vote against the bill. I am not interested in the passage of the bill; but I recognize the fact that the Senator has given long years of study to the question. When the bill which is to be reported by the Senator from Texas [Mr. CONNALLY] comes upon the floor, I believe the Senator from North Carolina will be satisfied that every alien he would like to see deported from the country will be deported. I believe he will be entirely satisfied in that respect when he takes into consideration all the provisions of that bill when it comes on the floor. In the interest of time, I believe we should act upon this amendment either by voting it down or by having it temporarily withdrawn until that bill comes before the Senate, and then, if the Senator does not think the Committee on the Judiciary has gone far enough—as far as the dictates of humanity and the dictates of Americanism and patriotism will allow—this amendment might be offered to that bill.

Mr. REYNOLDS. I am very happy to have heard what the Senator had to say; but, as I stated, my conscience impels me, in the interest of the American people and under my oath of office, to endeavor to protect my Government and endeavor to protect the American laboring man first. Consequently I am going to have to insist upon the amendment, as much as I dislike to do so on account of the fact that many of my colleagues are asking and suggesting that it be withdrawn. So far as I am concerned, I am going to vote for my amendment; and I should like to have a vote on it without making any further speech on the subject.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. REYNOLDS. I yield.

Mr. CONNALLY. In answer to the suggestion of the Senator from Arkansas that the bill which we expect to report will satisfy the Senator from North Carolina so far as the deportation of aliens is concerned, let me ask whether it is in the thought of the Senator from North Carolina that since this matter relates to labor employment, in view of the present emergency in regard to Army contracts and Navy contracts, irrespective of whether or not aliens ought to be deported it is not wise to hire large numbers of them in these services? Is that in the Senator's mind?

Mr. REYNOLDS. Certainly. This is an emergency amendment.

Let us see whether or not the Members of the other House are looking after the American people. Let us see whether or not our brothers on the other side of the great Capitol dome are interested in the same persons in whom all of us are interested.

I have before me House Joint Resolution 544, making appropriations for work relief and relief for the fiscal year ending June 30, 1941. On page 20, beginning in line 17, is this provision:

(e) No alien, no Communist, and no member of any Nazi bund organization 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 and to the effect that he is not a Communist and not a member of any Nazi bund organization, such affidavit to be considered prima facie evidence of such citizenship, and that he is not a Communist, and not a member of any Nazi bund organization.

What is the matter with my amendment? The newspapers are full of this subject, and the air is simply ringing with the voices of patriots who are giving the Nazis and the Communists hell; and yet we are reluctant to admit to this bill my amendment which will prevent Nazis of the bund, Hitler's men, Communists, Stalin's soldiers, "fifth columnists," and Trojan horses from working in the same factories with our good American citizens.

What is the matter with the amendment? I cannot turn on my radio without hearing voices from all parts of the United States talking against the bund members, talking against the Nazis, talking against Hitler's agents in this country, talking against Joe Stalin, talking against the Communists, talking against the anarchists; and yet when I bring up this measure in the forum of the United States Senate there is opposition to all that I hear over the air.

Mr. President, all in the world I am trying to do is to prevent from working by the side of our good American citizens, Nazis or Communists, who are trying to destroy our Government, and who are trying to instill in the minds of our workers thoughts that are un-American and that are opposed to our form of government. That is all I am trying to do. I am trying, I think—I may be wrong—to help my country. I am trying to help my fellow laborers in America. I am trying to look after the American workingman. If I am doing wrong by trying to kick out the Nazis, if I am doing wrong by trying to kick out Hitler's agents in this country, if I am doing wrong by talking about Joe Stalin, if I am doing wrong by trying to keep the Communists out of our factories, to keep them from blowing up our factories, I apologize to the Members of this body, and I apologize to the American people.

That is the situation as it stands.

It is said that we are going to insult somebody. It is said that if we ask a man to sign a paper, we are going to insult him. My friends, that is the same old "hokum" that I have heard for years. Before this registration and fingerprinting business became popular 2 weeks ago, what was said on that subject?

To mention the registration and fingerprinting of aliens in this country 3 months ago was almost a crime against the Government of the United States. People said, "The audacity of you, to come down here and talk to us about registering aliens in this country. You are un-American. You talk about registration of aliens in this country. You are not a

thing in the world. My goodness alive!" Today, it is a popular thing to register and fingerprint aliens; but what was said about it 2 or 3 weeks ago? "Oh, my! Don't you dare suggest that we register and fingerprint aliens in this country. Why, it would insult the aliens."

Now, it is suggested that it is an insult to the American laboring man to ask him if he is a member of the Communist Party or if he is a member of the Nazi bund. The American laboring man who is interested in his country, Mr. President, will not be insulted if he is asked those questions. Why? Because he knows that you, as an employer, are endeavoring to weed out his enemies, and the enemies of the American workingman, and the enemies of this Government. He will know that you are asking him those questions for his benefit and for the benefit of the Government in which he is interested.

Mr. CONNALLY. Mr. President——

Mr. REYNOLDS. I gladly yield to the distinguished Senator from Texas.

Mr. CONNALLY. Earlier in the day the Senator from Utah [Mr. THOMAS] said we could not make a distinction between aliens and citizens. Is it not true that, in some respects, an alien really enjoys more privileges than an American citizen himself? He comes over here to America and gets everything we have—employment, a living, and everything—and yet, if war should be declared tomorrow, we could draft American citizens, but we could not draft aliens? They escape the responsibilities of citizenship while enjoying all the blessings of the American system.

Mr. REYNOLDS. That is absolutely correct. By the way, I do not want to go into a long discourse on the subject, but hundreds upon hundreds of thousands of dollars that are earned annually in this country by aliens—by which term I mean noncitizens—dollars that are earned here, and which ought to be earned by American citizens, are sent back to foreign countries for the benefit of foreigners.

Mr. THOMAS of Utah. Mr. President——

Mr. REYNOLDS. I yield to the distinguished Senator from Utah.

Mr. THOMAS of Utah. Of course, I do not wish to engage in a constitutional discussion with the Senator from Texas, but surely the Senator from Texas does not imply that the Federal Government has not the right to draft aliens.

Mr. CONNALLY. I am not prepared to discuss the constitutional question at this time, but I was under the impression that in our draft law we made certain exemptions in the case of aliens during the World War.

Mr. REYNOLDS. Let us argue this matter from the common-sense standpoint——

Mr. THOMAS of Utah. There are, of course, scores and scores of cases in which citizenship rights have been granted men who were drafted and who served.

Mr. CONNALLY. A great many of them did not claim their alien rights. They went on and served, of course.

Mr. THOMAS of Utah. But the statement that the Federal Government has not the power to draft aliens is a statement which I wish to deny, because it has the power, under any kind of law that is recognized. Whether it is wise to draft aliens is another matter.

Mr. CONNALLY. As a young man, the Senator spent several years abroad, in England, did he not? Suppose England had drafted him in time of war and put him in the British Army. Does he suppose the United States Government would not have protested?

Mr. THOMAS of Utah. Certainly the United States Government would have protested. The mere fact that an alien lives in his country gives him certain rights, to be sure, but it also imposes upon him certain obligations, and if we want to have an alien in the Army, of course, we can put him in the Army.

Mr. ASHURST. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. ASHURST. An alien is a guest of the United States, sometimes invited, sometimes uninvited; but under the Constitution, after arriving here he is a "person," and is entitled to certain rights which many other persons possess. The alien may enjoy the fruits and blessings of the freedom of this country; he may displace a native-born citizen in employment; but he may not be compelled to defend the country extending hospitality to him.

Mr. REYNOLDS. I thank the Senator immensely. That is what I stated a moment ago. Let us get down, now, to horse sense. I do not know about constitutional law, but I do have enough sense to know that this Government would not have the right to draft a national of another country. Is that correct? I ask the Senator from Arizona, the chairman of the Committee on the Judiciary, because I consider him a great constitutional lawyer.

Mr. ASHURST. He ought to be a great constitutional lawyer, but, unfortunately, he is not. Every Senator who was here during the World War remembers that we excluded aliens from draft service, and aliens were not required to serve.

Mr. REYNOLDS. I thank the Senator immensely.

Mr. THOMAS of Utah. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. THOMAS of Utah. I should like to call attention to the fact that one of my particular jobs during the execution of the draft law was registering and taking care of certain aliens in the United States, and having been commissioned to do that job, I imagined I was acting in accordance with law.

Mr. ASHURST. I do not intend to put myself into competition with such an authentic scholar as the Senator from Utah [Mr. THOMAS], but Senators will delude themselves if they believe that in a time of emergency some of the aliens who have enjoyed the hospitality and the fruits of this country will fly to its defense. Many criminal aliens will be found fighting against the United States in its day of trouble. That will, of course, be an ironic return for the hospitality extended to them. I am not oblivious to the fact that some of the great contributions to liberty here were made by men who were once aliens, but who became American citizens. Notable among these was Carl Schurz, a great Senator, a capable Secretary of the Interior. He was born in a foreign country and fled from the oppressions of that foreign country, to accept freedom and citizenship in this land. He served as a brigadier general in the Army of the United States. There have been many men who served in this body who were of foreign birth, but they were profoundly imbued with the ideals of the American Government. Senators will be depending upon broken reeds, they will be deluding themselves and misleading their country if they believe that in a time of national stress and peril we shall receive much aid from criminal aliens who have been boring from within for some years.

Mr. REYNOLDS. I am only sorry that the termites in this country cannot destroy the Trojan horses. [Laughter.]

Mr. BARKLEY. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. BARKLEY. I do not rise to discuss the amendment, but to see if we cannot arrange to have a vote.

Mr. REYNOLDS. I want a vote.

Mr. BARKLEY. The pending bill has been before the Senate since the 16th of May. It has been set aside a time or two, but there is much important legislation waiting on the disposition of this bill, and I hope we can have a vote on the amendment and the bill.

Mr. REYNOLDS. I want a vote. If the Members of the Senate are ready for a vote on my amendment, I should like to have a vote right now.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. ADAMS responded to his name.

Mr. ASHURST. Mr. President, I think one thing should be said for the RECORD.

The PRESIDING OFFICER. The roll call is already in progress.

Mr. ASHURST. The able Senator from Illinois [Mr. LUCAS] has called my attention to the fact that there were aliens in the Army of the United States, and doubtless there were some in the Navy and Marine Corps during the World War, but they were there with their consent. Am I correct?

Mr. LUCAS. Under agreement between the aliens and this Government, after a full and fair investigation of the aliens by the Government.

The PRESIDING OFFICER. The roll call had already started, and the clerk will proceed.

The legislative clerk resumed and completed the calling of the roll, and the following Senators answered to their names:

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

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

The question is on agreeing to the amendment of the Senator from North Carolina.

Mr. TYDINGS. Mr. President, the Senator from North Carolina has offered an amendment which aims to keep any Nazi bund member or Communist from receiving employment from any person who produces articles which go into interstate and foreign commerce. I think most persons now will agree with the Senator that every effort should be made to protect the United States from the "fifth column." I know that is the motive actuating the Senator in proposing his amendment.

The amendment provides:

And each such person shall require each of his employees to make affidavit to the effect that he is not a Communist or a member of any Nazi bund organization.

Mr. President, my thought is that the Senator will not accomplish what he wants to accomplish by the inclusion of his amendment, for the reason that if a man is a spy, or is working for the Government of Russia, or is working for the Government of Germany, or for any other government which is not a democracy, or even for a democracy in a foreign country, he will sign any kind of affidavit which is placed before him as a part of the deception which he must practice in order to accomplish his end. In other words, if he were in America and belonged to a foreign organization, either Nazi or Communist, working directly under either the present German or the present Russian Government, he would feel that he would be justified in perjuring himself or by doing anything else he might want to do to accomplish the revolutionary purposes he had in mind.

On the other hand, most of those who are employed in factories in this country we know to be good Americans. They would all sign the oath in good faith. But in the case of a person who belonged to some foreign organization, the oath itself would be a kind of additional disguise under which he might act. We cannot make people change their philosophy of government, particularly by having them subscribe to an oath.

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

Mr. TYDINGS. I yield.

Mr. LUCAS. Is it not a fact that if an affidavit is required of the kind contemplated in the Senator's amendment, and if we merely relied upon that oath, and that oath alone, it would be an aid to what the individual is intending to do rather than a hindrance?

Mr. TYDINGS. Exactly. I said in the beginning that I credit the Senator from North Carolina with a 100-percent motive to do the best he can for his country, and I am talking only in a friendly way, and not in an argumentative way, in order to help the Senator do what I know he wants to do.

It has already been shown in the present war that one of the most effective ways of getting spies into another country has been to have them come out of their own country as refugees—from Germany or Russia. They come out of Germany and belabor Mr. Hitler, they belabor the Nazi system, or they come out of Russia and belabor the Russian system; they make a wide circle of friends, who agree generally with the utterances they are making; they are accepted in circles they would never otherwise be able to enter, by posing as poor persecuted people who have been driven out of the country where they formerly resided; they learn 10 times as much as they could otherwise learn, and that is part of the technique of boring from within. My thought is really this——

Mr. REYNOLDS. Mr. President, the Senator need not continue, because he has gotten to the point where I want his suggestion as to what can be done to strengthen my amendment, and I am very grateful to the Senator.

Mr. TYDINGS. That is what I am trying to do, to help the Senator to do what he wants to do, and I thought I had a point of view which was worthy of his consideration.

Mr. REYNOLDS. I am very thankful to the Senator from Maryland.

Mr. TYDINGS. I think it would be better if the Senator's amendment were to read: "After the date of the enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have in his employ any Communist or member of any Nazi bund organization," then go on with the rest of it, and leave out the provision for an oath, because the oath, in my judgment, will serve no purpose, since every good American, as the Senator has said, would take the oath if the law prescribed it. So would the man who was not a good man, the Nazi bund member or Communist. He would take the oath and that would only act as a shield, would make it possible for him to be assumed to be a good American, when he would simply say, "I was glad to take the oath. I love this country. I am glad our Congress passed such an act." It would simply throw us off guard.

Mr. REYNOLDS. The Senator's argument has convinced me.

Mr. TYDINGS. I think if the Senator would allow his amendment to stand without the provision with respect to the oath, the Senator would accomplish more than would be accomplished by having that provision in the amendment.

Mr. REYNOLDS. I thank the Senator, and I accept his suggestion and eliminate the provision referred to, and let my amendment stand without it.

The PRESIDING OFFICER. The Senator from North Carolina modifies his amendment by eliminating the language requiring the taking of an oath.

The question is on agreeing to the amendment of the Senator from North Carolina, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILEY. Mr. President, I ask that my amendment which is at the desk be stated.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. On page 13, after line 23, it is proposed to insert the following:

Nothing in this act shall prohibit any employer of labor from himself investigating any employees or prospective employee, or through another employee (not an agent of a strikebreaking

agency), investigating his employee or prospective employee, to ascertain the employee's competency, his political ideas, or his loyalty to American ideals and concepts.

Mr. LA FOLLETTE. Mr. President, there has already been eliminated from the bill the prohibition against the investigation of the political affiliations or activities of employees or prospective employees. The only reason why that provision was in the original bill, as I have explained again and again, was that we found it the universal practice of both private detective agencies and employers who utilize them to contend that their activities were for the purpose of investigating radical and communistic activities. So there is nothing now in the bill which prohibits such investigation, that provision having been eliminated.

Mr. President, I think that makes the bill more difficult of enforcement, because the committee has information, and we all know it to be a fact that these agencies will continue in the future, as they have in the past, to utilize this pretense and this pretext.

The objection I have to the Senator's amendment is that by incorporating these words in an affirmative manner they simply invite the utilization of this pretext by private detective agencies and by their clients.

In order to meet the objections and others which have been voiced by Members of the Senate, I have endeavored in every possible way to compromise and to accede to the objections and to endeavor to allay the apprehensions which Senators have felt. But I do not believe that I can accept this amendment, because I am certain that its effect would be greatly to hinder and hamper the enforcement of the provisions which prohibit industrial espionage, pure and simple, by specifically inviting these agencies and their clients to utilize the phrases which the Senator incorporates in his amendment.

I think it would be a very serious blow to the effective administration of the bill, and I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Wisconsin [Mr. WILEY].

Mr. WILEY. Mr. President, I do not wish to ask the attention of the Senate for any great period of time. I have listened to the argument of my colleague for 4 or 5 days in refutation of what has been stated.

I wish the Senate to understand what I am trying to do. I am trying to say in simple language that the employer himself, or any of his employees who is not an agent of a strike-breaking agency, may ascertain in these critical times, first, the competency of the employee, and, secondly, the political ideas of the employee, and whether or not the employee is loyal.

The only argument which has been made against the amendment is that the bill as originally drawn did not permit such investigations, but that certain amendments have been made which do permit them. After the amendments which have been adopted today, if any Senator can tell what the bill means he is a mental phenomenon. The bill should not be considered today. The bill as amended should be printed and submitted to the Senate, so that we may know what has been done.

I am asking that this clarification clause be inserted. It can do no harm to labor, it can do no harm to the employer, and it can benefit the public, which, as I said the other day, is not represented in many bills.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

The PRESIDING OFFICER. Eighty-three Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. WILEY].

Mr. REYNOLDS. Mr. President, I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. WILEY. I ask for the yeas and nays.

Mr. REYNOLDS. I have asked for the statement of the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 13, after line 23, it is proposed to insert the following:

Nothing in this act shall prohibit any employer of labor from himself investigating any employee or prospective employee, or through another employee (not an agent of a strike-breaking agency) investigating his employee or prospective employee, to ascertain the employee's competency, his political ideas, or his loyalty to American ideals and concepts.

The PRESIDING OFFICER. The yeas and nays have been demanded by the Senator from Wisconsin [Mr. WILEY]. Is there a sufficient second?

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin. [Putting the question.] The "noes" appear to have it.

Mr. TYDINGS. Mr. President, I ask for a division.

The PRESIDING OFFICER. A division has been requested. Those in favor of the amendment will please stand and remain standing until counted. [A pause.] Those opposed to the amendment will please stand and remain standing until counted. [A pause.]

Mr. TYDINGS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TYDINGS. Now that a division has been asked for, is it in order to suggest the absence of a quorum?

The PRESIDING OFFICER. If the Senator desires to suggest the absence of a quorum, it is in order.

Mr. TYDINGS. 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	Donahey	Lucas	Slattery
Ashurst	Downey	Lundeen	Smith
Bailey	Ellender	McCarran	Stewart
Barkley	George	McKellar	Taft
Bilbo	Gibson	McNary	Thomas, Idaho
Bridges	Gillette	Maloney	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Harrison	Norris	Truman
Byrnes	Hatch	Nye	Tydings
Capper	Herring	O'Mahoney	Vandenberg
Caraway	Hill	Overton	Van Nuys
Chandler	Holman	Pepper	Wagner
Chavez	Holt	Pittman	Wheeler
Clark, Idaho	Hughes	Radcliffe	White
Clark, Mo.	Johnson, Colo.	Reynolds	Wiley
Connally	La Follette	Russell	
Danaher	Lee	Schwartz	
Davis	Lodge	Sheppard	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present.

Mr. WILEY. Mr. President, I desire to modify my amendment by striking out the words "his political ideas." I do that because I notice that this afternoon my colleague offered an amendment, and the Senate adopted it, taking that language

out of the original bill, so the latter part of the amendment will read:

To ascertain the employee's competency or his loyalty to American ideals and concepts.

On that amendment I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Wisconsin modifies his amendment and asks for the yeas and nays on the amendment as modified.

Mr. REYNOLDS. Mr. President, in order that my position upon this subject may be clarified, if necessary, I merely desire to state that I think the violators of my amendment would be subject to a fine of $10,000 or 5 years' imprisonment, or both, under the Federal statute thereby created. Therefore I do not think it would be fair to put a penalty of fine and imprisonment upon an employer for employing a member of the Nazi bund or a member of the Communist Party unless we give the employer the opportunity to ascertain whether or not he has any Communists or any Nazis in his employ. Therefore I shall support the amendment.

The PRESIDING OFFICER. Is there a second to the request of the Senator from Wisconsin for the yeas and nays upon his amendment?

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

Mr. McKELLER (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. TOWNSEND]. Not knowing how he would vote on this question, I withhold my vote.

Mr. MILLER (when his name was called). On this question I have a special pair with the Senator from West Virginia [Mr. NEELY]. Not knowing how he would vote on this question, I withhold by vote.

Mr. TOBEY (when his name was called). On this question I have a pair with the senior Senator from California [Mr. JOHNSON]. Not knowing how he would vote on this amendment, I withhold my vote. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. HILL (after having voted in the negative). On this question I have a pair with the junior Senator from Kansas [Mr. REED]. I transfer that pair to the junior Senator from Rhode Island [Mr. GREEN], and will let my vote stand. I am not advised as to how either the Senator from Kansas or the Senator from Rhode Island would vote if present.

Mr. ASHURST. My colleague, the junior Senator from Arizona [Mr. HAYDEN], is unavoidably absent.

Mr. MINTON. I announce the following general pairs:

The Senator from Oregon [Mr. McNARY] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Idaho [Mr. THOMAS] with the Senator from Utah [Mr. KING];

The Senator from New Jersey [Mr. BARBOUR] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from Vermont [Mr. AUSTIN] with the Senator from Washington [Mr. SCHWELLENBACH];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Virginia [Mr. GLASS]; and

The Senator from Michigan [Mr. VANDENBERG] with the Senator from New York [Mr. MEAD].

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

The Senator from Colorado [Mr. ADAMS], the Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GERRY], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], the Senator from Utah [Mr. KING], the Senator from Oklahoma [Mr. LEE], the Senator from Minnesota [Mr. LUNDEEN], the Senator from Connecticut [Mr. MALONEY], the Senator from New York [Mr. MEAD], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Washington [Mr. SCHWELLENBACH], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The result was announced—yeas 29, nays 32, as follows:

YEAS—29

Bailey	Donahey	Johnson, Colo.	Taft
Bridges	George	Lucas	Tydings
Bulow	Gibson	Overton	Van Nuys
Burke	Gillette	Radcliffe	White
Byrd	Gurney	Reynolds	Wiley
Caraway	Hale	Sheppard	
Chandler	Herring	Slattery	
Connally	Holman	Smith	

NAYS—32

Ashurst	Davis	La Follette	Pittman
Barkley	Downey	Lodge	Schwartz
Brown	Ellender	McCarran	Stewart
Byrnes	Guffey	Minton	Thomas, Okla.
Capper	Hatch	Murray	Thomas, Utah
Chavez	Hill	Norris	Truman
Clark, Idaho	Holt	Nye	Wagner
Danaher	Hughes	Pepper	Wheeler

NOT VOTING—35

Adams	Gerry	McKellar	Schwellenbach
Andrews	Glass	McNary	Shipstead
Austin	Green	Maloney	Smathers
Bankhead	Harrison	Mead	Thomas, Idaho
Barbour	Hayden	Miller	Tobey
Bilbo	Johnson, Calif.	Neely	Townsend
Bone	King	O'Mahoney	Vandenberg
Clark, Mo.	Lee	Reed	Walsh
Frazier	Lundeen	Russell	

So Mr. WILEY's amendment was rejected.

Mr. TAFT. Mr. President, I offer an amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out, on page 12, beginning with line 19, through line 23, on page 13, as follows:

(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 existed 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 existed 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 existence 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 existence 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.

Mr. TAFT. Mr. President, Thursday I stated my objections to the pending bill. Nearly all the objections I urged have been corrected in some respect by amendments, expect the objection I have to the language involved in my amendment now pending.

The amendment proposes to strike out the penalty proposed to be imposed in addition to the criminal penalty, by providing that all shipments of goods which happened to be in a plant, at a time when it is alleged the plant engages in some oppressive labor practice, shall be unlawful. It provides further that if the goods are shipped within 90 days after oppressive labor practices occur, it shall be presumed that the goods were produced during the time of the occurrence of the labor practices.

It seems to me it is sufficient to let the Department of Justice enforce the criminal provision, without proceeding with other penalties. This is one of the objections urged by the War Department, as appears in the report.

Mr. LA FOLLETTE. Mr. President, the Senator from Ohio was kind enough to inform me in advance that he intended to offer this amendment. I may say that the provision he

seeks to strike from the bill is similar to a provision incorporated in the Wages and Hours Act, and I think also in the Food and Drug Act. After having consulted with the Senator from Utah [Mr. THOMAS] I am prepared not to resist the amendment, for, as a matter of fact, the language proposed to be stricken out provides only an additional means of enforcement, and, as the bill now stands, there will be the injunctive procedure, the investigatory procedure, and the criminal procedure. I do not believe this portion of the bill is of vital importance. Therefore, in the hope that we may pass the bill tonight, I am prepared not to resist the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT].

The amendment was agreed to.

Mr. GEORGE. Mr. President, when the Senator from Ohio withdrew his motion to recommit the bill, I indicated that I would make such a motion, and at that time I called attention to some features in the bill which I thought were objectionable. Since that time the whole of title II of the bill has been eliminated, and the powers of the Secretary of Labor to investigate have been narrowed so as to confine them to investigations by the Secretary of Labor himself, and other provisions of the bill which seemed objectionable to me have been changed.

I have discussed with the Senator from Wisconsin the one remaining feature of the bill to which I should be compelled to object, and he has indicated that he would be prepared to accept an amendment. The amendment is to an amendment which was inserted today. I do not know that it is necessary to reconsider the vote by which the amendment was agreed to, but, if it is, I ask unanimous consent to reconsider the vote so that I may offer an amendment to the amendment.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent that the vote by which the amendment on page 16, line 7, was agreed to, be reconsidered. Is there objection? The Chair hears none; the vote is reconsidered and the amendment is open to amendment.

Mr. GEORGE. Mr. President, the amendment which I offer is to the new section 9 (a) of the bill. Upon the motion of the Senator from Wisconsin himself all subdivisions (a) and (b) of section 9 were stricken out. Subdivision (a), with the provision for the investigation for the purpose of recommending future legislation eliminated, was reinserted, but the investigation which the Secretary of Labor is authorized to prosecute is for the sole purpose of determining whether any person has violated any provision of this title.

I have no objection to that, and the amendment I wish to offer is to subdivision (a), so as to make it read that "the Secretary of Labor, upon probable cause shown, may investigate," and so forth. I merely ask that after the words "Secretary of Labor" there be inserted the words "upon probable cause shown".

Mr. DAVIS. I ask that the amendment be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 16, line 7, after the word "Labor", it is proposed to insert the words "upon probable cause shown."

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Georgia is agreed to, and without objection, the amendment as amended is agreed to.

If there be no further amendment, the question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. The question is on the final passage of the bill.

Mr. BRIDGES. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRIDGES. On the third reading of the bill, can we have the bill read in full? The bill has been changed so greatly this afternoon that I suggest that the bill be read in full in its present form.

The PRESIDING OFFICER. The bill has already been read the third time. The question is now on the final passage of the bill.

Mr. BRIDGES. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRIDGES. What are a Senator's rights with respect to requesting the reading of the bill now and not shoving it through?

The PRESIDING OFFICER. In answering the parliamentary inquiry the Chair will say that the Chair was very careful to state that the question was on the third reading of the bill. The Chair paused and waited. There was no response. The Senator from New Hampshire did not rise and he made no request at the time. The Chair announced the third reading of the bill. The bill was read the third time according to regular parliamentary procedure. The question is on the final passage of the bill. If the Senator from New Hampshire desires to appeal from the ruling of the Chair he has a perfect right to do so.

Mr. BRIDGES. Let us assume for a moment that the occupant of the chair had not announced the third reading of the bill, what would be the requirement necessary in order that a Senator could have the bill read in full?

Mr. ASHURST. Mr. President, there is a rule in most parliamentary bodies, and it is a rule of the Senate, but has not been employed for 15 or 20 years which gives to every Senator the right to have the engrossed bill read, and if a Senator insists, final vote on the bill must wait until the engrossed bill has been read. I can see what the able Senator from New Hampshire wishes. He desires to have before the Senate what we call a clean bill, that is to say, a bill free from interlineations, free from amendments pending, or interlined, or inserted. That, of course, is the rule of the Senate. I doubt very much if it has been employed for 20 years, but nevertheless under the rule of the Senate, a Senator has the right to say "I demand that the bill be engrossed." The Senator from New Hampshire may avoid delay by having the bill, as it will be when voted on, read.

The PRESIDING OFFICER. Before the Chair announced the third reading of the bill the Senator from New Hampshire and every other Senator had a right to call for the third reading of the bill. If that request had been made the bill would have had to be engrossed and the proceedings would have been delayed until the engrossed bill came back, when the bill, as engrossed, would have been read. That would have been the proper procedure, as the Senator from Arizona has stated.

Mr. BRIDGES. And the only reason for the bill not being read is that the Senator from New Hampshire was late on his feet?

The PRESIDING OFFICER. That is quite correct. The question is on the final passage of the bill.

Mr. LA FOLLETTE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BRIDGES (when his name was called). I shall vote "nay," but I wish to explain that I believe that very few Senators present in this Chamber have any clear idea——

Mr. LA FOLLETTE. Mr. President, I make the point of order that no remarks are in order after the roll call has been begun.

The PRESIDING OFFICER. The Senator is correct. The clerk will proceed with the call of the roll.

The Chief Clerk continued the call of the roll.

Mr. HILL (when his name was called). On this question I have a pair with the junior Senator from Kansas [Mr. REED], who, I am advised, would vote "nay." I transfer that pair to the junior Senator from Rhode Island [Mr. GREEN], and will vote. I vote "yea."

Mr. McKELLAR (when his name was called). I have a general pair with the senior Senator from Delaware [Mr.

TOWNSEND], which I transfer to the senior Senator from Massachusetts [Mr. WALSH], and will vote. I vote "yea."

Mr. MILLER (when his name was called). On this question I have a special pair with the senior Senator from West Virginia [Mr. NEELY]. I am advised that if he were present and voting he would vote "yea." If I were at liberty to vote, I should vote "nay."

Mr. TOBEY (when his name was called). On this question I have a pair with the senior Senator from California [Mr. JOHNSON]. I am advised that if he were present he would vote "yea." If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. WAGNER. My colleague [Mr. MEAD] is absent on public business. I am authorized to state that if he were present he would vote "yea."

Mr. NYE. My colleague [Mr. FRAZIER] is unavoidably absent. I am informed that if he were present he would vote "yea."

Mr. TRUMAN. My colleague the senior Senator from Missouri [Mr. CLARK] is unavoidably detained.

Mr. ASHURST. My colleague [Mr. HAYDEN] is unavoidably absent.

Mr. BYRD. My colleague [Mr. GLASS] has a pair on this question with the Senator from Minnesota [Mr. SHIPSTEAD]. If my colleague were present, he would vote "nay." I am informed that if the Senator from Minnesota were present he would vote "yea."

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained from the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Utah [Mr. KING], the Senator from Oklahoma [Mr. LEE], the Senator from Connecticut [Mr. MALONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Washington [Mr. SCHWELLENBACH], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

I am advised that if present and voting, the Senator from Connecticut [Mr. MALONEY] and the Senator from Massachusetts [Mr. WALSH] would vote "yea."

I announce the following general pairs:

The Senator from Oregon [Mr. MCNARY] with the Senator from New York [Mr. MEAD];

The Senator from New Jersey [Mr. BARBOUR] with the Senator from Alabama [Mr. BANKHEAD]; and

The Senator from Idaho [Mr. THOMAS] with the Senator from Utah [Mr. KING].

I further announce the following pairs on this question:

The Senator from Vermont [Mr. AUSTIN] who would vote "nay," with the Senator from Washington [Mr. SCHWELLENBACH], who would vote "yea"; and

The Senator from Vermont [Mr. GIBSON], who would vote "nay," with the Senator from New Jersey [Mr. SMATHERS], who would vote "yea."

Mr. WILEY. I announce that the Senator from Vermont [Mr. AUSTIN] and the Senator from Oregon [Mr. MCNARY] are necessarily detained.

The Senator from Kansas [Mr. REED] is absent on official business for the committee investigating campaign expenditures.

The Senator from New Jersey [Mr. BARBOUR] is necessarily absent from the Senate in connection with his duties at the New Jersey State Republican Convention.

The result was announced—yeas 47, nays 20, as follows:

YEAS—47

Adams	Downey	Lodge	Schwartz
Ashurst	Ellender	Lucas	Sheppard
Barkley	Gerry	Lundeen	Slattery
Bilbo	Gillette	McCarran	Stewart
Brown	Guffey	McKellar	Taft
Byrnes	Harrison	Minton	Thomas, Okla.
Capper	Hatch	Murray	Thomas, Utah
Chavez	Herring	Norris	Truman
Clark, Idaho	Hill	Nye	Vandenberg
Connally	Holt	Pepper	Wagner
Danaher	Hughes	Pittman	Wheeler
Davis	La Follette	Reynolds	

NAYS—20

Bailey	Caraway	Hale	Smith
Bridges	Chandler	Holman	Tydings
Bulow	Donahey	Johnson, Colo.	Van Nuys
Burke	George	Overton	White
Byrd	Gurney	Radcliffe	Wiley

NOT VOTING—29

Andrews	Glass	Mead	Smathers
Austin	Green	Miller	Thomas, Idaho
Bankhead	Hayden	Neely	Tobey
Barbour	Johnson, Calif.	O'Mahoney	Townsend
Bone	King	Reed	Walsh
Clark, Mo.	Lee	Russell	
Frazier	McNary	Schwellenbach	
Gibson	Maloney	Shipstead	

So the bill (S. 1970) was passed.

Mr. LA FOLLETTE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BARKLEY. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky to lay on the table the motion of the Senator from Wisconsin to reconsider the vote by which the bill was passed.

The motion to reconsider was laid on the table.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that Senate bill 1970, as amended and passed, may be printed in the RECORD at this point.

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

The bill, as amended and passed, is as follows:

An act to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes

Be it enacted, etc., That this act may be cited as the "Oppressive Labor Practices Act of 1939".

TITLE I

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

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

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

DEFINITIONS

SEC. 2. Whenever used in this act—

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization, 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 labor organization, as the case may be.

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

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

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

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

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

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

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

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

OPPRESSIVE LABOR PRACTICES

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

(1) To employ or utilize any labor spy;

(2) To employ or utilize any strikebreaker or strikebreaking agency;

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

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

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

PROHIBITED ACTS

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

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

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

(c) To furnish any person with industrial munitions 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.

SEC. 5. 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 industrial munitions or services for engaging in any oppressive labor practice;

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

PENALTIES

SEC. 6. 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.

COURT PROCEEDINGS AND REVIEW

SEC. 7. The district courts of the United States, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have exclusive jurisdiction of violations of this title and shall have jurisdiction, for cause shown, and subject to the provisions of section 17 (relating to notice to opposite party) of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended (U. S. C., 1934 ed., title 28, sec. 381), to restrain such violations. Any prosecution or suit under this title may be brought in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U. S. C., 1934 ed., title 28, secs. 225 and 347).

ENFORCEMENT AND INVESTIGATIONS

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

(b) No action to enjoin or restrain any such acts or practices shall be brought except by the Secretary of Labor. The provisions of the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other

purposes," approved March 23, 1932, as amended (U. S. C., 1934 ed., title 29, secs. 101–115), shall not be applicable to any such action, but the rights, benefits, and protection contained in the provisions of such act shall not be affected in any other manner by any provision of this title.

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

SEC. 9. (a) The Secretary of Labor upon probable cause shown may investigate any facts, conditions, practices, or matters the investigation of which may be necessary or proper to determine whether any person has violated any provision of this title.

(b) For the purpose of any investigation by the Secretary of Labor under subsection (a), the provisions of sections 9 and 10 of the Federal Trade Commission Act as amended (relating to the attendance of witnesses and the production of books, papers, and documents), shall be applicable to such investigation in the same manner and to the same extent as in the case of investigations by the Federal Trade Commission under such act as amended.

SEC. 10. No provision of this title, and no investigation, prosecution, or suit instituted under this title, shall in any manner affect any of the powers or duties of the National Labor Relations Board under the National Labor Relations Act (49 Stat. 449).

TITLE II

SEC. 201. (a) After the date of enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have any aliens in his employ to the extent of more than 10 percent of the total number of his employees: *Provided*, That citizens willing and qualified to do such work or perform such services are available for such employment in or near the locality where such work is to be done; and of any aliens so employed preference shall be given to aliens who have declared their intention to become citizens of the United States, and not more than 10 percent of the total amounts paid by such person to all his employees shall be paid, directly or indirectly, as expenses or salaries to the aliens employed by him. For the purposes of this section the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

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

TITLE III

SEC. 301. (a) After the date of enactment of this act, it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have in his employ any Communist or member of any Nazi Bund organization. For the purpose of this section, the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

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

SEPARABILITY CLAUSE

SEC. 302. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of the act, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have incorporated in the RECORD at this point a statement as to what the bill does and what it does not do.

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

WHAT THE BILL DOES

1. IT PUTS A STOP TO THE USE OF LABOR SPIES

It makes it illegal to plant private detective and provocateurs in labor unions. It makes it illegal to spy secretly upon employees to discover whether or not they are affiliated with trade-union organizations.

2. IT PUTS A STOP TO THE LUCRATIVE BUSINESS OF PROFESSIONAL STRIKE BREAKING

The bill provides that an employer shall offer to workers who replace employees who are on strike a wage no higher than the wage received by or offered to the employees who are on strike. This eliminates the employment of professional strikebreakers who have in the past received extravagant sums of money for replacing employees on strike, but who have not been bona fide workmen and have been employed only for disruptive purposes.

3. IT REQUIRES PRIVATE ARMED POLICE TO REMAIN ON COMPANY PROPERTY

Private armed police may leave company premises only when engaged in the pursuit of criminals who have committed an offense on company property or when engaged in the protection against theft of goods or money in transit. It leaves the responsibility of policing public highways where it rightly belongs—in the hands of duly constituted public law-enforcement officers.

4. IT TAKES INDUSTRIAL MUNITIONS OUT OF IRRESPONSIBLE PRIVATE HANDS

Industrial munitions are defined as machine guns and submachine guns and sawed-off shotguns and as offensive gas weapons, hand grenades, and long-range projectiles containing tear gas or nauseating gas. The bill provides that these weapons cannot be kept in industrial plants in this country. There is nothing one-sided about this provision. The bill also provides that no private person can keep these munitions anywhere for the purpose of using them in connection with any labor dispute, and no private person may use them in connection with any labor dispute. Finally, the bill provides that any person while engaged in a labor dispute cannot arm a public law-enforcement agency with such weapons to be used against his opponent.

5. THE BILL PLACES PENALTIES ON THE ACTIVITIES OF LABOR SPIES, PROFESSIONAL STRIKEBREAKERS, AND MUNITIONS SALESMEN

Unless this bill is passed, the labor spy, the professional strikebreaker, and the munitions salesman will continue to carry on their nefarious businesses with impunity. Employers using their services may run afoul of the National Labor Relations Act if they are caught, but the spies and the strikebreakers and munitions salesmen go scot-free. It is possible that as a result of the investigation conducted by this committee, a temporary set-back has been suffered in the profits of these organized businesses that live on industrial strife. But should this bill fail of final enactment, the swarms of spy agencies and professional strikebreakers and munitions salesmen will be back at their old trade.

WHAT THE BILL DOES NOT DO

1. THE BILL DOES NOT SHIELD "FIFTH COLUMN" ACTIVITIES

Serious charges have been leveled against the provisions of this bill on some fancied theory that it would interfere with the power of the Government to protect itself against the "fifth column"—the activities of saboteurs, of traitors, and of foreign spies. I say categorically that these charges are wholly without foundation. A simple examination of the bill will show:

a. It does not interfere with any investigations conducted by any duly constituted law-enforcement agency, whether Federal, State, county, or local.

b. It does not interfere with the right of any employer to investigate sabotage, theft, inefficiency, or any irregularity which may occur in connection with production of goods in his plant.

c. Under my proposed amendment, an employer may even investigate his employees to ascertain their political and economic beliefs. This amendment will make more difficult the enforcement of the policy enunciated by this bill. It is also my opinion that such investigations, even when conducted in good faith, would be of little value if conducted by the type of men employed by the private-detective agencies. However, since there are others that appear to have a contrary belief, I yield to them on this point, since it does not alter the objectives of this bill, but merely weakens the enforcement of it.

d. In other words, there is nothing in this bill which restricts anything except the spying on labor unions—the planting of labor spies in unions to cause trouble and to disrupt the unions.

2. THE BILL DOES NOT INTERFERE WITH THE RIGHT OF EMPLOYERS OR ANYBODY ELSE TO POSSESS LEGITIMATE DEFENSIVE EQUIPMENT

The bill does not prohibit the possession or use of pistols, rifles, shotguns, automatic rifles, and other weapons which are normally part of protective equipment. The bill does restrict the possession of machine guns, sub machine guns, and sawed-off shotguns—weapons which were used by gangsters because of their promiscuously lethal qualities—weapons already restricted under the National Firearms Act as too dangerous to be left in the possession of irresponsible private hands.

But this committee found that the licensing provisions of the National Firearms Act has not eliminated these weapons from industrial disputes. In addition the bill bans the possession and use of certain types of long-range weapons firing chemical gases—tear gases and nauseating gases made of arsenic and similar chemicals. If you take away these weapons and if you take away the salesmen who sell these weapons, you will reduce the bloodshed and disorder which has attended many of our critical industrial disorders. On the other hand, under the bill, as I have already stated here on numerous occasions:

a. An employer is left with pistols, shotguns, rifles, automatic rifles, and any other legitimate protective equipment he may desire.

b. An employer may install stationary gas equipment such as that used in bank vaults, if so desired.

c. The bill does not, of course, affect the rights of citizens to bear arms in their own defense. Nothing could be more fantastic than the statement made with reference to this bill that it would prevent a farmer from using a shotgun to defend himself against the invasion of his land by a foreign parachute army.

Mr. LA FOLLETTE. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point three telegrams addressed to me.

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

WASHINGTON, D. C., *May 27, 1940.*

Hon. ROBERT M. LA FOLLETTE, Jr.
United States Senator, Washington, D. C.:

The American Federation of Labor endorsed S. 1970 by Senator LA FOLLETTE. Urge you and all our friends in Senate cast your vote in favor of this measure.

WILLIAM GREEN,
President, American Federation of Labor.

WASHINGTON, D. C., *May 27, 1940.*

Hon. ROBERT M. LA FOLLETTE, Jr.
Senate Office Building, Washington, D. C.:

Don't sidetrack labor's civil liberties. Support Oppressive Labor Practices Act.

A. F. WHITNEY,
President, Brotherhood Railroad Trainmen, Cleveland, Ohio.

WASHINGTON, D. C., *May 27, 1940.*

Hon. ROBERT M. LA FOLLETTE, Jr.
Senate Office Building, Washington, D. C.:

Behalf of International Association Machinists we urge vote enactment S. 1970 eliminate oppressive labor practices.

H. W. BROWN,
International President.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Latta, one of his secretaries.

HOSPITAL CONSTRUCTION

Mr. MURRAY. Mr. President, I move that the Senate proceed to the consideration of Senate bill 3230.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3230) to promote the national health and welfare through appropriation of funds for the construction of hospitals.

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

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Education and Labor, with amendments.

Mr. BARKLEY. Mr. President, it is not intended to proceed with the consideration of the bill today. It is my purpose to move to adjourn until tomorrow, so that there may be a morning hour.

I ask unanimous consent that on tomorrow, after the completion of the routine morning business, the calendar be called for the consideration of unobjected-to bills, and that if the call is not completed prior to the hour of 2 o'clock, the unfinished business—namely, Senate bill 3230, the Hospital Construction Act of 1940—be temporarily laid aside until the call of the calendar is completed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

Mr. CONNALLY. Mr. President, reserving the right to object, is it assumed that the whole 2 hours will be consumed with morning business?

Mr. BARKLEY. No; it is not.

Mr. CONNALLY. The Senator means at the end of the regular routine morning business?

Mr. BARKLEY. At the end of the regular routine morning business it is planned to go ahead with the call of the calendar.

Mr. CONNALLY. That is to be done by unanimous consent?

Mr. BARKLEY. Yes.

The PRESIDING OFFICER. Without objection, the request of the Senator from Kentucky is agreed to.

NATIONAL DAIRY DAY

Mr. WILEY. Mr. President, I am authorized by the Committee on Agriculture and Forestry to report back, without amendment, Senate Joint Resolution 254; and I ask unanimous consent for its present consideration.

Mr. McKELLAR. Mr. President, let the joint resolution be stated by title.

The PRESIDING OFFICER. The Senator from Wisconsin requests unanimous consent for the immediate consideration of Senate Joint Resolution 254, which will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 254) providing for the observance of National Dairy Day.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin for the immediate consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That for the purpose of stimulating the per capita consumption of dairy products the President is hereby requested, by proclamation, to designate a day in the month of June 1940 as National Dairy Day, which may be appropriately observed throughout the United States.

Mr. WILEY. Mr. President, in connection with Senate Joint Resolution 254, I ask that there be printed in the RECORD at this point a letter addressed to me by Mr. D. T. Carlson, president of the American Dairy Association.

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

AMERICAN DAIRY ASSOCIATION,
Willmar, Minn.

Hon. ALEXANDER WILEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: The following resolution was adopted by the American Dairy Association at its annual membership meeting held in Chicago, May 21, 1940:

"Be it resolved that the American Dairy Association, whose membership consists of the following State dairy organizations which represent the dairy industry generally in their respective States: Iowa Dairy Industry Commission, Kansas State Dairy Association, Minnesota Dairy Industry Committee, Montana Dairy Industries, Inc., North Dakota Dairy Products Association, Washington State Dairy Products Commission, Wisconsin Dairy Industries Association; also of the following national dairy organizations: American Butter Institute, Evaporated Milk Association, International Association of Ice Cream Manufacturers, International Association of Milk Dealers, National Association of Local creameries, National Cheese Institute, National Cooperative Milk Producers' Federation, National Dairy Council, endorses S. J. Res. 254, introduced on May 6 by Senator WILEY, of Wisconsin, which provides as follows:

"That for the purpose of stimulating the per capita consumption of dairy products the President is hereby requested, by proclamation, to designate a day in the month of June 1940 as National Dairy Day, which may be appropriately observed throughout the United States."

Yours very truly,

AMERICAN DAIRY ASSOCIATION,
D. T. CARLSON, *President.*

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 MESSAGE REFERRED

The PRESIDING OFFICER (Mr. HATCH in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Jay Pierrepont Moffat, of New Hampshire, to be Envoy Extraordinary and Minister Plenipotentiary to Canada, which was referred to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DEPARTMENT OF THE INTERIOR

The legislative clerk read the nomination of Royd R. Sayers to be Director of the Bureau of Mines.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

RECOMMITTAL OF A NOMINATION

Mr. McKELLAR. Mr. President, I ask that the nomination of Charles A. Sheldon to be postmaster at Seward,

Alaska—the first nomination under the head of "Postmasters"—be recommitted to the Committee on Post Offices and Post Roads.

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

POSTMASTERS

Mr. McKELLAR. I ask unanimous consent that all the other nominations of postmasters may be confirmed en bloc.

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

ADJOURNMENT

Mr. BARKLEY. Mr. President, as in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, May 28, 1940, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate May 27 (legislative day of April 24), 1940

DIPLOMATIC AND FOREIGN SERVICE

Jay Pierrepont Moffat, of New Hampshire, a Foreign Service officer of class 1, now assigned as Chief of the Division of European Affairs in the Department of State, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 27 (legislative day of April 24), 1940

DEPARTMENT OF THE INTERIOR

Royd R. Sayers to be Director of the Bureau of Mines.

POSTMASTERS

ALASKA

Lydia O. Tilson, Sitka.

ARIZONA

John R. Livingston, Chloride.
George G. Babbitt, Jr., Flagstaff.
George L. Noel, Holbrook.
Vernon Hubbs, Kingman.
Francis K. Pomeroy, Mesa.
Floyd H. Miller, Tempe.
Lee B. McAleb, Willcox.

FLORIDA

Wendell V. Gilbert, Dade City.
Charles W. Stewart, Naples.
Alice B. Landrum, Ponte Vedra Beach.
Bess W. Rowel, Trenton.

NEBRASKA

Patrick F. Leonard, Anselmo.
Lloyd H. Bulger, Arcadia.
Harry H. Burden, Axtell.
John E. Hunt, Bayard.
William C. Rhea, Chester.
Maude S. Yancey, Cody.
Gretchen Wohlfarth, Diller.
Helen M. Gilmore, Hay Springs.
Frederick J. Eichenberger, Kimball.
Blanche Goodreau, Liberty.
George E. Minshall, Lodgepole.
Delbert O. Campbell, Lyman.
Alfred L. Hill, Ord.
Lafe Simonson, Palmer.
Lester V. Kozel, Ravenna.
Martin Slattery, Shelton.
Chester D. Brummett, Silver Creek.
Frank E. Sullivan, Springfield.
Albert E. Pratt, Tobias.
Fred Shimerda, Wilber.

NEW YORK

George A. Wagner, Garden City.
Harry D. Rasey, Randolph.
Edward V. McGrath, Seaford.

NEW HAMPSHIRE

Walter D. Cleary, Bennington.
Fred R. Hutchinson, Canaan.
Mina S. Roberge, Cascade.
Homer J. Forcier, East Jaffrey.
Mary I. Conley, East Kingston.
Ernest E. Lefavour, Farmington.
George F. Garneau, Franklin.
J. Edward Damour, Henniker.
Wilfred J. M. Tremblay, Lebanon.
Vernon H. Hall, Pittsburg.
Ralph Edward Brackett, Sanbornville.
Fred M. Boynton, Tilton.
Thomas W. Kiniry, Walpole.
Frank Hutchins, Wolfeboro.

OKLAHOMA

Gilbert K. Stallings, Altus.
Anson J. Woods, Arnett.
John J. Skinner, Cleveland.
Elizabeth R. Cunningham, Custer.
George J. Martin, Guthrie.
Julius L. Foster, Taloga.

PENNSYLVANIA

Jennie Moran, Braddock.
Leonard C. Fitzgerald, Coatesville.
Harry P. Shreiner, Columbia.
Charles H. Cullen, Derry.
Harry R. Schneitman, Elizabethtown.
William F. Dewey, Frackville.
Isaac W. Edgar, Glenshaw.
Frances M. Dougherty, Haverford.
Margaret G. Cummings, Irwin.
James P. Dennehy, Lock Haven.
Lisle H. Deviney, Pitcairn.
Marion S. Schoch, Selinsgrove.
Charles W. Remaley, Jr., Springdale.
Jenny Paterson, Yukon.

SOUTH CAROLINA

Dixon D. Davis, Greenville.
Malcolm J. Stanley, Hampton.
James D. Mackintosh, McClellanville.
Bayfield W. Smoak, Moultrieville.
Eugene C. Jones, North.
Amelia B. Blackmon, Orangeburg.
Earle W. Chadwick, Parris Island.
Robert J. Aycock, Pinewood.
Wiley W. McTeer, Jr., Ridgeland.

UTAH

Nello Christoffersen, Brigham.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 27, 1940

The House met a 12 o'clock noon and was called to order by the Speaker.

Rev. Patrick N. McDermott, national chaplain, the American Legion, Atlantic, Iowa, offered the following prayer:

Our Father, who art in heaven, sanctify our souls that we may worthily recollect ourselves in Thy divine presence. In Thee we live, move, and have our being. Everywhere Thou art present.

In these critical days, fortify our faith, strengthen our hope, and intensify our love for Thee and our fellow men.

Gratefully we thank Thee for the innumerable blessings showered upon our beloved Nation, founded as it is upon the fatherhood of God and the brotherhood of man.

Conscious of our glorious past, we thank Thee for the inspiration that, in season and out of season, has guided our Congress in interpreting Thy divine mind and recognizing Thy divine will. May Thy will be done on earth as it is in heaven.

Finally, O heavenly Father, we do thank Thee for the priceless gift of peace that we as a Nation enjoy. Preserve it to the end of time, and enable us to conserve it by our fidelity to Thee and our loyalty to our country.

We are not unmindful of the warning, "The nation that forgets God shall perish."

In Thy own inscrutable way, send Thy peace into the world that untimely death and wanton destruction may end. In this hour, knowing that Thou will not despise a humble and contrite heart, from the depth of our souls we cry out—"God save America, God bless America." Amen.

The Journal of the proceedings of Friday, May 24, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 7543. An act to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes; and

H. R. 9140. An act to authorize the Secretary of the Navy to acquire land at Key West, Fla.

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. 7615. An act authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, county of Manatee, State of Florida.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9243) entitled "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," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon; and appoints Mr. SHEPPARD, Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. MINTON, Mr. JOHNSON of Colorado, Mr. AUSTIN, and Mr. BRIDGES to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7737) entitled "An act to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes."

PERMISSION TO ADDRESS THE HOUSE

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent that on tomorrow after the disposition of business on the Speaker's table and at the conclusion of the legislative program in order for the day, I may be permitted to address the House for 30 minutes.

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

There was no objection.

THE LATE FREDERICK C. FAIRBANKS

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

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

There was no objection.

Mr. LUDLOW. Mr. Speaker, an outstanding newspaper publisher and a splendid citizen is being laid to rest this afternoon in beautiful Crown Hill Cemetery, at Indianapolis, where sleep so many of the Nation's illustrious dead. Frederick C. Fairbanks, president of the Indianapolis News Publishing Co., publisher of the Indianapolis News, one of the greatest newspapers of our country, died in Mercy Hospital, San Diego, Calif., last Wednesday night, after a lingering illness, and his body was brought back for burial today amid the scenes of his childhood and his later activities as a lawyer and businessman. He was born in Indianapolis 59 years ago of prerevolutionary stock and was educated at Phillips Exeter Academy and Princeton University, graduating from the latter institution in class of 1903. He inherited unusual legal and business ability from his father, the late Charles Warren Fairbanks, vice president of the United States. The deceased was a man of boundless energy and kind nature, who liked everybody and was liked by everybody. As a publisher he was fair and just in his decisions and his solicitude for the welfare of his employees will endear him forever to their memory. He was courageous to the last degree in attacking political exploitation and corruption wherever it is found, for his conception of the duty of a publisher was that he owes an obligation to the people to do everything he can to keep the springs of public service pure. He had unlimited confidence in democracy and in the righteousness of the people's decisions when based on full information. In his death journalism has lost a shining exemplar and a sound counselor and our city and State have lost a good and useful citizen.

DEFENSE OF MEXICAN BORDER

Mr. SNYDER. 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 [Mr. SNYDER]?

There was no objection.

Mr. MAY. Will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Kentucky.

Mr. MAY. I would like to know if the gentleman can tell us when we are going to have the Army appropriation bill passed by the Senate considered?

Mr. SNYDER. We have not had any hearings on that yet.

Mr. MAY. There have been considerable hearings on this side heretofore and a large amount of hearings in the Senate.

Mr. SNYDER. It is on the Speaker's desk. I asked for hearings the other day, but the majority of my committee were not ready. We are supposed to start them Wednesday morning.

Mr. Speaker, it is 1,800 miles along the Mexican border. I inquired of the Bureau of Immigration this morning and I find there are about 374 civil-service people down there guarding the Mexican border. I think the United States Army should guard the Mexican border instead of a handful of civil-service people.

I am introducing a bill calling for the erection of certain patrol towers along the Mexican border. I trust it will be called up in the near future and acted upon. Let us put the Army down there to guard that border. Thousands of wolves in sheep's clothing are coming into the United States through Mexico every year and more the last few months than before. We must trap these wolves—trap them and put them to hard work building one of my transcontinental highways across the Nation.

[Here the gavel fell.]

EXTENSION OF REMARKS

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

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement on the possibility of the Grand River Dam district as a location for a Federal arsenal, together with a resolution adopted by the House of Representatives of the State of Oklahoma.

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

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by Jay Franklin taken from the Seattle Star of May 20.

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

There was no objection.

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Mr. Archibald MacLeish in the Nation.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes tomorrow at the conclusion of the special order heretofore granted the gentleman from Texas [Mr. JONES].

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

EXTENSION OF REMARKS

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by myself last Friday before the Pan-American Club.

The SPEAKER. Is there objection to the request of the Resident Commissioner from Puerto Rico?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GRIFFITH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes today at the conclusion of business on the Speaker's desk and after any special orders heretofore entered.

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

There was no objection.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects and to include certain excerpts from papers.

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

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from a St. Louis newspaper.

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

There was no objection.

NATIONAL LABOR RELATIONS BOARD

Mr. COX. 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 Georgia?

There was no objection.

Mr. COX. Mr. Speaker, the main weakness in our national defense is the "fifth column" made up of the "reds" that dominate the C. I. O. Until we break the strangle hold of the C. I. O. on certain agencies of the Government we will continue exposed to great danger. This is no time to play the game of hide-and-seek on questions that involve public safety. Those who are on the side of government by law should be willing to stand up and be counted. An immediate consideration of the Smith amendments to the Wagner Act would afford this opportunity. The Labor Board must be liquidated, for government by the Board is government by the C. I. O., and government by the C. I. O. approaches communism. Nathan Witt and Saposs in policy-making positions in the C. I. O. are a thousand times more dangerous than a thousand Browders in the field. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and include therein an article from the New York Daily News of May 25 called Our Mexican Mystery, and also an editorial by Charles G. Ross from the St. Louis Post-Dispatch.

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

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from one of my constituents.

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

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 an editorial by David Lawrence on the Wagner Act.

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

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address by our former colleague, Mr. Binderup, of Nebraska.

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

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the eight-point program of the Indiana Home Owners' Association.

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

There was no objection.

FRITZ JULIUS KUHN

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I have this morning made an affidavit calling for the cancelation of citizenship of Fritz Kuhn. I am writing a letter to the Honorable John T. Cahill, United States district attorney of New York, which reads as follows:

MAY 24, 1940.

Hon. JOHN T. CAHILL,
United States District Attorney, New York City.

DEAR SIR: I am enclosing herewith an affidavit which clearly shows the fraudulent procurement of citizenship by Fritz Julius Kuhn, which citizenship was conferred upon him by the United States district court at Detroit, Mich., on the 3d day of December 1934, at which time Kuhn received certificate of naturalization No. 3845908, dated December 3, 1934.

The enclosed affidavit is submitted to you for the purpose of enabling you to perform your duty of instituting suit to cancel the certificate of citizenship and set aside and vacate the judgment fraudulently obtained by him from the said court. Mr. Kuhn at the present time is in Dannemora Penitentiary, New York, which places him within your jurisdiction. I would be pleased to have an acknowledgment of the receipt of this letter, giving me some definite time within which prosecution may be started. Please institute this suit immediately and advise me, as the Congress is likely to adjourn.

For your further information I am also enclosing the report No. 1476 on House Resolution 282, referred to in the affidavit. Among other things in the affidavit, I call your attention to page 15 of the report, which contains the basis for some of the statements of fact in the affidavit.

Very truly yours,

L. M. FORD.

STATE OF CALIFORNIA,
County of Los Angeles, ss:

LELAND M. FORD, being duly sworn, on his oath says that Fritz Julius Kuhn was naturalized a citizen of the United States by the judge of the United States district court at Detroit, Mich., on the 3d day of December 1934 by fraudulently pretending to comply with the naturalization laws, and as evidence of such citizenship conferred, received certificate of naturalization No. 3845908, dated December 3, 1934; and

That the fraud imposed upon the court and upon the naturalization laws of the United States consisted, in part, in deliberately claiming and asserting under oath, in his petition for citizenship filed in the said United States district court on June 28, 1934, that he was, without any mental reservation made known therein, at-

tached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States;

That, upon such fraudulent representation, and at the hearing of the said petition, the said Fritz Julius Kuhn did then and there in open court give false and perjurious testimony in support of such claim in that the said Fritz Julius Kuhn, with deliberate intent fraudulently to deceive the court and before the court granted his said petition, did solemnly declare and swear falsely on oath in open court and in the presence of the court, that he would support and defend the Constitution of the United States, and that he did absolutely and entirely renounce and abjure all allegiance and fidelity to every prince, potentate, state, and sovereignty, and particularly by name to the foreign state and sovereignty of which he was at that time a citizen or subject; that he would support, defend, and bear true faith and allegiance to the Constitution and laws of the United States against all enemies, foreign and domestic, and that he took this obligation freely and without any mental reservation or purpose of evasion; whereupon the judge of said court did thereupon grant the said petition and confer United States citizenship upon the said Fritz Julius Kuhn;

That the said Fritz Julius Kuhn did not, in fact, renounce his allegiance to the state of Germany which he swore it was his intention so to do in his said petition for citizenship hereinbefore referred to, and which in open court he swore then to be doing in fact at the hearing upon his said petition;

That, by the sworn testimony of himself and other witnesses before the special committee of the House of Representatives of the United States on un-American activities, as stated in their report No. 1476, of January 3, 1940, the said Fritz Julius Kuhn has been unequivocally shown not to have renounced his allegiance to the state of Germany which he swore in his said petition for citizenship hereinbefore referred to it was his intention to do, and which, in open court at the hearing upon his said petition, he swore he was then in fact renouncing;

That the said report No. 1476 establishes, among other things, that the said Fritz Julius Kuhn, referred to therein as Fritz Kuhn, is the fuehrer or directing head of an alien organization in the United States known as the German-American Bund, and that this said bund receives its inspiration, program, and direction from the Government of Germany through the various propaganda organizations which have been set up in the United States by the Government of Germany, and which function under the control and supervision of the Nazi Ministry of Propaganda and Enlightenment of the German Government, as more fully set forth in testimony before the said special committee, and thereby conclusively established; that the said bund is widespread in the United States, and that it has taken its orders from the said Fritz Julius Kuhn as its national fuehrer; that his said activities have been against the good order and happiness of the United States, and against the principles of the Constitution of the United States, and against the Constitution of the United States to which the said Fritz Julius Kuhn did fraudulently swear in open court he would bear true faith and allegiance, and would support and defend against all enemies foreign and domestic of the United States;

That more and fuller details of the fraudulent acts of the said Fritz Julius Kuhn against the laws and good order of the United States are set forth in the said report No. 1476; and it is believed that more amplified testimony is in the files of the said special committee more fully showing by the acts of the said Fritz Julius Kuhn that he is, in fact, and always has been an enemy of the United States; and

That for the reasons set forth herein there is shown good cause for the appropriate United States district attorney to perform the duty imposed upon him by the naturalization law to institute proceedings to set aside the judgment of admission to citizenship fraudulently obtained by the said Fritz Julius Kuhn, and to cancel the said certificate of citizenship issued to the said Fritz Julius Kuhn, in the court having jurisdiction to naturalize aliens in the judicial district in which the said Fritz Julius Kuhn is now residing;

That the Supreme Court of the United States has repeatedly ruled that the naturalization laws must be construed strictly, and in favor of the United States as against the alien.

LELAND M. FORD.

EXTENSION OF REMARKS

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by the Honorable Howard H. Baker.

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

There was no objection.

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

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

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the New York Journal of Commerce.

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

There was no objection.

HON. ROSS A. COLLINS

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include therein an article by Drew Pearson and Robert S. Allen, which appeared in the Washington Times-Herald on Saturday, May 25. This article pertains to the father of mechanization of the United States Army, the distinguished, capable, and able gentleman from Mississippi [Mr. COLLINS].

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

There was no objection.

The article referred to follows:

WASHINGTON DAILY MERRY-GO-ROUND

(By Drew Pearson and Robert S. Allen)

During 20 somnolent years after the World War, the United States Army drilled its men, policed its posts, played polo, counted out Army property from socks to ashcans, ran its post exchanges, and performed all the other humdrum, prosaic duties of a peacetime Army, unworried over the modern military trends which were to make Europe a shambles.

During most of those 20 years, the chief thorn in the side of the Army was a cherub-faced, rotund Representative from Mississippi who refused to let the Army go to sleep. His name was ROSS COLLINS, and with disconcerting consistency he kept taunting the Army with the fact that what it needed was more tanks, armored cars, airplanes, and fewer horses.

"Have you investigated the number of horses in the Air Corps?" Representative COLLINS once asked Gen. John F. Preston, inspector general of the Army.

"No, sir," replied General Preston, who was testifying before Representative COLLINS' appropriations subcommittee. "I know at San Antonio they did have some for polo and exercise."

"For the officers or for the womenfolk?" inquired COLLINS.

"No, sir; for the officers."

"For airplane duty?" persisted COLLINS.

"For airplane duty," General Preston replied.

"They must be flying steeds," grunted the Representative.

WATCHES ARMY MONEY

ROSS COLLINS is in a strategic position. For years he has sat on the Subcommittee on Military Appropriations, where he could watch every item spent in national defense, and help to shape the policy of the Army.

And the Army came to hate him. They called him a pacifist. They tried to contribute to his defeat back home in Mississippi.

They hated him because he was always trying to goad them into adopting the type of weapons with which Hitler is now sweeping Europe. And today the Army, a little belatedly, admits that ROSS COLLINS was right.

When asked why he began to urge a mechanized Army 10 years ago, when the general staff was none too enthusiastic, COLLINS drawled:

"Look up and down Pennsylvania Avenue. Do you see any horses and buggies? No. People are all traveling in motor cars. Then why should we handicap the Army by putting them back in the horse and buggy days?

"Or take khaki cloth. We all know that it will not stop machine-gun bullets. So why expose our soldiers to them? Hitler doesn't. He manufactures armor for his men—armor in the form of tanks.

"We are the greatest scientific and industrial Nation in the world, but we have applied our science and industry to everything except our military defense."

M'ARTHUR'S "CHINESE ARMY"

Representative COLLINS blames Gen. Douglas MacArthur for handicapping the mechanization of the Army, and pays tribute to the present Chief of Staff, Gen. George Marshall, as an ardent advocate of modern military equipment.

"MacArthur wanted a Chinese army," says COLLINS; "a lot of men and low fire power. That's exactly the reverse of the Germans. They had a small army under the Versailles Treaty, and they had to make every man count for a lot. So they specialized in modern weapons. Each man had to get the maximum fire power out of his weapons. That is why Germany developed the airplane, the tank, and the armored car to such perfection.

"That's the secret of our national defense today. We don't need a lot of foot soldiers, as MacArthur would have. It is harmful to mobilize them without equipment. It is far easier to train men than to equip them, and if you train them with outmoded weapons you have to train them all over again.

"What our Army needs is less gold braid and trolley wire on its uniforms and more overalls. Put every man into overalls and you'll have a lot better defense than if he has stripes on his pants."

OLD OFFICERS

Another complaint Representative COLLINS makes against the Army is that it is run by old men. Many of its officers, he says, are wartime clerks frozen into the Army during the World War, who remain because they couldn't make a living elsewhere.

During the Hoover administration, COLLINS inserted in the Army appropriation a cut of 2,000 inefficient and old officers from the rolls. A howl went up from the Army such as has not been heard since Admiral Cockburn burned the Capitol in 1814. Eventually the provision was defeated in the Senate, and there has been no tampering with the Army's outmoded promotion system until this year, when a provision for the retirement of officers over 60 seems sure to pass Congress.

Today the Army has come around to consider ROSS COLLINS a real friend. But he still is critical, and recently held the 1941 War Department appropriation bill up to ridicule because out of about a billion dollars only $100,000,000, or one-tenth, is to be spent for equipment—and COLLINS considers equipment far more important than manpower.

ARMY HOSTESSES

However, the Army will never forget those pungent days when the sarcastic gentleman from Mississippi was trying to rouse it from its lethargy, and when he cross-examined Maj. Gen. C. H. Bridges regarding Army hostesses:

"I know you want ladies around the post," said COLLINS. "These schools have a way of putting uniforms on the best-looking girls and making honorary colonels of them. It's part of a plan to play up sex appeal. You are putting women into the Army every chance you get."

Or again, when examining the Chief of the Air Corps as to why aviators needed bands, the gentleman from Mississippi said:

"I suppose you take your bands up in the air with you—an instrument in every plane—to play heavenly music to the angels."

EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a speech delivered by Gov. Arthur H. James, Governor of the great State of Pennsylvania, before the Republican State Central Committee of Minnesota, at St. Paul, on Wednesday evening, May 22, 1940.

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

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters from Lewis J. Murphy, national commander of the Disabled American Veterans.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for one-half minute, and to revise and extend my remarks.

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

There was no objection.

Mr. GIFFORD. Mr. Speaker, I listened to the fireside chat of the President last evening. To assume the mannerism and I trust the dialect of the late Calvin Coolidge, "Everything is all right." [Laughter and applause.]

Sudden and amazing change of doctrine among our great writers, teachers, and molders of public opinion. Consternation reigns because of their own tragic, misleading, and fateful utterances. Archibald MacLeish leads the way in assuming his own share of culpability. His Mea Culpa is timely and praiseworthy. Would that those in high places would acknowledge error. We would accept such confessions as only an indication that they had become wiser, and it would bring confidence to the future.

How devastating to theoretical dogma is even a little of practical demonstration. The one word "Hitler" is sufficient to cause theorists and pacifists to plead in terror that the Nation be now aroused from the lethargy and smugness they themselves have brought about. Complete isolationists are nearly bereft of followers. America is awakened to the stark realities of a war-torn world. Our national safety can no longer be taken for granted, even though we determine to take no part in present hostilities abroad. The Monroe Doctrine is an accepted vital national policy. Its potential dangers to our peace can no longer be ignored. We have declared protection to the entire Western Hemisphere, and there is now no retreat. Our people must be prepared to sacrifice and contend not only to preserve our safety and liberties but those of many other nations of far different attitudes of general policy.

The greatest responsibility rests upon the Congress. It may be necessary not only to support but to curb the executive branch of the Government. Politics in matters of preparedness are dismissed. Politics in matters of watchful, pitiless criticism of inefficiency, failure, and attempts to make of national defense an issue for the continuation in power of a discredited management must be accentuated. In other nations, inefficiency, or loss of public confidence can be displaced in a few hours. Years might pass before such remedy could be applied in these United States. Great domestic issues are to be fought on the political battleground during the next few months. National defense must not becloud those issues. All are in agreement on that question. Generalship is important. It is the great issue even on the battlefields of France at the gravest moment of actual fighting. Let not the slogan of "swapping horses in the middle of the stream" be heard in the campaign. It has lost its persuasive jingle.

We now need great business and industrial generals in charge. Our present political leader never has liked or trusted such leaders. He was determined to be their master. He has persistently branded them with a variety of opprobrious epithets. His own lack of business sagacity has been amply demonstrated for 7 long years. Will he now take advice and suggestion? Surely he may be expected to turn upon his "economic royalists" in a rage at any moment, unless he can greatly change his temperamental nature. Masses of people may still be enthralled by his extraordinary personality and fireside confidences. Businessmen, however, will be suspicious. Their wounds are far from healed. Can they carry on with any degree of confidence?

Seven years of constant ebullitions of hatred from his noisy satellites have instilled a permanent distrust of any olive branch, no matter how flowered and perfumed for the occasion. A change of leadership is imperative.

It would be heartening and allay fear if glaring failures were acknowledged. The huge public debt brought about by constant so-called social experimentations, often proven worse than worthless, is the monument erected to this administration.

After 7 years of experimentation in relief, another huge relief bill has been voted, with no attempt to remedy its glaring inefficiencies in method and results. The culpabilities recited in volumes of testimony are ignored and even "chuckled at" because of political advantages gained thereby.

Financial policies, other than the accumulation of this mountainous debt, such as our gold and silver accumulations, are steadily pursued in the full knowledge of ultimate disaster. Bureaucratic powers—not steadily, but in "bounding leaps"—are encircling the whole gamut of business activity. Huge business organizations may be mischievous, but huge government is deadly to initiative and the providing of employment. It is now not a far cry to the encirclement of the citizen in his free conduct of his mode of living. Government propaganda influences his thought and actions. Soon he will submit his cherished liberties to Government rules and regulations.

Seemingly it is hoped that these vast and costly experiments will be forgotten under the whipped-up hysteria of national defense. Calm voices may yet be heard in the land. A halt in the mad spending orgy may yet be demanded.

A great democratic leader, who for years has urged these billions for relief, has now refused to advocate or vote favorably. No one has been so loyal or has so ably pleaded for billions of blank checks for his President. He deserves high praise for his courage in demanding a return to sane finance.

But the Congress is unable to check itself from indulging in the mad sprees of spending begun under his former leadership. I venture to predict that his great influence will regain to him a sane following as the people awake to the realties of this highly dangerous financial situation.

Certificates of governmental indebtedness have been distributed and even eagerly purchased in such quantities that "haunting fear" is always present lest they be thrown on the market at a time when they may not be readily purchased. If they fall but a few points, the results will be disastrous. Some recall that 4½-percent bonds fell to almost 80 points in the twenties. Bonds carrying low rates of interest—with a debt of nearly fifty billions foisted on our Nation—may not always appeal to a people anxious to obtain a reasonable return on their savings. They must be warned of this danger. Perhaps they will then demand a sane program under an efficient administration.

HOUR OF MEETING TOMORROW

Mr. VINSON of Georgia. Mr. Speaker, in view of the fact that we have on the calendar for tomorrow the consideration of H. R. 9822 and H. R. 9848, I ask unanimous consent that when the House adjourns today it reconvene at 11 o'clock tomorrow.

Mr. TABER. Mr. Speaker, reserving the right to object, it is not the intention that anything except those two bills shall be taken up tomorrow?

Mr. RAYBURN. No.

Mr. VINSON of Georgia. That is my understanding.

Mr. TABER. May I ask whether it is the intention to take up the Mexican claims bill?

Mr. RAYBURN. No.

Mr. FISH. And it is not the intention to take it up tomorrow if this consent is given?

Mr. RAYBURN. No.

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

There was no objection.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a radio speech delivered by me.

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

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short editorial from the Chicago Tribune.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday, after all legislative business has been disposed of and any previous special order, I may be permitted to speak for 20 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by including therein a copy of resolutions adopted by the Episcopal Diocese of Western New York.

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

There was no objection.

Mr. WINTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement which I made before a Ways and Means subcommittee on May 10.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds.

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

There was no objection.

Mr. HAWKS. What is the difference between "on hand" and "on order"? I would like to know. The President used these expressions in his fireside chat last night, but he did not give us any details. I have an idea that the figures will be most illuminating, and probably not so favorable to the last 7 years. [Applause.]

Mr. SABATH. 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 Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, just a few moments ago the gentleman from Georgia [Mr. Cox], instead of directing attention to the real "fifth column" danger in this country, once again unjustly assails and attacks the Congress of Industrial Organizations as being behind the communistic movement supposed to be abroad in the land. Ignoring the fact that the entire country fully realizes that it is Hitler's Nazi propagandists that really constitute the so-called "fifth column," the gentleman, and some others, continue to misrepresent legitimate American labor organizations and very evidently for the purpose, if that shall be possible, of not only destroying the confidence of the American people in but of actually destroying the organizations themselves.

The C. I. O. and the other great labor organizations are not communistic controlled. They are officered and controlled by the rank and file of American workers. They have time and again in the past proved their 100-percent Americanism and 100-percent loyalty to American institutions and, make no mistake about it, will do so again as often as the opportunity offers and as often as their country needs them.

I do not contend that the C. I. O. or any other American labor organization has never made a mistake, as, for instance, when a couple of years ago the C. I. O. in desperation instituted the sit-down strike for the purpose of improving the conditions of their lowest-paid members in the auto industry. But when the courts held the sit-down strike to be illegal, they immediately stopped, and for nearly 2 years now neither the gentleman from Georgia nor anyone else has heard of sit-down strikes. Nor do I wish to be understood as saying that not a single member of organized labor has been untouched by the communistic folly. But I do assert that for every Communist follower in this country, you will find many, many times that number of undercover agents and propagandists getting in their poison for Hitler's Nazi and bund organizations. Mr. Speaker, beyond doubt they are the real and actual menace to the Stars and Stripes within our borders. Unfortunately, however, Mr. Speaker, the gentleman from Georgia and others who are against the C. I. O. and, as I honestly believe, to all other bona fide labor organizations, leave no stone unturned to make it appear that the C. I. O. is communistic.

Within the last year and a half numerous irresponsible men have appeared before the Dies committee for the express purpose of bolstering up the not only unsupported but false charge that the C. I. O. and other labor bodies are controlled by Communists. In nearly every case these witnesses against legitimate labor organizations have been subsequently revealed as either having criminal records or as men who have been kicked out of labor organizations for disloyalty or crookedness, or are racketeers or ex-convicts. Only in yesterday morning's paper I read that William C. McCuistion, who had been a star witness before the Dies committee last fall, attempted to hang himself in an eleventh precinct cell here in Washington. McCuistion had testified before the Dies committee that the National Maritime Union, C. I. O. affiliate, was dominated by Communists, and that its president, Joseph Curran, was a Communist. This witness

had been indicted for murder in New Orleans last March. When picked up day before yesterday for drunkenness he was boasting that he was wanted for murder.

This man is a fair sample of the type of men induced to go before the Dies committee to question the patriotism and Americanism of legitimate labor organizations. Every day I am receiving letters from members of organized labor who one and all indignantly protest and deny there is the slightest truth in the charge that the C. I. O. and other labor organizations are communistically controlled. I have here a letter from Mr. Robert E. Renfrew, who signs himself "just a seaman, but a damn good American." His letter is similar to many others. He says, in part:

Being a member of the National Maritime Union I am of course bitter at the attempt of the Dies committee to smear us as Communists. We definitely are not. We are a rank-and-file organization, and the officers are elected by we, the membership. If they are no good, we just kick them out. Joe Curran is our president. He is one of the finest leaders in the country. He is no Communist or traitor to his country. He hates, as we all hate, the filthy name of communism. He is the first American-born and the youngest maritime leader in our country. He was called before the Dies committee and abused. The committee had with it as our critics several former N. M. U. officials whom we, the membership, had kicked out of the union because of their gross dishonesty.

Mr. Speaker, the effort to besmirch labor leaders and labor organizations with the charge of questionable loyalty has been going on ever since there have been any labor organizations. I well recollect that as long as 40 years ago the Republicans and a few paid representatives of the vested interests were in the habit of charging that all who advocated the cause of organized labor were Socialists—yes, Anarchists—just as today they are charged with being Communists.

Those who point to organized labor as the menace to our liberties and our national security are barking up the wrong tree. It is to the Nazis who form the "fifth column" to whom they should point with scorn and just indignation. Not only do these disciples of the bloodthirsty Hitler attempt to undermine the confidence of the people in their own Government, playing class against class, creed against creed, race against race, religion against religion, seeking to make it appear that even Mrs. Roosevelt and Mrs. Perkins are serving in the ranks of the "fifth column," but they even maintain their own secret courts to try those Hitler subversists who may not work hard enough for nazi-ism. These courts are maintained for the purpose of maintaining discipline and encouragement to the Nazi workers in America, and they are distinctly un-American, if not actually treasonable, and as such should be prosecuted and exterminated. It is to be regretted that gentlemen here should be so completely blind to nazi-ism, fascism, and Silver Shirts, the un-Christian front and all those subversive and disloyal organizations that are cooperating with them.

In last Thursday's Washington Times-Herald, I read the following from Hal Burton, that newspaper's correspondent in Mexico:

The "fifth column" is closing ranks in Mexico, facing north toward the American border. Germany has 200 busy agents at work—more than in World War days, when Carranza maintained a dubious "neutrality."

These are not Communists that the above correspondent is talking about; they are followers, agents, and representatives of Adolf Hitler.

Surely no one who is the least familiar with my record in this body will charge that I have any sympathy or respect for any misguided Communist. Mr. Speaker, what I am trying to point out and drive home is the fact that the real danger is the constant and insidious propaganda carried on by men like Father Coughlin, the leaders of the Silver Shirts, and other similar poison injectors exactly as planned, practiced, and carried out in Poland, Czechoslovakia, Austria, Holland, Denmark, Norway, Belgium, and so forth, all under the guise of fighting communism, when in fact there was none such existing in those countries. The Nazi agents in this country are using the same tactics, same propaganda, the same subversive methods of approach, meanwhile keeping up the same continuous attacks on the Jewish race and the Catholics, all for the subtle purpose of cleverly diverting public attention from their own dastardly schemes and treasonable conduct, and making it appear that the real culprits in America are not themselves, but the Communists.

Therefore, Mr. Speaker, I again appeal to every loyal American citizen, every Member of Congress, not to permit himself to be used by nazi-ism under the pretense they are fighting communism. For the danger that confronts America—and that fact should now be clear to all—is not communism, but nazi-ism and fascism. All the hue and cry we hear about communism is merely a part of the Nazi propaganda, insidiously circulated by the directors of the Nazi conspiracy to fool the people. Although this stands out as clear as day, there are still some among us who dare to think and to say that nazi-ism and fascism are not so bad.

I take it, Mr. Speaker, that no one would accuse Mr. William Randolph Hearst of harboring any love for communism, so that what he states in the following signed article on the subject of fascism and nazi-ism may be accepted by us at its full face value:

In Italy, the Fascist Government has suppressed all freedom of thought and expression, has drilled and dragooned all independent industries and all prosperity out of the country, and has utterly impoverished the people in order to gratify the Government's imperial ambitions and to maintain the nation in arms.

In Germany, not only is all liberty lost, but all modern ideas of freedom of thought and speech and publication ended, but as further evidence of complete return to the Dark Ages, the Nazi Government has revived medieval methods of execution and political processes of wholesale assassination.

Mr. Speaker, the gentleman from Texas [Mr. DIES], like the gentleman from Georgia, has great fear of the Communists and their activities and feels that the communistic leaders are using the Nazi forces to aid their cause. Also, like the gentleman from Georgia, he appears to feel that there is great danger in organized labor. This, Mr. Speaker, I repeat, appears to be an effort not to get the real facts about the "fifth column" but to weaken and, if possible, destroy the unfortunately wrangling factions of organized labor. If the leaders of the great labor organizations appreciate what is good for them they will cease making accusations against each other and instead join hands in the interest of America in eliminating the confronting danger of communism, fascism, and nazi-ism.

The view that it is communism rather than nazi-ism that constitutes the big impending danger to America, while on the other hand that organized labor is dangerous to American institutions, is so far afield from the actual fact that I cannot see how the gentleman from Texas could be blind to the true situation. During the past 12 or 15 months twelve or more men have been subpenaed and testified before the Dies committee. Great stress in the way of advance publicity was laid on the testimony that they were to give in showing communistic activities in the United States. Unfortunately, their testimony proved nothing but complete duds. Without mentioning the names of all who appeared, I name some of those to whom my references apply. In addition to the murder suspect, McCuistion, whom I have already mentioned, there appeared one Duzenberg, and also the great Colonel Krivitsky, who at one time was connected in an official capacity with the Russian Government, and who was authorized to make purchases for his Government in France, but who, instead, pocketed the Russian funds and then came to the United States as a temporary visitor, and who was kept in the United States for a period of 6 months notwithstanding that a warrant of deportation had been issued by the Bureau of Immigration, but who was held here, as I am informed, under a subpena of the Dies committee and later allowed to depart for another country. There also appeared before the Dies committee one Gitlow, a former Communist, who testified before the committee for 3 days and whose testimony was for naught. The testimony of others, summed up, was much ado about nothing.

Mr. Speaker, the gentleman from Texas was asked to give names of dangerous Communists, but up to date he has failed to name any. On the other hand, I observe in the CON-

GRESSIONAL RECORD of May 20, 21, 23, and 24, the names of Nazi leaders and organizations who are actually active in fomenting trouble and discord and building up the "fifth column," but I have as yet failed to notice where any of them have been called as witnesses before the Dies committee. Not only that, but just a few days ago the chairman of the committee informed me of the dangers of Nazi activities in my own city, where he claimed the Nazi organizations had over 20,000 organized and active members. When I asked why the leaders, or at least the most dangerous of them, should not be subpenaed, he stated that where he might show a front-cloak of evidence, yet he was apprehensive of a decision rendered by a judge in Philadelphia or Baltimore.

I recall that case but, unfortunately, Mr. DIES did not issue subpenas and without any authority of law seized some papers and documents. If he does not know, I wish to inform him that he has the power of subpena and under that power he can take any and all papers of any organization or men if any representative of his committee will state that they suspect or believe they are guilty of subversive activities. Why Mr. DIES has not exercised that power in Chicago and elsewhere that I have mentioned, I cannot understand. I feel it is his duty before he obtains any additional funds to serve subpenas on all these Nazi and subversive organizations and at least take possession of their books, communications, documents, minutes, and so forth, the location of which in Chicago he told me he personally knows. And especially should he do so not only in view of what he stated to me, but in consideration of what the newspapers have quoted about the activities of the Nazi organizations in his State which, according to reports, they are using as a base in building up the "fifth column" in Mexico. Further, I feel the gentleman from Texas should know by this time that the so-called German Bureau of Information, which is guilty of sending out inflammatory literature, is but a blind for the real official Nazi propagandists. In conclusion, why is it that Mr. DIES has made no effort to ascertain the source of these vast sums of money which have been expended for the dissemination of Nazi propaganda in this country.

But, Mr. Speaker, the attacks charging labor organizations with being communistic, I repeat, in conclusion, are made for a purpose, and that is the weakening or the destruction of labor in America. I repeat that I believe that all our labor organizations are wholeheartedly American and loyal and devoted to our institutions and will show now and hereafter, as they have heretofore, that they can be trusted.

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

Mr. SABATH. I would, if I had the time.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SCHWERT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech made by Senator JAMES M. MEAD at the National Association of Postal Supervisors in Buffalo.

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

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Sioux Falls Argus-Leader of South Dakota.

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

There was no objection.

REORGANIZATION PLAN NO. V

Mr. COCHRAN. Mr. Speaker, I call up the joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V and ask unanimous consent that it may be considered in the House as in Committee of the Whole, and that the agreement already entered into providing for one-half hour to be controlled by the gentleman from New York [Mr. TABER] and one-half hour by myself be carried out in the consideration of the joint resolution.

The Clerk read the title of the joint resolution.

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

Mr. TABER. Mr. Speaker, I reserve the right to object. I shall not object to the resolution being considered and the debate that has already been agreed upon, but I do think it ought to be considered in the Committee of the Whole instead of the House as in Committee of the Whole. Therefore I object to its being considered in the House as in Committee of the Whole.

Mr. COCHRAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 551, providing for the taking effect of Reorganization Plan No. V.

The SPEAKER. The question is on the motion of the gentleman from Missouri that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 551.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 551, with Mr. LEAVY in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, at the request of the gentleman from Missouri [Mr. COCHRAN], the first reading of the joint resolution was dispensed with.

Mr. COCHRAN. Mr. Chairman, I yield myself 10 minutes.

When the President submitted Reorganization Plan No. V, which provides for the transfer of the Bureau of Immigration and Naturalization from the Department of Labor to the Department of Justice, he called attention to the existing law, which requires that 60 days must elapse before a reorganization order can go into effect, and suggested that the Congress provide that his plan go into effect immediately. That is the purpose of this joint resolution.

The Secretary of Labor, Mme. Perkins, approves the transfer, going so far as to say it has been too long delayed.

When Mr. Lewis Douglas was Director of the Budget, I recommended to Mr. Douglas and the President that the Immigration Bureau and the Naturalization Bureau be put together. That suggestion was acted upon favorably. I likewise suggested then that it should be transferred to the Department of Justice. That suggestion was not accepted. The gentleman from North Carolina [Mr. WARREN] has, time and again, urged the President to place this organization in the Department of Justice, where it properly belongs. The principal duty of the Immigration and Naturalization Service is law enforcement. Recall if you will we have, at this session of Congress, increased the appropriation of the Bureau of Investigation nearly $10,000,000. It has been very busy investigating subversive activities. Aliens are mixed up in these activities and there can be coordination between the two agencies.

Practically all of the duties of the Naturalization Service must be of a judicial nature. Years ago any court could issue naturalization papers but there was such abuse of our laws it has now been placed solely in the hands of the Federal judiciary, where the applicant must appear in person.

If ever there was justification for transferring a Government activity from one department to another it will be found in this order. There are only a few, if any Members, opposed to the transfer. They cannot submit a sound argument for their views.

The Immigration Service likewise has a great deal of business before the Federal courts, especially those cases where deportation warrants have been issued and appeals have been taken to the Federal courts. By placing this organization in the Department of Justice, it will make for better enforcement of our immigration and naturalization laws, which we certainly need in these critical times. This is not a reflection upon the Secretary of Labor. The fact is we have not been liberal enough with our appropriations for border patrol and investigation. Madam Perkins has, to a certain extent, been handicapped by lack of sufficient personnel.

The nine members of your Select Committee on Reorganization are unanimous in favor of this plan.

There is one matter, however, that I desire to call to the attention of the House. When the President submitted this plan it was so worded that it transferred "funds available," including the funds available for the fiscal year ending June 30, 1941, for the use of the Immigration and Naturalization Service, to the Department of Justice.

The word "available" being included in the plan, and the appropriation bill for 1941 for this Bureau not yet having been sent to the President, we have no assurance that the appropriation for 1941 will be available when the President signs this plan, or 10 days thereafter. The gentleman from New York [Mr. TABER] very properly called attention to this matter, and in order to prevent what might be an embarrassing situation it is my purpose to offer a committee amendment at the end of the resolution which will take care of the situation and likewise will take care of numerous private acts that we have passed, and are on the calendar, which might be considered at a later date, wherein the Secretary of Labor is directed to carry out certain provisions of the immigration law.

Mr. Chairman, I can conceive of no sound argument that can be advanced against this proposal. If I knew one I would address myself to it at the present time. I therefore close and ask the gentleman from New York [Mr. TABER] to use some of his time. [Applause.]

Mr. TABER. Mr. Chairman, this resolution calls for the transfer of the Bureau of Immigration and Naturalization from the Department of Labor to the Department of Justice. Taking this activity away from the Secretary of Labor, Madam Perkins, is something that should have been done many years ago. As to the kind of set-up that we are going to have afterward I have this to say:

Many of us are going to vote for this resolution today, not because we believe it is the right thing to do from the standpoint of a logical set-up of the Government, because it manifestly is not. The Immigration Service is an administrative agency and should be kept so. The Department of Justice is a law-enforcement agency and should be kept so, but we are going to vote for this reorganization plan because the President has not the patriotism or the courage to remove the Secretary of Labor, a notorious incompetent and one who for the last 7 years has steadily and steadfastly failed and refused to enforce the immigration law and continuously admitted and kept here those who were not entitled to stay.

It is the hope of those who are voting for the resolution that Mr. Jackson, the Attorney General, will do a better job; that he will either force Mr. Houghteling, the Commissioner of Immigration, to about-face on the position that he has followed under Mme. Perkins or will substitute for him an aggressive American.

America today is up against a serious proposition. Everywhere throughout this country subversive groups are rampant. Last Tuesday night in New York City a tremendous Communist gathering was held without interference by the public authorities and the propaganda there was absolutely subversive and anti-American. Similar gatherings are being held in many places throughout the country. Small groups of subversive organizations are at work steadily, and the President has not yet made a move to get rid of those in Government positions who are interested in subversive activities. Amongst others, I refer to Smith, Madden, and Saposs in the Labor Board.

The President has called for unity. Let him take the first step. Let him propose getting rid of the vicious laws that hamper industry. Let him propose establishing efficiency in Government departments. Let him show that he means what he says when he asks for unity.

Let us have a Secretary of War and of the Navy and a chief in the other departments and agencies of executive experience and forcefulness. Such action will carry America through the crisis. It cannot be done if we are to extend the maladministration and incompetence that has characterized the Roosevelt administration. Let Mr. Roosevelt show the way to unity.

Mr. COCHRAN. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, I do not agree with my colleague from New York [Mr. TABER] on his criticism of Commissioner Houghteling. The Commissioner has had a difficult job on his hands, and my good friend from New York does not seem to realize the valuable services rendered by him. Commissioner James Houghteling is an outstanding American, whose integrity and patriotism could not and should not be questioned. I shall support this reorganization plan, although I do not believe that it will solve the problem we are facing. There is an alien hysteria in this country today. The alien is being blamed for everything that is happening all over the world. The Bureau of Immigration and Naturalization assists an alien from the time he enters the country and tries to assimilate that alien and prepare him for citizenship, and I do not see how that work is going to fit in with the work of the Department of Justice. I do not see how they are going to get around this particular phase of the service. I do not think that this phase of immigration and naturalization is law enforcement at all, requiring a transfer to the Department of Justice. This does not mean that I do not have enough faith in Mr. Jackson, whom I believe to be one of the ablest and most capable Attorneys General we have had.

I might have agreed with a plan to transfer to the Department of Justice the divisions in the Labor Department handling warrants for deportation, based on smuggling, or anything else involving a crime which the Attorney General may want to prosecute, but they should have left and continued the present status of Naturalization and Immigration Divisions in the Department of Labor.

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

Mr. DICKSTEIN. I yield for a brief question.

Mr. STEFAN. Will this transfer to the Department of Justice affect the employees of the Department of Labor located in foreign countries looking over the immigrants abroad?

Mr. DICKSTEIN. It transfers the whole Bureau.

Mr. STEFAN. What will become of the employees of the Bureau?

Mr. DICKSTEIN. They will all be merged into the Department of Justice. What will happen to able, conscientious men like Edward J. Shaughnessy, present Deputy Commissioner of Immigration and Naturalization, and many of his colleagues who have worked there for years and are experts on immigration, naturalization, and deportation matters, I do not know. I only hope, for the sake of the service and the country, that they will keep Mr. Shaughnessy, who has served his department faithfully, and upon whose advice my committee and I have grown accustomed to rely in our legislative work, and that they will keep him an executive position where he will be able to continue his good work.

Mr. STEFAN. I mean these foreign-service men who are employed in Berlin, Vienna, Prague, and other countries working on immigration applications.

Mr. DICKSTEIN. They will be transferred with the Bureau, they will be transferred under this reorganization plan.

It is my best judgment that this matter was too quickly decided on. There were no proper hearings before the committee. There were some suggestions that I and other members of my committee might have been able to give, but we did not have an opportunity. Let me at this point say to the Membership of the House that the criticism leveled against Secretary Perkins was wholly unjustified. She has made an excellent Secretary of Labor who has handled the difficult problems which no other Secretary had to contend with in a fair manner and in accordance with the law.

In view of the sentiment now prevailing in this House, however, I feel that nothing I can say will change the stand the House has taken on this reorganization plan.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, the resolution before us for action is nothing more nor less than a resolution to divorce Mme. Perkins from the Bureau of Immigration and Naturalization. It has for its sole purpose the separation of Mme. Perkins from that Bureau. Nine out of every ten Members of this House will vote for this resolution in order to remove the Bureau from under the influence and mismanagement of Mme. Perkins, not because they feel the Bureau should be placed in the Department of Justice.

The move to transfer some 2,500 to 3,000 well-trained, high-grade employees of the Bureau of Immigration and Naturalization to another Department in order to get it away from Mme. Perkins reminds me of the old story about Mahomet and the mountain, because it proposes to move the mountain rather than to move Mahomet, the mountain in this case being the Bureau with its employees, its millions of case records, its files, and its whole equipment, and Mahomet in this case being Mme. Perkins. Rather a foolish thing to do, do you not think, when the desired result could much more readily be brought about by removing one person.

Now, if it is a good thing, a desirable thing, to divorce Mme. Perkins from the Bureau of Immigration and Naturalization, why would it not be a good thing to divorce Mme. Perkins from the Department of Labor, a department that has to do with carrying out our labor laws, that has to do with establishing labor policies, a department that can show and has shown partiality as between labor organizations? Why not divorce Mme Perkins from the entire Labor Department as an essential defense preparation measure? I will leave that thought for the gentleman from Michigan [Mr. HOFFMAN] to elaborate upon, because he knows much more about that angle of this matter than I do.

This move to transfer the Bureau under the plea that it is needed in order to tighten up the enforcement of the law in connection with spies and undesirable aliens is a move to fool the American people as to the basic need for this change. It gives a wrong impression of the situation. The trouble is nothing that a transfer will cure or can cure. There is nothing wrong with the Bureau; the whole trouble is with the head of the Department of Labor. When the Bureau is transferred to the Department of Justice, as it will be by almost a unanimous vote of this House, will it be any better managed? I doubt it. The record of the Department of Justice during the past few years has not been so good. The Justice Department has just begun action against Communist agents in this country who have violated the laws in connection with fraudulent passports, although evidence of these matters has been available for a long time.

The new Attorney General has lately quashed the indictment against some 15 or more "fifth column" agents in Detroit, an indictment secured under orders from Attorney General Murphy, and secured by Murphy's representative. The indictments were ordered quashed by Jackson as one of his first moves after taking charge of the Department of Justice, for two reasons, namely:

First. That the statute under which the indictments were secured against these "fifth column" agents was an old statute. It forbids illegal recruiting on American soil for service on foreign soil, and fixes a penalty for the same. According to Jackson's position in this matter, the Ten Commandments, because of age, should no longer be applicable to present-day situations.

Second. That no public injury had been done by the violation of this law against recruiting and so the indictments should be quashed.

If contributing to the murder of American boys in Spain, by getting them to enlist under the false notion that they were to fight for democratic principles in Spain is no public injury, then what is it? If in Robert Jackson's opinion, no public injury has been done when hundreds of American boys lost their lives in Spain as a result of the activities of these "fifth column" agents, then he should listen to the heartbreaking testimony of American mothers who testified before our committee as to the methods used to entice their boys to go to Spain. No, the record of the Department of Justice is not any too good in the matter of enforcing the law against "fifth column" agents.

Last Thursday I gave this House three examples of coddling, sympathizing with, and protecting Communists by high government officials. Today, in connection with this resolution I offer another concrete example of the same thing in connection with our National Youth Administration.

My attention has recently been called to the fact that the President intends to have the National Youth Administration play an important role in the current defense program. The White House has pointed out that the National Youth Administration, being a Nation-wide organization, and operating vocational schools and machine shops throughout the country, will lend itself admirably to the training of mechanics and skilled craftsmen who are so urgently needed in a number of vital defense industries.

I heartily endorse any program that has for its purpose the furthering of our defense needs. However, I am also deeply concerned to insure having such a program free from any possibility of sabotage or "fifth column" influence. My experience as a member of the Special Committee on Un-American Activities has impressed me with the necessity of eternal vigilance against the inroads of subversive forces—even in Government departments.

I am advised that the records of our committee disclose that Maurice Mandell, a high-ranking official of the National Youth Administration, was, and there is no reason to doubt that he is now, a member of the Communist Party.

The record discloses that Maurice Mandell was recently appointed chief of the Projects Administration, in charge of all projects throughout the United States for the National Youth Administration. Prior to this appointment Mr. Mandell was an executive of the National Youth Administration in California. Charges were filed against Mr. Mandell in California accusing him of being a member of the Communist Party, and the matter was referred to a board composed of private citizens for investigation and report. The board sent the results of the investigation to Mr. Aubrey Williams with the recommendation that there be further investigation. I do not know what further action the officials of the National Youth Administration took in this matter except that they subsequently appointed Mr. Mandell to a higher position in the organization. The committee has on file sworn statements to the effect that Mr. Mandell sat in closed meetings of the Communist Party. [Applause.]

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

Mr. MASON. I yield.

Mr. RANKIN. Where would the gentleman suggest we put the Bureau of Immigration and Naturalization?

Mr. MASON. I would not suggest moving it at all. I would suggest moving Mohammed rather than the mountain. Do not forget in this connection that you are not divorcing Mme. Perkins from the Department of Labor, a department that will have a great deal to do with the fixing of labor policies and the enforcement of labor laws during these coming trying times. But I shall leave that to the gentleman from Michigan to discuss, for he is better versed on it than I.

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

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

Mr. RANKIN. Does the gentleman think this ought to be under the Department of Labor regardless of who may be Secretary of Labor?

Mr. MASON. No. I say it naturally and normally belongs in the Department of Labor, and our problem is to secure a competent administrator for the Department of Labor rather than move the Bureau of Immigration and Naturalization. It is easier done that way and that is the logical way to do it.

Mr. RANKIN. I am just as anxious as the gentleman from Illinois, who is now addressing the House, to get rid of these "fifth column" and undesirable aliens, but I am wondering whether or not the Department of Labor is the proper department to handle this agency?

Mr. MASON. The Department of Labor is the proper and natural department to handle this Bureau of Immigration and Naturalization.

Mr. RANKIN. Why?

Mr. MASON. The enforcement of the law belongs in the Department of Justice. When violations of the law occur the Department of Justice should have jurisdiction.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. O'DAY].

Mrs. O'DAY. Mr. Chairman, I am very much astonished at the attack of my colleague the gentleman from Illinois [Mr. MASON], who has been of such great value on the committee, on Miss Perkins, our Secretary of Labor. If he had a longer record with the committee, if he knew what had gone on in the committee under the regime of the previous Secretary of Labor, he would recognize what a vast improvement there has been in that Department. I am afraid that my good friend is overcome by the hysteria which now seems to be sweeping over the country. I am astonished that a man of his ability and courage should be overcome by that. There is no doubt at all that his attack on Miss Perkins, which is utterly without basis, carries over to the Department of Justice. If he feels it is not to be trusted, I would almost put him in the same category with those who are against our Government. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, during the last month, in company with my colleague from California, Mr. CARTER, I visited El Paso, Tex., for the express purpose of securing some first-hand knowledge regarding the effectiveness of our border patrol on the Mexican border and to look into several matters connected with the illegal entry of Mexicans into the United States. When I tell you gentlemen that we are spending well over $500,000 per year in maintaining, in our various Federal penal institutions, Mexicans who have been apprehended and convicted on a charge of being in this country illegally, it will be seen that it is a problem that should have the serious study and consideration of every Member of this House.

I have come to the realization, as a result of the investigations I have made of this immigration problem, that until we contrive some means of registering all noncitizens in our country and prescribe requirements, such as fingerprinting, that will be effective in establishing positive identification of all such noncitizens, we are never going to successfully cope with the problem of properly enforcing our immigration laws.

Therefore I want to take this occasion to commend the statement made by the Attorney General a few days ago in which he recognized the impelling need for just such a form of identification of the aliens in our country as I have suggested. If we are to ferret out those people in the United States who are accepting the benefits and liberties that flow from their residence here and at the same time are working surreptitiously and treasonably to undermine our democratic spirit and institutions, we must have some way of making positive identification or registration of them. Such a requirement is as much in the interest of the law-abidiing, patriotic aliens as it is against the interest of those who are endeavoring to destroy, by insidious means, our democratic ideals and processes.

I am confident that the transfer of the Immigration and Naturalization Service to the Department of Justice will permit of a much closer liaison between those engaged in apprehending aliens in this country illegally and those charged with the duty of prosecuting such lawbreakers, and I am likewise confident that the House will see fit to approve of this projected transfer. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, I desire to ask a question of the gentleman from Missouri [Mr. COCHRAN]. The morning Washington Daily News today carries a long story indicating some opposition to this transfer, and in one paragraph it is stated:

> When President Roosevelt announced the transfer of this agency at a White House press conference, it was made known it was to coordinate the Immigration Bureau more closely with the work of the F. B. I.

Now, is the F. B. I. going to administer this division in the Department of Justice, or is Mr. Biddle going to have a separate division in the Department of Justice and operate as a separate organization? I am merely asking for information.

Mr. COCHRAN. If the gentleman will read the President's message, he will not find a line to justify that statement. It will be closely related to the Department of Justice as a whole. Of course, the F. B. I., as well as every other branch of the Department of Justice, will be expected to cooperate with a division of the Department of Justice; but this is going to be a separate division in the Department of Justice, and not under the control of the F. B. I. Of that you can be assured. F. B. I. is merely an enforcement agency, not an administrative agency, as the gentleman from Nebraska well knows. It can be of great value in assisting to enforce our immigration laws, and immigration and naturalization officers can likewise be of assistance to the F. B. I. That is what we need in this Government, more teamwork.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, some of us will heartily support this portion of the reorganization plan, for the reason that it is quite evident that the Labor Department is altogether too sympathetic with subversive groups, more especially with the Communists and their west-coast leader, Harry Bridges. A careful reading of the Landis report shows that Bridges is a Communist in thought and deed, though he denies the name. That, however, is in keeping with the Communist program which all too often in its dealings in this country professes to have in mind a desirable objective but works destruction.

Mme. Perkins has not only befriended Bridges who, through her efforts, has been able to remain in this country, but she is the woman who gave encouragement to the sit-down strikes—the sit-down strikes in 1937, where we had the seizure of private property by armed mobs. Those strikes were carried on in violation of the laws of the State. The strikers drove honest men and women from their jobs; they denied to American citizens by the thousands their civil liberties; they destroyed personal and real property to such an extent that their acts under Michigan statutes were felonies, yet Mme. Perkins stated that she was not sure that the sit-down strike was a violation of our law.

Mme. Perkins for several years has been one of the greatest contributors to subversive influences, and now after the President has frightened the whole Nation by his address delivered before Congress—even though he took the opposite course in his fireside chat of last night and told us that "all is well," having entered upon a program of preparedness, there is no reason why we should leave with Mme. Perkins or her Department any further opportunity to sabotage our national-defense program.

It is because of her maladministration of the labor laws and the administration of the N. L. R. B. that industrial life in this country now finds itself at the mercy, so he thinks, of a John L. Lewis and those disloyal agents who take shelter in his organization.

It is time that we strip the Secretary of Labor of all opportunity to do further harm. It is time, if we are patriotic and if we wish to defend America, that we abolish the Labor Board and other subversive boards. It is time that we clip the wings of the Senate Civil Liberties Committee, which has done so much to get us into a condition industrially where we would be an easy prey to a "fifth column." It is time that we awaken to the viciousness and the opportunity for disloyalty contained in the so-called La Follette-Thomas bill, S. 1970, and stamp it for what it is, a tool of those who mean to disrupt our industrial system.

If I understood the President's fireside chat of last night correctly, he stated in substance that the wage-hour law was to be maintained as it is; that there was to be no retreat from the N. L. R. B. rulings nor from any of the activities of the N. L. R. B.; the pensions and social-benefit payments were to be increased in both number and amount.

Well, that may be all very well for a political campaign speech, for a speech through which the President hopes to gather the old-age pension vote and the labor vote; but it was a deceptive statement, unworthy of the Chief Executive of a Nation such as ours, unworthy of a President who so recently frightened our whole people by his threat of danger from a foreign aggressor.

The President knows just as well as you and I that $1 will only purchase $1 worth of labor, material, or manufactured products. He knows that the dollar which is spent for an increase in wages, for the payment of an old-age pension, an unemployment benefit, for a public building, cannot be spent for aircraft or other necessary preparedness.

The President told us a week ago that our national existence, and he spoke in all seriousness, depended upon immediate rearmament. He told us that we needed 50,000 planes. He knows that we cannot manufacture them within a reasonable time. He knows that a preparedness program, such as he advocated and said was absolutely necessary, if we are to continue as a nation, can only be achieved by the utmost self-sacrifice on the part of everyone. He knows that it is folly, yes, criminal negligence, to talk about a 30-, a 40-, a 42-, a 44-, or a 48-hour week if we are to meet the competition of a foreign nation where the people work 60 hours, 7 days of the week. It is all very well, and we agree with him that there should be no war millionaires; neither should there be profiteering, racketeering union officials. No one questions the loyalty of the American workingman; everyone knows of the disloyalty of the racketeering labor officials. They are just as common, just as criminal, as are the industrial leaders who would benefit from our misfortune.

The time will come, if the President's statement of the situation is correct—the time may now be here—when everyone must lay aside his desire for profit, his desire for a better home, for the more abundant life, and make the fight for national existence.

This administration can contribute greatly toward a preparedness program by freeing industry, business, the whole body of our citizens, from the restrictive laws, boards, commissions, and Federal agencies which have placed us, as a Nation, whether intentionally or not, at the mercy of the so-called "fifth column."

Weeks ago on the floor it was pointed out to Congress how one of the agencies was holding up the Navy Department in its program for national defense, and we know that in many other factories the same thing happened, and is now possible.

If this Congress adjourns and goes home without putting on the statute books the remedial legislation which will enable industry to produce the things which we must have, and I mean now, aircraft, antiaircraft guns, ordnance, tanks, motor transportation, in fact, munitions of all kinds; if we go home and leave on the books laws which prevent that production, when the emergency arises, then on our shoulders rests the responsibility for the unpreparedness which will enable our enemies to overcome us; upon our shoulders will rest the responsibility, if the aggressor comes to our shores, as the President said he could so easily come, of any defeat, of any disaster which may follow that visit.

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

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

Mr. GIFFORD. The gentleman listened to the President's speech last evening. Is it a proper paraphrase that the President distinctly said last evening he was going to keep on spending just the same? Had we not better get out of here just as soon as we can?

Mr. HOFFMAN. The President did tell us that he intended to continue to spend.

An editorial in the Washington Daily News of this noon called attention to that very fact. I quote:

> Another point on which the President dwelt was the retaining of all the New Deal's social gains—old-age security, unemployment insurance, help to the underprivileged, conservation of resources, subsidies to agriculture and housing. The emergency, he said, is not such as to require yielding on any of these. Indeed, he hopes to enlarge on such blessings. We wish we could feel as sanguine as Mr. Roosevelt does. But it is a fact that all these things cost money the Government hasn't got. And the imperative new weapons of defense will cost more money the Government hasn't got.
>
> The President, in our opinion, deserves 100-percent support on his assertion that there must be "no new group of war millionaires * * * growing rich and fat in an emergency of blood and slaughter and human suffering." But we wish the President had gone further and had advocated taking the one step necessary to prevent the war profiteering he denounces—and, incidentally, the one step necessary to preserve some of the social gains he cherishes and to obtain our imperative defense needs—namely, taxation.
>
> The Gallup poll reports that 76 percent of the people favor special defense taxes now. Unfortunately, neither the President nor Congress appears to believe that our citizens are ready for that inescapable sacrifice. Instead their policy continues to be: More borrowing.
>
> In this election year the President and Congress are still dealing with voters as if they were irresponsible children. They are still pursuing a policy of appeasement.

Raymond Clapper, in his column, expressed the same thought when he wrote:

> Yet, in effect, Mr. Roosevelt says there is nothing in our present emergency to interfere with the more abundant life. He says there is nothing that justifies a retreat from any of our social objectives—conservation, assistance to agriculture, housing, and help to the underprivileged. He finds nothing to justify a lowering of standards of employment and even hopes that business may be able to bring wages up. He sees nothing to justify longer hours and he would like to see old-age pensions and unemployment insurance extended to new groups.
>
> It would be a grand thing to see all of that come true. Certainly it does not all have to be sacrificed. But first things come first. Those were first things when we were relatively secure and we ought to have done more in some respects than we did.
>
> But something else comes first now. If it fails, everything goes down. That is defense.

The great trouble with Mr. Roosevelt is that he cannot forget politics. He breathes and he speaks politics; he does not seem to have a single thought which is disassociated from politics. One week he comes before Congress and, with all the fanfare and trappings of a mammoth circus, he does his utmost to frighten Congress and all of our people. He stresses the fact that in a few short weeks or at the most, months, there may be knocking at our doors a foreign navy; that bombing aircraft from Germany, coming by way of the southern hemisphere, and up through Mexico and the offshore islands, may be blasting Omaha and our interior towns and cities. And, the next week, after Congress has authorized the appropriation of unnamed sums to prepare for national defense, he tells us that we must increase both the number and the amount of pensions, of social benefits; that we must still keep the clamp on the number of hours that men may work in defense of their homes and country; that if they work overtime to defend the families they love, to preserve their own liberties, they must receive wages at the rate of time and a half.

If we on the Republican side, who have criticized the President as being wasteful, permitting the use of relief money to be expended for political purposes, with failing to suppress the activities of the Communists and of the "fifth column" allies, have been sincere—and our charges, the record shows, are justified—we shall, in my judgment, be guilty of shirking responsibility, of a betrayal of our trust, if we refuse as a coordinate branch of this Government to continue here in session, perform the duties which the people have imposed upon us, and leave the President and his New Deal advisers in sole charge of our destiny. It we are competent to serve our country in time of peace; if it is our privilege and our duty to be on the job during the existence of a great depression; if it is necessary that we be here when our national debt is being doubled, then how much more necessary is it that we should be here when national disaster threatens us? How important it is that we show the courage and the will to stay

here at our assigned post of duty and do what we can to keep our Nation on an even keel, steering toward that one haven—national preparedness—ready to meet any emergency which may come. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 6 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I am in favor of this resolution because I believe it is a wise move to be taken at this particular time. But I am deeply concerned at some of the implications that are being attached to it. We are called upon today to be not only devoted and zealous, but more than usually fair and careful about the effect of what we say on an already overwrought American public.

I resent very much any implication that either the Secretary of Labor or the Attorney General is lacking in patriotism or devotion to this country's welfare. I do not think it is even necessary for me to say that, but I cannot help saying it. It is not necessary that we should always agree with one another in order to give the other fellow credit for being as devoted to the national interests as we are. I have not necessarily always agreed with all the policies pursued by every department even in this administration. I believe that in this very difficult time we are now passing through there is one thing more important than anything else, and that is unity of purpose and objective. But I will defend with every bit of energy I have the right of people on the minority side to discuss, and, if they feel called upon, to criticize the methods taken to arrive at that goal. In a like manner I am going to oppose with every bit of energy I have any attempt to employ the deep concern of the people of America over the matter of national defense, both internal and external, for cheap political purposes, or for the purpose of attempting to brand with the brand of a "fifth column" or an un-American activity whole classes and groups of people, when we know very well such a charge is not true. Furthermore, it is important to remember that it is convenient for conservatives to give the impression that the whole "fifth column" danger is from Communists, and it is convenient for progressives to give the impression that the whole "fifth column" danger is from Fascists or Nazis. But only those persons who oppose all foreign-sponsored movements equally, only those who are willing to defend democracy for its own sake will do real service to our Nation.

I should like to say one word about what the gentleman from Michigan said. I have not one single shadow of doubt that if the time should come when it is evidently clear that all the skilled labor of any category one might mention is employed and that it is required for purposes of national defense that more such labor be available be worked, you will find that American labor will be the first to say they are willing to see the hours of labor lengthened to meet such an emergency. Mr. Green has already said almost exactly that. But to take this occasion to break down all labor legislation just because a new excuse can be found is an altogether different matter and one that some of us will resist. [Applause.]

May I also say a word about some other things that have been said previously today. We have heard today the "fifth column" identified completely with a certain labor organization. That is a distortion of the truth. I have come to the place where I do not care whose political support I do or do not have. I am a member of the Dies committee and signed its report, and I am perfectly ready to say on the floor today that I believe the C. I. O. has some housecleaning to do.

I think it is going to do it and I think it is trying to do it. The reason I say this is that I am acquainted with some of the leaders in that organization in California and I know how they feel. But I think it is evidently a political ruse to say that the membership of this organization is to be identified with the "fifth column" movement. That is not true.

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

Mr. VOORHIS of California. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Does the gentleman know of anyone here or anywhere else who claims the individual members of the C. I. O., as a group, are identified with a "fifth column"? I know of no one who makes such a claim.

Mr. VOORHIS of California. I do not believe anybody in his sober moments would say that.

Mr. HOFFMAN. Of course not.

Mr. VOORHIS of California. But I think that implication has been very strong here today in a couple of statements that have been made, and I just want to correct the RECORD.

Mr. HOFFMAN. It is the leadership, the ones to whom the gentleman referred a moment ago—for instance, John Brophy, whom Lewis himself condemned as a Communist.

Mr. VOORHIS of California. Does the gentleman think he is?

Mr. HOFFMAN. I am willing to take his actions and Lewis' statement for that, and act on it. Yes; I think he is.

Mr. VOORHIS of California. That leads me to the thing I want most of all to say, and that is this, and it goes for the Dies committee, it goes for the Department of Justice, and it goes for you and me, that in this time our duty is to be not only devoted but very careful to be fair and to deal only with real facts. We are called to work against the real foreign agents. [Applause.] If we do not make a careful distinction between the real foreign agent, the important fellow, on the one hand, and the man who may be struggling against economic difficulty, the man who may have progressive economic ideas but who would die for his country tomorrow if he is asked to do so, then we are going to fail in our effort to protect the country against the real foreign agent.

So I think it is very important that in the consideration of this bill before us we consider the matter on its real merits. We should give credit where it is due, to the efforts that have been made in the past and to the proposal of the President, which is not a reflection on any department or any department head, but is merely a prudent move, to try to meet a situation which all of us know and are glad to have met in the best way we can do it in the United States today. [Applause.]

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I think it is unfortunate that this House should pass on this proposed legislation without giving it a little more deliberate consideration. I regret, too, that a good many of our Members are going to vote for the transfer of the Bureau of Immigration and Naturalization to the Department of Justice because of a feeling that the Cabinet member having charge of this Bureau does not, in their opinion, handle the situation satisfactorily. In other words, a good many of our Members will not vote so much upon the merits of this bill but because they feel that this particular Bureau should not remain under the present head of the Department of Labor. I also feel that in giving consideration to the changes to be made in the Bureau of Immigration and Naturalization that the Department of State should have been given some consideration. The Department of State is pretty closely allied to the Bureau of Immigration and Naturalization.

This is a rather critical time during which to transfer this agency. We are transferring some 3,000 employees, together with all the records and files, from one Department to the other. As I understand it, there will not be any reorganization within the Bureau of Immigration and Naturalization, but it is put under a different department head. I have a feeling that if it were possible to do so, the Department of Justice could work with the Department of Labor and take care of the investigations and prosecutions that are required.

I am going to vote for the bill, because—like other Members of the House—I am anxious that the immigration and naturalization laws are properly administered and carried out. This is absolutely necessary under our present times and conditions; and I hope that through the office of the Attorney General this Bureau will be properly and fairly administered.

I want to take this occasion to commend the employees of the Immigration and Naturalization Service who have been there for many years, who have rendered, I think, efficient and distinguished service. I have in mind Mr. Edward J. Shaughnessy, Mr. Thomas B. Shoemaker, and Mr. Henry B. Hazard, together with many others who have rendered efficient service in the duties with which they are charged.

Mr. Chairman, as I said before, I expect to support this measure, hoping that this Bureau will render even more efficient service. I trust, however, that the men and women who have been employed in it for many years, and who have rendered distinguished service in their various divisions, will be permitted to continue, without being hampered in carrying on the work they are now doing.

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

Mr. REES of Kansas. I shall be glad to yield to the distinguished gentleman from Iowa.

Mr. TALLE. Mr. Chairman, our immigration laws are selective and restrictive. Because of the fact that they are restrictive they are often referred to as "labor's tariff." Organized labor has shown a deep interest in immigration legislation because through it the supply of labor and the quality of labor can in a measure be controlled. This is the historical reason for placing the Bureau of Immigration and Naturalization in the Department of Labor.

As a member of the Committee on Immigration and Naturalization I have had occasion to examine numerous individual cases which prove to my satisfaction that certain judicial aspects centering around some of the functions of this Bureau might be an adequate reason for placing it in the Department of Justice.

I may add further that my examination of many individual cases has convinced me that the Bureau might well be placed in the Department of State. Visas, for instance, are issued by this Department. The conditions surrounding the issuance of visas abroad to persons who allege their purpose to be a mere visit in our country should be examined with care. I have found that in numerous instances such temporary visas are extended time upon time, and finally some complication arises which may make the visitor's departure from our country difficult. Then an appeal is made for permanent residence. There is reason to believe that undue advantage is taken by some persons who come to our country allegedly as visitors, but in truth as candidates for permanent residence. It would, therefore, not be illogical nor impractical to place the Bureau in the Department of State.

It matters not a great deal, I believe, which of these three Departments is charged with the responsibility of enforcing our immigration and naturalization laws, provided the laws are actually enforced.

A high type of citizenship is the most valuable asset any country can possess. I trust that whichever Department is assigned the responsibility of enforcing our immigration and naturalization laws will appreciate the full significance of the valuable service it can render to the American people.

The conditions which may prevail in Europe following the present war may be such as to induce numerous persons to seek refuge in the United States. The immigrants who come to our country bring with them their ideas, their background, and their way of life. It will be to the interest of good citizenship in our country to prepare now for that future day, lest the cherished institutions of our Republic be endangered.

Mr. GIFFORD. Mr. Chairman, I yield the balance of the time to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. I believe if I had to write the reorganization plan that is before us today, I could, without unseeming ego or immodesty, have improved upon the handiwork of the President of the United States.

The Bureau of Immigration and Naturalization, after all, is only remotely related to the functions of the Department of Labor. In the course of experience obtained as a member of the Committee on Immigration and Naturalization for a period of 4 years, I was rather persuaded that the function of immigration properly should be lodged in the State Department, because there is a coordination of effort in connection with the consulates throughout the whole wide world dealing with the admission of people into the United States, and since it involves a relationship with a citizen of a foreign country it is, more properly speaking, a function of the State Department. The Visa or Passport Division still operates in the State Department and certainly the whole question of exclusion, of admission, and of deportation of aliens, with the exception of the investigatorial features, should have gone to the State Department. Secondly, the Bureau of Naturalization, now incorporated, of course, in this joint service, might properly have gone to the Department of Justice, because all of their work is intimately related to the functions of the Federal courts. The hearings are held and the final admission concluded in a Federal court and there is no logical reason why this function should not go to Justice.

I would have taken the border patrol of some 856 people, under the leadership of a very capable patrolman, Mr. Kelly—and I take off my hat to him—and consolidated it with the customs patrol in the Treasury Department in the interest of economy and efficiency.

And, finally, insofar as those functions are concerned that relate to investigation, that relate to the investigation of those aliens within our borders who have been guilty of crimes, who have made illegal entry into this country, who have subjected themselves to deportation by virtue of offenses committed against our laws, that function might very properly be lodged in the Department of Justice and administered by the Federal Bureau of Investigation.

It is to be assumed that this will be a permanent transfer and therefore it should be approached from the standpoint of the strict merits of the proposal rather than from a standpoint of personalities.

It is rather unfortunate that a Cabinet member in 1937 should have delivered a rather casual opinion with respect to sit-down strikes and, subsequently, with respect to pending cases like the Strecker case and the Bridges case, which served to develop a lack of confidence and a lack of faith on the part of many people in this country, and now in an hour of emergency they are afraid that possibly a continuation of those functions in that Department will not be discharged with that diligence and dispatch that might be necessary in a rather emergent hour.

What an amazing thing that an experience in Europe and a very euphemistic phrase should suddenly have stirred the wells of hysteria in this country. If it is properly documented, it was when General Mola, who was a follower of General Franco in the Spanish civil war, was asked how he was proceeding against Madrid, was said to have made this reply: "I have four columns proceeding against Madrid, and I have got one column of sympathizers, a 'fifth column,' on the inside of the city."

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

Mr. DIRKSEN. I understand probably that is its derivation, but that is neither here nor there. The fact of the matter is that in the light of the experience in Europe, it does constitute a problem for our country, and I do believe that if the investigatorial job had been entrusted to the F. B. I., the passport work to the State Department, the naturalization work to the Deparment of Justice, and the border patrol to the Treasury for consolidation with the customs patrol, it might have been a bit of a better reorganization plan, and more nearly achieved the objectives which the President may have had in mind.

However, it is here in its present form and requires action. I favor its passage, because I think this is one of those times when something must be done in that particular direction.

However, I do believe that on the basis of the 4 years' experience on the Immigration Committee I should say a kind word for the late lamented Colonel McCormick, who was once in charge of the Bureau as Commissioner, and for Mr. Houghteling, of Chicago, the present Commissioner, who is a fine, resolute, upstanding, loyal, and devoted citizen of this country, and for Edward J. Shaughnessy, with whom

it has been my privilege to have an intimate fellowship during a period of years, and who is probably the most capable man in the field of immigration and naturalization that we have in the United States today.

As we proceed to face this reorganization plan, let me say this to you. Our job is only half done. There must be some implementing legislation that must be cautiously and carefully contrived, if we are to achieve the results in the President's mind, and in the minds of those who feel a sense of alarm from within.

One particular instance is the Bridges case, which will serve to illustrate.

Dean Landis, of Harvard Law School, wrote a 150-page opinion on that matter, which is rather interesting, and if you can find time to examine that opinion, it will be worth your while. The law provides for deportation of an alien who is a member of an organization that advocates by force and violence the overthrow of this Government, but may I point out to you that an alien or a citizen can be an affiliate of an organization and receive its help, and emoluments, financial gain, attend their meetings, confer with their leaders, and yet the fact that he is only an affiliate and not a member so often lets him out, when under other circumstances he should have been disciplined or deported.

Let me therefore admonish you that there is another job to be performed in connection with this, and that is implementing legislation to hold up the hands of the administrators. [Applause.]

The task before the Nation today is to proceed in a calm, orderly, effective, and legal way to scrutinize every admission to this country to insure insofar as possible that only desirable immigrants may be admitted. The next task is the effective patrol of our borders to prevent illegal entries and the smuggling of aliens into this country. Insofar as the present patrol admits, this task is being reasonably well performed. The next task is to find those aliens already within our borders who have illegally entered, or who have violated the sufferance of this Nation and to dispose of them if they are undesirable or if no circumstances appear which would warrant their remaining in this country. The final task is one of Americanization as to that group of aliens who are legally here and who should be assimilated into the traditions of this country as quickly as possible in the interest of national unity.

These many functions could have been disposed of by a reorganization between the Labor, State, Justice, and Treasury Departments in such a way as to achieve some economy, a degree of efficiency, and a maximum of enforcement.

However, in the absence of such a plan, the country will generally approve the present proposal and I propose to support it. I do share the hope that at some subsequent date, further attention will be devoted to this matter in the hope that it may be perfected in the interest of great efficiency and economy.

Mr. COCHRAN. Mr. Chairman, I yield the remainder of my time to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Chairman, we have had a short field day here dealing more or less with personalities rather than with the merits of this proposal. For the last 2 years I have very strenuously advocated this transfer to the President, and at times I have been so persistent about it that I feared I was annoying him. There is no wave of hysteria sweeping over me at this time that would make me any more enthusiastic for this transfer than I have been ever since the subject of Government reorganization was first broached.

I think we lose sight of the fact that this Bureau, or something similar to it, was formerly under the Treasury Department. We all know that in the last part of the nineteenth century and the beginning of this century immigration was treated more or less as a labor proposition and that there was a strong and determined effort on the part of certain big industries in this country to bring in immigrants on account of the resulting cheap labor that would follow. All one has to do is to look into the functions and duties of the Bureau of Immigration and Naturalization, and I think if he will look upon it impartially, he will agree that it is and has always been, certainly in the last 10 or 15 years, a subject for the Department of Justice to handle. In that respect, I disagree with my good friend the gentleman from Illinois [Mr. DIRKSEN], who suggests that most of the functions should be under the State Department. It is not out of place for me to say that there is another Member of the House who has given much thought and study to this question during his first term here, and that is the very able and distinguished young gentleman from Tennessee [Mr. GORE], who wrote a splendid brief on the subject. I happen to know that many months ago the President had the advantage of the efforts of the gentleman from Tennessee [Mr. GORE] and his research, for it was forwarded to him.

Mr. Chairman, I am not interested in personalities, whatever.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. WARREN. Yes.

Mrs. NORTON. Is it not a fact that Miss Perkins herself asked to have this transfer made in order to coordinate the activities in the Department of Justice?

Mr. WARREN. It is my understanding that she did request this, and, of course, the present Secretary of Labor will not always hold that position, and the present Attorney General will not always hold his position. It is just a question of where this particular Bureau should be.

Mr. Chairman, we are approaching this reorganization differently from any one that has been handled heretofore. Rather than wait for inaction, we are affirmatively coming here with a resolution and asking that the House approve it, so that it may go into effect 10 days after its passage. I think that is all to say about it except that for the first time we have a unanimous committee. When I can agree on a reorganization proposal with my good friend the gentleman from New York [Mr. TABER], my good friend the gentleman from Massachusetts [Mr. GIFFORD], and my good friend the gentleman from Illinois [Mr. DIRKSEN], for all of whom I have great respect and esteem, then I am firmly fortified in my own position. I agree that proposals that we have had in the past did not contain by a long shot all that I would like to have seen in them.

There were some omissions, some glaring omissions. There were also some proposals that did not particularly appeal to me. But that is now all a thing of the past, and the committee comes in here today with a unanimous report. I am sure that what actuated this committee in bringing in the report was not the fact that someone happened to hold a particular Cabinet position, but our belief that the functions of this Bureau properly belonged under the Department of Justice. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Resolved, etc., That the provisions of Reorganization Plan No. V, submitted to the Congress on May 22, 1940, shall take effect on the 10th day after the date of enactment of this joint resolution, notwithstanding the provisions of the Reorganization Act of 1939.

REAL AMERICANISM

Mr. RANKIN. Mr. Chairman, I am highly in favor of this resolution approving the President's transfer of the Bureau of Immigration to the Department of Justice.

I believe the most dangerous influences we have in this country today are what are known as the "fifth columns." They have been operating here for a long time. They began with the sit-down strikes. I have never doubted that that policy was dictated from Moscow. They did the same thing in France, and today France is paying a bitter penalty for those activities.

I want to call attention to the fact that one of the most cruel and inhuman activities of these "fifth columns" has been with reference to the Negroes of this country. For years the Communists, and probably the Nazis and the Fascists, have

been working among the colored people of this Nation trying to stir them up against the white people of the country, and particularly in the South. Just the other day we had the most astonishing manifestation of it I have ever known when the so-called Negro Congress met here in Washington and declared that if we got into a war with Communist Russia they would not fight for the United States. Some of the better Negroes got up and walked out. One said, "You are trying to add to our handicap of being black the additional handicap of being 'red.'" He knew what it meant. The sensible, law-abiding Negroes of the South know what it means.

These so-called Afro-Americans are being used by the Communists—this "fifth column" element that is trying to stir up trouble between the Negroes and the white people, especially in the Southern States. They are simply making trouble for the law-abiding Negroes as well as the whites in the Southern States.

I am in favor of this measure, and I believe the Attorney General will enforce this law. I am tired of hearing Americanism preached to me by somebody who cannot even speak the English language and whose logic nobody can understand. [Applause.]

The time has come to wipe out these "fifth columns." The old-line Americans are becoming aroused. They are going to say to them not only "Let us hear you pronounce the word 'shibboleth'" but they are going to want to see the nailprints in their hands when they come pretending to be the saviors of real Americanism. Americanism is going to be preached by real Americans from now on and in language and terms no one can misunderstand.

I hope there will not be a vote against this resolution. [Applause.]

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 6 minutes.

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

There was no objection.

Mr. DICKSTEIN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, on April 8, 1937, the Rules Committee voted out a resolution of mine to continue the investigation of "fifth column" activities, yet the very gentlemen who today preach so fervently in favor of getting after the "fifth column" are the ones who stood on the floor and voted against my resolution. Only 36 Members voted for the investigation. The proposition was ridiculed on the floor. We were asked if we expected to find Nazis under the bed, Fascists in the closet, and Communists in the cellar.

In 1934 I called the attention of this House to the presence of a "fifth column" and the spreading of subversive doctrines in this country. I begged and pleaded that steps be taken to check it, but no one paid any attention to me at all. I was accused of seeking publicity and got no cooperation from this Congress. Finally, however, because of my persistent appeals to this Congress they created the Dies committee, but because of certain motivating circumstances in this House I was not made a member of it.

You talk about "fifth columns" and subversive activities. What do you know about the "fifth column"? What do you know about communism except to make a lot of speeches? We have the Dies committee that has spent $200,000, yet there exists today almost more Fascist and Nazi and Communist subversive groups in this country of ours than before the Dies committe was created. What are you doing in addition to making a lot of speeches? And now the gentleman from Texas [Mr. DIES] wants another $100,000. Mr. Chairman, is he going to find the "fifth column" with that $100,000? He could not find them with a million dollars unless the Congress passed some law to make it a crime for a person to advocate or seek to destroy our Government.

Oh, Mr. Chairman, all of this legislation is poppycock. This plan was not properly considered. The Committee on Immigration of both the House and the Senate should have been consulted by the Select Committee on Government Reorganization. We could have suggested certain definite plans that would have been for the best interests of the country. But it went through just one, two, three, and now we cannot even debate the question.

I have on my desk information regarding one Nazi camp after another. There are 110 organizations that practice and preach un-Americanism, hatred, and intolerance. What are you doing about them? All you can see is red, red, and more red. I hate Communists just as much as you do, but let us clean them all out, let us not discriminate by picking out just one subversive movement and letting the others go. That this can be done was well demonstrated by the McCormack committee which during its brief period of existence was able to expose the real danger of the Communist, Fascist, and Nazi movements in the United States and was able to suggest laws to cure some of the evils. Unfortunately, only a few of the measures recommended by that committee, including the registration of all foreign agents in this country, were enacted into law.

You talk about registration of aliens. Why not register everybody? Why pick out the aliens? I have no objections to being registered. Let us find out who the enemies of our country are. In all these years that we have been talking and talking, not one piece of constructive legislation has been brought to the floor of the Congress to eradicate and destroy the poison that is penetrating from within. I can give you illustration after illustration if I had the time. I could show you Nazi camps and Fascist camps, generals and majors, operating within the Christian Front, the Christian Mobilizers, the White Camelias, the "white shirts," and the "dirty shirts," but you do nothing about it. All you shout here is "reds." Yes; I agree with you, we ought to get rid of the "reds," but, as I said before, in order to protect our institutions and our form of government we should be just as vigorous in our attack on and prosecution of all subversive groups, whether they are domestic or directed from abroad.

This is no time to quarrel amongst ourselves. We must have unity of action. Having had this matter under consideration for the last 6 years and knowing more about it than the average Member whose attention has just been called to this danger of subversive groups in this country, I am willing to cooperate with any committee or group in Congress that honestly wants cooperation in exposing subversive influences in this country. This is no time for dissension. America must be rid of the poisonous, cancerlike growth of foreign propaganda which has cleverly concealed itself in the pattern of our national life. We all must work together against a common enemy.

[Here the gavel fell.]

The Clerk read as follows:

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. Chairman, I offer a committee amendment which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. COCHRAN: At the end of the resolution insert the following new section:

"SEC. 3. Any appropriation for the fiscal year ending June 30, 1941, made after the taking effect of such reorganization plan, for the use of the Immigration and Naturalization Service or the Department of Labor in the exercise of functions transferred by such plan, shall, for the purposes of section 3 of such plan, be considered as having been made prior to the taking effect of such plan. Any provision, in any act of Congress enacted at the third session of the Seventy-sixth Congress, after the taking effect of such plan, which confers upon the Secretary of Labor any function with respect to the Immigration and Naturalization Service or with respect to the immigration and naturalization laws, shall be construed as having conferred such function upon the Attorney General and not upon the Secretary of Labor."

The Committee amendment was agreed to.

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

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

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

There was no objection.

Mr. TABER. Will the gentleman yield?

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

Mr. TABER. Can the gentleman tell the Committee who has been chairman of the Committee on Immigration and Naturalization during all the time that nothing has been done, as called to our attention by the gentleman from New York, who has just spoken?

Mr. HOFFMAN. I am not quite sure, but I think it was the gentleman from New York [Mr. DICKSTEIN], who was chairman of that committee during the time to which he referred. I know he has been chairman of that committee for some time.

Mr. Chairman, my only purpose in speaking at this time is to call the attention of the gentleman from New York [Mr. DICKSTEIN], who gets up here so often when anything is said against the Communists and draws the red herring of some other organization across the trail, to the fact, which all of us know, that the gentleman from New York can take all of his information, which he alone, according to his statement, seems to possess, over to the Dies committee, or he can bring it to the attention of the House. I do not believe that the gentleman from New York intended to charge that all the Members of the House were lacking in patriotism and would not listen to him or would not act upon his suggestions, if he has any.

May I just suggest to the gentleman from New York that he take his information over there instead of coming here on the floor and kicking us around, complaining all the time about what those on the Dies committee do not do. If he will take it over there, that committee will act on it. The gentleman is very earnest, and he will have a respectful hearing, where he can get quick results.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am in favor of the reorganization resolution now before the House, but I want to speak on a matter that is not directly concerned with this resolution. It is my opinion that the Congress before adjourning should by some sort of a tax law provide for the raising of the revenue that has been asked by the President of the United States in connection with his special defense program, and I am in favor of his defense program.

Mr. Chairman, I have some figures published in the Washington News in connection with tax-exempt securities to which I wish to call attention. In part, the article reads as follows:

> In 1934, according to a Treasury study, 33 individuals who reported less than $5,000 of net income actually received interest from tax-exempt securities of from $100,000 to $1,000,000 on which they did not pay one dime of taxation. A married person with no dependents earning $5,000 a year pays a Federal income tax of $80. That is not much for a person fortunate enough to have a $5,000-a-year salary. But what shall we say of an income-tax system which collects exactly the same amount from another person who has $5,000 in taxable income and $1,000,000 more in nontaxable income? Obviously we cannot say that the system is based on the principle of ability to pay.

Mr. Chairman, it seems to me that there is a place the Ways and Means Committee might properly look toward raising revenue to meet this expense in connection with the defense program.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from California.

Mr. VOORHIS of California. Will not the gentleman point out that not only is all that income tax exempt but it is treated as nonexistent, so that the tax paid on the $5,000 is paid as if the $5,000 were the only income, not as if it were part of a very large income. So that even such tax as is paid by such a taxpayer comes in a very low bracket when it ought to be in a high one.

Mr. O'CONNOR. Yes. We have people in this country who are receiving millions and millions of dollars in income upon which they do not pay a single dime, yet they have the benefits of our school system, our court system, police protection, fire protection, and everything else. It is indefensible that this income is not compelled to bear its share of the public expense.

That tax system is not based upon ability to pay. But, in addition to that, this is what we can do in order to raise at least some of the necessary revenue with which to meet the expenses the United States Government is going to be called upon to meet to prepare our country to defend itself against invasion by any nation; and this is the time to do it, and this is the place.

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

Mr. O'CONNOR. I yield to the gentleman from Illinois.

Mr. BEAM. I believe the gentleman is making a very patriotic statement. For the information of the House, I should like to ask the gentleman if he can give us any idea as to the amount of tax-exempt securities outstanding throughout the country?

Mr. O'CONNOR. Yes; I can. There are between $50,000,000,000 and $55,000,000,000 of such securities that are partially exempt, and something like $25,000,000,000 that are entirely exempt.

Mr. BEAM. I believe that if the gentleman would foster any legislation of that character, we would be very happy to support it.

Mr. O'CONNOR. I may say to the gentleman that I introduced a bill in the first session of the present Congress to tax the income from all taxable securities issued by the United States Government. I may also say that as yet no action has been had upon the bill. The Committee on Ways and Means has the bill. This committee should take action on this bill or some other similar bill.

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

Mr. O'CONNOR. I yield to the gentleman from California.

Mr. GEYER of California. I believe the gentleman is making a very splendid statement. I agree with him in every way, shape, and form. I expect to support that legislation if ever we have the opportunity to do so here. It seems to me that we must now go to some untapped source of revenue.

Mr. O'CONNOR. Exactly. Now the gentleman has hit it; and this is the biggest source that is untapped that we have in America today.

Mr. GEYER of California. That is right. The revenue must be taken from these sources in an orderly way and spread out over those who have no means.

Mr. O'CONNOR. We do not want to increase the taxes on the home owner, the farm owner, or the businessman any more than they are now.

Mr. GEYER of California. I agree with the gentleman on that point.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. The gentleman is correct in his statement; but may I say that the tax-exempt securities are absorbing all the investment capital of the country. The financial sections of the New York papers reported last week that all the investments in the New York financial market were going into tax-exempt securities.

Mr. O'CONNOR. Exactly. The rich people of the country are hiding behind that sort of an investment. Every President from Woodrow Wilson to and including President Roosevelt have asked the Congress for this legislation, but for some reason or other we cannot obtain its enaction. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I move that the Committee do now rise and report the joint resolution back to the House with an amendment, with the recommendation that the amendment be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LEAVY, 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. 551) providing for the taking effect of Reorganization Plan No. V, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the joint resolution as amended do pass.

Mr. COCHRAN. Mr. Speaker, I move the previous question on the joint resolution and the amendment to final passage.

The previous question was ordered.

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

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

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

The SPEAKER. The question is on the passage of the joint resolution.

Mr. RANKIN. Mr. Speaker, I demand the yeas and nays on the passage of the joint resolution. I want to see if there will be a single vote against it.

The yeas and nays were refused.

The joint resolution was passed.

On motion of Mr. COCHRAN, a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA

The SPEAKER. This is District of Columbia day. The Chair recognizes the chairman of the committee the gentleman from West Virginia [Mr. RANDOLPH].

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 9791) to amend the District of Columbia Unemployment Compensation Act, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the District of Columbia Unemployment Compensation Act, approved August 28, 1935, is further amended to read as follows:

At the end of section 1 (c) change the period to a colon and add the following: *"Provided*, That such term 'wages' shall not include that part of the remuneration which, after remuneration equal to $3,000 has been paid to any individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year and after December 31, 1939."

Substitute the following subsection (d) for section 1 (d):

"(d) 'Benefit year' with respect to any individual means the 52-consecutive-week period beginning with the first day of the first week with respect to which the individual first files a valid claim for benefits, and thereafter the 52-consecutive-week period beginning with the first day of the first week with respect to which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with section 12 (a) of this act shall be deemed to be a 'valid claim' for the purposes of this subsection if the individual has during his base period been paid wages for employment by employers equal to not less than whichever is the lesser of (1) 25 times his weekly benefit amount, and (2) $250."

Substitute the following subsection (e) for section 1 (e):

"(e) An individual shall be deemed unemployed in any week during which no earnings are payable to him, or in any week of less than full-time work if the earnings payable to him with respect to such week are less than his weekly benefit amount."

Substitute the following subsection (f) for section 1 (f):

"(f) 'Earnings' means all remuneration payable for personal services, including wages, commissions, and bonuses and the cash value of all remuneration payable in any medium other than cash whether received from employment, self-employment, or any other work. Gratuities received by an individual in the course of his work shall be treated as earnings. The reasonable cash value of any remuneration payable in any medium other than cash, and a reasonable amount of gratuities shall be estimated and determined in accordance with the regulations prescribed by the Board."

In section 1 (g), immediately following the words "16 years of age", insert the words ", or a child who is unable to work because of physical disability".

In section 1 (n), line 2, after the word "District", insert the words "or elsewhere", and strike out the remainder of the sentence.

Immediately following section 1 (n) add the following new section 1 (o):

"(o) 'Base period' means the first four out of the last five completed calendar quarters immediately preceding the first day of the individual's benefit year."

In paragraph 3 of section 3 (a) strike out the following words: ", and 1940,".

Immediately following section 3 (a) add the following section 3 (b):

"(b) Every employer who employs one or more indidividuals in any employment shall, beginning with the month of January 1940, pay 2.7 percent of the total wages paid with respect to such employment."

Strike out paragraph 4 of section 3 (a).

In section 3 (b) strike out the letter "(b)" and insert in lieu thereof the letter "(c)".

In section 3 (b), line 2, strike out the words "calendar year 1941" and substitute in lieu thereof "second 6 months of the calendar year 1942".

In section 3 (b), line 14, substitute the word "paid" for the word "payable".

In section 3 (b), lines 8 and 13, change the figure "3" to "2.7".

Substitute for section 4 (b) the following section 4 (b):

"(b) Contributions shall become due and be payable at such time and in accordance with such regulations as the Board may prescribe. No extension of the time for filing any return or for the payment of the contributions shall be allowed to any employer. All moneys so required to be paid to and collected by the Board shall be subject to audit by the District Auditor."

Immediately following section 4 (e) insert the following new section 4 (f):

"(f) Refunds: If not later than 1 year after the date on which any contributions or interest thereon became due an employer who has paid such contributions or interest thereon shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such adjustment cannot be made, and the Board shall determine that such contributions or interest or any portion thereof was erroneously collected, the Board shall allow such employer to make an adjustment thereof, without interest, in connection with subsequent contribution payments by him, or if such adjustment cannot be made, the Board shall refund said amount, without interest, from the clearing account or benefit account upon checks issued by the Board or its duly authorized agent. For like cause and within the same period, adjustment or refund may be so made on the Board's own initiative. Should benefits have been paid based upon work records filed by the employer, claiming an adjustment or refund, such benefit should be disregarded for purposes of figuring such adjustment or refund, and any such benefit payments already having been made at the time of the refund, based upon records filed with this Board by such employer, shall to that extent be allowed and shall not be deemed to have been paid erroneously: *Provided*, That applications with respect to adjustments or refunds for the years 1936, 1937, 1938, and 1939 may be made within 1 year from the effective date of this act. All refunds paid pursuant to this subsection shall be subject to a prior audit by the District auditor."

Substitute for section 8 the following new section 8:

"SEC. 8. (a) On and after January 1, 1938, benefits shall become payable from the benefit account of the District unemployment fund. All benefits shall be paid through employment offices, in accordance with such regulations as the Board may prescribe.

"(b) An individual's weekly benefit amount shall be the amount appearing in column B in the table set forth in this subsection on the line on which in column A of such table appears the total wages for employment paid to such individual by employers during that quarter of his base period in which such wages were the highest."

UNEMPLOYMENT BENEFIT TABLE

Column A	Column B, weekly benefit amount	Column C, qualifying amount
Wages paid in highest quarter of base period:		
$37.50 to $138	$6	$150
$138.01 to $161	7	175
$161.01 to $184	8	200
$184.01 to $207	9	225
$207.01 to $230	10	250
$230.01 to $253	11	250
$251.01 to $276	12	250
$276.01 to $299	13	250
$299.01 to $322	14	250
$322.01 to $345	15	250
$345.01 to $368	16	250
$368.01 to $391	17	250
$391.01 and over	18	250

"(c) Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less the earnings (if any) payable to him with respect to such week. For the purpose of this subsection,

the term 'earnings' shall include only that part of the remuneration payable to him for such week which is in excess of 40 percent of his weekly benefit amount for any week. Such benefit, if not a multiple of $1, shall be computed to the next higher multiple of $1.

"(d) Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to 19 times his weekly benefit amount or one-half of the wages for employment paid to such individual by employers during his base period, whichever is the lesser.

"(e) Dependent's allowance: In addition to the benefits payable under subsections (b) and (c) of this section, each individual who is unemployed in any week shall be paid with respect to such week $1 for each dependent relative, but not more than $3 shall be paid to an individual as dependent's allowance with respect to any 1 week of unemployment, nor shall any weekly benefit which includes a dependent's allowance be paid in the amount of more than $18."

Substitute the following paragraph (2) for paragraph (2) of section 10 (a):

"(2) That he has during his base period been paid wages for employment by employers equal to not less than the amount appearing in column 'C' of the table in section 8 (b), on the line on which in column 'B' his weekly benefit amount appears;".

Substitute the following paragraph (5) for paragraph (5) of section 10 (a):

"(5) That he has been unemployed for a waiting period of not more than 2 weeks. No week shall be counted as a week of unemployment for the purposes of this subsection—

"(A) unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits: *Provided*, That this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment: *And provided further*, That the week or the 2 consecutive weeks immediately preceding a benefit year, if part of one uninterrupted period of unemployment which continues into such benefit year, shall be deemed (for the purposes of this subsection only) to be within such benefit year as well as within the preceding benefit year;

"(B) if benefits have been paid with respect thereto; and

"(C) unless the individual was eligible for benefits with respect thereto as provided in sections 10 and 11 of this act, except for the requirements of this paragraph; and".

Substitute the following subsection (a) for section 14 (a):

"SEC. 14. (a) The Board is hereby authorized and directed to administer the provisions of this act. Subject to the Civil Service Act, the Board is further authorized to employ such officers, examiners, accountants, attorneys, experts, agents, and other persons, and to make such expenditures, as may be necessary to administer this act, and to authorize any such person to do any act or acts which could lawfully be done by the Board. The Civil Service Commission is hereby authorized and directed to confer a competitive classified civil-service status upon those employees performing services for the Board upon the effective date of this act: *Provided*, That (1) such employees are certified by the Board as having rendered satisfactory service for not less than 6 months; (2) that they qualify in such appropriate nonassembled, noncompetitive examination as may be prescribed by the Civil Service Commission: *Provided, however*, That all employees certified by the Board in accordance with condition (1) hereof shall automatically be eligible to take such noncompetitive examination; (3) that they are citizens of the United States; and (4) that they are not disqualified by any provision of section 3 of civil-service rule V. The Board may, in its discretion, require bond from any of its employees engaged in carrying out the provisions of this act."

TRANSITION PROVISIONS

SEC. 2. (a) As used in this section unless the context clearly requires otherwise—

(1) "old law" means the unemployment-compensation law prior to its amendment by this act;

(2) "new law" means the unemployment-compensation law as amended by this act;

(3) "effective date" means the date upon which the new law becomes effective; and

(4) "continuous period of compensable unemployment" means a period of unemployment beginning prior to and continuing up to and after the effective date in the case of an individual who, prior to the effective date, has filed a claim for benefits for a week or weeks of unemployment in such period: *Provided*, That the individual has satisfied the requirements of paragraph 2 of subsection (a) of section 10 of the old law and has not exhausted his rights to benefits pursuant to subsection (b) of section 8 of the old law prior to the effective date.

(b) Except as otherwise specifically provided in subsection (c) of this section, the new law shall be exclusively applicable with respect to any individual on and after the effective date. No provision of the old law shall be construed to limit or extend the rights of any individual as fixed by the new law, after the new law becomes exclusively applicable with respect to such individual as provided in this section.

(c) With respect to any individual who is unemployed during a continuous period of compensable unemployment (as defined in par 4 of subsec. (a) of this section) section 1 (d), 8 (a) (insofar as it relates to the determination of the weekly benefit rate for total unemployment), 8 (b), 8 (c), 8 (d), and 10 (a) (2) of the old law shall be exclusively applicable until the expiration of such continuous period of compensable unemployment.

(d) Upon application by an employer, filed pursuant to suitable regulations by the Board, the Board shall determine the extent to which the employer's contributions paid for the first 6 months of the calendar year 1940 were in excess of his contributions due for said period under the new law and shall make an adjustment for that amount, without interest, solely in connection with subsequent contributions by him.

EFFECTIVE DATE

SEC. 3. This act shall take effect as of 12:01 a. m., July 1, 1940.

Mr. RANDOLPH. Mr. Speaker, this proposed legislation to amend the District Unemployment Compensation Act is brought before the House today after weeks and months of hearings, meetings, and discussions by the committee and all interested parties. I believe the chairman of the Subcommittee on the Judiciary, the gentleman from Mississippi [Mr. McGEHEE] and the ranking minority member on that subcommittee, the gentleman from Illinois [Mr. DIRKSEN], and all those who have worked so diligently on this subject, have done an excellent job. We do know that seemingly all the differences which have existed over a long period of time while this legislation was being considered have been ironed out. The board of trade, representing the business interests of the city; the American Federation of Labor, the C. I. O., and all interested groups, both labor and capital, have unanimously agreed on this bill to amend the District Unemployment Compensation Act.

In general, the proposed bill changes the tax rate from 3 to 2.7 percent and limits to taxable wages which an individual can earn from any employer within any calendar year to $3,000. These provisions are made effective as of January 1, 1940. Employer experience rating in the District of Columbia will be postponed from January 1, 1940, to July 1, 1942. The Board is given authority to allow employers to report quarterly, instead of monthly, and provision is made for an audit of all contributions by the District auditor. The Board is also given authority to refund money erroneously paid to it.

A minimum benefit of $6 is prescribed and the maximum benefit amount is increased from $15 to $18. The waiting period is shortened from 3 weeks to not more than 2 weeks, and a claimant will not be penalized for obtaining partial work during the waiting period. The eligibility provision is changed from 13 weeks to 25 times an individual's weekly benefit amount, or $250, whichever is the lesser. The calculation of benefits is placed entirely on a monetary basis rather than a time basis, and benefits are allowed 19 times an individual benefit amount, or one-half of the wages paid to him in his base period. Each claimant is allowed an additional dollar a week for each of his dependent relatives until a total of $3 additional are paid to him for any 1 week. However, no claimant is allowed a total of more than $18 in any one week regardless of dependent allowance.

This bill is intended to bring the tax rate and benefit payments in line with those in the other States, as well as to simplify administration of the unemployment-compensation program.

I could take additional time in explanation of the bill, but I feel that the measure is of vital importance, and that the House has a right to hear about its provisions in detail. For that reason I shall not consume any more time, as I know the gentleman from Mississippi, the chairman of the subcommittee, is going to ask unanimous consent to be heard on the pending legislation.

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent that I may address the House for whatever time I may desire, not to exceed 15 minutes.

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

There was no objection.

Mr. McGEHEE. Mr. Speaker, as a preface to my remarks on the provisions of the bill that is now pending before the House, permit me to say that in my humble opinion it behooves the membership of this body to give serious thought to the ultimate changes that must eventually be made to the basic Social Security Act passed by the Congress 2 or 3 years ago.

In the passage of this legislation, we launched out into a new field of legislative endeavor, a radical departure from all legislation that has been considered by this body since its inception. Its purpose in general was to alleviate the prevalent conditions at the time of unemployment, with a view to taking care of similar conditions that might arise in the future. There was no precedence on which to base the conclusion reached, we merely launched out on practically an uncharted sea, guided and directed by a desire to be of aid and assistance to certain classes of our people.

My reason for saying that the membership should give thought, not so much to the act that is before us, but the basic legislation as heretofore passed with a view of not permitting it to become so weighty on that other class of people—that is, the employers—to the extent it will destroy the very purpose of its creation.

Since the enactment of the general Social Security Act of 1935, from that period to date, we do have the experience that will give us an idea as to the destructive extent it may reach. In the continued amending of the basic act we can not afford to liberalize it to the extent that it will create a desire among the unemployed to remain in that status, nor can we assess the employer to the extent it will destroy his capacity for employment. Hence, in my opinion, the whole structure in the next 2 or 3 years must be worked out on an equitable basis, so as to aid the unemployed as far as possible and aid the employer to the extent that he can expand and continue to give employment.

This bill has reference only to amending the Unemployment Compensation Act of the District of Columbia, and what is going to be said of the ultimate outcome insofar as the District is concerned in the event it is not properly amended, is applicable to practically every State in the Union, either in a larger or lesser degree.

Permit me to show how the present act and the collections that are mandatory under it are affecting the District of Columbia at this time.

During the year 1939 the employer paid to the unemployment-compensation fund the sum of $6,763,000; benefits were paid out in the sum of $1,423,000, leaving a surplus in the unemployment-compensation fund for the District of $5,340,000. There was collected in the District prior to December 31, 1938, over and above all benefits paid the sum of $10,782,160 and on December 31, 1939, when this act had only been in force for 3 years there was a surplus in the District unemployment-compensation fund in the sum of $16,450,000, it is estimated on January 1, 1941, this surplus will amount to the enormous sum of $21,000,000.

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

Mr. McGEHEE. I gladly yield to the gentleman from West Virginia.

Mr. RANDOLPH. The gentleman has given us the figure that has been collected, and to me it is a startling sum of money to lay idle. I am sure the gentleman feels that we should have this money working in the channels of trade and not build up over a period of time an oversized lump sum as exists at the present time.

Mr. McGEHEE. Yes; and I thank the gentleman for his contribution.

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

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

Mr. FITZPATRICK. How does the unemployment insurance bill for the District of Columbia compare with the rest of the United States?

Mr. McGEHEE. If the gentleman will permit me to complete my statement, every change that is suggested in the bill before the House today will be called to the attention of the House and it will be shown how it compares with the act of the different States of the Union.

Mr. FITZPATRICK. I mean the present unemployment compensation in the District and how that compares.

Mr. McGEHEE. As to the percentage of unemployment?

Mr. FITZPATRICK. No. How does the legislation itself compare with the 48 States. Is it just the same?

Mr. McGEHEE. Oh, no; under the act that is now in force in the District of Columbia, with its complicated provisions, it is more difficult to administer than in any other State of the Union.

Mr. FITZPATRICK. But that is not the question. Is the act the same?

Mr. McGEHEE. It is practically the same. The general basic provisions are the same as the other States of the Union.

Mr. FITZPATRICK. The gentleman feels, however, there should be an exception made of the District and it should have a different set-up from the other States?

Mr. McGEHEE. Oh, no; I am merely trying to alleviate the conditions that exist in the District of Columbia so as to permit the unemployed to receive his benefit checks earlier than he is now, because sometimes it is 8 or 10 weeks before he receives them. Under the present act the employees must pay 3 percent, where in practically every State of the Union they pay only 2.7. In paying this 3 percent, as I stated a moment ago, you see the enormous surplus that is being placed in the Treasury of the United States and likely will never be used.

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

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

Mr. McCORMACK. I thought it was intended to allow a reduction, where the fund was high enough, to lower than 2.7.

Mr. McGEHEE. In answer to the gentleman, I may say that the subcommittee that has been working on this bill for many months made an effort to adopt a sliding-scale rate of payment by the employer; but it was thought by the attorneys, or some of the attorneys, on the committee that this provision would be in violation of the provisions of the basic act as passed by the Congress for all States. Hence all we could do to relieve the employers of the District of Columbia at the present time was to reduce it to 2.7, with the hope that in the future we will be able to give them further relief.

Mr. McCORMACK. The gentleman is aware of the amendment that I offered last year, and which was included in the bill last year, but was stricken out in the Senate. If that provision had gone into the bill, it would have enabled more liberal benefit payments to be made, and yet it would have saved the employers of the country from $165,000,000 to $200,000,000 a year.

Mr. McGEHEE. I am familiar with the amendment offered by the gentleman from Massachusetts to the basic act.

Mr. McCORMACK. And the employers themselves "ganged up" against the amendment; the very employers of the country whom it was aimed to save from $165,000,000 to $200,000,000 a year in unemployment pay-roll taxes "ganged up" to defeat that very provision.

Mr. McGEHEE. I do not know the cause of the defeat of the gentleman's amendment.

Mr. McCORMACK. I can assure the gentleman of that fact, because I know what the "ganging up" process consisted of.

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

Mr. McGEHEE. I yield.

Mr. CARLSON. Do I understand from the gentleman's statement that this does not reduce the payments in the District below the national average?

Mr. McGEHEE. That is right; 2.7 percent.

Mr. CARLSON. And there is no provision in the bill to give additional reduction for experience rating?

Mr. McGEHEE. No.

What will happen to the employers of the District in the event there is not some relief given to them? The peak payment to the unemployed in the District was in 1938, which included the payments that were due the unemployed for the years 1937 and 1938, and this only amounted to about the sum of $1,700,000, which is only one-fourth of the amount that is being collected annually.

It is impossible to pass this enormous sum on to the unemployed for the reason that it would raise their benefits above their monthly wage.

Now, this situation is true not only in the District of Columbia but practically every State in the Union, and with your permission I want to give you some statistics on other States.

In the State of Alabama the tax collections for the year 1939 amounted to the sum of $8,497,000; benefits paid out in the sum of $4,285,000; with an accumulated surplus on December 31, 1938, in the sum of $7,402,606, and on December 31, 1939, a total surplus of $11,849,000, or an increase of 60.6 for the year 1939 alone.

In the State of Connecticut the tax collections for the year 1939 amounted to the sum of $16,684,000, with benefits paid in the sum of $5,126,000, and an accumulated surplus in the sum of $16,266,321 on December 31, 1938, with a total surplus on December 31, 1939, in the sum of $27,771,000, or an increase during the year 1939 of 70.7.

In the State of Illinois the tax collections during the year 1939 amounted to $68,132,000, with benefits paid out in the small sum of $16,783,000, with a total surplus on December 31, 1939, in the sum of $173,044,000.

The State of Massachusetts collected in 1939 the sum of $37,766,000, paying out benefits in the sum of $19,651,000, with an accumulated surplus on December 31, 1938, in the sum of $51,730,133, making a total surplus on December 31, 1939, in the sum of $71,371,000, or an increase for the year 1939 of 37.9.

The State of Maryland collected in 1939 the sum of $12,108,000, with benefits paid out in the sum of $5,747,000, and an accumulated surplus on December 31, 1938, in the sum of $9,269,231, making a total surplus on December 31, 1939, of $15,926,000, or an increase for the year 1939 of 71.8.

The small State of New Jersey collected in 1939 the sum of $45,764,000, with benefits paid out in the sum of $14,906,000, having an accumulated surplus on December 31, 1938, in the sum of $66,690,639, making a total surplus on December 31, 1939, of $99,547,000, or an increase of 49.2.

The State of New York collected during the year 1939 the sum of $116,235,000, with benefits paid out in the sum of $80,019,000, having an accumulated surplus on December 31, 1938, in the sum of $138,959,357, with a total surplus on December 31, 1939, in the sum of $178,974,000, or an increase for the year 1939 of 28.7.

The State of Ohio collected during the year 1939 the sum of $55,427,000, with benefits paid out in the sum of $23,662,000, having an accumulated surplus on December 31, 1938, in the sum of $97,884,134, and on December 31, 1939, a total surplus of $132,487,000, or an increase for the year 1939 of 35.3.

The State of Wisconsin collected during the year 1939 the sum of $14,620,000, with benefits paid out in the sum of $3,567,000, having an accumulated surplus on December 31, 1938, of $37,959,530, and on December 31, 1939, a total surplus of $50,081,000, or an increase for the year 1939 of 50.4.

The State of Mississippi collected during the year 1939 the sum of $2,208,000, with benefits paid out in the sum of $1,444,000, having an accumulated surplus on December 31, 1938, of $3,347,137, and on December 31, 1939, a total surplus of $4,197,000, or an increase for the year 1939 of 25.4.

Without further burdening the membership in giving total collections, disbursements, and total surplus for each State, I shall only give you the total tax collected throughout the entire country and disbursements and total surplus in the Treasury of the United States. The total taxes collected for the year 1939 amounted to $824,876,000, with benefits paid out in the sum of $429,298,000, having an accumulated surplus on December 31, 1938, in the sum of $987,912,801, and on December 31, 1939, a total surplus of $1,537,797,000, which shows an increase for the year 1939 alone of 55.5. Hence you can readily see that the average increase of this surplus fund at the present rate of collections will in the future practically amount to 50 percent yearly.

It does not take an Einstein or a college mathematician to reveal to us whether the employer will be in a stable position to give employment in 8 or 10 years, with this ever-increasing and constant drain from the capital structure of the employer, which retards his expansion and depletes his financial resources and lessens his ability to continue employment. Hence it behooves the Congress to give relief to not only the District of Columbia but to the States of the Union.

We are not able to give to the employers of the District of Columbia at this session the relief they are entitled to, but we are in a position to give some relief and also give to the unemployed increased relief insofar as the District is concerned, because the conditions of employment are not comparable to those in the States, and may I say whatever action taken by the Congress insofar as the District is concerned certainly should not be taken as a criterion in amending the laws of other States or the basic act of the Union.

The act before the House today affects and amends the present act only in the following instances:

First. Under the present act the employer pays a full 3 percent on all salaries regardless of amount. This bill merely amends this provision of the District act, and limits it to the first $3,000 paid to an individual during the calendar year by a single employer. This provision is in line with the provisions of the acts in every State in the Union.

Second. It reduces the rate of payment by the employer from 3 percent to 2.7 percent, which is in line with the acts of the States, but makes this further provision that in the event of its passage and enactment into a law, it is retroactive to January 1, 1940, and allows the employer a credit against future contributions for the overpayments caused by this retroactive provision.

Third. It postpones the effective date of experienced rating from January 1, 1940, to July 1, 1942.

Fourth. It gives the Unemployment Compensation Board authority to allow the employer to report quarterly instead of monthly, thereby relieving the employer of this arduous and tedious task of monthly reports.

Fifth. Gives the Board authority to make refund of moneys that have been erroneously paid by the employer. Under the present act if the employer makes an overpayment, the Board has no authority to make a refund.

Sixth. It further provides that all contributions shall be subject to an audit by the District Auditor.

These are practically the only amendments insofar as the employer is concerned, to the act that is now in force, and the changes as recommended by the committee insofar as the employees are concerned, are as follows:

First. The benefits paid to the unemployed are now worked out on a complicated time basis and under the proposed act on a simple money basis.

Second. There is no minimum prescribed by the present act and under the proposed act a minimum of $6 per week is prescribed, which is in line with the minimum benefits as provided in the acts of the other States of the Union.

Third. The maximum benefits under the present act are $15 per week and under the proposed act $18 per week. The maximum proposed under this act is somewhat above the average, which is about $15 per week, but several States have $18 per week.

Fourth. The time under which the unemployed makes collections under the present act varies from 4⅓ weeks to 26⅔, being entirely dependent on the weeks worked in the preceding 2- to 5-year period. Under the proposed act it is 19 times the individual benefit amount or one-half of the wage paid to an individual by employers in the base period, whichever is the lesser.

Fifth. Under the present act the weekly benefit amount is 40 percent of the individual's average weekly wage during the preceding 2 years, which provision requires much detailed report by the employer. Under the proposed act it is entirely controlled by a table based on one twenty-third of the individual's high quarter wages, requiring no detailed work whatever by the employer and administrative agency. The provisions of the proposed act of one twenty-third of the individual's high-quarter wages being a compromise of the provisions of the acts of the States of the Union, which are from one-twentieth to one twenty-sixth.

Sixth. The present act provides for an allowance for dependents of an additional 10 percent of the individual's

average weekly wage for spouse and an additional 5 percent for each other dependent, but further provides that the individual is limited to 65 percent of his average weekly wage, regardless of the number of dependents and he may not receive more than $15 in any one week.

Under the proposed act this is amended to provide "there shall be paid to each individual who is unemployed in any week, $1 for each dependent relative, but not more than $3 shall be paid to an individual as dependents' allowance, nor shall any weekly benefit which includes a dependent's allowance be paid in the amount of more than $18."

The proposed act further amends the present act to include as a dependent any child over 16 years of age physically unable to work.

Seventh. The present act provides for a 3-week waiting period. The proposed act provides for not more than a 2-week waiting period, which is in line with practically all the States.

Eighth. The unemployed to be eligible under the present act must have had 13 weeks of employment in the last 52 weeks and under the proposed act, he would be eligible if the wages in his base period equals to 25 times the individual weekly benefit amount, or $250, whichever is the lesser.

Ninth. Under the present act there is no provision for civil-service status. In the proposed act the Civil Service Commission is authorized and directed to confer a competitive classified civil-service status upon those employees performing services for the Board upon the effective date of the act, provided that such employees are certified by the Board as having rendered satisfactory service for not less than 6 months and that they qualify in such appropriate nonassembled, noncompetitive examination as may be prescribed by the Civil Service Commission.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. McGEHEE. Yes.

Mr. AUGUST H. ANDRESEN. What consideration has the committee given relief from taxes to the employer who gives continuous employment to his help?

Mr. McGEHEE. That takes effect in July 1942. We could not place it in this bill at this time. We continued the provisions of the present act in that respect until July 1940.

Mr. Speaker, I have related the proposed changes to the present act. As the chairman of the committee has suggested, this subcommittee has been working for 2 or 3 years trying to give relief to the employers of the District of Columbia, also give further needed relief to the unemployed. We have worked in conjunction with the labor organizations and the business people of the District; all parties concerned have unanimously agreed upon the provisions of this bill, and I hope that the Congress will pass it. [Applause.]

EXTENSION OF REMARKS

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

The SPEAKER. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION

Mr. DIRKSEN. Mr. Speaker, I ask for recognition.

The SPEAKER. The gentleman from Illinois is recognized for 5 minutes.

Mr. DIRKSEN. Mr. Speaker, there is very little I need offer to the exhaustive discussion of the gentleman from Mississippi [Mr. McGEHEE]. The legislation before you is complete in agreement, because of the consummate patience exercised by the chairman of the subcommittee, the gentleman from Mississippi [Mr. McGEHEE], and also because of the fine cooperative spirit that was manifest between the employers and labor in the District of Columbia. A number of times our deliberations have finished on the rock of disagreement, but his patience at such times served to keep it alive and bring new hope of final enactment. There were so many considerations that went into the making of this legislation. We recognized if we went too far from base, we might conceivably torpedo the legislation now on the books of 48 States of the Union. So we had to have that in mind of course in fashioning a bill. The other impelling reason for a bill at this time was that the funds in the District of Columbia for unemployment benefits have grown by leaps and bounds. I forget exactly the proportion of income to outgo, but perhaps the gentleman from Massachusetts [Mr. BATES] can refresh my memory.

Mr. BATES of Massachusetts. In 1939 the collections amounted to something over $6,000,000 and the benefits to only $1,400,000.

Mr. DIRKSEN. So that we are taking in four times as much as has been paid out. Obviously that situation invites abuses and difficulties. Moreover, employers should not be subjected to unnecessary taxes.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. AUGUST H. ANDRESEN. Could the gentleman give us any idea as to what relief may be expected by the employers of labor who give continuous employment. Are these people required to pay continuously when they take care of their own labor by continuous employment?

Mr. DIRKSEN. Yes; everybody will pay under this bill until such time as we can make the system effective, the date of which has been postponed to another time until we can get the thing worked out.

The bill that is before you today is in no sense of the word a final solution of the problem of unemployment compensation for the District of Columbia. It comes here in the nature of an emergency proposal, the idea in the minds of the subcommittee being that when the Seventy-seventh Congress meets it will address itself once more to this problem in the hope of working out some kind of system or proposal whereby those who stabilize and regularize their employment can have the benefit of a diminished tax. We are handicapped at the present time, however, and the best we can offer to the employers under existing law is a reduction from 3 percent to 2.7 percent, which will be something in excess of $1,000,000 a year.

Obviously, if you reduce one side, it is only natural that labor should ask, and equitably so, for some concessions. They thought the minimum benefits should be increased somewhat. They were increased. They thought the maximum benefits should be increased; they were increased from $15 to $18. They thought the duration of the waiting period should be cut down; it has been cut down from 3 weeks to not more than 2. They thought that the duration of benefits should be increased, and we finally made them 19 weeks, or 50 percent of whatever the aggregate was in the so-called base period. So there have been concessions on both sides for employer and for labor.

The particular bill before you today I feel has the universal and unanimous backing of the American Federation of Labor, the Central Trades Union Council, which is affiliated with the American Federation of Labor, the Congress of Industrial Organizations, and the employers of the District of Columbia.

So once more I pay my compliments to the gentleman from Mississippi [Mr. McGEHEE] for the splendid job he has done, and for the rare patience and fortitude he exhibited so that there might be a bill here. There is nothing more that could be said at this time except that the matter is not foreclosed for amendment at some future time, because much remains to be done to perfect and make operable unemployment compensation in the District of Columbia. [Applause.]

Mr. RANDOLPH. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JUVENILE COURT, DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 9804) to amend and clarify section 6, subsection 2, of the

act approved June 1, 1938, known as Juvenile Court Act of the District of Columbia, and for other purposes, and asks unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That for the purpose of continuing and confirming jurisdiction heretofore conferred upon the juvenile court of the District of Columbia, section 6, subsection 2, of the act approved June 1, 1938 (Public, No. 571, 75th Cong., 3d sess.; 52 Stat. 596, ch. 309; D. C. Code, 1929 ed., Supp. V, title 18, sec. 256), entitled the "Juvenile Court Act of the District of Columbia," be, and the same is hereby, amended to read as follows:

"'2. ADULTS.—The court shall have original and exclusive jurisdiction to determine cases of adults charged with willfully contributing to, encouraging, or tending to cause by any act or omission any condition which would bring a child within the provisions of this act. The court shall have concurrent jurisdiction with the District Court of the United States for the District of Columbia in all cases arising under the act entitled "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances," approved March 23, 1906 (D. C. Code, title 6, secs. 270–273). Nothing herein shall be contrued as having the effect of limiting the jurisdiction of said court in matters arising under the act entitled "An act to provide for compulsory school attendance," approved February 4, 1925 (43 Stat. 806, ch. 140); or under the act entitled "An act to regulate the employment of minors," approved May 29, 1928 (45 Stat. 998, ch. 908).'"

Mr. RANDOLPH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the purposes of this legislation are to clarify certain general expressions contained in the present Juvenile Court Act of the District of Columbia. The present law by its wording limits the jurisdiction of the juvenile court in nonsupport cases to children and does not make any provision for the mother. In this way jurisdiction is divided between the district court, on the one hand, and the juvenile court, on the other, although the mother usually enters the appeal for herself and for her children.

We believe the bill is needed, as it will remedy situations of this kind.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARKING OF AUTOMOBILES IN THE MUNICIPAL CENTER

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 9115) to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized, in their discretion, to permit such officers and employees of the District of Columbia government as the Commissioners may select to park motor vehicles in any building or buildings now or hereafter erected upon squares Nos. 490, 491, and 533, and reservation No. 10, in the District of Columbia, known as the Municipal Center, and to make and enforce regulations for the control of the parking of such vehicles, including the authority to prescribe and collect fees and charges for the privilege of parking of such vehicles.

SEC. 2. The Commissioners of the District of Columbia are further authorized, in their discretion, to permit the public to park motor vehicles in such portion or portions of squares Nos. 490, 491, and 533, and reservation 10, in the District of Columbia, known as the Municipal Center, as may be set apart by the said Commissioners for such purpose, and to make and enforce such regulations as the Commissioners may deem advisable for the control of parking in such portion or portions of the Municipal Center as they may set apart for such purpose, including authority to restrict the privilege of parking therein to persons having business in the Municipal Center, and to make and enforce regulations to prohibit parking in all portions of the Municipal Center not set apart by the Commissioners for such purpose. The Commissioners are further authorized in their discretion to prescribe and collect fees and charges for the privilege of parking motor vehicles in such portion or portions of the Municipal Center as may be set apart for such purpose, and, to aid in the collection of such fees and charges and the enforcement of such regulations, the Commissioners may install mechanical parking meters or devices.

SEC. 3. The Commissioners of the District of Columbia are further authorized to prescribe reasonable penalties or fines not to exceed $25 or imprisonment not to exceed 10 days for the violation of any regulation promulgated under the authority of this act.

Mr. RANDOLPH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the purpose of this legislation is to authorize the parking of automobiles in the new Municipal Center. This parking space is intended primarily for the parking and storage of municipally owned vehicles, those operated by the various departments and officials of the District of Columbia. However, the space provided is larger than necessary for this purpose at the present time and it is felt that the extra space could be used to the advantage of the District by permitting employees to park their cars therein at reasonable rates and also to permit the use of this space by the public having business to transact with the District of Columbia.

The bill was ordered to be engrossed and read a third, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEMBERS OF THE BOARD OF STEAM AND OTHER OPERATING ENGINEERS OF THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill H. R. 8815, to grant per diem compensation to the appointed members of the Board of Steam and Other Operating Engineers of the District of Columbia, and for other purposes, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I am interested in ascertaining when the Schulte milk bill to break up the milk distributing monopoly in the District of Columbia will be brought up for consideration. Can the gentleman give us any information with reference to that bill?

Mr. RANDOLPH. I may say, in answer to the gentleman from Wisconsin, that perhaps the gentleman from Indiana [Mr. SCHULTE], author of that measure, can answer the question at this time if he desires to make any comment.

Mr. SCHAFER of Wisconsin. I believe that the bill in question should be enacted. I do not understand why the people of the District of Columbia, particularly the children who need milk, should be hijacked and held up by the great milk monopoly which exists in the Nation's Capital.

Mr. RANDOLPH. I am sure many of us appreciate the gentleman's remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to regulate steam and other operating engineering in the District of Columbia," approved February 28, 1887, as amended, is amended to read as follows:

"SEC. 2. That all persons applying for such license shall be examined by a board of examiners composed as follows: Two practical engineers, neither of whom shall be in the employ of the United States or the District of Columbia, to be appointed by the Commissioners of the District of Columbia, and the boiler inspector for the District of Columbia. Each appointed member shall receive compensation at the rate of $10 per day when actually engaged in the work of the board. The Commissioners of the District of Columbia may remove any member of the board for misconduct, incompetency, neglect of duty, or for any other sufficient cause. Said examination shall be conducted in all respects under such rules and regulations as the Commissioners of the District of Columbia shall from time to time provide; and all engines and steam boilers shall be subjected to such tests as the said Commissioners may prescribe."

With the following committee amendment:

Page 2, line 6, after the word "board", insert the following: "such compensation not to exceed $300 per annum. One of the appointed

engineers shall be appointed for a term of 1 year and the others for a term of 2 years. On the expiration of such appointments, all appointments shall be made for the term of 2 years except such appointments as may be made for the remainder of unexpired terms. Vacancies caused by death, resignation, or otherwise shall be filled by the Commissioners only for the unexpired terms. Members shall be eligible for reappointment."

Mr. RANDOLPH. Mr. Speaker, I move to strike out the last word.

The purpose of this legislation is to provide adequate compensation for the members of the Board of Steam Engineers of the District. The compensation at the present time is only $150 a year, while the work has greatly increased during the past few years. This legislation provides a salary of $10 a day while actually engaged in the work of the Board, but the total cannot exceed $300 a year.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT OF MEMBERS OF METROPOLITAN POLICE

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 8846) to provide for the retirement of certain members of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, and the members of the Fire Department of the District of Columbia, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 12 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916, is amended by adding, after the fourth paragraph of such section, a new paragraph to read as follows:

"Whenever any member of the Metropolitan Police Department of the District of Columbia, or of the United States Park Police force, or of the White House Police force, or the Fire Department of the District of Columbia has served 25 years or more as a member of such department or police force, or the Fire Department of the District of Columbia, or any combination of such service, he may, at his election, be retired from the service of any such police department or police force or fire department, and shall be entitled to receive retirement compensation from the said policemen and firemen's relief fund, District of Columbia, in an amount equal to 50 percent per annum of the salary received by him at the date of retirement."

Mr. RANDOLPH. Mr. Speaker, this bill will give the members of the Police and Fire Departments in the District of Columbia the right to retire voluntarily after they have served 25 years. Retirement would be at half pay. It has been found by carefully looking into the records that practically every large city in the United States has such a law, but in Washington, D. C., the members of the Police and Fire Departments can retire for proven disability only. There is no provision for retirement because of age or service. It is therefore felt that this legislation is needed and should be passed at this time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, there are several measures pending on the District of Columbia Calendar which are of a more controversial nature than those which we have brought before the House today. In keeping with our promise to the majority leader, may I say that this completes the District of Columbia Calendar for today.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL—1941

Mr. TAYLOR. Mr. Speaker, I call up the conference report on the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes, and ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. CLEVENGER. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

Mr. TAYLOR. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 123]

Alexander	Dies	Hobbs	Risk
Anderson, Calif.	Dingell	Jarman	Sacks
Austin	Douglas	Jennings	Schaefer, Ill.
Barden, N. C.	Duncan	Kee	Seccombe
Barton, N. Y.	Durham	Kerr	Shanley
Bender	Eaton	Kilday	Sheridan
Bradley, Pa.	Evans	Kirwan	Simpson
Brewster	Faddis	Lambertson	Smith, Va.
Buck	Fish	Lemke	Starnes, Ala.
Buckler, Minn.	Folger	Lewis, Ohio	Sumners, Tex.
Buckley, N. Y.	Ford, Leland M.	McLean	Thomas, N. J.
Burdick	Fries	Maas	Thorkelson
Burgin	Green	Martin, Ill.	Wadsworth
Byron	Gross	Martin, Mass.	Weaver
Clark	Hare	Merritt	White, Ohio
Cooley	Harter, Ohio	Mitchell	Winter
Culkin	Hawks	Myers	Woodruff, Mich.
Darrow	Healey	Osmers	

The SPEAKER. Three hundred and sixty-four Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. LYNDON B. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by my colleague the gentleman from Mississippi [Mr. RANKIN].

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

There was no objection.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1941

The SPEAKER. The pending question is the request of the gentleman from Colorado [Mr. TAYLOR] that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 10, 13, 36, 40, 41, 52, 53, 54, 65, 73, 75, 83, 88, 92, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 7, 14, 15, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 38, 39, 42, 43, 44, 45, 46, 49, 55, 56, 57, 58, 61, 66, 67, 68, 74, 76, 77, 78, 79, 81, 82, 94, 96, 97, 105, 106, 107, 108, 112, 113, 114, 115, 116, and 117, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$145,706"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$42,370"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$2,250,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$154,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$16,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$2,884,520"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and

agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$35,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$600,000"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"For the construction of water conservation and utilization projects and small reservoirs, including not to exceed $196,000 for surveys, investigations, and administrative expenses in connection therewith (of which not to exceed $20,000 shall be available for personal services in the District of Columbia), all as authorized by the Act of August 11, 1939 (53 Stat. 1418), $3,500,000."

And the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Patrick Henry National Monument: Toward the acquisition of the estate of Patrick Henry in Charlotte County, Virginia, known as Red Hill, and including all expenses incidental to such acquisition, to be known as the Patrick Henry National Monument, in accordance with the provisions of the Acts of August 15, 1935 (49 Stat. 652), and January 29, 1940 (Public, Numbered 408, Seventy-sixth Congress), $25,000."

And the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$850,000"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$468,890"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$977,940, including not to exceed $120,000 to commence the establishment of a station in Arkansas, on a site heretofore donated to the United States for such purpose, the establishment of a station in Mississippi on a site heretofore donated to the United States for such purpose, for the purchase of a fish-cultural station in Oklahoma, and for the further development of the stations at Lamar, Pennsylvania, and on Williams Creek on the Fort Apache Indian Reservation in Arizona"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 6, 9, 11, 12, 18, 33, 34, 35, 37, 47, 50, 51, 59, 60, 63, 64, 69, 70, 72, 80, 84, 85, 87, 89, 90, 91, 95, 99, 100, 101, 110, and 111.

EDWARD T. TAYLOR,
JED JOHNSON,
J. G. SCRUGHAM,
JAMES M. FITZPATRICK,
CHAS. H. LEAVY,
HARRY R. SHEPPARD,
ALBERT E. CARTER,
Managers on the part of the House.

CARL HAYDEN,
KENNETH MCKELLAR,
ELMER THOMAS,
ALVA B. ADAMS,
GERALD P. NYE,
RUFUS C. HOLMAN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Office of the Secretary

On amendment No. 1: Appropriates $314,340 for personal services in the office of the Solicitor, as proposed by the Senate, instead of $310,000, as proposed by the House.

On amendment No. 2: Appropriates $145,706 for the Consumers' Counsel Division of the Solicitor's office, instead of $139,583, as proposed by the House, and $151,830, as proposed by the Senate.

On amendment No. 3: Appropriates $118,780 for the Division of Territories and Island Possessions, as proposed by the House, instead of $121,100, as proposed by the Senate.

On amendment No. 4: Makes available for personal services in the District of Columbia for the Division of Investigations, $42,370, instead of $40,000, as proposed by the House, and $43,500, as proposed by the Senate.

On amendment No. 5: Appropriates $2,250,000 for the Bituminous Coal Division, instead of $1,187,800, as proposed by the House, and $2,387,800, as proposed by the Senate.

Bonneville Power Administration

On amendment No. 7: Appropriates $6,650,000 for the Bonneville Power Administration, as proposed by the Senate, instead of $5,650,000, as proposed by the House.

United States High Commissioner to the Philippine Islands

On amendment No. 8: Appropriates $154,000 for maintenance of the office of the High Commissioner to the Philippine Islands, instead of $141,000, as proposed by the House, and $159,000, as proposed by the Senate.

Bureau of Indian Affairs

On amendment No. 10: Appropriates $548,580 for salaries in the office of the Commissioner of Indian Affairs, as proposed by the House, instead of $556,740, as proposed by the Senate.

On amendment No. 13: Strikes out the provision of the Senate proposing to include the State of Nevada in the group of States in which no land may be acquired by the Bureau of Indian Affairs outside the boundaries of existing Indian reservations.

On amendments Nos. 14 and 15: Appropriates $10,000 from tribal funds for the Blackfeet Indians of Montana for industrial assistance, as proposed by the Senate.

On amendment No. 16: Makes $16,000 available for personal services in the District of Columbia in connection with the development of Indian arts and crafts, instead of $15,000, as proposed by the House, and $18,000, as proposed by the Senate.

On amendment No. 17: Appropriates $425,000 for operation and maintenance of the San Carlos irrigation project in Arizona, as proposed by the Senate, instead of $320,000, as proposed by the House.

On amendments Nos. 19 to 28, inclusive, relating to the construction and repair of irrigation systems on Indian reservations: Appropriates $1,150,000 for the Colorado River project in Arizona, as proposed by the Senate, instead of $650,000, as proposed by the House; appropriates $90,000 for the San Carlos project, and $50,000 for the Salt River project, Arizona, and $10,000 for the Southern Ute project, Colorado, all as proposed by the Senate; provides $10,000 for the Owens Valley (Carson Agency, Nev.), as proposed by the Senate, instead of $50,000, as proposed by the House; $400,000 for the Crow project, Montana, as proposed by the Senate, instead of $500,000, as proposed by the House; $41,000 for the Wind River project, Wyoming, as proposed by the Senate, instead of $46,000, as proposed by the House; $45,000 for miscellaneous garden tracts, as proposed by the Senate, instead of $50,000, as proposed by the House; appropriates $25,000 for surveys on the Klickitat unit of the Wapato project in Washington, as proposed by the Senate, and corrects the total of all the items involved under this heading.

On amendment No. 29: Appropriates $6,015,000 for the support of Indian schools, as proposed by the Senate, instead of $6,000,000, as proposed by the House.

On amendment No. 30: Appropriates $2,884,520 for the general support and administration of Indian property, instead of $2,846,700, as proposed by the House, and $2,897,520, as proposed by the Senate. The increase of $37,820 over the House bill has been distributed as follows: For additional field assistance at the Kiowa Agency, Okla., $3,500; for clerical personnel and expenses involved in the establishment of a subagency at Schurz, Nev., $4,500; for the relief of the Catawba Indians, South Carolina, $7,500; for the purchase of automobiles for field agents, $7,000; and for land acquisition personnel, $15,320.

On amendment No. 31: Reappropriates the unexpended balance of $7,787 appropriated from tribal funds in the 1940 Interior Department Act for reconstruction of a community house for the Seminole Indians, Oklahoma, as proposed by the Senate.

On amendment No. 32: Appropriates $125,760 for expenses of the Klamath Indians, Oregon, as proposed by the Senate, instead of $123,760, as proposed by the House.

On amendment No. 36: Strikes out the proposal of the Senate to appropriate $6,000 from tribal funds for attorneys for the Chippewa Tribe, Minnesota.

On amendments Nos. 38 to 46, inclusive, 48 and 49, all relating to the construction and repair of Indian school, hospital, and other facilities: Appropriates $31,500 for improvements to water system, Jones Academy, Oklahoma, as proposed by the Senate, instead of $4,500, as proposed by the House; provides $27,500 for improvements to the water system, Talihina Sanatorium, Oklahoma, as proposed by the Senate; appropriates $7,500 for quarters at Fort Belknap, Mont., $10,000 for a shop building and garage at Fort Totten, N. Dak.; $125,000 for school facilities, Hopi, Arizona; $15,000 for a dairy barn, and $20,000 for a shop building for the Kiowa Agency, Okla., and $22,500 for improvements to the utility system, Pipestone, Minn., all as proposed by the Senate; appropriates $5,000 for quarters at Fort Berthold, N. Dak., as proposed by the House, instead of $7,500, as proposed by the Senate; provides $7,500 for quarters at Fort Totten, N. Dak., as proposed by the House, instead of $8,500, as proposed by the Senate; appropriates $7,500 for quarters at Standing Rock, N. Dak., as proposed by the Senate, instead of $5,000, as proposed by the House; pro-

vides $35,000 for quarters at Western Shoshone, Nevada, instead of $30,000 as proposed by the House and $37,500 as proposed by the Senate; and $110,000 for administrative expenses in connection with the foregoing items, as proposed by the Senate, instead of $85,000, as proposed by the House; restores the 10 percent transfer provision of the House, eliminated by the Senate; and restores the provision of the House making funds appropriated in the 1939 Interior Department Appropriation Act for a central-heating plant available for the construction of a print shop.

On amendment No. 54: Strikes out the provision of the Senate making $105,000 from tribal funds of the Menominee Indians of Wisconsin available for per capita payments.

Bureau of Reclamation

On amendments Nos. 55, 56, 57, 58, 61, and 62, relating to the construction of reclamation projects payable from the reclamation fund: Appropriates $100,000 for the Uncompahgre project, Colorado, as proposed by the Senate, instead of $75,000, as proposed by the House; provides $900,000 for the Boise project, Idaho, as proposed by the Senate, instead of $700,000, as proposed by the House; appropriates $100,000 for the Humboldt project, Nevada, as proposed by the Senate; makes available $100,000 for the Carlsbad project, New Mexico, as proposed by the Senate, instead of $50,000, as proposed by the House; appropriates $900,000 for the Kendrick project, Wyoming, as proposed by the Senate, instead of $500,000, as proposed by the House; and provides $600,000 for general investigations, instead of $300,000 as proposed by the House and $900,000 as proposed by the Senate.

On amendment No. 65: Appropriates $1,500,000 for the All-American Canal, as proposed by the House, instead of $850,000, as proposed by the Senate.

On amendments Nos. 66 and 67: Appropriates $3,500,000 for continuation of construction of the Parker Dam power project, Arizona-California, together with the unexpended balance contained in the Second Deficiency Act, 1939, as proposed by the Senate.

On amendment No. 68: Appropriates $23,600,000 for the Central Valley project, California, as proposed by the Senate, instead of $16,000,000, as proposed by the House.

On amendment No. 71: Appropriates $3,500,000 for water-conservation and utility projects, instead of $5,000,000, as proposed by the Senate.

Geological Survey

On amendment No. 73: Appropriates $150,000 for salaries in the office of the Director, as proposed by the House, instead of $175,100, as proposed by the Senate.

On amendment No. 74: Permits the purchase of topographic maps from civilian aerial photographic concerns, as proposed by the Senate.

On amendment No. 75: Corrects a total.

Bureau of Mines

On amendment No. 76: Provides $20,000 for the establishment of a mine-rescue station in the New York and New England area, as proposed by the Senate.

On amendment No. 77: Appropriates $263,900 for testing fuel, including $30,000 for the testing of subbituminous coal and lignite at Golden, Colo., as proposed by the Senate.

On amendment No. 78: Appropriates $567,000 for mining experiment stations, including $15,000 for the electrotechnical laboratory at Norris, Tenn., as proposed by the Senate.

On amendment No. 79: Appropriates $336,920 for economics of mineral industries, as proposed by the Senate, instead of $331,500, as proposed by the House.

On amendment No. 81: Corrects a total.

National Park Service

On amendment No. 82: Appropriates $11,000 for administration, protection, and maintenance of the Kings Canyon National Park, Calif., as proposed by the Senate.

On amendment No. 83: Strikes out the proposal of the Senate providing $20,000 for the Dinosaur National Monument, Utah.

On amendment No. 86: Appropriates $25,000 toward the acquisition of the estate of Patrick Henry in Charlotte County, Va., instead of providing $100,000 for the purchase of the entire estate, as proposed by the Senate.

On amendment No. 88: Appropriates $2,125,000 for roads and trails, as proposed by the House, instead of $2,000,000, as proposed by the Senate.

On amendments Nos. 92 and 93: Strikes out the proposal of the Senate to appropriate $40,000 for the construction of a structure at or near the Water Gate in West Potomac Park, in the District of Columbia.

On amendment No. 94: Appropriates $375,000 for development of grounds, Thomas Jefferson Memorial, Washington, D. C., as proposed by the Senate, instead of $263,740, as proposed by the House.

Bureau of Biological Survey

On amendments Nos. 96 and 97: Appropriates $198,300 for biological investigations, of which $45,738 is made available for investigations of the relations of wild animal life to forests, as proposed by the Senate, instead of $183,300, of which $30,738 is made available for such investigations, as proposed by the House.

On amendment No. 98: Appropriates $850,000 for the control of predatory animals and injurious rodents, instead of $675,000, as proposed by the House, and $1,000,000, as proposed by the Senate.

Bureau of Fisheries

On amendments Nos. 102, 103, and 104, relating to the propagation of food fishes: Appropriates a total of $977,940 for this purpose, instead of $922,940, as proposed by the House, and $987,940, as proposed by the Senate; provides $20,000 for the propagation and distribution of fresh-water mussels, instead of $10,000, as proposed by the House, and $30,000, as proposed by the Senate; and provides for the establishment of a station in Mississippi on a site heretofore donated to the United States, as proposed by the House.

On amendment No. 105: Appropriates $30,000 for a diversion dam on the Sandy River, Oreg., as proposed by the Senate.

On amendment No. 106: Reappropriates unobligated balance of appropriations for construction of stations originally appropriated for in the Department of Commerce Act for 1939, as proposed by the Senate.

On amendments Nos. 107 and 108: Appropriates $3,000 for lobster work at the Boothbay Harbor, Maine, fish-cultural station, as proposed by the Senate.

Puerto Rican hurricane relief

On amendment No. 109: Provides $20,000 for administrative expenses, instead of $15,000, as proposed by the House, and $30,000, as proposed by the Senate.

Freedmen's Hospital

On amendments Nos. 112, 113, 114, and 115: Appropriates $571,925 for this hospital, as proposed by the Senate, instead of $557,145, as proposed by the House.

Miscellaneous

On amendments Nos. 116 and 117: Permits the purchase and operation of station wagons, without such vehicles being considered as passenger-carrying automobiles, as proposed by the Senate.

Amendments in disagreement

The committee of conference report in disagreement the following amendments:

Amendment No. 6: Relating to the War Minerals Relief Commission.

Amendment No. 9: Relating to the expenditure of funds provided the United States High Commissioner to the Philippine Islands.

Amendments Nos. 11 and 12: Relating to the purchase of land for Indians under the Indian Reorganization Act.

Amendment No. 18: Relating to the purchase and distribution of electrical energy in connection with the Colorado River project, Arizona.

Amendments Nos. 33 and 34: Relating to payment of the salaries and expenses of representatives of the Menominee (Wis.) general Council and members of the Menominee Advisory Council.

Amendment No. 35: Correcting a total.

Amendments Nos. 37, 47, 50, and 51: Relating to appropriations for the construction and repair of Indian schools, hospitals, etc.

Amendments Nos. 59 and 60: Relating to an appropriation for construction on the Klamath project, Oregon and California.

Amendments Nos. 63 and 64: Correcting totals.

Amendments Nos. 69 and 70: Relating to the appropriation for the San Luis Valley project, Colorado, and correcting the total for reclamation construction from the Federal funds.

Amendment No. 72: Relating to the policy of Congress to the opening to entry of newly irrigated public lands.

Amendment No. 80: Relating to the appointment of a director of the Bureau of Mines.

Amendments Nos. 84, 85, and 87: Relating to appropriations for the operation and maintenance of the Andrew Johnson National Monument, the Vanderbilt Historical Monument, and funds for the purchase of the Andrew Johnson homestead, etc.

Amendments Nos. 89, 90, and 91: Relating to contract authorizations for the construction of roads and trails, National Park Service, including the Blue Ridge and Natchez Trace Parkways.

Amendment No. 95: Relating to an appropriation for the Navy and Marine Memorial.

Amendments Nos. 99, 100, and 101: Relating to an appropriation for restoration of the Lower Klamath Migratory Waterfowl Refuge by the Bureau of Biological Survey and correcting the totals for such Bureau.

Amendment No. 110: Relating to the appropriation for a survey of the natural resources of the Antarctic regions.

Amendment No. 111: Relating to the appropriation for St. Elizabeths Hospital.

EDWARD T. TAYLOR,
JED JOHNSON,
J. G. SCRUGHAM,
JAMES M. FITZPATRICK,
CHAS. H. LEAVY,
HARRY R. SHEPPARD,
ALBERT E. CARTER,
Managers on the part of the House.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 15 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, we now have before us the conference report on the Interior Department appropriation bill. I was one of the conferees, but I did not sign the report because I do not believe this report should be approved by the House. We have been making appropriations for the various departments of the Government. We have had estimates from the Bureau of the Budget. When we passed this bill in the House the House tried in a measure to keep close to the Budget estimate, and the House passed a bill

carrying appropriations amounting to $135,434,330. After the Senate acted upon this bill it had increased the amount the House appropriated by $16,856,143. The Senate had some additional Budget estimates, but not that amount. Where is the Senate economy they talked about?

It seems as if the Senate and the House figure that because the amount of this appropriation is not up to the amount we appropriated last year we have accomplished something, but I say that that means nothing. When we think of the enormous cost of operation of the Government, the great expenditures of the various bureaus, we should make reductions not in the amount the House would like to have, but in the Budget estimates, because the Budget officer has proved to the country and to everybody that appropriations are entirely too large for the amount of money we receive.

We have asked the question on the floor of the House many times, "Where are you going to get the money?" It seems as if nobody has been able to answer that question. Then we have asked the question, "With what kind of money are you going to pay these bills?" It does not seem that the New Deal wants to tell us what kind of money they are going to use to pay the bills. Now I believe one of the appropriate questions to ask the Deal Deal administration would be, "What have you done with the money we have given you not only for national defense, but for the other departments of the Government?" I believe if a correct inventory and recapitulation of the assets were taken you would find that you have not done a very good job.

What do we have in this bill? After the House conferees assembled we went over to join the Senators. The reason I could not sign this bill is that I believe we should have stood firm in our determination to try to cut down the amount of the appropriations. Let us see what we did.

The Senate receded on 16 amendments to the amount of $1,822,000, but the House conferees receded on 54 amendments, amounting to $15,033,000, or 8 times as much as the amount on which the Senate receded. I believe the House conferees deserve the censure of the House of Representatives in not having more fight. We do not put the fight into this that is necessary to cut down expenses.

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

Mr. RICH. I yield to the gentleman from New York, one of the conferees.

Mr. FITZPATRICK. What percentage of the bill as it passed the House did the Senate agree to, without adding amendments?

Mr. RICH. The Senate agreed to practically everything the House passed, but the Senate added over $15,000,000.

Mr. FITZPATRICK. That is a small percentage compared with the amount of the bill as it passed the House.

Mr. RICH. Yes; but the point is you should have stood your ground and refused to permit the Senate to add those amounts to the bill.

Mr. FITZPATRICK. Does the gentleman believe the Senate should not have anything to say about an appropriation bill?

Mr. RICH. I believe the Senate should have something to say about it, but it was not a Senate appropriation bill as much as it was a conferees' appropriation bill. That is what I want to show, and in order to do it let me show the Members of the House just what happened as far as the conference report was concerned.

The House conferees agreed to $1,062,000 additional for the Bituminous Coal Division. The House turned that item down, yet the conferees in conjunction with the Senate added it to the bill. It should never have been agreed to by the conferees but should have been brought back to the House for a vote. However, they smothered it in this conference report so that the Members here are not going to get much of a chance to vote on it.

Then we added $1,000,000 to the Bonneville project after it was shown on the floor of the House that we believed it had money enough if expended properly to provide all the power lines that would be needed on the Bonneville project; yet we added $1,000,000 to that item.

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

Mr. RICH. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Is this $1,000,000 for the building of power lines so that our New Deal government's electric business can furnish cheap electricity to the Mellon Aluminum Trust?

Mr. RICH. Well, they are going to furnish cheap electricity to anybody that will go out to the States of Washington and Oregon, much cheaper than it will cost the taxpayers of this country to furnish it, because of the fact that the Government does not add to its cost every item of expense that a public utility is supposed to add to its cost of operation.

Mr. SCHAFER of Wisconsin. When the bill came before the House the committee report and the hearings indicated that millions of dollars were to be expended from our almost bankrupt Federal Treasury so that the New Deal-socialist government electric authority could build power lines in order to furnish cheap electricity to great corporations, including the Mellon aluminum monopoly, which has plants in the far West.

Mr. RICH. I may say to the gentleman that the Government is entering into all kinds of business, not only the electrical business, but it is entering into every kind of business, making this a communistic form of government.

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

Mr. RICH. I yield.

Mr. DWORSHAK. Can the gentleman inform the House what the total appropriations already made amount to for the construction of the distribution lines of Bonneville power?

Mr. RICH. The approximate amount is $35,000,000, and they are going to ask for millions of dollars more, and by the time we get through with the Grand Coulee in connection with the Bonneville you are going to have half a billion dollars more in these two projects.

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

Mr. RICH. I yield to the gentleman from Oregon.

Mr. MOTT. I know the gentleman wants to be fair about this, and I know that he is already convinced that Bonneville is a legitimate and a highly useful project, and now I want to ask the gentleman if it is his contention, after spending some $500,000,000 on Bonneville, that we should not go ahead and complete the distribution system so that the Government can begin to get returns from the Bonneville investment.

Mr. RICH. I will say to the gentleman from Oregon that we now have authorized the expenditure of enough money to take care of the amount of current they have sold to the people of Washington and Oregon, and you will not need to take this million dollars at this time under this particular bill. I am convinced of that myself.

Mr. MOTT. I want to call the gentleman's attention to the fact that the testimony before the committee does not substantiate what the gentleman has just said. The gentleman has read the testimony of the Administrator and the witnesses who appeared there to show to the committee how much money was necessary to carry on the transmission construction this year and the amount which they said was necessary the committee did not allow them and they got it in the Senate. That is true, is it not?

Mr. RICH. I will say that since they have started this, you want to socialize the Government, and you want to use all the power that Bonneville will generate, in my own judgment, while I believe you have got enough money appropriated to furnish transmission lines over the section of the country that will utilize all the power that you can furnish with the installations, and even more than the installations you have on Bonneville at the present time.

Mr. MOTT. If the gentleman were familiar with the situation I am sure he would not say that.

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

Mr. RICH. I yield.

Mr. PIERCE. Was there not a Budget estimate for the million dollars the gentleman speaks of?

Mr. RICH. Well, Governor, it is not any trick to get anything from this Budget Bureau. I think that whenever we quote the Budget Bureau and think that we are doing something or that we are keeping within the lines of the Budget, that does not mean much. I will say that the Budget Bureau is not worth a whoop—not a tinker's damn—because they are now going to give you Budget estimates for this year, and when you get through, with the President's cooperation, you will have appropriated 100 percent more than the revenues you will get for 1941. So a Budget Bureau of that kind does not mean anything. There is no business to it.

Mr. BATES of Massachusetts. If the gentleman will yield, I would like to ask the gentleman from Oregon a question. Can the Governor tell the members of the Committee what percentage of the cost of this transmission line is charged up to power or is it all charged up to power?

Mr. PIERCE. It is all reimbursible, and it will all be paid back.

Mr. BATES of Massachusetts. The entire cost?

Mr. PIERCE. Yes, sir.

Mr. BATES of Massachusetts. Can you tell the members of the Committee what percentage of the cost of the construction of the dam is charged to power?

Mr. PIERCE. Yes; all that the engineers allotted to it.

Mr. BATES of Massachusetts. What is the figure?

Mr. PIERCE. I could not give you the figure.

Mr. BATES of Massachusetts. Thirty-two percent?

Mr. PIERCE. Thirty-two percent, or about one-third.

Mr. BATES of Massachusetts. And the people of the rest of the country pay the balance?

Mr. PIERCE. No; that is for navigation.

Mr. RICH. Now, I want to show you something else. Here is a little chart I got up which shows the States that "put" and the States that "take." The States that put are illustrated in blue and the States that take are illustrated in red. The States that put, pay into the Treasury more money than they receive today, and the States that take are the States that are getting more from the Treasury than they pay in.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. RICH. I cannot yield to the gentleman right now because I want to show you how this whole thing works.

The State of Colorado is getting out of this bill, according to the Interior Department report, $3,870,000.

Mr. LEWIS of Colorado. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. RICH. Give me 5 minutes more.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes additional to the gentleman from Pennsylvania, inasmuch as he has mentioned Oklahoma.

Mr. RICH. Then the gentleman had better give me 10 minutes more, if I have to tell all about Oklahoma.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield if we get him more time on this side?

Mr. RICH. Mr. Speaker, these gentlemen want to bother me so I cannot get a lot of this into the RECORD. In Oklahoma they got out of this bill $4,283,000, Nevada got $1,986,000, the State of Washington got $18,931,000; California, $27,569,000; New York gets $483,000; Pennsylvania, $1,185,000, but I will show you how that is broken down after awhile. I will show these fellows when this is broken down how the Interior Department recognizes Pennsylvania. Arizona, $5,560,000; North Dakota, $1,269,000; Tennessee, $737,000; Oregon, $4,671,000; Arizona, Oklahoma, and Nevada in the Boulder Canyon project, $4,000,000; and Arizona and California, $3,500,000, which makes a total of $78,449,000 which 12 States get, or 59 percent of this total appropriation. Twelve States get 59 percent and 36 States get 41 percent.

Now, to show what Pennsylvania is getting out of this, I shall insert in the RECORD what the items were, because the Interior Department has made $760,000 for taking care of the Bituminous Coal Commission, and the Bureau of Mines, which benefit the States of the country at large, but it just happens to be located in Pittsburgh:

Coal Division	$123,768
Division of Investigation	600
Parks	72,055
Biological Survey	127,129
Geological Survey	68,175
Fisheries	33,300

There is but one thing that I claim that I had anything to do with, and that was to get $20,000 for a fish hatchery at Lamar, but that is the first fish hatchery that was started, 10 years ago, and they have not yet finished it, and my friend, the gentleman from Washington [Mr. LEAVY], put that in the bill, but they gave three other States new ones and put them in the bill, and then I had to turn around and try to vote it down, but I could not.

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

Mr. RICH. I will say this; that the committee knew well enough to take care of itself.

Mr. LEAVY. Will the gentleman yield for a question?

Mr. RICH. Well, I shall have to yield to the gentleman from Washington, since I mentioned the State of Washington getting pretty nearly $19,000,000.

Mr. LEAVY. I was delighted to assist in getting the $20,000 to which the gentleman referred. He should not be criticized, whatever, for that. He has been extremely fair in that regard. Let me ask the gentleman if in his calculations, where he says the State of Washington gets $18,000,000 and the State of Pennsylvania gets only one million and a half or two million dollars, he has taken into account the fact that of the $18,000,000, three generators are ordered, to be built at Pittsburgh, that will cost ten and a half million dollars, and that is going right back to the city of Pittsburgh.

Mr. RICH. I want to answer that. Those generators are ordered, but none of this money in this bill will go into the payment of them. These figures were given to me by the Secretary of the Interior or his assistant, so I am giving you the correct figures that are applicable to this bill for these particular States. Mr. Speaker, these gentlemen who are on their feet are going to use so much of my time that I am not going to have an opportunity to explain a lot of the other items in this bill. I want to tell about one item, where we had five different items, and some of the fellows did not want it, so the first thing we did, we put the five items together, and David Harum, when he traded horses, never had anything on our conferees.

Mr. ANDERSON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes.

Mr. ANDERSON of Missouri. Will the gentleman state what Missouri received out of this contribution?

Mr. RICH. Very little of it.

Mr. ANDERSON of Missouri. The State of Missouri donates more than it gets.

Mr. RICH. Missouri is one of the States that puts in more than it takes out, that is right.

Mr. ANDERSON of Missouri. Missouri believes that it is more blessed to give than it is to receive.

Mr. RICH. Missouri is in that category.

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

Mr. RICH. Please give me 5 minutes more.

Mr. JOHNSON of Oklahoma. I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. LEWIS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. RICH. I shall have to yield for just a question but I ask the gentleman to make it snappy.

Mr. LEWIS of Colorado. Is the gentleman aware of the fact that those figures are based in large part on the payments of taxes by large corporations which have their head offices in large eastern centers although the operation of such corporations are largely, if not wholly, in the West and their income derived from the West?

For example, a large proportion of the leading corporations in Colorado have their head offices in New York.

Mr. RICH. What is the gentleman's question?

Mr. LEWIS of Colorado. I want to know if the gentleman understands that; and that being so if he does not realize that his figures are highly misleading.

Mr. RICH. I can show to the gentleman from Colorado from the information before me what his State pays into the Treasury in income taxes. I keep those figures current. The State of Colorado gets $61 per capita from the Federal Government but only pays in $2. So you see it is getting the lion's share. I cannot yield further to the gentleman.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield for a question?

Mr. RICH. My time is running out and I cannot get more but I yield for one question.

Mr. MURDOCK of Arizona. Has the gentleman considered that the region outlined in red on his map, the receiving region in this case, or, as he says, the States that take, is a great part of our country? This is an Interior Department bill, a bill appropriating money to be expended largely in the newer part of our country; that is, in the West.

Mr. RICH. We want to be generous with the West, but we ought not to put everything out there; we should save something for the other States. You are getting not the lion's share, but the elephant's share—the elephant, that good old Republican beast of burden that is giving you in the Western States more by far than you are entitled to.

Mr. MURDOCK of Arizona. I cannot agree to that.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield for a question?

Mr. RICH. No; I cannot yield further.

For water utility and conservation projects they have a Budget estimate in the Senate for $2,600,000 granted after the House passed the bill. The Senate not only put in the $2,600,000, they put in $5,000,000. The House conferees take credit for reducing that by $1,822,000. The Senate receded to the extent of that $1,800,000 on that one item. But this in itself shows that the House conferees did not do what they should have in trying to cut down these appropriations.

The bill carries many items for which the House did not appropriate at all and for which there are no Budget estimates, items that were put in on the floor of the Senate by Senators interested in having something given to their own districts. They did not even take the time to go down and get a Budget estimate. And I say that we as conferees were wrong in agreeing to permit this action on the part of the Senate when they did not even take the trouble to go down to the Budget officer to get estimates that would permit them to go in. I believe we deserve some share of censure because we legislate in that manner. This is the reason items not only in this bill, but in other appropriation bills, go up.

Let me say for the Members associated with me on this appropriation bill that they are just as good men as any to be found in this House, but they are interested in their own projects and States. You cannot blame them for asking for things for their own States, items that mean something to their own localities. The majority of the Members of the House do that, even the chairman of the committee, the gentleman from Colorado [Mr. TAYLOR], one of the finest men in the House of Representatives. He is wrapped up in reclamation. He believes that the sun rises and sets in Colorado. You cannot hate him for that. [Applause.] The same applies to other members of the Appropriations Committee.

Mr. Speaker, I believe we ought to vote down a lot of these items. Let us cut down these appropriations. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I am sure that Members on both sides of the aisle have appreciated the very interesting and somewhat informative address just delivered by the distinguished and able member of the committee, the gentleman from Pennsylvania. We always enjoy listening to his speeches, and sometimes he makes very splendid suggestions. He is a most valuable member of the Subcommittee on Appropriations, and I am glad at this time to pay a just tribute to the gentleman from Pennsylvania. [Applause.]

The gentleman talks about the great increase of this bill over the amount carried in the House bill. It is considerably increased; but the fact is that although the House brought the bill in some $3,000,000 below the Budget estimate, when the bill went over to the Senate they held extensive hearings and secured information the House did not have. May I also call the attention to Members that although this bill is now some $16,000,000 above the figure as passed by the House, that increase to a very large extent is supported by Budget estimates. The fact is that practically all of the increases allowed by the conferees were supported by Budget estimates.

Moreover, may I call your attention to the fact that four additional important activities of the Government have been added to the Interior Department appropriation bill. Yet, despite this fact the Interior bill as presented today is $13,000,000 plus below the amount that was spent last year for the Interior Department. For fear some of you may have forgotten it, let me again list the new agencies of government and activities that have this year been added to the Interior Department, none of which, you understand, they had last year.

There has been added to the Interior Department the Bureau of Fisheries, which extends its expenditures into every section of the country and is a very popular and important department of the Government. There has been added to this bill the Bureau of Insular Affairs, which is becoming a very important department of Government. There has also been added the Bureau of Biological Survey, undoubtedly one of the most important and popular agencies of our Government. The Biological Survey has important activities in many States of the Union. In addition to that there have been added the United States High Commissioner for the Philippine Islands.

Despite these important additional activities, I am delighted to remind Members of this House that this bill as it stands is exactly $13,426,300.60 below the amount it took to operate the Interior Department during the present fiscal year.

Mr. Speaker, I yield 10 minutes to the gentleman from Nevada [Mr. SCRUGHAM].

Mr. SCRUGHAM. Mr. Speaker, the gentleman from Pennsylvania raised some pertinent questions as to where the money came from in connection with many of these items, and where it was to be spent. With particular reference to the reclamation items, I wish to state that the money came primarily from the Western States themselves, derived basically from the sale of public lands within the States benefited and from oil royalties.

Major contributions of Federal reclamation to the economic and social development of the 15 Western States in which projects are operating include not only the creation of more than 50,000 irrigated farm homes on project land, and protection for 30,000 more on land without an adequate water supply, but this area supports nearly a million persons on the farms and in the 254 cities and towns dependent on these farms; the establishment of 863 public schools and 1,076 churches, construction of hundreds of miles of roads and other improvements; values in farm lands and improvements for tax purposes, based on 1937 assessment of typical projects, $206,537,000, and the creation of actual values of more than $400,000.

These are divided as follows, and I will not go into this assessment increase in any great detail, but will merely give you an idea of where the money goes. Increased assessed valuations in 11 western States from reclamation appropria-

tions are cited in Senate Document No. 36, Seventy-sixth Congress, first session, as follows:

Arizona, from $27,239,000 to $43,582,000.
California, from $5,000,000 to $300,000,000.[1]
Colorado, from $7,018,785 to $50,000,000.[2]
Idaho, from $63,171,150 to $79,800,000.
Montana, from $9,866,606 to $15,000,000.
Nevada, from $4,211,331 to $7,700,000.
New Mexico, from $8,500,000 to $10,000,000.
Oregon, from $6,000,000 to $12,000,000.
Utah, from $33,010,939 to $45,000,000.
Washington, from $17,228,549 to $100,000,000.[3]
Wyoming, from $8,000,000 to $19,023,000.
Totals, 1937, $206,537,312,[4] on completion of program, $689,744,032.

These figures are cited to show that the whole economic life and the whole economic development of the arid States is largely dependent on the carrying out of these reclamation projects.

As to where the money goes, will you look at this, please. I have here a chart showing the expenditures on the Grand Coulee and the Boulder Dam project. You will find here a graphic illustration of where the money goes which was appropriated for the Grand Coulee and Boulder Dam projects. The circles represent the money going from the Grand Coulee project into the various States. The black squares represent the money going to those same States from the Boulder Dam appropriation. You will notice the overwhelming preponderance of the money spent on the Grand Coulee and the Boulder Dam projects for machinery and equipment went to States east of the Mississippi River. It created business and it created employment in the East as much as in the West.

I have little patience with the argument that the Government is paying for something in the West and receives nothing in return. The money originally came from sales of the public lands and from oil royalties in the areas in question and much of the actual expenditure of the money goes east of the Mississippi River, as shown by these two typical projects.

I fully appreciate the useful help given by the gentleman from Pennsylvania in calling attention to the matter. He is serving a most useful and helpful purpose in bringing out the true facts, but he does not go far enough in his chart showing where the money comes from and where it is spent.

Mr. LEAVY. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Washington.

Mr. LEAVY. In addition to the fact that this money in its beginning came from the West from the sale of land and from oil royalties and from other natural resources, the money is being paid back into the Federal Treasury; is that not a fact?

Mr. SCRUGHAM. All of these irrigation and reclamation projects are reimbursable. The investment is paid back to the Federal Government to serve as a revolving fund to create new wealth and new means of supporting population.

Mr. LEAVY. And construction payments right at this moment are paid up to 98 percent of the amount due?

Mr. SCRUGHAM. Something like that percentage, possibly higher.

Mr. MURDOCK of Utah. Will the gentleman yield?

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

Mr. MURDOCK of Utah. Is it not only showing half of the picture when the gentleman from Pennsylvania points out the fact that the big Eastern States pay the big end of taxes to the Federal Government? If he wanted to be fair in this thing and in his presentation of the matter, and if he wanted to give the House the whole picture, would he not point to the fact that the States of Utah, Nevada, Montana, Arizona, and all the rest of those intermountain States contribute more annually in the form of new wealth than any Eastern State to which he can point? Along that line may I call your attention to the fact that in 1937 one mining company in Utah, the Utah Copper Co., made $30,000,000 in net revenues, and every dime of it went to the States of New York, Pennsylvania, and other financial centers, so that those States get credit for paying the tax on wealth that the gentleman's State and my State produces.

Mr. O'CONNOR. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Montana.

Mr. O'CONNOR. Is it not a fact that the irrigated West provides a market for the manufactured and agricultural products of the Midwest, the East, and the South that has averaged more than $200,000,000 annually?

Mr. SCRUGHAM. Yes. That is a part of the record.

Mr. O'CONNOR. Is it not a further fact that for every person living on irrigated land and making his own living on that irrigated land two persons living in cities are dependent upon that one person living on irrigated land?

Mr. SCRUGHAM. Yes, something of that kind is in the record.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. This is an Interior Department appropriation bill. Is it not manifestly unfair to contrast the eastern part of our country with the western part of it in regard to expenditures in this particular type of appropriation bill? If this were an Army or a Navy bill involving the safety of our entire country, such a contrast would be very improper, and if it were an Agricultural appropriation, it would be a different matter, but the West is the part of the country where such expenditures are properly made, and rightfully so, under this appropriation bill.

Mr. SCRUGHAM. Yes.

Mr. TABER. Will the gentleman yield?

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

Mr. TABER. I want to take this opportunity of congratulating the gentleman from Nevada on having performed the great engineering feat of moving Boulder Dam expenditures into New York and Pennsylvania.

Mr. SCRUGHAM. You will find that the biggest part of the expenditures for Boulder Dam project equipment not only in New York but in other Eastern States, also Wisconsin. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, I want to call the attention of the committee to some data I gave before the House Committee on Appropriations on the bill that is now before the House.

When we build a battleship or when we build anything else of that kind, we never get any money returns, but when the Federal Government invests money, or loans money, rather, to these reclamation projects, that is an investment on which the Federal Government receives returns, and it receives back the amounts that are invested. As has already been pointed out by the gentleman from Washington, all of the repayments up to date that are due are 97 percent paid; in other words, it is about the best investment that can be made, as far as I can find. I do not know of any other class of loans that proves to be 97 percent good.

My own State, for instance, is one-third owned by the Federal Government. Thirty-three million acres of our land in Montana are owned by the United States Government. All the royalties on our mineral and oil lands and the grazing fees for cattle and sheep are paid into the Federal

[1] The 1937 estimated assessed valuation of $5,000,000 used here does not include the valuation in areas to be benefited by the Central Valley project and the All-American Canal.

[2] The 1937 estimated assessed valuation of $7,018,785 used here does not include the valuation in areas to be benefited by the Colorado-Big Thompson project.

[3] Assessed valuations represent in Washington only about 30 percent of actual value.

[4] This total includes estimated assessed values in 1937 of $17,216,592 in Federal Reclamation projects in Nebraska, North Dakota, South Dakota, and Texas.

Treasury. If we had all of those revenues from the various agencies that pay into the Federal Government from my own State, maybe we would not be asking for so much assistance here.

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

Mr. O'CONNOR. I yield to the gentleman from Pennsylvania.

Mr. RICH. Would the gentleman's State and the other States of the West accept these public lands and take them over and operate them themselves?

Mr. O'CONNOR. I am not so sure but that we should do that. Although I am not authorized to speak on this matter. We would have the tax money if we did.

Mr. RICH. It would be the best thing in the world for the States that take, because then you could operate your lands as you saw fit and would not be a detriment to the other States, and you would be able to handle the lands as you ought to. The trouble is that most of the Western States want the Government to take over these lands.

Mr. O'CONNOR. May I say to the gentleman that when Montana became a State 33⅓ percent of the land was retained by the Federal Government, which it still owns, and out of which we do not get a single dime, yet for the use and enjoyment of it we have to pay the Federal Government. This is why the Federal Government should in turn at least lend us sufficient money so that we can build up our irrigation projects, out of which the industrial East gets $200,000,000 annually because we serve as a market for your manufactured products. Do not forget that.

Mr. RICH. They are giving you more than they are getting. What I would recommend to the Federal Government is to give you those lands and let you run them as you see fit.

Mr. O'CONNOR. It might be a good suggestion.

I wish to direct your attention particularly now to the water-utilization program outlined by the Secretary of the Interior. The following States are interested directly: Montana, Wyoming, Utah, North and South Dakota, Colorado, Arizona, Idaho, Nebraska, New Mexico, Kansas, Oregon, Texas, and Oklahoma.

These projects under the $5,000,000 plan can be carried along in conjunction with the relief program in these States. If we retain in this bill the amount the Senate wrote in in addition to the amount that was already there, making a total of $3,500,000, we will not only develop irrigation projects by reason of which the Government will get its money back but we will also be enabled to employ relief labor there, inasmuch as the $50,000 restriction was removed through the striking of section 11 from the relief bill. That is under the operation of what is known as the Wheeler-Case law. Our irrigation development has created 50,000 farms out of a desert in the arid and semiarid West. In the cities, towns, and villages that are dependent for their existence on the purchasing power of these farmers are nearly three times the number that live on the farms, namely, a quarter of a million people. It has been truthfully said that for every person living on an irrigated project and directly making his living from his production on the land, there are two persons living in the cities and towns who are dependent upon him. We have a number of small water-conservation projects for construction, in part, by relief forces, such as the Big Horn-Turlock; pumping Yellowstone River, Sadie Flat; pumping Haley, pumping Buffalo Rapids project, Dead Man's Basin project; and various other projects on the upper Missouri and Yellowstone tributaries and the Saco Divide which would approximate $3,000,000 in cost and would make good homes for thousands of people. Now a fine start was made last year on some of these projects, but there is not sufficient money unless we retain the $3,500,000 item in the bill to enable us to go ahead with these projects. In the West, such as Montana, the greatest need of our ranchers and farmers is an adequate water supply. Reservoirs for the watering of livestock may be created with small expense by the help of relief labor. Montanans do not ask Uncle Sam for a hand-out. They merely ask him to keep up a good program he has already started and give the people a chance to make a living. They will pay him back.

We have other important projects that are being investigated, such as the Vaugn Division of the Sun River project where the dam is already built, the Gibson Dam on the Sun River, the Daley Spur for storage on Beaverhead River, the Canyon Ferry Reservoir on the Missouri River, Lake Como Reservoir, Bitter Root, and the general development growing out of the Fort Peck pumping project.

The $3,500,000 amendment, No. 71, must by all means be retained.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 additional minutes to the gentleman from Montana.

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

Mr. O'CONNOR. I yield to the gentleman from Texas.

Mr. MAHON. May I say that I concur heartily in what the gentleman says about these funds for the Case-Wheeler bill. I trust we will have no difficulty in retaining them in the bill.

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

Mr. O'CONNOR. I yield to the gentleman from Utah.

Mr. MURDOCK of Utah. Has the gentleman ever taken time to check up on the vast amount of money contributed by his State through the production of copper to the financial centers of New York and Boston and the rest of them, on which they claim the payment of taxes?

Mr. O'CONNOR. Yes. May I say to the gentleman that skyscrapers with towers on them reaching up into the heavens were built in the city of New York by reason of the copper and the gold taken out of my own State of Montana, and the same is true of the States of Arizona and Utah and other western States. Large buildings in Chicago have been built by people who made their money out of the sheep grower and the cattle grower in the gentleman's State and in my State. Many millionaires were made in New York, Boston, and Chicago by the products of our Western States. Further, the western people furnish a market for you industrial people of the East of $200,000,000 annually, in addition to what you have already taken out of our States as I said before.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. The same thing applies to all the Mountain States. They have been the great reservoir of natural wealth out of which so many family fortunes in the East have grown.

Mr. O'CONNOR. That is right.

Mr. MURDOCK of Arizona. Besides the copper mines, there are gold and silver camps in the West that have furnished the means for the erection of skyscrapers not only in New York City but in San Francisco.

Mr. O'CONNOR. Yes.

Mr. MURDOCK of Arizona. Is it not true that San Francisco had its Virginia City, Nev. Is it not also true that $100,000,000 worth of wealth has been taken out of Tombstone, Ariz., and what is left there to show for it?

Mr. O'CONNOR. Further, Senator William A. Clark, of Montana, built a $5,000,000 house on Fifth Avenue in New York City out of the money he got from copper mined in the State of Montana.

Mr. MURDOCK of Arizona. Well, some of that came from Jerome and Clarkdale, Ariz.

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

Mr. O'CONNOR. I yield to the gentleman from New York.

Mr. FITZPATRICK. Is it not a fact that the Members of the House from the city of New York voted for this bill?

Mr. O'CONNOR. I do not believe the West has a better friend in the House than the gentleman from New York [Mr. FITZPATRICK]. He is always with us. I also wish to include in this statement many others of the New York delegation. I may say also to my good friend, the gentleman from Pennsylvania [Mr. RICH], that he fights a lot, and he fights loudly, eloquently, and viciously against some of these matters, but down deep I know that his heart throbs in

unison with the people out in that country who are trying to carve out a home out of a desert and make a living without coming down here on their knees asking for relief. I hope the $3,500,000 will be retained in the bill. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. ALLEN].

Mr. ALLEN of Pennsylvania. Mr. Speaker, one of the items in this bill which carries a larger amount than that agreed on in the House is that providing funds for the Bituminous Coal Division for the next fiscal year.

At the time we had this bill before us, the House cut the appropriation for the Bituminous Coal Commission by over $1,000,000. They did so, as I see it, for two very definite reasons: First, because after 4 years of experimentation the Bituminous Coal Division has failed in every respect to carry out the provisions of the law which we enacted, and, secondly, by their regulations and their actions to date the Coal Division has given us some indication of what we can expect if they ever do establish minimum prices and if they ever do put into effect the regulations which they have established to date.

I think we should deprive this division of all funds. It will not be until next year that we will have an opportunity to bring this division and the Coal Act itself before Congress for judgment. But if they persist in carrying out the regulations which they have already established, I predict that chaos will prevail in a great, fundamental industry of this Nation, namely, bituminous coal. That industry will be paralyzed, the consumers will be called upon to pay an uneconomic price for the coal which they consume, more mines will be closed down, and more miners thrown out of employment.

Now, Mr. Speaker, we can only learn in one of two ways, either by the experience of others or by our own experience, and if we read the pages of history we are bound to observe that never, except in a socialist State, have profits been guaranteed to any industry by government edict. We cannot guarantee profits to bituminous coal by means of a few regulations and rules established by a Government bureau here in Washington.

Furthermore, we have given this Commission power to regulate prices only. Any man or woman in this House knows that you cannot regulate prices unless at the same time you regulate production. Both go hand and hand, and that is a fundamental economic problem which we learned many years ago. Mr. Ickes and the Bituminous Coal Commission cannot regulate prices for the bituminous-coal industry unless they control production at the same time, and Mr. Ickes has already told us, in one of his speeches, that he cannot do it and has given indication that his next request from the Congress will be the power to allocate production at the various coal mines of this country. When you control prices and when you control production you might just as well hand the whole industry over to the Government. Outright ownership will follow. Socialism will be the result.

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

Mr. ALLEN of Pennsylvania. I yield to my colleague.

Mr. RICH. How is he going to regulate production unless he regulates the production of oil? And then he must regulate the amount of imported oil so that we are not going to furnish oil from South America or some other country to the detriment of our bituminous-coal operators.

Mr. ALLEN of Pennsylvania. It is obviously unreasonable and unfair to expect that the Government can regulate one segment of the fuel industry without applying similar restrictions to other segments. Bituminous coal will be regulated, restricted, regimented, and suffocated by red tape. Competing fuels are absolutely free of all these obstructions.

I sincerely hope that the membership of this House will give consideration to this problem before they vote for this conference report. [Applause.] I for one prefer to use the funds herein involved for national defense rather than waste them on this futile, extravagant experiment.

[Here the gavel fell.]

EXTENSION OF REMARKS

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

CONFERENCE REPORT—INTERIOR DEPARTMENT APPROPRIATION BILL, 1941

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, in the limited time at my disposal I want to address myself to the remarks just made by the gentleman from Pennsylvania [Mr. ALLEN] with reference to the National Bituminous Coal Commission.

First let us remember there is no coal commission. Under the reorganization it has become the Coal Division, and there is but one man that heads it now instead of a commission of five men, and the personnel on the staff has been reduced to about 25 percent of what it was 3 years ago.

The act automatically expires next year unless Congress sees fit to reenact it. The coal industry in this country is paying a 1-cent-per-ton tax, and 1 week ago today the United States Supreme Court—and I happened to be in the courtroom when the decision was read—held this act constitutional in practically all of its phases, particularly as to the 19½-cents-per-ton tax for the noncompliance by producers. Now, to take away from the industry and from the Coal Division the right to administer the act in the last year as fully as it needs to be would be, in my judgment, the height of folly. The industry is paying nearly $4,000,000 into the Treasury. The total sum called for here is slightly over $2,200,000, or something like that, and why not in this year give them of their own money—since the act is a constitutional act—sufficient funds to administer it so that we may know next year whether we want to continue this legislation or repeal it. We should know whether it has been a success, and we certainly can never know that fact if we starve the administration of it to death financially. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Speaker, Bonneville Dam, as is well known, is in my district on the Oregon side, and on the Washington side in the district of my colleague from Washington. The amount carried in this conference report is for transmission facilities, transmission lines, and substations, and the amount as it passed the House was $5,650,000. The Senate raised that amount $1,000,000, making it $6,650,000, which has been agreed to by the conferees. That only brings it back to the Budget allowance. It places it exactly where it was under the Budget allowance. There were hearings in the Senate, and expert testimony was given there, as was given in the House committee, to show conclusively that these funds are absolutely necessary in order to provide these transmission facilities that this power may be marketed. Bonneville Dam is not a white elephant; it is not a projest established merely to give an avenue for spending Federal funds. It is a project which pays its own way. I can clearly demonstrate that to you when I show you that the first two units will develop only 86,400 kilowatt-hours a year, and the applications now received are for 657,614 kilowatts, and the applications ready for connection amount to 92,971 kilowatts. One institution alone, the Aluminum Co. of America, has recently taken, pursuant to contracts running over a period of years, 32,500 kilowatts a year, which is just double the amount it agreed to take originally, and it alone will take up practically the entire output of the first two units of this project. I call attention to the fact that units 5 and 6 will produce 108,000 kilowatts, and that, sold on the basis of the contract price, $17.50 per kilowatt per year, will bring in $1,890,000 revenue per year. This project not only pays its own way, but under the set-up all of the money expended will be paid back with interest, and we will be provided with a utility which will supply the community with electric power at a saving of 20 to 25 percent.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. ANGELL. Yes; I yield to my friend the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I know the gentleman wants to have his statement clearly understood, but he does not mean to say that the total cost of the Bonneville Dam will be repaid by the returns from this power and that it will repay all of the bonds that are outstanding on the dam.

Mr. ANGELL. I intend to say just exactly that, as to costs allocated to power development.

Mr. BATES of Massachusetts. The facts are that only 32 percent of the cost of the dam is charged to power.

Mr. ANGELL. Oh, that is not true as far as power costs are concerned.

Mr. BATES of Massachusetts. It is true, because the records of the Power Commission show it.

Mr. ANGELL. I will show the gentleman clearly that it is not true.

Mr. BATES of Massachusetts. What are the facts?

Mr. ANGELL. These are the facts: The Columbia River is the second largest river in the United States. It carries on its bosom a great amount of commerce from that whole interior country. It has been under development before the power project was ever heard of for navigation, and this project is only partially a power project. As a matter of fact, power is a mere side issue; it is a byproduct. The main project is the development of navigation on the Columbia River. They have a sea lock in the dam which provides for taking care of oceangoing vessels and to provide river transportation for that whole interior country. The gentlemen who made up the allocation as to the amount of money that should be allocated for power figured it out exactly, as far as they were able to ascertain what the cost of the power project alone should be, and they estimated it to be 32 percent of the entire cost of the project, as I remember it, so that every single dollar which goes to the construction of the Bonneville Dam as a power project is charged and will be repaid with interest, and the good citizens of Massachusetts will get back every single penny loaned for the construction of the dam, and, as shown today, a very large part of the material that goes into the construction of the dam comes from the East.

Mr. Speaker, the Bonneville power administration has agreed to deliver a second block of 32,500 kilowatts of power to the Aluminum Co. of America, which now is building its first western reduction plant, to use Bonneville power.

Attracted to the Pacific coast by the large quantities of low-cost energy becoming available on the Columbia River as the result of a Federal construction program at Bonneville and Grand Coulee, the company signed a 20-year contract last December for an initial 32,500 kilowatts of power.

The new contract runs for 5 years and increases the company's total demand for Bonneville power to 65,000 kilowatts. It permits the firm to double capacity of the Vancouver plant, where aluminum will be produced from alumina processed at East St. Louis, Ill., and Mobile, Ala.

The company advised Paul J. Raver, Bonneville power administrator, that it would immediately begin construction of the additional unit made possible by the augmented power supply.

In requesting the additional power, Aluminum Co. officials told Administrator Raver that in view of the unusual demand for aluminum resulting from the situation in Europe and the preparedness program of the United States, they felt the company should proceed immediately with expansion of the Vancouver plant.

Date for delivery of power under the second contract is dependent upon completion of generating units 3 and 4, now being installed at the Bonneville powerhouse by the United States Corps of Army Engineers. These two generators, each having a capacity of 54,000 kilowatts, are expected to be ready early in 1941. The first contract calls for delivery of power upon completion of the company's first Vancouver unit, expected some time next fall. The present installed capacity of the Bonneville powerhouse is 86,400 kilowatts—two generators; the ultimate—10 generators with total capacity of 518,400 kilowatts.

The power is being sold to the Aluminum Co. on the basis of $17.50 a year for each kilowatt, the standard wholesale power rate at all points on the Bonneville system outside of a 15-mile zone around the dam, where the rate is $14.50.

The new contract brought the total contractual obligations of the Bonneville power administration for all types of agencies—public and private utilities and industries—to 97,610 kilowatts and placed the administration in the position of selling power ahead of the actual installation of generating capacity.

In other words—

Raver said—

the actual demand for power is preceding our ability to supply it, and it is necessary to schedule deliveries to correspond with the completion of our generating facilities.

Execution of the contract in no way affects the priorities given public bodies and cooperatives by the Bonneville Act.

In negotiating all contracts—

He explained—

due consideration is given to the protection of the interests of public agencies, which, under the law, have a preference to Bonneville power.

Units 1 and 2 of the Bonneville project, completed and in operation, produce 86,000 kilowatts. Units 3 and 4, which are under construction, and for which appropriations have been made, will be completed on or about April 1941 and will produce 108,000 kilowatts. Units 5 and 6 are also under construction, and, with the $800,000 provided by the House, require no additional appropriation, and will be completed early in the summer or late spring of 1942. They will produce 108,000 kilowatts. The additional units, 7, 8, 9, and 10, have not been started, and are not authorized. The additional expenditures provided by the action of Senate, as set forth in Senate report No. 1397, are strictly limited to speeding up the construction of units 3 and 4, and to building the foundations for units 7, 8, 9, and 10.

The Portland (Oreg.) Journal, commenting editorially on the demand for Bonneville power, says:

BONNEVILLE PREDICAMENT GOOD NEWS

For the time being, the Bonneville administration is in the happy predicament of having more power sold than it can deliver. The second Aluminum Co. contract brings total contract commitments to industries, cities, public utilities departments, and private companies to 97,610 kilowatts. Capacity of the two generators now in service is 86,400.

That doesn't mean that there is a shortage of Bonneville power today, or that there will be one in 1941, when over 300,000 kilowatts will be available. The Aluminum Co., Sierra Iron, and several P. U. D. contracts are not yet effective.

But it does mean that Bonneville power sales are keeping pace with installation of additional generators by the Army engineers. And it makes welcome the news that the Senate has approved an additional appropriation of $2,600,000 for powerhouse construction.

The new appropriation, added to the $800,000 allowed by the House, will provide $3,400,000 for powerhouse work. That will permit speed-up of work on four additional generators so they will be ready about next January 1, when the first 32,500-kilowatt Aluminum Co. contract becomes effective.

Bonneville has passed out of the dream stage and has become a going concern. It is selling power in increasing quantities for domestic, commercial, and industrial use. It seems not only possible, but certain, that Bonneville power will find a market as rapidly as generators and lines are completed, until its entire 10-unit, 518,400-kilowatt capacity is put to beneficial use.

On page 174 of the Senate hearings the prime power sales progress schedule is given, and this exhibit may be summarized as follows:

Item	Number of applications	Kilowatts
Applications received	121	657,614
Applications ready for connection	40	92,971
Feasibility reports completed	25	128,621
Contracts submitted and executed	23	82,210
Contracts executed	15	65,110

Since the preparation of the exhibit, Administrator Raver testified on pages 213 and the following of the Senate hear-

ings that the Aluminum Co. was negotiating for an additional contract of 32,500 kilowatts, which has now been consummated, and that another large industrial organization has asked for a reservation of 50,000 kilowatts.

BONNEVILLE AND MINING WAGE EARNERS

The gainful direct employment in mining is relatively small compared with processing and indirect employment. In the United States as a whole there is only 1 wage earner in mining to 10 wage earners in industry.

The following table from the United States Department of Commerce statistics shows mining wage earners in the principal Western States and the number of industrial workers per mine worker:

State	Number of mining wage earners	Industrial worker per miner
Arizona	6,258	0.8
California	33,895	7.2
Colorado	14,202	1.6
Idaho	4,152	2.5
Montana	9,461	1.0
Oregon	1,841	28.0
Utah	7,556	1.5
Washington	3,958	20.6

This table shows that mining activity in Oregon and Washington has lagged behind other States, and that Arizona, Colorado, Idaho, and Montana have largely exported their minerals in an unfabricated state, and imported their mining supplies and materials.

The Northwest has the following strategic minerals which are now nationally imported. This classification was taken from War Department official lists:

STRATEGIC MINERALS VITAL TO NATIONAL DEFENSE LOCATED IN THE NORTHWEST

Antimony: Essential military shells and auto batteries.
Chromium: Stainless steel.
Magnesium: Metal of future—airplanes.
Manganese: Vital to steel industry.
Mercury: Explosives.
Mica: Electrical industry—automobiles.
Nickel: Steel industry and munitions.
Tin: Containers.
Tungsten: Automobile and steel.
Critical list, Northwest minerals, War Department official list: Lead, graphite, zinc.
Essential list, Northwest minerals: Copper, gold.
Commercial list, Northwest minerals: Bismuth, China clay, diatomite, feldspar, gypsum, iron, limestone, phosphate, silica, silver, talc.

Mining furnishes a substantial indirect pay roll for supplies and materials used in mining, for transportation, clerical help, and trade. In the Western States cited 20 to 33 percent of the value of the mined product goes into mining supplies and materials. Conservatively, the indirect pay roll is nearly double the direct pay roll.

Direct mining employment is not the measure of value of the mining industry. Its chief value lies in the national or regional wealth it produces and the indirect and industrial pay roll it creates. To secure national industrial independence, we must produce rather than import our strategic and critical minerals.

There is no direct means of measurement available for the possible additional direct-mining pay roll in the Northwest. The extent of the cited minerals in the region has not been fully explored, neither has full information been secured on the quality. However, it is known that the quality approaches the lower grade. The large extent of the magnesium and mercury deposits is fairly definitely established. The United States Geological Survey and the Bureau of Mines are now exploring the chrome and manganese occurrences. Electrochemical and electrometallurgical technology is the avenue to be used to overcome the commercial handicap of low-grade ores. This has been worked out for chrome, manganese, and magnesium by the United States Bureau of Mines and Washington State College at Pullman. To release the remaining listed minerals for commercial use, further exploration and research are necessary. As an example of the fact that the direct-mining pay roll is not the real measure of intrinsic worth of the mining industry, it can be cited that all the iron mines in the United States had only 14,873 direct wage earners. The steel furnaces and rolling mills in the same period employed on the average 359,630 wage earners, or 24:1 industrial workers per mine worker.

With the present state of our knowledge as to the occurrences, quality, and transportation requirements of the Northwest's mineral resources, the best that we can do is to roughly estimate from statistical analysis and comparisons with other States the probable additional direct-mining employment under existing known conditions.

Such an estimate of additional mining wage earners of all classes, metallic and nonmetallic, is as follows:

Low direct-employment estimate would be about 70 percent of present mine employment in Oregon and Washington, or additional wage earners, 4,000; conservative upper estimate, 22 percent of existing California employment, 7,400; or the indirect ratio can be conservatively taken as 60 percent of the national average, or 1.6 indirect employees in all classifications per 1 mining wage earner.

The industrial ratio also, to be conservative, can be taken as 25 percent of the national average, or 35 percent of the California ratio.

Summarizing these rough estimates, we secure the following on mining and allied wage earners:

	Lower range	Upper conservative range
Direct mining employment	4,000	7,400
Indirect employment	6,400	11,800
Industrial employment fabricating all classes of mineral products	10,000	18,500
Total	20,400	37,700

In making these estimates the intent was to base the same on known facts and to be conservative.

The direct mining and industrial employment based on mining alone, cited above, represents a 10- and 18.5-percent increase over the last reported existing total mining and industrial employment in Oregon and Washington.

The complete Bonneville plant will have sufficient available capacity to make such employment possible. The time that this employment can be reached will depend on the program of exploration, research, construction, and marketing.

This industrial employment applies only to minerals and does not include industrial activity represented by steel, forest product, agricultural, and general manufacture. These would be in addition to the mining activities.

The total over-all industrial direct employment from Bonneville can fall into four possible classifications, depending on the type of industry contracted. These are:

(1) Basic industries with a small ratio of undistributed satellite industries, represented by 28.2 wage earners per 1,000 horsepower. This is the situation at Niagara Falls, N. Y.	12,400
(2) Basic industries with larger number of smaller industries. Conditions similar to Niagara County, N. Y., or 42 direct wage earners per 1,000 horsepower	18,300
(3) 33 percent of present industrial employment in Oregon and Washington, or 100 wage earners per 1,000 horsepower. Fair distribution of smaller industries induced by the basic industries	44,000
(4) National average of ratio of basic to distributed industries, or 153 wage earners per 1,000 horsepower	67,500

These over-all industrial employment figures are based on total Bonneville installed and available horsepower. Indirect employment of 1 to 2 per industrial worker is in addition to the above.

The SPEAKER. The time of the gentleman from Oregon has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Speaker, I have heard a good deal of sectionalism in this debate today. Much has been said about the States that give and the States that take. One part of our country is arrayed against the other

part of the country. That it is just as logical as if a man contrasted his right lung with his left kidney in discussing their relative worth.

Back in 1787 Ohio, Indiana, Illinois, Michigan, and Wisconsin constituted the great West, and in 1787 there were some fearful souls who said, "Beware of the West." Their counsel, thank God, did not prevail. The ordinance of 1787 had the development of that great West in vision, and the still greater document, the Constitution of the United States, provided that States should be formed out there and admitted on terms of equality with the other 13 States. That was unselfish political statesmanship.

Thus came about the unity of the Nation, one great Nation, a family of States, being one and indivisible. That was the wisdom of our forefathers. Do we want a United States consolidated in an economic and industrial and commercial relationship? We do; just the same indivisible country and economic unity as we have in a political sense.

All such appropriations as that being made here, Mr. Speaker, have been shown to be reimbursable and returnable. Not one penny that you are investing in the great West is being poured into the sea or down a rat hole. It will return manyfold. Every man in the West who is furnished employment creates employment for two or three in the East. That part of our country lying west of a line drawn through Kansas City, the great West, is dependent upon the great East. The great East is equally dependent upon it, and I want that mutual relationship to be understood.

Not only ought we to appreciate this great united country with its variegated industry, but we ought to strive to make it greater, more united, and more variegated. Powerful nations in the Old World, under a pretext of requiring more room in the sun, fight with desperation and without ethics to add to their domain other lands rich in natural resources, especially of mineral resources, and also more productive areas which they say they require to round out their national necessities. Now, we have in this country, without very much fighting for it, but merely possessing the land, all of the much-sought-after natural resources which some other nations risk millions of lives and the terrible verdict of history in order to obtain. Ask Italy or Japan or Germany what price they are willing to pay for obtaining that which they regard as necessary for a well-rounded national economy and existence.

Yes, we ought to thank Heaven that our manifest destiny does not mean a conquest of highly civilized neighbors in order to deprive them of their lands that we might have what we want. But our manifest destiny as a nation is to conquer this goodly land "from sea to shining sea." Having carried the flag from the Atlantic to the Pacific across the best portion of this continent, it is our manifest destiny to conquer the land and inhabit it to the full. It is a part of the task of the Interior Department of our Government to utilize this land in a spirit of wise conservation and a still wiser utilization. This costs money, but it is a far better investment than many other greater expenditures that our Nation has put out. It is by a wise kind of expenditure that national economic unity and proper interdependency can be established.

The SPEAKER pro tempore. The time of the gentleman from Arizona has expired; all time has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 106, noes 46.

Mr. RICH. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. The Chair has just counted. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 241, nays 113, not voting 76, as follows:

[Roll No. 124]

YEAS—241

Allen, La.	Doughton	Kennedy, Michael	Ramspeck
Anderson, Mo.	Doxey	Keogh	Randolph
Angell	Drewry	Kitchens	Rankin
Arnold	Duncan	Kleberg	Rayburn
Barnes	Dunn	Kocialkowski	Reece, Tenn.
Barry	Dworshak	Kramer	Richards
Bates, Ky.	Eberharter	Lanham	Robertson
Beam	Edelstein	Larrabee	Robinson, Utah
Beckworth	Edmiston	Lea	Rogers, Okla.
Bell	Elliott	Leavy	Romjue
Bland	Ellis	Lesinski	Ryan
Bloom	Englebright	Lewis, Colo.	Sabath
Boehne	Fenton	Ludlow	Sacks
Boland	Ferguson	Lynch	Sasscer
Boren	Fernandez	McAndrews	Satterfield
Boykin	Fitzpatrick	McCormack	Schiffler
Brooks	Flaherty	McGehee	Schulte
Brown, Ga.	Flannagan	McGranery	Schwert
Bryson	Flannery	McKeough	Scrugham
Buckler, Minn.	Ford, Leland M.	McLaughlin	Secrest
Bulwinkle	Ford, Miss.	McMillan, Clara	Shannon
Burch	Ford, Thomas F.	McMillan, John L.	Sheppard
Byrne, N. Y.	Fries	Maciejewski	Smith, Conn.
Byrns, Tenn.	Fulmer	Magnuson	Smith, Ill.
Camp	Garrett	Mahon	Smith, Wash.
Cannon, Fla.	Gathings	Maloney	Smith, W. Va.
Cannon, Mo.	Gavagan	Massingale	Snyder
Carlson	Gearhart	May	Somers, N. Y.
Carter	Gehrmann	Mills, Ark.	South
Cartwright	Gerlach	Mills, La.	Sparkman
Case, S. Dak.	Geyer, Calif.	Monroney	Spence
Casey, Mass.	Gibbs	Moser	Steagall
Chapman	Gore	Mott	Stefan
Claypool	Gossett	Mouton	Sutphin
Cochran	Graham	Mundt	Sweeney
Coffee, Nebr.	Grant, Ala.	Murdock, Ariz.	Tarver
Coffee, Wash.	Gregory	Murdock, Utah	Taylor
Cole, Md.	Griffith	Nelson	Tenerowicz
Collins	Gross	Nichols	Terry
Colmer	Harrington	Norrell	Thomas, Tex.
Connery	Hart	Norton	Thomason
Cooper	Havenner	O'Connor	Tibbott
Corbett	Hendricks	O'Day	Tolan
Costello	Hennings	O'Leary	Van Zandt
Courtney	Hill	Oliver	Vincent, Ky.
Cox	Hinshaw	O'Neal	Vinson, Ga.
Cravens	Hook	O'Toole	Voorhis, Calif.
Creal	Horton	Pace	Vreeland
Crosser	Hull	Parsons	Wallgren
Crowe	Hunter	Patman	Walter
Cullen	Izac	Patrick	Ward
Cummings	Jacobsen	Patton	Warren
Curtis	Jennings	Pearson	Welch
D'Alesandro	Johnson, Luther A.	Peterson, Fla.	West
Darden, Va.	Johnson, Lyndon	Peterson, Ga.	White, Idaho
Davis	Johnson, Okla.	Pfeifer	Whittington
Delaney	Jones, Tex.	Pierce	Williams, Mo.
Dempsey	Kefauver	Pittenger	Zimmerman
DeRouen	Keller	Poage	
Dickstein	Kelly	Polk	
Disney	Kennedy, Martin	Rabaut	

NAYS—113

Allen, Ill.	Gifford	Kilburn	Rogers, Mass.
Allen, Pa.	Gilchrist	Kinzer	Routzohn
Andersen, H. Carl	Gillie	Knutson	Rutherford
Andresen, A. H.	Goodwin	Kunkel	Sandager
Andrews	Grant, Ind.	Lambertson	Schafer, Wis.
Arends	Guyer, Kans.	Landis	Seger
Bates, Mass.	Gwynne	LeCompte	Short
Blackney	Hall, Edwin A.	Luce	Simpson
Bolles	Hall, Leonard W.	McDowell	Smith, Ohio
Bolton	Halleck	McGregor	Springer
Bradley, Mich.	Hancock	McLeod	Sumner, Ill.
Brown, Ohio	Harness	Marshall	Sweet
Chiperfield	Harter, N. Y.	Martin, Iowa	Taber
Church	Hartley	Mason	Talle
Clason	Hess	Michener	Thill
Clevenger	Hoffman	Miller	Tinkham
Cluett	Holmes	Monkiewicz	Treadway
Cole, N. Y.	Jarrett	Murray	Vorys, Ohio
Crawford	Jeffries	O'Brien	Wheat
Crowther	Jenkins, Ohio	Osmers	Wigglesworth
Dirksen	Jenks, N. H.	Plumley	Williams, Del.
Ditter	Jensen	Powers	Winter
Dondero	Johns	Reed, Ill.	Wolcott
Eaton	Johnson, Ill.	Reed, N. Y.	Wolfenden, Pa.
Elston	Johnson, Ind.	Rees, Kans.	Wolverton, N. J.
Engel	Jones, Ohio	Rich	Youngdahl
Fish	Jonkman	Robsion, Ky.	
Gamble	Kean	Rockefeller	
Gartner	Keefe	Rodgers, Pa.	

NOT VOTING—76

Alexander	Ball	Bender	Buck
Anderson, Calif.	Barden, N. C.	Bradley, Pa.	Buckley, N. Y.
Austin	Barton, N. Y.	Brewster	Burdick

Burgin	Green	Lewis, Ohio	Shanley
Byron	Hare	McArdle	Sheridan
Caldwell	Harter, Ohio	McLean	Smith, Va.
Celler	Hawks	Maas	Starnes, Ala.
Clark	Healey	Mansfield	Stearns, N. H.
Cooley	Hobbs	Marcantonio	Sullivan
Culkin	Hope	Martin, Ill.	Sumners, Tex.
Darrow	Houston	Martin, Mass.	Thomas, N. J.
Dies	Jarman	Merritt	Thorkelson
Dingell	Johnson, W. Va.	Mitchell	Wadsworth
Douglas	Kee	Myers	Weaver
Durham	Kennedy, Md.	Risk	Whelchel
Evans	Kerr	Schaefer, Ill.	White, Ohio
Faddis	Kilday	Schuetz	Wood
Fay	Kirwan	Seccombe	Woodruff, Mich.
Folger	Lemke	Shafer, Mich.	Woodrum, Va.

So the conference report was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. Dingell (for) with Mr. Maas (against).
Mr. Anderson of California (for) with Mr. Hawks (against).
Mr. Thorkelson (for) with Mr. Seccombe (against).
Mr. Burdick (for) with Mr. Austin (against).
Mr. Cooley (for) with Mr. Douglas (against).
Mr. Fay (for) with Mr. Thomas of New Jersey (against).
Mr. Barden of North Carolina (for) with Mr. Woodruff of Michigan (against).
Mr. Sullivan (for) with Mr. Ball (against).

Until further notice:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.
Mr. Starnes of Alabama with Mr. Hope.
Mr. Durham with Mr. Barton of New York.
Mr. Caldwell with Mr. Wadsworth.
Mr. Dies with Mr. Bender.
Mr. Folger with Mr. McLean.
Mr. Weaver with Mr. Brewster.
Mr. Hare with Mr. Lewis of Ohio.
Mr. Hobbs with Mr. Culkin.
Mr. Wood with Mr. Alexander.
Mr. Jarman with Mr. Lemke.
Mr. Kerr with Mr. Stearns of New Hampshire.
Mr. Mansfield with Mr. Risk.
Mr. Kilday with Mr. Darrow.
Mr. Johnson of West Virginia with Mr. Shafer of Michigan.
Mr. Clark with Mr. White of Ohio.
Mr. Celler with Mr. Marcantonio.
Mr. Bradley of Pennsylvania with Mr. Shanley.
Mr. Buck with Mr. Myers.
Mr. Smith of Virginia with Mr. Evans.
Mr. Kennedy of Maryland with Mr. Green.
Mr. Sumners of Texas with Mr. Harter of Ohio.
Mr. Buckley of New York with Mr. McArdle.
Mr. Martin of Illinois with Mr. Houston.
Mr. Faddis with Mr. Schaefer of Illinois.
Mr. Whelchel with Mr. Kee.
Mr. Kirwan with Mr. Byron.
Mr. Merritt with Mr. Sheridan.
Mr. Healey with Mr. Burgin.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 6, page 11, line 23:

"WAR MINERALS RELIEF COMMISSION

"Administrative expenses: For administrative expenses made necessary by section 5 of the act entitled 'An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes,' approved March 2, 1919 (40 Stat. 1272), including personal services, without regard to the civil-service laws and regulations; traveling and subsistence expenses; supplies, and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, $11,200: *Provided*, That any claim that has not been prosecuted and disposed of prior to July 1, 1941, shall not thereafter be considered by the Secretary of the Interior and shall be barred."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 6 and concur in the same.

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

Mr. RICH. Mr. Speaker, the amount of money allotted to the War Minerals Relief Commission is small, but we have been carrying this Commission along now for almost 22 years. It certainly seems to me that this business should have been wound up 10 years ago. It is not right, it is not just to let this thing drag along in this fashion. They should finish their job and be disbanded. It is unsound for us to keep up this item of expense just to prolong the job for lawyers who want jobs.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I may say to the gentleman from Pennsylvania that I concur heartily in all that he has said. The amendment of the Senate restores the appropriation of $11,200 for the War Minerals Relief Commission which was eliminated from the Budget estimates by the House. The Senate has amended the original Budget language to provide that no claims shall be considered and adjusted after June 30, 1941. This will have the effect of winding up the affairs of this Commission at the close of the fiscal year 1941. It is my understanding that 161 claims are pending at the present time. The House conferees were willing to accept the proposal with the limitation provided by the Senate amendment.

Mr. RICH. I hope they do. It is high time to close it up.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 9: Page 13, line 24, after the figures "$159,000", insert the following: "of which amount not exceeding $10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of $10,000 and $9,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of $100."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 9 and concur in the same.

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

Mr. RICH. Mr. Speaker, in reference to this item I would like to say that we have now spent $750,000 to build a home and a summer home in the Philippine Islands for the High Commissioner. This item is for the purpose of bearing a great part of the expense. We paid $18,000 for rent. We are increasing the amount we give to the Commissioner.

If we are going to give the Philippines their independence in 1945—and a bill was passed for that specific purpose—why should we increase the appropriation we make to look after the Filipinos? We ought to be cutting down these appropriations and make them learn to handle the business of government operation. It just is not good business and does not appeal to me as a businessman. I hope the amendment will be voted down.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this is a scheme to raise the personal funds that the High Commissioner to the Philippines has at his disposal. It will allow him to spend for his own household $10,000 and it will add $8,000 to the funds now available for the High Commissioner and his office.

It also provides for two additional jobs, the salary of a legal adviser and a financial expert at an annual salary of $10,000 and $9,000, respectively, at a time when we are planning in a few years to be out of the Philippines. It sounds like the most silly and ridiculous operation that can be imagined and I hope the House will refuse to concur in this amendment.

Mr. JOHNSON of Oklahoma. Mr. Speaker, replying to the distinguished gentlemen from New York and Pennsylvania, may I say that there are no new jobs involved in this amendment. There is no appropriation involved in this amendment. There is no question of policies involved in this amendment. It simply restores an item that went out on a point of order when the bill was being considered in the House on the ground it was legislation on an appropriation bill. Similar language has been provided under this item for a number of years and has heretofore been regarded as necessary. We felt that a majority of the Membership of the House would favor the amendment, that it is a just and essential provision, and that the House should accept it.

Mr. Speaker, I move the previous question.

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma) there were—ayes 111, noes 86.

So the previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by by Mr. TABER) there were—ayes 122, noes 106.

So the motion was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments in disagreement Nos. 11 and 12 be considered together. They have reference to one matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the two amendments in disagreement.

The Clerk read as follows:

Amendment No. 11: On page 25, line 9, after the word *"Provided,"* insert: "That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of the additional land, not exceeding a total of $325,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further.*"

Amendment No. 12: Page 25, line 20, after the word "appropriated", insert "or of this contract authorization."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move to recede and concur in the Senate amendment.

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. Mr. Speaker, I want to call the attention of the Members of the House to the fact that this amendment allows $300,000 for contractual obligations so far as the purchase of land is concerned. I would like to know why we want to contract for additional land when the State of Nevada says it does not want the Government to buy any more land in that State, when the State of New Mexico does not want the Government to buy any land in that State, when the State of Colorado refuses to permit the Government to buy any land in that State, and when the State of Oklahoma, the State from which the chairman of the subcommittee comes, does not want the Federal Government to buy any land? Notwithstanding all this, we provide this revolving fund of $300,000 to purchase land.

Mr. Speaker, when the majority of these States refuse to permit the United States Government to buy land in those States, why do we want to authorize $300,000 additional for that purpose? It is not right, and I think it is time to stop the purchase of these lands because it seems to me that the majority of the States have refused to permit the Government to come into the States to make these purchases. The States say the Government buys the land and we lose the taxes, and they are right.

Mr. JOHNSON of Oklahoma. Mr. Speaker, answering the gentleman from Pennsylvania, I may say that the sum involved is far less than the amount authorized by the Congress of the United States to be appropriated annually for this purpose. The Indian Reorganization Act authorized an appropriation of $2,000,000 annually for this purpose. In many areas of the country the Indians are in need of land on which to raise farm products, cattle, hogs, and so forth. This program is a part of a plan to make the Indians self-supporting; and the gentleman from Pennsylvania says he favors that. The House conferees felt justified in accepting the Senate amendment, particularly in view of the fact that authorizations of about the same amount have been carried in the bill during recent years.

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. Has the gentleman a Budget estimate for this amount?

Mr. JOHNSON of Oklahoma. No; there is no Budget estimate.

Mr. RICH. These conferees want to go beyond the scope that the House has tried to set up here. They have not a Budget estimate, and yet they want to appropriate this money. It is time to stop.

Mr. JOHNSON of Oklahoma. As I said a moment ago, the Congress of the United States passed the law, and this is authorized by that law.

Mr. RICH. There is something wrong with the Congress when it appropriates and appropriates and there is no money in the Treasury. It is time to stop.

Mr. JOHNSON of Oklahoma. I know the gentleman from Pennsylvania seems to think there is something very seriously wrong with the Congress of the United States, and there may be, but anyhow the Congress has spoken and it has stated the policy.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to ask the gentleman from Pennsylvania [Mr. RICH] if he would vote for it if we had a Budget estimate?

Mr. RICH. No; because the Budget officers themselves do not know what they are doing; neither does the Congress.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, many of the States today are objecting to the purchase of land in those States because it takes that land off the tax rolls. There are some States today that can hardly carry on their civil government because of the large amount of land that has been taken from the tax rolls, and they are unable to provide revenue for the support of their judges, county officers, and so forth.

Mr. JOHNSON of Oklahoma. That is very true, but there are also other States that are very anxious that land be purchased, and I may say to the gentleman that that applies particularly to my State with reference to Indian lands.

Mr. REED of New York. That is all right now, but a little later the gentleman will be in here wanting the Federal Government to pay the State and local taxes of the State of Oklahoma.

Mr. JOHNSON of Oklahoma. I think the gentleman is mistaken.

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

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. I want to make this objection to these contractual obligations. No matter if they have been authorized, and the Congress is often very loose in its authorizations, we do bear the responsibility in the last analysis on the appropriations. When we do not have the nerve to appropriate we offer contractual obligations. An amendment will come up for consideration a little later under which $2,000,000 is appropriated and $6,000,000 authorized for contractual obligations. Just think of that. I think it is a crime, and we ought to beat every amendment that has that sort of thing in it. It binds future Congresses against the spirit of the Constitution which limits us to the present.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. What does the gentleman think of concurring in the Senate amendment with an amendment to provide further that preference in acquisition shall be given to the purchase of lands from aged Indians or lands involved in estates.

Mr. JOHNSON of Oklahoma. I would be in sympathy with what the gentleman has in mind, but the Indian Service has assured the committee it will give consideration to the aged Indians. I believe the Indian Service will keep faith with the committee.

Mr. CASE of South Dakota. The gentleman has that assurance from the Indian Office?

Mr. JOHNSON of Oklahoma. Yes.

Mr. CASE of South Dakota. The gentleman spoke of this dead-land proposition, and that is a serious matter.

Mr. JOHNSON of Oklahoma. That is a serious matter, and it must be cleared up.

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

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York.

Mr. TABER. This is an attempt to get contract authorization for buying more land, $325,000 above the Budget. Just now we are going to be stretching ourselves just as far as we can to provide for the necessary items for national defense. There is absolutely no excuse for this item. There is no reason at all why we should authorize the Secretary of the Interior to enter into contracts for the purchase of lands. No one can buy land in that way at as good advantage as he can if he has the money with which to pay for the land. I hope the House will show some business judgment and refuse to concur in the Senate amendment.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma) there were—ayes 114, noes 97.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 173, nays 164, not voting 93, as follows:

[Roll No. 125]

YEAS—173

Allen, La.	Doxey	Kelly	Robinson, Utah
Anderson, Mo.	Drewry	Kleberg	Rogers, Okla.
Angell	Duncan	Kocialkowski	Romjue
Arnold	Dunn	Kramer	Ryan
Barnes	Durham	Lea	Sacks
Bates, Ky.	Eberharter	Leavy	Sasscer
Beam	Elliott	Lesinski	Satterfield
Beckworth	Ellis	Lewis, Colo.	Schulte
Bell	Englebright	Lynch	Schwert
Bloom	Ferguson	McAndrews	Scrugham
Boland	Fernandez	McGehee	Shannon
Boykin	Fitzpatrick	McGranery	Sheppard
Brooks	Flaherty	McKeough	Smith, Conn.
Brown, Ga.	Flannagan	McLaughlin	Smith, Ill.
Bryson	Flannery	McMillan, John L.	Smith, Wash.
Buckler, Minn.	Ford, Thomas F.	Maciejewski	Smith, W. Va.
Burch	Fries	Magnuson	Snyder
Byrne, N. Y.	Fulmer	Maloney	Somers, N. Y.
Camp	Gathings	Massingale	Sparkman
Cannon, Fla.	Gehrmann	Mills, Ark.	Spence
Carter	Geyer, Calif.	Mills, La.	Steagall
Cartwright	Gibbs	Monroney	Stefan
Case, S. Dak.	Gregory	Mouton	Sumners, Tex.
Casey, Mass.	Griffith	Mundt	Sutphin
Celler	Harrington	Murdock, Ariz.	Sweeney
Claypool	Hart	Nelson	Tarver
Cochran	Havenner	Nichols	Taylor
Coffee, Wash.	Hendricks	Norton	Tenerowicz
Collins	Hennings	O'Connor	Thomas, Tex.
Cooper	Hill	O'Leary	Thomason
Costello	Hinshaw	Parsons	Tolan
Cravens	Hook	Patman	Vinson, Ga.
Creal	Houston	Patrick	Voorhis, Calif.
Crosser	Hull	Patton	Walter
Crowe	Hunter	Peterson, Fla.	Ward
Cummings	Izac	Peterson, Ga.	Warren
D'Alesandro	Jacobsen	Pierce	Whelchel
Darden, Va.	Johnson, Lyndon	Pittenger	White, Idaho
Davis	Johnson, Okla.	Rabaut	Whittington
Delaney	Johnson, W. Va.	Ramspeck	Williams, Mo.
Dempsey	Jones, Tex.	Rankin	Zimmerman
DeRouen	Keefe	Rayburn	
Disney	Kefauver	Richards	
Doughton	Keller	Robertson	

NAYS—164

Allen, Ill.	Carlson	Dingell	Gerlach
Allen, Pa.	Chapman	Dirksen	Gifford
Andersen, H. Carl	Chiperfield	Ditter	Gilchrist
Andresen, A. H.	Church	Dondero	Gillie
Andrews	Clason	Dworshak	Goodwin
Arends	Clevenger	Eaton	Gore
Ball	Cluett	Edmiston	Gossett
Bates, Mass.	Coffee, Nebr.	Elston	Graham
Blackney	Cole, Md.	Engel	Grant, Ala.
Bolles	Cole, N. Y.	Fenton	Grant, Ind.
Bolton	Colmer	Fish	Gross
Boren	Corbett	Ford, Leland M.	Guyer, Kans.
Bradley, Mich.	Courtney	Ford, Miss.	Gwynne
Brown, Ohio	Crawford	Gamble	Hall, Edwin A.
Byrns, Tenn.	Crowther	Garrett	Hall, Leonard W.
Cannon, Mo.	Curtis	Gearhart	Halleck
Hancock	Kunkel	O'Neal	South
Harness	Lambertson	Osmers	Springer
Harter, N. Y.	Landis	Pearson	Sumner, Ill.
Hawks	Lanham	Plumley	Sweet
Hess	Larrabee	Poage	Taber
Hoffman	LeCompte	Polk	Talle
Holmes	Luce	Powers	Terry
Hope	Ludlow	Randolph	Thill
Horton	McDowell	Reece, Tenn.	Tibbott
Jarrett	McGregor	Reed, Ill.	Tinkham
Jenkins, Ohio	McLeod	Reed, N. Y.	Treadway
Jenks, N. H.	McMillan, Clara	Rees, Kans.	Van Zandt
Jennings	Mahon	Rich	Vincent, Ky.
Jensen	Martin, Iowa	Rodgers, Pa.	Vorys, Ohio
Johns	Mason	Rogers, Mass.	Vreeland
Johnson, Ill.	Michener	Routzohn	Welch
Johnson, Ind.	Miller	Rutherford	West
Johnson, Luther A.	Monkiewicz	Sandager	Wigglesworth
Jones, Ohio	Moser	Schafer, Wis.	Williams, Del.
Jonkman	Mott	Schiffler	Winter
Kean	Murdock, Utah	Secrest	Wolcott
Kilburn	Murray	Seger	Wolfenden, Pa.
Kinzer	Norrell	Short	Wolverton, N. J.
Kitchens	O'Brien	Simpson	Woodruff, Mich.
Knutson	Oliver	Smith, Ohio	Youngdahl

NOT VOTING—93

Alexander	Darrow	Kerr	Rockefeller
Anderson, Calif.	Dickstein	Kilday	Sabath
Austin	Dies	Kirwan	Schaefer, Ill.
Barden, N. C.	Douglas	Lemke	Schuetz
Barry	Edelstein	Lewis, Ohio	Seccombe
Barton, N. Y.	Evans	McArdle	Shafer, Mich.
Bender	Faddis	McCormack	Shanley
Bland	Fay	McLean	Sheridan
Boehne	Folger	Maas	Smith, Va.
Bradley, Pa.	Gartner	Mansfield	Starnes, Ala.
Brewster	Gavagan	Marcantonio	Stearns, N. H.
Buck	Green	Marshall	Sullivan
Buckley, N. Y.	Hare	Martin, Ill.	Thomas, N. J.
Bulwinkle	Harter, Ohio	Martin, Mass.	Thorkelson
Burdick	Hartley	May	Wadsworth
Burgin	Healey	Merritt	Wallgren
Byron	Hobbs	Mitchell	Weaver
Caldwell	Jarman	Myers	Wheat
Clark	Jeffries	O'Day	White, Ohio
Connery	Kee	O'Toole	Wood
Cooley	Kennedy, Martin	Pace	Woodrum, Va.
Cox	Kennedy, Md.	Pfeifer	
Culkin	Kennedy, Michael	Risk	
Cullen	Keogh	Robsion, Ky.	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Anderson of California (for) with Mr. Maas (against).
Mr. Thorkelson (for) with Mr. Seccombe (against).
Mr. Burdick (for) with Mr. Austin (against).
Mr. Cooley (for) with Mr. Douglas (against).
Mr. Fay (for) with Mr. Thomas of New Jersey (against).
Mr. Barden of North Carolina (for) with Mr. Gartner (against).
Mr. Sullivan (for) with Mr. Jeffries (against).

General pairs:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.
Mr. Starnes of Alabama with Mr. Barton of New York.
Mr. Caldwell with Mr. Wadsworth.
Mr. Dies with Mr. Bender.
Mr. Folger with Mr. McLean.
Mr. Weaver with Mr. Brewster.
Mr. Hare with Mr. Lewis of Ohio.
Mr. Hobbs with Mr. Culkin.
Mr. Wood with Mr. Alexander.
Mr. Jarman with Mr. Lemke.
Mr. Kerr with Mr. Stearns of New Hampshire.
Mr. Mansfield with Mr. Risk.
Mr. Kilday with Mr. Darrow.
Mr. Clark with Mr. White of Ohio.
Mr. Cox with Mr. Shafer of Michigan.
Mr. Bulwinkle with Mr. Wheat.
Mr. Cullen with Mr. Robsion of Kentucky.
Mr. Bland with Mr. Marshall.
Mr. McCormack with Mr. Hartley.
Mr. Boehne with Mr. Marcantonio.
Mr. Bradley of Pennsylvania with Mr. Shanley.
Mr. Buck with Mr. Myers.
Mr. Smith of Virginia with Mr. Evans.
Mr. Kennedy of Maryland with Mr. Green.
Mr. Buckley of New York with Mr. McArdle.
Mr. Faddis with Mr. Schaefer of Illinois.
Mr. Kirwan with Mr. Byron.
Mr. Merritt with Mr. Sheridan.
Mr. Healey with Mr. Burgin.
Mr. Schuetz with Mr. Harter of Ohio.
Mr. Gavagan with Mr. Martin of Illinois.
Mr. Pace with Mr. Barry.
Mr. Pfeifer with Mr. Kee.
Mr. May with Mr. Michael J. Kennedy.
Mr. Martin J. Kennedy with Mr. Keogh.
Mr. O'Toole with Mrs. O'Day.

Mr. ANDREWS. Mr. Speaker, I make the point of order that since this roll call was not an automatic roll call, as the result of the absence of a quorum, each Member who votes from now on must qualify.

The SPEAKER pro tempore. The Chair was about to qualify all Members who wish to vote.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 18: On page 45, line 15, after the "1040" in parenthesis, insert "including the development or purchase of electrical energy and the distribution and sale thereof."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "including the purchase of electrical energy and the distribution and sale thereof."

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

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. May I say that the committee did a good thing in cutting out the words "development or" which the Senate placed in this bill, but they did not go far enough because we are setting the Government up in another business, that of buying and selling electrical energy, and spending $1,150,000 to do so. If you want to continue to make this a communistic government, of course, I cannot stop you.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I would like to assure the House that no additional appropriation is involved in connection with this amendment. It simply permits the use of funds which would have been provided in any event. It will permit the sale of power purchased by the Bureau of Indian Affairs from the Reclamation Service, to towns and private business located adjacent to the Colorado River project in Arizona. It is my understanding that this is the most economical method of bringing power to this area, from the generating plant at Parker Dam. Only a small portion of the power will be sold, however, the greater portion being required for use on the project.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. JOHNSON) there were—ayes 106, noes 97.

Mr. RICH. Mr. Speaker, I think we may as well record the Members on this question, and I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 163, nays 159, not voting 108, as follows:

[Roll No. 126]

YEAS—163

Allen, La.	Cochran	Duncan	Havenner
Anderson, Mo.	Coffee, Wash.	Dunn	Hendricks
Arnold	Cole, Md.	Eberharter	Hill
Barnes	Collins	Elliott	Hinshaw
Bates, Ky.	Cooper	Englebright	Hook
Beam	Costello	Ferguson	Hull
Beckworth	Courtney	Fitzpatrick	Hunter
Bloom	Cravens	Flaherty	Izac
Boland	Creal	Flannagan	Jacobsen
Brooks	Crosser	Ford, Leland M.	Johnson, Luther A.
Brown, Ga.	Crowe	Ford, Thomas F.	Johnson, Lyndon
Bryson	Cummings	Fries	Johnson, Okla.
Buckler, Minn.	Curtis	Fulmer	Jones, Tex.
Burch	D'Alesandro	Gathings	Kefauver
Burdick	Davis	Gearhart	Keller
Byrne, N. Y.	Delaney	Gehrmann	Kelly
Byrns, Tenn.	Dempsey	Geyer, Calif.	Kocialkowski
Camp	DeRouen	Gibbs	Kramer
Cannon, Fla.	Dickstein	Gore	Lea
Cannon, Mo.	Dingell	Gossett	Leavy
Carter	Disney	Grant, Ala.	Lesinski
Cartwright	Doughton	Gregory	Lewis, Colo.
Celler	Doxey	Griffith	Lynch
Claypool	Drewry	Harrington	McAndrews
McGehee	Oliver	Sacks	Terry
McKeough	Patman	Sasscer	Thomas, Tex.
McMillan, John L.	Patrick	Satterfield	Thomason
Maciejewski	Patton	Scrugham	Tolan
Magnuson	Pearson	Secrest	Vincent, Ky.
Mahon	Peterson, Fla.	Sheppard	Voorhis, Calif.
Maloney	Pierce	Smith, Conn.	Wallgren
Massingale	Rabaut	Smith, Ill.	Walter
Mills, Ark.	Ramspeck	Snyder	Warren
Mills, La.	Rankin	Somers, N. Y.	Welch
Monroney	Rayburn	Sparkman	West
Mouton	Richards	Spence	Whelchel
Murdock, Ariz.	Robertson	Steagall	White, Idaho
Murdock, Utah	Robinson, Utah	Sumners, Tex.	Whittington
Nelson	Rogers, Okla.	Tarver	Williams, Mo.
O'Connor	Romjue	Taylor	Zimmerman
O'Leary	Sabath	Tenerowicz	

NAYS—159

Allen, Ill.	Gifford	Kleberg	Robsion, Ky.
Allen, Pa.	Gilchrist	Knutson	Rodgers, Pa.
Andersen, H. Carl	Gillie	Lambertson	Rogers, Mass.
Andresen, A. H.	Goodwin	Landis	Routzohn
Andrews	Graham	Lanham	Rutherford
Angell	Grant, Ind.	Larrabee	Sandager
Arends	Gross	Luce	Schafer, Wis.
Ball	Guyer, Kans.	Ludlow	Schiffler
Bates, Mass.	Gwynne	McDowell	Schwert
Bell	Hall, Edwin A.	McGregor	Seger
Blackney	Hall, Leonard W.	McLaughlin	Shannon
Bolles	Halleck	McLeod	Short
Bolton	Hancock	McMillan, Clara	Simpson
Boren	Harness	Marshall	Smith, Ohio
Bradley, Mich.	Hart	Martin, Iowa	Smith, W. Va.
Brown, Ohio	Harter, N. Y.	Mason	South
Carlson	Hawks	May	Springer
Chapman	Hennings	Michener	Stefan
Chiperfield	Hess	Miller	Sumner, Ill.
Church	Hoffman	Monkiewicz	Sutphin
Clason	Holmes	Moser	Sweet
Clevenger	Hope	Mott	Taber
Coffee, Nebr.	Horton	Mundt	Talle
Cole, N. Y.	Houston	Murray	Thill
Colmer	Jarrett	Norrell	Tibbott
Corbett	Jenkins, Ohio	O'Brien	Tinkham
Crawford	Jenks, N. H.	O'Neal	Treadway
Crowther	Jennings	Pace	Van Zandt
Darden, Va.	Jensen	Peterson, Ga.	Vorys, Ohio
Dirksen	Johns	Pittenger	Vreeland
Dondero	Johnson, Ill.	Plumley	Ward
Dworshak	Johnson, Ind.	Poage	Wheat
Eaton	Johnson, W. Va.	Polk	Wigglesworth
Edmiston	Jones, Ohio	Powers	Williams, Del.
Elston	Jonkman	Randolph	Wolcott
Engel	Kean	Reece, Tenn.	Wolfenden, Pa.
Fenton	Keefe	Reed, Ill.	Wolverton, N. J.
Gamble	Kilburn	Reed, N. Y.	Woodruff, Mich.
Garrett	Kinzer	Rees, Kans.	Youngdahl
Gerlach	Kitchens	Rich	

NOT VOTING—108

Alexander	Darrow	Kennedy, Md.	Parsons
Anderson, Calif.	Dies	Kennedy, Michael	Pfeifer
Austin	Ditter	Keogh	Risk
Barden, N. C.	Douglas	Kerr	Rockefeller
Barry	Durham	Kilday	Ryan
Barton, N. Y.	Edelstein	Kirwan	Schaefer, Ill.
Bender	Ellis	Kunkel	Schuetz
Bland	Evans	LeCompte	Schulte
Boehne	Faddis	Lemke	Seccombe
Boykin	Fay	Lewis, Ohio	Shafer, Mich.
Bradley, Pa.	Fernandez	McArdle	Shanley
Brewster	Fish	McCormack	Sheridan
Buck	Flannery	McGranery	Smith, Va.
Buckley, N. Y.	Folger	McLean	Smith, Wash.
Bulwinkle	Ford, Miss.	Maas	Starnes, Ala.
Burgin	Gartner	Mansfield	Stearns, N. H.
Byron	Gavagan	Marcantonio	Sullivan
Caldwell	Green	Martin, Ill.	Sweeney
Case, S. Dak.	Hare	Martin, Mass.	Thomas, N. J.
Casey, Mass.	Harter, Ohio	Merritt	Thorkelson
Clark	Hartley	Mitchell	Vinson, Ga.
Cluett	Healey	Myers	Wadsworth
Connery	Hobbs	Nichols	Weaver
Cooley	Jarman	Norton	White, Ohio
Cox	Jeffries	O'Day	Winter
Culkin	Kee	Osmers	Wood
Cullen	Kennedy, Martin	O'Toole	Woodrum, Va.

So the motion was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.
Mr. Starnes of Alabama with Mr. Barton of New York.
Mr. Caldwell with Mr. Wadsworth.
Mr. Dies with Mr. Bender.
Mr. Folger with Mr. McLean.
Mr. Weaver with Mr. Brewster.
Mr. Hare with Mr. Lewis of Ohio.
Mr. Hobbs with Mr. Culkin.
Mr. Wood with Mr. Alexander.
Mr. Jarman with Mr. Lemke.
Mr. Kerr with Mr. Stearns of New Hampshire.

Mr. Mansfield with Mr. Risk.
Mr. Kilday with Mr. Darrow.
Mr. Clark with Mr. White of Ohio.
Mr. Cox with Mr. Shafer of Michigan.
Mr. Bulwinkle with Mr. LeCompte.
Mr. Cullen with Mr. Hartley.
Mr. Parsons with Mr. Marcantonio.
Mr. Sullivan with Mr. Jeffries.
Mr. Barden of North Carolina with Mr. Gartner.
Mr. Fay with Mr. Thomas of New Jersey.
Mr. Cooley with Mr. Douglas.
Mr. Bland with Mr. Anderson of California.
Mr. O'Toole with Mr. Seccombe.
Mrs. O'Day with Mr. Kunkel.
Mr. Keogh with Mr. Fish.
Mr. Martin J. Kennedy with Mr. Ditter.
Mr. Vinson of Georgia with Mr. Austin.
Mr. Ford of Mississippi with Mr. Winter.
Mr. Michael J. Kennedy with Mr. Rockefeller.
Mr. Fernandez with Mr. Maas.
Mr. Gavagan with Mr. Osmers.
Mr. Durham with Mr. Case of South Dakota.
Mr. Pfeifer with Mr. Thorkelson.
Mr. Boykin with Mr. Cluett.
Mr. Boehne with Mr. Merritt.
Mr. McCormack with Mr. Ellis.
Mr. Kee with Mr. Sweeney.
Mr. Sheridan with Mr. Kirwan.
Mr. Smith of Virginia with Mr. Bradley of Pennsylvania.
Mr. Martin of Illinois with Mr. Barry.
Mr. Buck with Mrs. Norton.
Mr. Schuetz with Mr. Casey of Massachusetts.
Mr. Kennedy of Maryland with Mr. Green.
Mr. Flannery with Mr. Myers.
Mr. Schaefer of Illinois with Mr. Byron.
Mr. Buckley of New York with Mr. McArdle.
Mr. Faddis with Mr. Shanley.
Mr. Smith of Washington with Mr. Evans.
Mr. Harter of Ohio with Mr. Burgin.

The result of the vote was announced as above recorded.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1941

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 33: Page 62, line 11, strike out "$72,100" and insert "$78,100."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 34: Page 62, after line 18, insert "*Provided*, That for the fiscal year 1939 and thereafter not to exceed $6,000 shall be available annually from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate No. 34, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That not to exceed $6,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council, and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: Page 63, line 3, strike out "$521,126" and insert "$529,126."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 37: On page 68, after line 14, insert: "Alaska: Day-school facilities and quarters, $20,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 47: On page 70, after line 16, insert "and in addition thereto the Secretary of the Interior may incur obligations and enter into a contract or contracts not exceeding the total amount of $895,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of the project shall be available for the purpose of discharging the obligation or obligations so created: *Provided*."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 50: Page 71, line 19, strike out "$916,000" and insert "$1,229,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the amendment, with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate No. 50, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$1,223,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 51: On page 71, in line 20, insert "and to remain available until completion of the projects when the unobligated balances shall revert to the general fund of the Treasury: *Provided*."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 59: Page 84, after line 11, insert: "Klamath project, Oregon-California, $200,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments Nos. 59 and 60 be considered together.

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

There was no objection.

The Clerk read as follows:

Amendment No. 60: Page 84, at the end of line 12, insert a colon and the following: "*Provided*, That expenditures from this appropriation and from any other appropriation for the construction of the Modoc Unit shall be reimbursed from net revenues hereafter received from the lease of grazing and farming lands within the Tule Lake Division, notwithstanding the provisions of subsection I of section 4 of the act of December 5, 1924 (43 Stat. 703; 43 U. S. C. 373a)."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in Senate amendments Nos. 59 and 60.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments Nos. 63 and 64 be considered as one.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendments Nos. 63 and 64.

The Clerk read as follows:

Amendment No. 63: Page 85, at the end of line 18, strike out "$7,197,000" and insert "$8,772,000."

Amendment No. 64: Page 86, at the end of line 7, strike out "$8,099,600" and insert "$9,674,600."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in amendments numbered 63 and 64 with amendments, which I send to the desk.

The SPEAKER. The Clerk will report the motions.

The Clerk read as follows:

Amendment No. 63: Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 63 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,472,000."

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

The motion was agreed to.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 64 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,374,600."

The SPEAKER. Without objection the motion will be agreed to.

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, that is all for today.

The SPEAKER. The conference report will go over as the unfinished business.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mrs. NORTON for tomorrow, Tuesday, on account of official business.

EXTENSION OF REMARKS

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

The SPEAKER. Is there objection?

There was no objection.

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

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address which I delivered at the National Aviation Forum.

The SPEAKER. Is there objection?

There was no objection.

THE TRUTH ABOUT OUR PATENT SYSTEM

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. KRAMER. Mr. Speaker, there appeared in the Appendix of the RECORD, page 3181, as part of remarks by the gentleman from California, Hon. JOHN Z. ANDERSON, an article by Mr. Frank C. Waldrop, originally published in the Washington Times-Herald of May 20, 1940. The article was entitled "A Hiding Place for the 'Fifth Column'—Nazi Use Our Patent System To Sabotage Us."

The author of this screed was obviously either ignorant or disregardful of facts which are easily obtainable either from those administering the patent system or from the officials of the Department of War and the Department of the Navy. Even the statutes of the United States would have supplied the facts if the writer had not seemingly been more eager to have a dramatic "story" than a correct one.

It must appear strange to any reader of this effusion that it bears no evidence of the writer's quest for information from the Commissioner of Patents or from any representative of the departments having the gravest concern and the most intimate familiarity with the problems of our national defense. They have expressed no fear that the patent system is lending itself to sabotage by alien governments or treacherous groups in this country. I do not know whether Mr. Waldrop's column in the Times-Herald is the "fifth" or some other, but I am quite certain that it is, in this instance, the last in point of factual reliability. Let us turn to official and dependable sources for the truth, and here is what we find:

First, the patents covering inventions belonging to the Army and the Navy are held in complete secrecy.

Second, not only the Army and the Navy but also other agencies of our Government benefit by the patenting, and therefore the disclosure, of foreign inventors in the United States.

Let me particularize not simply for the benefit of Mr. Waldrop but still more for the removal of whatever false impressions he has left upon the minds of his readers, including those who have read his article.

Mr. Waldrop has indicated that the American patent system is a convenience for the secret agents of foreign governments which would weaken or prevent our defenses against an enemy in time of war. The very reverse is the case. When patent applications are filed complete details are known in the United States Patent Office, and as soon as the patent is granted full knowledge is available to the general public. Consequently a patent is the last place in which to hide anything, since in its very nature a patent is a public document. When foreigners obtain patents in the United States they must reveal the purpose and the methods of construction of the inventions for which they seek this protection. In particular, with respect to patents relating to the national defense, the United States Government is immediately made aware of the details of the foreign inventions. It is not, therefore, the inventions that are patented in the United States that need be feared, but those which are not patented here, for the details of these are withheld from our officials and citizens. Hence the securing of patents assures the revelation, not the concealment, of the secrets of foreign countries.

It is further asserted that American patents are used to block off and harass American rearmament. This statement can only have been made in complete ignorance of the law which relates to the use of inventions by the United States Government. An act of Congress passed June 25, 1910, and amended July 1, 1918 (36 Stat. U. S. C., title 35, sec. 68), provides that—

Whenever an invention described in and covered by a patent of the United States shall hereafter be used or manufactured by or for the United States without license of the owner thereof or lawful right to use or manufacture the same, such owner's remedy shall be by suit against the United States in the Court of Claims for the recovery of his reasonable and entire compensation for such use and manufacture.

And contains also the provision:

That in any such suit the United States may avail itself of any and all defenses, general or special, that might be pleaded by a defendant in an action for infringement, as set forth in title 60 of the Revised Statutes or otherwise.

By virtue of this law the United States Government may use any patented invention in furtherance of the national defense or other governmental activity. Not only can the Government use the invention itself without being hindered by the patentee but also manufacturers engaged to make devices for the United States Government are saved from suit by the patentee.

In other words, the Government may freely use these inventions relating to national defense. The patentee, of course, is not left completely without redress. By subsequent application to the Court of Claims the reasonable compensation for the use by the Government is determined, but this application does not interfere in any way with the armament or defense of the country. Accordingly, it may be pointed out that the actual situation is exactly the opposite from that indicated by the article. Inventions which are patented in this country are completely public, and the Government is not precluded in any manner from making a full use of any of these inventions. Inventions relating to armaments which are not patented in this country may never become known here, and it is of these, therefore, that the United States could have no use or benefit.

There have been no complaints by American manufacturers that they are hampered by foreign patents. Thus far foreign

patentees have been particularly anxious to have their inventions manufactured in this country, for ours is the most profitable market for them. Not only has there been no complaint on this score, but measures which were designed to meet a supposed evil were opposed by American manufacturers.

If the United States should become involved in war, there is an act of Congress which would empower the Government to prevent the patenting—and by that process the disclosure—of inventions that might be useful to the enemy. And, of course, the invention could be used by the United States for its own purposes. Our experience in the World War demonstrated that the grant of patents of military and naval value in the years preceding 1917 redounded to the advantage of this country. Thousands of German patents were seized and proved of great utility to the Government and the industries supplying its needs.

The facts here presented negative fears and particularly contradict loose assertions that this country is endangered by the grant of patents to Germans or other foreigners, or that individuals or "captive American firms" can prevent our employment of these alien inventions for our own defense.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in reference to a Pulitzer prize.

The SPEAKER. Is there objection?

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the St. Louis Post-Dispatch on This Land of Liberty.

The SPEAKER. Is there objection?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a certain statement.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered by my colleague, the gentleman from Ohio [Mr. VORYS].

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a discussion of Champoeg, Oreg.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under special order of the House the gentleman from Texas [Mr. PATMAN] is recognized for 1 hour.

"FIFTH COLUMN" ACTIVITIES

Mr. PATMAN. Mr. Speaker, as sincerely as I know how, I want to put before the Congress of the United States certain facts and information which are of vital concern to our Government and therefore to the people of our great Nation.

In these trying days the future of not only Europe's democracy but perhaps our own American democracy is at stake.

THE AMERICAN CITIZEN WHO RODE FIRST HITLER TROJAN HORSE INTO OUR COUNTRY SHOULD BE INVESTIGATED IMMEDIATELY

We have every reason to believe that Adolf Hitler and his bloody legions of nazi-ism are looking toward this continent as their next move of conquest.

Therefore it becomes increasingly important to the welfare of our Nation that we profit from the mistakes made by the European democracies—mistakes which apparently have made Hitler the virtual ruler of Europe today.

And the greatest mistake made by the democratic Allies was the mistake of allowing Hitler's "fifth column"—his propaganda agents—to steal into the democracies and secretly and dastardly prepare that nation to be delivered to Hitler.

That must not happen in America. But it can happen.

"FIFTH COLUMN"

When the Fascists were approaching Madrid, Spain, in the war in 1936, a general said, "We have four columns of soldiers approaching Madrid and the 'fifth column' will rise up from within Madrid to help us." That is where the phrase "fifth column" came from. A report coming to America from one who resides in Holland is to the effect that for months preceding the time that Germany invaded Holland and Belgium large posters advertising a brand of coffee were placed all over these two countries on billboards, houses, barns, and other places where such advertising is usually placed. When the parachutists arrived and landed, the first thing they did was to go to the nearest coffee sign. When the advertisement was taken down by the German parachutists, on the back of it there was a diagram and map which showed exactly the location of the nearest German sympathizer. Names and addresses were given on the backs of these posters. In that way the German soldiers were greatly assisted, and from the homes of these sympathizers they were able to organize themselves, along with others, and destroy the telephone, telegraph, radio, and other means of communication, the transportation system, shoot the local policemen in the backs, and do other things calculated to cause consternation and disorganization which would allow the German troops to come in and take charge of the country easily. Hitler has always boasted that he would take charge of the world by stealth and intrigue; that he would have plenty of support in each country before going into that country.

This Trojan-horse policy was adopted at the Seventh Congress of the Communist International held in Moscow. It was described by George Dimitrov in an address to the congress on August 20, 1935, in the following language:

> Comrades, you remember the ancient tale of the capture of Troy. Troy was inaccessible to the armies attacking her, thanks to her impregnable walls; and the attacking army, after suffering many sacrifices, was unable to achieve victory until with the aid of the famous Trojan horse it managed to penetrate to the very heart of the enemies' camp. We revolutionary workers, it appears to me, should not be shy about using the same tactics.

Years ago Adolf Hitler described in detail this new and diabolical method of destroying the governments and liberties of other countries. I ask you to ponder his words:

> When I wage war, troops will suddenly appear. * * * They will march through the streets in broad daylight. * * * No one will stop them. Everything has been thought out to the last detail. They will march to the headquarters of the general staff. * * * The confusion will be beyond belief. But I shall long have had relations with the men who will form a new government—a government to suit me. We will find such men; we shall find them in every country; we shall not need to bribe them. They will come of their own accord. Ambition and delusion, party squabbles, and self-seeking arrogance will drive them. * * * Our strategy is to destroy the enemy from within, to conquer him through himself.

The program was outlined by the President last night in a fireside talk ominous with warning that we must deal vigorously with "spies, saboteurs, and traitors."

The "fifth column," the Trojan horse, is no idle dream, Mr. Roosevelt said.

> New forces are being unleashed—
>
> Ran the warning—
>
> deliberately planned propaganda to divide and weaken us in the face of danger as other nations have been weakened before.

He repeated that "our own American Hemisphere is threatened by forces of destruction."

ENEMIES WITHIN COUNTRY GREATEST MENACE

The experiences in the different countries of the world have demonstrated that the enemies within a country constitute the country's greatest menace. Treason from within rather than invasion from without has been the cause of the collapse of many democratic governments in recent weeks by totalitarian assaults. No leaders on earth have ever demonstrated the ability to perfect Trojan-horse tactics as well as Stalin and Hitler.

It was impossible for Austria, Czechoslovakia, Poland, Finland, and Holland to offer any serious resistance to foreign

invasion because of the Trojan-horse minorities within the countries.

One million five hundred thousand citizens and noncitizens residing in Czechoslovakia were permitted by the Government to form a Nazi organization. This organization assisted in the downfall of Czechoslovakia just as much so or more so than from the invasion from without. The leader of this organization was Comrade Henlein, who was known to be a traitor to his own country and an agent of Adolf Hitler.

When this movement was first formed in Czechoslovakia a few of the wise and patriotic statesmen of that Republic warned the people that this movement was disloyal to Czechoslovakia and that Henlein was contemplating the betrayal of his country. These men had vision, and if the people and the Government of Czechoslovakia had acted upon this advice possibly the country would have been saved.

I doubt that the people here in the United States realize the important part played by this Nazi organization in the easy conquest of Czechoslovakia by the Nazi legions. The fact is that this treasonable organization delivered the Republic of Czechoslovakia into the hands of Hitler.

Poland is another sad example of what happens to a country that has so many enemies within its own ranks. After Poland surrendered Hitler admitted in a public statement that he knew the military plans of the Polish high command 6 weeks before he gave the order to invade Poland.

Holland is the most recent example of "fifth column" strategy. The Nazi organization had a membership of more than 60,000 citizens and noncitizens of Holland who cooperated with the German Government in the conquest of that great country.

HITLER CAME INTO POWER IN 1933

January 30, 1933, Hitler came into power in Germany. There was an immediate influx of more money, more literature, and more manpower into American propaganda channels. The Nazi zealots in America, who up to that time had been Fascists among themselves, were now given extensive instruction in the party's principle of leadership.

VIERECK, BYOIR, AND OTHER HITLER ASSOCIATES

George Sylvester Viereck had always been very sympathetic to Germany. He and Carl Byoir are the real brain trust of Nazi propaganda in America. It is Viereck who had always sent an indignant letter of protest to the editor whenever an American publication criticized Hitler or the Nazis. Viereck is the man who has censored all the Nazi publicity material in this country along with Carl Byoir of Carl Byoir and Associates, 10 East Fortieth Street, New York City.

Viereck and Carl Byoir and the partners of Carl Byoir have made frequent trips to Europe and to Germany since Hitler came into power January 30, 1933.

It has been the policy of the Nazis to ostensibly dissolve all links between Nazi groups here and the German Government if American public opinion seemed to be turning hostile.

Sworn testimony before a congressional committee discloses that soon after Hitler came into power in Germany, Carl Byoir and Associates became greatly interested in helping to sell Hitler and the Nazi Party to the people in America. I charge now, and do not think for a moment that it cannot be backed up with sufficient proof, that Carl Byoir and Associates commenced to represent Nazi Germany soon after Hitler came into power. The first payment was $4,000 in cash from the German consul of New York to Carl Byoir. After that he was paid $2,000 and $3,000 a month, and on October 1, 1933, he was given a contract signed by German interests which was approved by the Nazi Germany's Minister of Propaganda, which gave Carl Byoir $6,000 a month to assist in spreading German propaganda in America. This was the first contract of its kind ever entered into by any German interests for that purpose which was approved by the Minister of Propaganda in Germany.

George Sylvester Viereck was a partner in Carl Byoir and Associates' firm and received a part of the profits of Carl Byoir and Associates. Therefore the real name at that time should have been Viereck, Byoir, and other Hitler associates.

In June 1933 the German consul reported to American and German big-business interests that he had made such heavy expenditures in connection with propagandizing this country with Nazi ideas that it was necessary for big interests in America to make contributions to a fund to help him in this work.

Doubtless he realized the importance of having big-business connections to carry out his purpose. He probably had in mind at that time placing spies in different sections of the Nation to assist Hitler at the proper time.

During Byoir's activity at the beginning of the propaganda campaign for Hitler, the large steamship lines owned by Germany cooperated 100 percent with Byoir. There is testimony to show that through this shipping interest Hitler agents went back and forth from the United States to Germany at will without registering; that they were often brought into this country on ships and put off on the side of the vessel in New York ports and permitted to go about any place they pleased in this country without any kind of record of their entry being made.

During this time Byoir was to build sentiment in this country for Hitler. He sent out literature dealing with the church and state and every other kind of literature that was calculated to help build up Hitler. During the beginning of the propaganda campaign, soon after Hitler came into power on January 30, 1933, many different organizations sprang up in this country. One of the first was the Friends of New Germany. It was then discovered that many good, loyal Germans in this country were not enthusiastic about the new Germany, so in order to induce them to become affiliated with something that Hitler was sponsoring, the Friends of Germany was organized. In addition, the National Socialistic Labor Party, the Nazi Party, the National Socialistic German Party, the Steel Helmets, the bunds of the Friends of New Germany, the Storm Troops of Germany, the Teutonians, the German Flyers' League, the German War Veterans, and many other different organizations with appealing names were started throughout the country in the different cities.

There is testimony to disclose that the object of the meetings was to distribute literature, drill with rifles, wear Nazi uniforms, and practice the German salute, "Heil Hitler."

Party leaders of these groups in the United States had to have the approval of the party leaders in Germany. The uniforms used at many of these meetings were the same as the uniforms used by the storm troops in Germany. The German Fliers' League taught their members how to operate and fly an airplane.

Byoir established an office in Berlin and had bales of propaganda literature prepared and sent to this country to be distributed here. Some of it was seized in the ports at New York.

Every ship coming to this country that was owned by German interests had a Nazi leader on board.

Many of the members of these German groups were also members of the New York National Guard.

I do not believe there is any doubt about it that Carl Byoir was hired to establish here in the United States the greatest espionage and spy system ever organized on the face of the earth.

In other words, Carl Byoir rode into this country Hitler's Trojan horse.

This is very important and highly significant in view of Carl Byoir's connection with the biggest interests in this Nation. In a speech in Rye, N. Y., in 1938, Carl Byoir stated that he represented American industrial concerns with assets of fourteen and one-half billion dollars. That means that Carl Byoir occupies a strategic position in business and industrial organizations that employ from 5,000,000 to 7,000,000 men and women in every State, county, city, and community in America.

Fourteen and one-half billion dollars is equal to 145 concerns the size of the Atlantic and Pacific Tea Co. that is owned by the Hartford Brothers, has about 15,000 stores, and is represented by Carl Byoir. Anyone who has followed the trend of monopoly knows that the public-relations man of any concern practically dictates the employment policies of the concern he represents.

Think about what a wonderful opportunity Carl Byoir has had over these years to place into different positions all over our Nation German spies and sympathizers.

BYOIR, WHO PIONEERED HITLER PROPAGANDA, SHOULD BE INVESTIGATED

I wonder to what extent he has used that power and to what extent it has been abused. I believe that since he pioneered the Hitler movement in this country, that an investigation should be made immediately to determine the interests he represents, the employment policies of these different interests, and whether or not he has used his position to place stooges, spies, and sympathizers of Nazi Germany in different sections of our country for the purpose of being used as a "fifth column" when Hitler believes the time is ripe.

Now is no time to trust aliens or alien influences in a national-defense program.

It will be a matter of great concern to the American people to know how many Nazi "fifth column" agents Byoir has caused to come into this country, and after spending a little training period in New York, have been sent into the interior of the United States to work for some concern whose employment policies were largely controlled by Carl Byoir.

Look at Norway, Denmark, Poland, and other countries where German troops were greatly aided by just such stooges as have been brought into this country since Carl Byoir commenced representing Hitler.

It has been thought for some time that many men with wealth in New York City have been in sympathy with Hitler and have been cooperating with him. I wonder how many of these men are represented by Carl Byoir.

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

Mr. PATMAN. I yield for a question.

Mr. VOORHIS of California. Can the gentleman tell us what position Mr. Byoir now holds?

Mr. PATMAN. I will state to the gentleman, who is a member of the Dies committee, that Byoir holds the position of public-relations counsel for large industrial and business concerns with a capitalization of $14,500,000,000.

SAME ROOF OVER BYOIR OFFICES ALSO OVER NAZI GERMAN PROPAGANDA OFFICES

I call to your attention Walter Winchell's column of today's newspapers. He exposes a most significant fact:

[From New York Daily Mirror]

If you want a real burner-upper, then see pages 6113–6114 of the Tuesday, May 14, CONGRESSIONAL RECORD. Congressman DICKSTEIN, of New York, alleged that a front for Hitler's "fifth columnazis" over here is the board of trade for German-American Commerce, Inc. The president of this board, says the Congressman, is Dr. Robert Reiner, of Robert Reiner, Inc. The executive work is done by Albert Degener, ex-office boy with the outfit. Degener, who has resided in the United States for 15 years, has never thought it necessary to become an American citizen. * * * The address of the G-A Commerce, Inc., and Degener is 10 East Fortieth.

You notice the address for this alleged Hitler American "fifth column" organization is 10 East Fortieth Street, New York. That, I tell you, is the same address of the Carl Byoir & Associates offices.

Is that not significant? Do you think it is mere chance that this Hitler German commerce association "stooge" is in the same building as Carl Byoir & Associates?

That is the same method employed by Carl Byoir to secretly handle his other propaganda clients. The Chinese Relief Organization—which he handled—used the same address.

You will notice that many of the consumer organizations are headquartered at 10 East Fortieth Street; also the Business Organization, Inc., which occupy one whole floor.

The Emergency Consumer Taxpayer's Association, another one of Byoir's propaganda outfits gave a 10 East Fortieth Street, New York, address as official headquarters.

I am told that most of these dummy organizations have their mail delivered directly to Carl Byoir & Associates.

Yes—bit by bit—with the patriotic help of real Americans like Walter Winchell, the true story of Carl Byoir & Associates begins to unfold.

And I say to you, it is time that our Department of Justice and the Dies Un-American Activities Committee dig out the rest of the story. They will have my cooperation.

ORGANIZE HOME GUARDS

The time has arrived when we should have home guards for American defense for every county in the United States. We must remain on the alert. Every alien enemy should be deported at once, and if they cannot be deported, all aliens that are operating against the country's interests that are not subject to punishment should be placed in concentration camps and kept there until the emergency is over. Persons who have sold out to a foreign power and are working against our country's interest should be severely dealt with. Now is no time to use a velvet hammer on unpatriotic aliens and disloyal Americans. [Applause.]

INTERVENTION BY STATES IN CERTAIN CASES INVOLVING VALIDITY OF THE EXERCISE OF ANY POWER BY THE UNITED STATES

Mr. WALTER. Mr. Speaker, I call up the conference report on the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes, and move its adoption.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered (2).

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: Restore the language stricken out by the said amendment, and on page 1, lines 6 and 7, strike out the words "the exercise of any power" and insert in lieu thereof the words "any power or its exercise"; and the Senate agree to the same.

HATTON SUMNERS,
FRANCIS E. WALTER,
U. S. GUYER,
DAVE E. SATTERFIELD, JR.,
JOHN W. GWYNNE,
Managers on the part of the House.

JNO. E. MILLER,
JOHN A. DANAHER,
ALBERT B. CHANDLER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes, submit the following explanation of the effect of the action agreed upon in conference, and recommended in the accompanying conference report.

The Senate amendment No. 1 proposed to strike out the words "by any State", on page 2, lines 1 and 2, of the bill. The House recedes from its disagreement to the amendment of the Senate, No. 1, and agrees to the same with an amendment, as follows: Restore the language stricken out by the said amendment, and on page 1, lines 6 and 7, strike out the words "the exercise of any power" and insert in lieu thereof the words "any power or its exercise." This amendment is clarifying and improves the language of the bill; and the Senate agrees to the same.

The Senate amendment No. 2 proposed to strike out the words "such State", on page 2, line 2, and insert "the State in which the cause is being heard." This amendment would have limited the bill to where the validity of the power exercised by the United States, or any agency, officer, or employee is drawn in question and the determination of such question involves any conflict with the exercise of any governmental power of the State in which the cause is being heard, whereas the bill as it passed the House provided that such question involves any conflict with the exercise by any State of any governmental power of such State. The Senate recedes from this amendment.

HATTON SUMNERS,
U. S. GUYER,
JOHN W. GWYNNE,
FRANCIS E. WALTER,
DAVE E. SATTERFIELD, JR.,
Managers on the part of the House.

Mr. WOLCOTT. Mr. Speaker, we have only a handful of Members present and I doubt the advisability of taking up any such legislation at this hour.

Mr. GWYNNE. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Iowa.

Mr. GWYNNE. This is a conference report that was agreed to unanimously. The bill was reported by the Judiciary Committee unanimously and it is very desirable legislation. I see no reason why this conference report should not be agreed to at this time.

Mr. WOLCOTT. It passed on the Unanimous Consent Calendar.

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

The conference report was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

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

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I want to acknowledge my debt to the gentleman from Texas for a very important and startling speech which he has just made, and to pledge to him and others my own earnest effort to follow up the material which he has given to us. If we are to keep ahead of any "fifth column" elements in this country, we have got to look into high places, as well as lowly ones, in the economic scale of the country.

I also want to say a word about the remarks made by the gentleman from Illinois [Mr. MASON] today. I may say, incidentally, that I have already spoken to him, and I have told him what I was going to say. I have a sincere regard for the gentleman from Illinois, and I believe he wants to be fair. He said something today, however, about an employee of the National Youth Administration, and in his speech mentioned certain charges against that employee. The man's name is Mandell.

I have in my hand the report of a committee which made a thorough investigation of this man, among others, in connection with the work of the National Youth Administration. This committee consisted of Monsignor Thomas J. O'Dwyer, general director of the Catholic Welfare Bureau of Los Angeles; Dr. Remsen D. Bird, president of Occidental College; and Mr. George C. Mann, and the findings of this committee, signed by the three members, are as follows:

> It is our opinion that all charges of subversive activity and Communist connection are not supported by any evidence which has been before us. On the contrary, we are impressed with the sincere character and devotion to the work of the Youth Administration upon the part of those who have been before us for this hearing.
>
> That it is important a statement should be made by the National Youth Administration to its employed group is very unwise for private materials to be intermingled with public materials in such a fashion that there can be the kind of charge which we have reviewed in reference to the use of public materials for nonprofit, private agencies.
>
> We express to the National Youth Administration our sincere interest in every effort that may be made through this arm of the Government to aid the young people of our country in their development in personal usefulness and valuable citizenship.
>
> * * * * * * *
>
> It is our further observation, as we review the hearing and the matters before us, that this unpleasant situation has some connection with fractional disputes within the young democratic leadership in this State. We regret exceedingly that this condition has certainly, to some extent, added to the problems in personnel and other problems of the National Youth Administration.

Mr. Speaker, it seems to me it is unfair and unjust where a man has been cleared in this manner by a committee, which no one can question, to bring up his name again and make charges against him, without any hearing whatsoever. I am as much in earnest as anyone about finding out the truth with regard to any subversive activities and I think I have proved my readiness to arrive at a conclusion on the basis of competent evidence. But here is a case where all the evidence I have seen is on the other side and I do not want unfairness and injustice to be done. It seems to me under these circumstances that this finding should be in the RECORD, and that is the reason I have spoken as I have this afternoon.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that on tomorrow, after the disposition of matters on the Speaker's table and at the conclusion of any orders heretofore entered, I may be permitted to address the House for 15 minutes.

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

There was no objection.

The SPEAKER pro tempore. Under a previous special order, the gentleman from Louisiana [Mr. GRIFFITH] is recognized for 5 minutes.

SPECIAL ORDER

Mr. GRIFFITH. Mr. Speaker, I want to go on record as opposing the resolution to continue in effect the Sugar Act of 1937, which will expire at the end of this year. The present law could be made acceptable to the Louisiana sugar producers, but it would have to be amended so as to give an adequate quota and to remove restrictions and controls which are considered unnecessary for the proper administration of the law. The proposed resolution merely extends the present law for 1 year without making any of the corrections needed, and therefore I am opposed to the resolution.

The population of one-third of my district is almost entirely dependent for a livelihood upon the cultivation of sugarcane and the production of sugar, and most of the lands of this area are not adaptable to the cultivation on a large scale of other crops.

My people who are directly interested in sugar are largely represented by membership in the American Sugar Cane League, and they are practically unanimous in their opposition to a continuance of the Sugar Act of 1937 because of the limits which have been placed upon acreage and upon the tonnage production of sugar. Unless the present law is amended to remove the objectionable features, my people are reconciled to the loss of benefit payments in order that they may be able to plant a larger acreage and produce more sugar. Under the present quota and acreage restrictions, the sugarcane producers of Louisiana were forced to plow up sugarcane last year, and they are again called upon in 1940 to plow up sugarcane which has already been planted and is now growing. The sugarcane planted last fall was planted when an emergency had been declared by the President and the Sugar Act had been suspended temporarily. If the quota for Louisiana would be improved reasonably to permit the production of as much sugar as was produced in 1938, and the increased quota made effective immediately, then the necessity for plowing up sugarcane would be removed and the extension of the Sugar Act with this more adequate quota would be less objectionable. But the proposed resolution seeks to continue the Sugar Act without change, and I am sure that I represent the wishes of the sugar producers of Louisiana when I state that it would be preferable to have the law expire at the end of this year so that the entire subject of the sugar program could be considered at the next session of Congress and a completely new sugar act adopted.

I believe, as do my people, that the present conflict in Europe will create such a demand for foreign sugar, especially Cuban sugar, that it may become more profitable for Cuba to sell her sugar to other countries, creating a situation such as confronted the United States after the last World War, when the price of sugar went above 25 cents a pound. As long as we depend upon Cuba for one-third of our sugar supply, we are subject to a sugar shortage which is bound to be created when Cuba sells more of her sugar on the world market, and this will necessarily increase greatly the price of sugar to the consumers. The best guaranty the consumers of the United States have against excessive prices is the encouragement and expansion of sugar production in the mainland areas.

Both the sugarcane and sugar-beet States of the continental United States want a larger acreage and if given this increase it will then be possible for the domestic industry, with the help of our insular possessions, to produce practically all of the sugar which is necessary for our consumption. At least we will be less dependent upon foreign countries, who always sell in the markets where they can get the most money.

It is well at this point to give some of the history and background of sugar production in the United States and our insular possessions, and especially will I mention Louisiana, with which I am more familiar.

In 1904, which is 36 years ago, Louisiana produced 398,000 tons of sugar. That same year the beet-sugar production for the entire United States was only 235,000 tons. Puerto Rico produced only 130,000 tons in 1904, Hawaii produced 368,000 tons the same year, the Philippine Islands exported only 30,785 tons to the United States in 1904.

In the act of 1937 the beet-sugar area was permitted to produce more than 1,550,000 tons of sugar and Florida and Louisiana together were permitted to market only 420,000 tons of sugar. In 1940 Louisiana has a quota of about 362,000 tons, which is 36,000 tons less than we produced in 1904.

In the period from 1909 to 1913 Louisiana produced an average of 2,212 pounds of sugar for each acre of cane harvested. At the peak of the mosaic-disease infection the acreage production dropped to 755 pounds per acre. The peak of this infection was reached in 1926.

With the introduction of improved varieties of cane and better methods of cultivation, the acreage production has greatly increased. In 1930 acreage production was 2,146 pounds of sugar per acre; in 1933 the acreage production was 2,125 pounds; in 1934 the acreage production was 2,149 pounds; in 1935 the acreage production was 2,856 pounds; in 1936 the acreage production was 3,403 pounds; in 1937 the acreage production was 3,188 pounds of sugar per acre; in 1938 the acreage production was 3,646 pounds; and in 1939 the acreage production was 3,681 pounds of sugar per acre. In other words, the acreage production since 1913 has increased about 70 percent.

According to data compiled by the agricultural extension division of the Louisiana State University, the first reported commercial production of sugar in Louisiana was in the year 1815, in which Louisiana produced 5,006 tons of sugar. However, sugarcane was brought to Louisiana in 1750 by the Jesuits, and the first granulation of sugar was in 1794.

At present, there are 82 sugar mills in Louisiana, although only 68 of these operated in 1939.

There are 7 refineries which melt raw sugar in Louisiana; however, there are 10 or 12 additional factories which are equipped to make direct-consumption sugar and are producing white sugars.

The moneys invested in factories and refineries in Louisiana amount to approximately seventy-five or eighty million dollars. The cost of replacing these mills would exceed $100,000,000.

There are well over 100,000 individuals employed directly or indirectly in cultivating, harvesting, manufacturing, handling, transporting, buying, and selling sugar in Louisiana.

The number of people directly and indirectly dependent on the sugar industry of Louisiana is, in round numbers, 800,000. This figure includes thousands of extra workers imported from Mississippi and northern Louisiana during the harvesting season. This figure also includes all persons employed in related trades.

Louisiana has been allowed for 1940 only 263,000 acres under the proportionate share determination of the Department of Agriculture, although it is estimated that approximately 310,000 acres have growing cane which could be harvested in 1940. In 1911, we harvested sugarcane from 312,000 acres and in 1938—the year of greatest production—we harvested 288,000 acres of sugarcane, including seed, under restrictions, and produced 492,000 short tons of sugar, raw value.

According to a survey made by the Louisiana State University, the farmers in the Louisiana sugar belt have indicated a willingness and desire to plant sugarcane on 404,789 acres which are presently available. This would mean an increase of 34 percent over the present acreage, and would also require a 34-percent increase in regular and extra workers, in workstock, in implements of agriculture for cultivating and harvesting, new housing accommodations, additional factory capacity, and increased general commercial trading.

The best argument the mainland cane area has in favor of increasing its quota is that the area produced 580,000 tons in 1938 and it would have produced 580,000 tons again in 1939 if the farmers would not have been forced to plow under growing sugarcane, and it will produce 580,000 tons in 1940 if we do not have to plow under growing sugarcane.

I wish to file at this point a table which gives consumption and production of sugar in the continental United States and the production of sugar in insular possessions of the United States for the years 1935 to 1939, inclusive.

Following are the figures on sugar consumption in the United States for the past 5 years, 1935 to 1939, inclusive:

Year	Short tons, raw value	Per capita consumption
		Pounds
1935	6,632,516	104.0
1936	6,706,218	104.0
1937	6,669,992	103.0
1938	6,666,694	102.0
1939	6,865,402	105.0
Average for the period	6,708,164	103.6

Production of sugar in continental United States for years 1935 to 1939, inclusive, in short tons, raw value

Year	Domestic beet area	Mainland cane area	Total continental United States
1935	1,261,459	383,000	1,644,459
1936	1,396,426	437,000	1,833,426
1937	1,374,990	462,000	1,836,990
1938	1,803,841	580,000	2,383,841
1939	1,756,383	507,000	2,263,383
Average	1,518,620	473,000	1,992,419

Production of sugar in insular possessions of the United States

Year	Hawaii	Puerto Rico	Virgin Islands	Continental United States
1935	1,073,000	926,344	3,760	1,644,459
1936	920,629	996,303	8,478	1,833,426
1937	969,776	1,077,149	3,923	1,836,990
1938	1,035,000	870,000	4,480	2,383,841
1939	996,000	963,000	4,000	2,263,383

Certainly there is need for expansion of a continental crop which today is restricted by law to the position of supplying less than three-tenths of our domestic consumption. Without question, there is room for expansion of any crop which will relieve other crops of the downward pressure on price that surplus acres bring about, and which will diminish the extent of this subsidized acreage idleness. An expansion of continental sugar, in short, offers employment to thousands of idle acres and idle men, increased income to American agriculture, increased markets for American industry and labor, and a new frontier for American ingenuity.

I believe that an allowance should be made for an expansion of the sugar industry in the United States and her possessions before Cuba receives an allotment. I certainly do think that Cuba has been given every advantage in her allotment of sugar to the detriment of the sugar interests in the United States and her insular possessions. I believe, from now on Cuba will be taken care of by the increased demand, caused by the European situation. Our imports from Cuba are many millions of dollars more than our exports to Cuba.

One convincing example may be cited to show the superiority of American purchasing power over any possible foreign market which might be developed for American products.

Purchases of American sugar-mill machinery by the 160 mills in Cuba during 1937 amounted to $521,000, and during 1938 to but $198,000. In contrast, the 74 sugar mills in Louisiana alone bought $4,079,000 and $2,981,000 of machinery during these 2 years or a total of $7,060,000, practically 10 times the sales to Cuba, although Louisiana produces only one-seventh as much sugar. In fact, Cuban purchases during the entire 7-year period, 1932–38, amounted to only $1,744,000. Louisiana mills are kept in first-class condition by the American initiative and efficiency that is engaged in the sugar business. Clearly, sugar-machinery manufacturers have a much larger stake in the welfare of the Louisiana sugar industry as a unit than they have in the Cuban sugar industry. It must be emphasized that figures given above represent purchases solely by the Louisiana operators. Adding purchases by sugar mills in the beet sections, which according to partial reports amounted to more than $17,800,000 for 1937 and 1938, the total for the continental industry becomes $24,860,000, as compared to $719,000 for Cuba during the same 1937–38 period.

This does not include the immense amount of agricultural machinery, motor trucks, livestock, and such other products as food and clothing which are used by the sugar planters of the United States and her possessions.

We further have these facts to consider. Minimum wages in Cuba are 10 cents per hour, but there is no proof that they are enforced. In the United States and its island possessions minimum wages are set at far higher rates by the Department of Agriculture, and they are enforced. Soil-conservation practice in American areas is prescribed by law and regulation; Cubans may drain their land of its wealth until their soil resources are gone, and then come asking our Government for still more favorable treatment to compensate for inferior soil. Every American community, individually or as a taxpaying part of the Nation, feels the obligation to provide an education for its children, help for its unfortunate, pensions for its aged, and so forth. Cuba has been unable or unwilling to do even these elementary things adequately. And all of these things add up not to high profits but to higher standards of living for the men employed, which means the mass consuming power which is needed to keep American industry operating.

From all of the above facts it seems to me that it is evident to all of us that it is to the best interest of the United States to permit the expansion and increase in the production of sugar in the United States. The comparison between the present quotas and the production in 1904, which I made in the beginning of this statement, shows the injustice under which Louisiana has suffered under the present act, whereby Louisiana, the oldest sugar-producing area for the American market, instead of being allowed to expand with the American market has been obliged to shrink. This is the condition which Louisiana is forced to fight.

ADJOURNMENT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.) the House, in accordance with the order heretofore adopted, adjourned until tomorrow, Tuesday, May 28, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Tuesday, May 28, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145, motion pictures. The opposition will continue.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee 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.'"

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Tuesday, May 28, and Friday, May 31, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, May 29, 1940, at 10 a. m., for the consideration of H. R. 3402 and H. R. 6583, and hearings on H. R. 9301 at 11 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Tuesday, May 28, 1940, at 10:30 a. m., for the consideration of private bills now pending before the committee.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds Wednesday, May 29, 1940, at 10:30 a. m., for the consideration of H. R. 9063.

There will be a meeting of the Committee on Public Buildings and Grounds Thursday, May 30, 1940, at 10:30 a. m., for the consideration of House Joint Resolution 472.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1679. A letter from the Acting Secretary of Commerce, reporting that papers described in House Report 1732, Seventy-sixth Congress, third session, have been sold for $3,969.61; to the Committee on the Disposition of Executive Papers.

1680. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Civil Aeronautics Authority for the fiscal year 1941, amounting to $32,000,000 (H. Doc. No. 789); to the Committee on Appropriations and ordered to be printed.

1681. A letter from the Attorney General, transmitting a draft of a proposed bill to rectify the title to a strip of land adjacent to the Federal Detention Headquarters at New Orleans, La.; to the Committee on Public Buildings and Grounds.

1682. A letter from the Secretary of the Interior, transmitting the draft of a proposed bill to amend section 2 of the act of April 13, 1938 (52 Stat. 215); to the Committee on Foreign Affairs.

1683. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, for the fiscal year 1941, amounting to $1,000,000 (H. Doc. No. 788); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. PETERSON of Florida: Committee on Merchant Marine and Fisheries. H. R. 9349. A bill authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as Base 6 at Fort Lauderdale, Fla.; with amendment (Rept. No. 2309). Referred to the Committee of the Whole House on the state of the Union.

Mr. RABAUT: Report of Special Joint Committee to Investigate Strength and Safety of Roofs of Senate and House Wings of the Capitol (Rept. No. 2310). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9458) granting a pension to Louise Phillips, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MAY:

H. R. 9896. A bill to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

H. R. 9897. A bill to authorize the acquisition of additional land for military purposes; to the Committee on Military Affairs.

H. R. 9898. A bill to further amend section 13a of the National Defense Act so as to authorize officers detailed for training and duty as aircraft observers to be so rated, and for other purposes; to the Committee on Military Affairs.

By Mr. LEA:

H. R. 9899. A bill extending the jurisdiction of the Civil Aeronautics Authority over certain air-mail services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAAS:

H. R. 9900. A bill to provide for the commissioning of officers of the Navy from civil life, to abolish the United States Naval Academy as an institution for the training of midshipmen, and for other purposes; to the Committee on Naval Affairs.

By Mr. MALONEY:

H. R. 9901. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Washington:

H. R. 9902. A bill to provide for the construction by the Secretary of the Treasury of a Federal building for use as a National Guard armory in Longview, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. SNYDER:

H. R. 9903. A bill for preventing the illegal entry of aliens; to the Committee on Immigration and Naturalization.

By Mr. VINCENT of Kentucky:

H. R. 9904. A bill to authorize the acceptance of donations of property for the Mammoth Cave National Park in the State of Kentucky, and for other purposes; to the Committee on the Public Lands.

By Mr. O'LEARY:

H. R. 9905. A bill to make emergency provision for the maintenance of essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. HOFFMAN:

H. R. 9906. A bill relating to the acquisition of foreign silver by the United States; to the Committee on Ways and Means.

By Mr. NICHOLS:

H. R. 9907. 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. PATRICK:

H. R. 9908. A bill granting to certain claimants the preference right to purchase certain public lands in the State of Florida; to the Committee on the Public Lands.

By Mr. VINCENT of Kentucky:

H. R. 9909. A bill to amend sections 2803 (c) and 2903 of Internal Revenue Code; to the Committee on Ways and Means.

By Mr. VOORHIS of California:

H. R. 9910. A bill to provide for the employment of rural unemployed persons upon projects for the conservation of soil, water, and forest resources; to the Committee on Agriculture.

By Mr. CELLER:

H. J. Res. 553. Joint resolution to authorize the Federal Bureau of Investigation of the Department of Justice to conduct investigations in the interests of national defense, and for that purpose to permit wire tapping; to the Committee on the Judiciary.

By Mr. GUYER of Kansas:

H. Con. Res. 71. Concurrent resolution authorizing reproduction in colors of the Howard Chandler Christy painting, The Signing of the Constitution, and the printing of 300,000 copies thereof; to the Committee on Printing.

By Mr. BARRY:

H. Res. 501. Resolution providing for the consideration of H. R. 7636; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE:

H. R. 9911. A bill granting an increase of pension to Maggie Crist; to the Committee on Invalid Pensions.

By Mr. McLEOD:

H. R. 9912. A bill to authorize the presentation of a Distinguished Service Cross to Thomas E. Lane; to the Committee on Military Affairs.

By Mr. O'TOOLE:

H. R. 9913 (by request): A bill for the relief of Anthony Di Maio; to the Committee on Naval Affairs.

By Mr. PACE:

H. R. 9914. A bill for the relief of H. B. Wilson; to the Committee on Claims.

By Mr. SOMERS of New York:

H. R. 9915. A bill for the relief of Gertrude Koenig (also known as Genendel Kukielka, nee Litniak); to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

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

8440. By Mr. DICKSTEIN: Petition of Joseph Delibert, P. B. Nortman, and others; to the Select Committee on Government Reorganization.

8441. Also, petition of Bernard J. Kelly, president, Field Employees' Association, Immigration and Naturalization Service; to the Committee on Immigration and Naturalization.

8442. By Mr. ENGEL: Petition of Benjamin Doll, Daniel S. Meyer, Mrs. William Kieler, all of Ludington, Mich., urging enactment of the Tolan bill (H. R. 8963), which would eliminate existing discrimination against chiropractors in the treatment of United States employees; to the Committee on Immigration and Naturalization.

8443. By Mr. HART: Petition of Disabled American Veterans of the World War, Department of New Jersey, endorsing and supporting the message of the President of the United States on the defense program and requesting that Congress and the War Department authorize that veterans of the World War be declared a part of the armed reserves to guard and defend all military points of value in the Nation during periods of war; to the Committee on Military Affairs.

8444. Also, petition of the Executive Council of the International Association of Machinists, expressing gratitude to the President of the United States for the leadership he has taken in the defense program, and pledging the support of the membership of the association; to the Committee on Military Affairs.

8445. Also, memorial of Gen. Quincy A. Gillmore, Atlantic City, N. J. (formerly commanding general, New Jersey National Guard), recommending steps be taken to insure an adequate national defense; to the Committee on Military Affairs.

8446. By Mr. HARTER of New York: Petition of the Fourth Circuit of the Polish National Alliance of America, favoring the adoption of legislation to aid the people of Poland; to the Committee on Foreign Affairs.

8447. By Mr. KEOGH: Petition of the American Federation of Labor, Washington, D. C., referring to section 2 of the War Department civil functions appropriation bill (H. R. 8668), conference report; to the Committee on Military Affairs.

8448. Also, petition of the Chamber of Commerce of the State of New York concerning national defense and the European crisis; to the Committee on Military Affairs.

8449. By Mr. PFEIFER: Petition of the Marine Draftsmen and Technicians, Navy Yard, N. Y., Chapter 24, Brooklyn, N. Y., urging enforcement of civil-service rules and regulations when hiring additional personnel for defense program; to the Committee on the Civil Service.

8450. Also, petition of the Chamber of Commerce of the State of New York, New York City, concerning our national defense and the European crisis; to the Committee on Foreign Affairs.

8451. Also, petition of the American Federation of Labor, Washington, D. C., concerning the War Department civil functions appropriation bill (H. R. 8668); to the Committee on Military Affairs.

8452. By Mr. SCHIFFLER: Petition of Paul Wharton, commander, and Arch R. Bayles, acting adjutant, Veterans of Foreign Wars, of McMechen, W. Va., urging that no effort be spared in contacting all organizations and individuals for the purpose of securing an airplane or munitions factory in the vicinity of the First Congressional District of West Virginia; to the Committee on Military Affairs.

8453. By Mr. SCHWERT: Resolution adopted at the annual convention of the Women's Division, Fourth Circuit of the Polish National Alliance of America, comprising the western part of New York State and part of Pennsylvania State, urging passage of the bill to provide $15,000,000 for the relief of war-stricken victims of Poland; to the Committee on Foreign Affairs.

8454. Also, statement and resolutions adopted at the annual convention of the diocese of western New York, pertaining to the war in Europe; to the Committee on Foreign Affairs.

8455. By Mr. SHANLEY: Petition of the Connecticut Department of Sons of Union Veterans of the Civil War; to the Committee on Foreign Affairs.

8456. By Mr. WOLCOTT: Petition of Donald Boardwell and 21 other members of the crew of the steamship *Comet*, marine post office, Detroit, Mich., supporting the Maritime Unemployment Insurance Act (H. R. 2553 and H. R. 6534); to the Committee on Ways and Means.

8457. Also, petition of Mary Caverly, secretary-treasurer of the Townsend Club 1, and 104 other residents of Elkton, Mich., favoring the enactment of the Townsend plan; to the Committee on Ways and Means.

8458. By the SPEAKER: Petition of the Franklin County fiscal court, Franklin, Ky., petitioning consideration of their resolution with reference to appropriation for national defense; to the Committee on Appropriations.

8459. Also, petition of International Longshoremen and Warehousemen's Union, Local 26, district 1, Los Angeles, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8460. Also, petition of the Ladies Garment Workers Union, I. L. G. W. U., Cleveland, Ohio, petitioning consideration of their resolution with reference to anti-alien bills; to the Committee on Immigration and Naturalization.

8461. Also, petition of the Pontiac Industrial Union Council, Pontiac, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8462. Also, petition of the Fisher Body Local, No. 596, United Automobile Workers of America, Congress of Industrial Organizations, Pontiac, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8463. Also, petition of the International Union, United Automobile Workers of America, Local No. 180, 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.

8464. Also, petition of the United Mine Workers of America, Local No. 6814, Unionville, Mich., by Joe Karas, Jr., of 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.

8465. Also, petition of the United Farm Equipment Workers of America, Chicago, Ill., petitioning consideration of their resolution with reference to Work Projects Administration; to the Committee on Appropriations.

8466. Also, petition of the Woman's Club, Jacksonville, Fla., petitioning consideration of their resolution with reference to all saboteurs and repudiators of our flag be routed out, labeled, and imprisoned; to the Committee on the Judiciary.

8467. Also, petition of the International Union, United Automobile Workers of America, Local 271, San Francisco, Calif. petitioning consideration of their resolution with reference to the United States Housing Authority program; to the Committee on Banking and Currency.

8468. Also, petition of Local No. 17, International Woodworkers of America, Astoria, Oreg., petitioning consideration of their resolution with reference to House bills 9195 and 8813 concerning labor; to the Committee on Labor.

8469. Also, petition of the International Federation of Architects, Engineers, Chemists, and Technicians, Washington, D. C., petitioning consideration of their resolution with reference to the Wagner Act; to the Committee on Labor.

8470. Also, petition of the International Union, United Automobile Workers of America, Local No. 27, Kenosha, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8471. Also, petition of Local Union No. 356, United Automobile Workers of America, Milwaukee, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8472. Also, petition of the International Union, United Automobile Workers of America, Local No. 32, Cleveland, Ohio, petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8473. Also, petition of Liga Pro Democracia, San Juan de Puerto Rico, Santurce, P. R., petitioning consideration of their resolution with reference to war; to the Committee on Foreign Affairs.

8474. Also, petition of the Labor's Nonpartisan League, of Los Angeles County, Los Angeles, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8475. Also, petition of the Los Angeles Newspaper Guild, petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8476. Also, petition of the German-American Educational Club, Detroit, Mich., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8477. Also, petition of the United Office and Professional Workers of America, Local 24, Chicago, Ill., petitioning consideration of their resolution with reference to House bills 9195 and 8813, concerning labor; to the Committee on Labor.

8478. Also, petition of the Michigan Federation of Post Office Clerks at Manistee, Mich., petitioning consideration of Postal Service; to the Committee on the Post Office and Post their resolution with reference to Senate bills 487 and 3147 and House bills 3649 and 7767, concerning employees in the Roads.